

**As Passed by the Senate**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**Sub. S. B. No. 3**

**Senators Beagle, Balderson**

**Cosponsors: Senators Bacon, Brown, Gardner, Hite, Hoagland, Manning, Tavares, Terhar, LaRose, Hottinger, Uecker, Coley, Dolan, Eklund, Hackett, Huffman, Kunze, Lehner, Obhof, O'Brien, Oelslager, Peterson, Sykes, Williams, Wilson, Yuko**

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**A BILL**

To amend sections 107.35, 131.33, 307.984, 329.04, 1  
329.06, 763.01, 763.07, 2329.66, 2953.25, 2  
3121.03, 3304.11, 3304.12, 3304.14, 3304.15, 3  
3304.17, 3304.171, 3304.18, 3304.182, 3304.19, 4  
3304.20, 3304.21, 3304.22, 3304.27, 3304.28, 5  
3304.29, 3304.30, 3304.31, 3304.41, 3309.23, 6  
3313.603, 3313.618, 3313.6110, 3313.89, 3314.03, 7  
3326.01, 3326.03, 3326.032, 3326.04, 3326.09, 8  
3326.11, 3333.91, 3333.92, 4141.29, 4141.43, 9  
4141.51, 5101.09, 5101.20, 5101.201, 5101.214, 10  
5101.23, 5101.241, 5108.01, 5123.60, 5166.40, 11  
5166.408, 5709.64, 5903.11, 6301.01, 6301.02, 12  
6301.03, 6301.04, 6301.05, 6301.06, 6301.061, 13  
6301.07, 6301.08, 6301.09, 6301.11, 6301.12, and 14  
6301.18; to enact sections 5.281, 3313.6112, 15  
3313.904, and 6301.20; and to repeal sections 16  
330.01, 330.02, 330.04, 330.05, 330.07, 763.02, 17  
and 763.05 of the Revised Code to revise the 18  
laws governing the state's workforce development 19  
system, programs that may be offered by primary 20  
and secondary schools, certificates of 21  
qualification for employment, and the 22

Opportunities for Ohioans with Disabilities 23  
Agency, and to designate the first week of May 24  
as In-Demand Jobs Week. 25

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 107.35, 131.33, 307.984, 329.04, 26  
329.06, 763.01, 763.07, 2329.66, 2953.25, 3121.03, 3304.11, 27  
3304.12, 3304.14, 3304.15, 3304.17, 3304.171, 3304.18, 3304.182, 28  
3304.19, 3304.20, 3304.21, 3304.22, 3304.27, 3304.28, 3304.29, 29  
3304.30, 3304.31, 3304.41, 3309.23, 3313.603, 3313.618, 30  
3313.6110, 3313.89, 3314.03, 3326.01, 3326.03, 3326.032, 31  
3326.04, 3326.09, 3326.11, 3333.91, 3333.92, 4141.29, 4141.43, 32  
4141.51, 5101.09, 5101.20, 5101.201, 5101.214, 5101.23, 33  
5101.241, 5108.01, 5123.60, 5166.40, 5166.408, 5709.64, 5903.11, 34  
6301.01, 6301.02, 6301.03, 6301.04, 6301.05, 6301.06, 6301.061, 35  
6301.07, 6301.08, 6301.09, 6301.11, 6301.12, and 6301.18 be 36  
amended and sections 5.281, 3313.6112, 3313.904, and 6301.20 of 37  
the Revised Code be enacted to read as follows: 38

**Sec. 5.281.** Beginning in 2018, and every year thereafter, 39  
the full week beginning on the first Monday in May is designated 40  
as in-demand jobs week. 41

Every year during in-demand jobs week, the governor's 42  
office of workforce transformation, in collaboration with the 43  
departments of job and family services, education, and higher 44  
education, shall organize activities to raise awareness among 45  
educators, students, and parents of jobs that are in demand by 46  
employers operating in this state and the requirements and 47  
benefits of those jobs. The activities shall include job fairs 48

and company tours to connect middle and high school students 49  
with employers. 50

**Sec. 107.35.** ~~Not later than December 31, 2014, the~~ The 51  
governor's office of workforce transformation, with staff 52  
support and assistance from the departments of job and family 53  
services ~~and~~, education, and ~~the Ohio board of regents~~ higher 54  
education, shall establish criteria to use for evaluating the 55  
performance of state and local workforce programs using basic, 56  
aligned workforce measures related to system efficiency and 57  
effectiveness. The office shall develop and make available on 58  
the internet through a web site a public dashboard to display 59  
metrics regarding the state's administration of primary 60  
workforce programs, including the following programs: 61

(A) The adult basic and literacy education program; 62

(B) Programs administered under the federal "Carl D. 63  
Perkins Career and Technical Education Act of 2006," 120 Stat. 64  
683, 20 U.S.C. 2301 et seq., as amended; 65

(C) State aid and scholarships ~~within the Ohio board of~~ 66  
~~regents~~ administered by the department of higher education; 67

(D) Programs administered under title I of the federal 68  
~~"Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.~~ 69  
~~2801 et seq., as amended~~ "Workforce Innovation and Opportunity 70  
Act," 29 U.S.C. 3101 et seq. 71

**Sec. 131.33.** (A) No state agency shall incur an obligation 72  
which exceeds the agency's current appropriation authority. 73  
Except as provided in division (D) of this section, unexpended 74  
balances of appropriations shall, at the close of the period for 75  
which the appropriations are made, revert to the funds from 76  
which the appropriations were made, except that the director of 77

budget and management shall transfer such unexpended balances 78  
from the first fiscal year to the second fiscal year of an 79  
agency's appropriations to the extent necessary for voided 80  
warrants to be reissued pursuant to division (C) of section 81  
126.37 of the Revised Code. 82

Except as provided in this section, appropriations made to 83  
a specific fiscal year shall be expended only to pay liabilities 84  
incurred within that fiscal year. 85

(B) All payrolls shall be charged to the allotments of the 86  
fiscal quarters in which the applicable payroll vouchers are 87  
certified by the director of budget and management in accordance 88  
with section 126.07 of the Revised Code. As used in this 89  
division, "payrolls" means any payment made in accordance with 90  
section 125.21 of the Revised Code. 91

(C) Legal liabilities from prior fiscal years for which 92  
there is no reappropriation authority shall be discharged from 93  
the unencumbered balances of current appropriations. 94

(D) (1) Federal grant funds obligated by the department of 95  
job and family services for financial allocations to county 96  
family services agencies and local ~~workforce investment~~ boards 97  
may, at the discretion of the director of job and family 98  
services, be available for expenditure for the duration of the 99  
federal grant period of obligation and liquidation, as follows: 100

(a) At the end of the state fiscal year, all unexpended 101  
county family services agency and local ~~workforce investment~~- 102  
board financial allocations obligated from federal grant funds 103  
may continue to be valid for expenditure during subsequent state 104  
fiscal years. 105

(b) The financial allocations described in division (D) (1) 106

(a) of this section shall be reconciled at the end of the 107  
federal grant period of availability or as required by federal 108  
law, regardless of the state fiscal year of the appropriation. 109

(2) The director of job and family services may adopt 110  
rules in accordance with section 111.15 of the Revised Code, as 111  
if they were internal management rules, as necessary to 112  
implement division (D) of this section. 113

(3) As used in division (D) of this section: 114

(a) "County family services agency" has the same meaning 115  
as in section 307.981 of the Revised Code. 116

(b) "~~Local workforce investment board~~" ~~means a local~~ 117  
~~workforce investment board established under section 117 of the~~ 118  
~~"Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.~~ 119  
~~2832, as amended~~ has the same meaning as in section 6301.01 of 120  
the Revised Code. 121

**Sec. 307.984.** (A) To enhance the administration, delivery, 122  
and effectiveness of family services duties and workforce 123  
development activities, a board of county commissioners may 124  
enter into one or more regional plans of cooperation with the 125  
following: 126

(1) One or more other boards of county commissioners; 127

(2) The chief elected official or officials of one or more 128  
municipal corporations that are ~~the type of local area~~ areas as 129  
defined in ~~division (A) (1) of~~ section 6301.01 of the Revised 130  
Code; 131

(3) Both boards of county commissioners and such chief 132  
elected officials. 133

(B) A regional plan of cooperation must specify how the 134

private and government entities included in the plan will 135  
coordinate and enhance the administration, delivery, and 136  
effectiveness of family services duties and workforce 137  
development activities. 138

**Sec. 329.04.** (A) The county department of job and family 139  
services shall have, exercise, and perform the following powers 140  
and duties: 141

(1) Perform any duties assigned by the state department of 142  
job and family services or department of medicaid regarding the 143  
provision of public family services, including the provision of 144  
the following services to prevent or reduce economic or personal 145  
dependency and to strengthen family life: 146

(a) Services authorized by a Title IV-A program, as 147  
defined in section 5101.80 of the Revised Code; 148

(b) Social services authorized by Title XX of the "Social 149  
Security Act" and provided for by section 5101.46 or 5101.461 of 150  
the Revised Code; 151

(c) If the county department is designated as the child 152  
support enforcement agency, services authorized by Title IV-D of 153  
the "Social Security Act" and provided for by Chapter 3125. of 154  
the Revised Code. The county department may perform the services 155  
itself or contract with other government entities, and, pursuant 156  
to division (C) of section 2301.35 and section 2301.42 of the 157  
Revised Code, private entities, to perform the Title IV-D 158  
services. 159

(d) Duties assigned under section 5162.031 of the Revised 160  
Code. 161

(2) Administer disability financial assistance, as 162  
required by the state department of job and family services 163

under section 5115.03 of the Revised Code;	164
(3) Administer burials insofar as the administration of	165
burials was, prior to September 12, 1947, imposed upon the board	166
of county commissioners and if otherwise required by state law;	167
(4) Cooperate with state and federal authorities in any	168
matter relating to family services and to act as the agent of	169
such authorities;	170
(5) Submit an annual account of its work and expenses to	171
the board of county commissioners and to the state department of	172
job and family services and department of medicaid at the close	173
of each fiscal year;	174
(6) Exercise any powers and duties relating to family	175
services duties or workforce development activities imposed upon	176
the county department of job and family services by law, by	177
resolution of the board of county commissioners, or by order of	178
the governor, when authorized by law, to meet emergencies during	179
war or peace;	180
(7) Enter into a plan of cooperation with the board of	181
county commissioners under section 307.983, consult with the	182
board in the development of the transportation work plan	183
developed under section 307.985, establish with the board	184
procedures under section 307.986 for providing services to	185
children whose families relocate frequently, and comply with the	186
contracts the board enters into under sections 307.981 and	187
307.982 of the Revised Code that affect the county department;	188
(8) For the purpose of complying with a grant agreement	189
the board of county commissioners enters into under sections	190
307.98 and 5101.21 of the Revised Code, exercise the powers and	191
perform the duties the grant agreement assigns to the county	192

department	193
<del>(9) If the county department is designated as the</del>	194
<del>workforce development agency, provide the workforce development</del>	195
<del>activities specified in the contract required by section 330.05</del>	196
<del>of the Revised Code.</del>	197
(B) The powers and duties of a county department of job	198
and family services are, and shall be exercised and performed,	199
under the control and direction of the board of county	200
commissioners. The board may assign to the county department any	201
power or duty of the board regarding family services duties and	202
workforce development activities. If the new power or duty	203
necessitates the state department of job and family services or	204
department of medicaid changing its federal cost allocation	205
plan, the county department may not implement the power or duty	206
unless the United States department of health and human services	207
approves the changes.	208
<b>Sec. 329.06.</b> (A) Except as provided in division (C) of	209
this section <del>and section 6301.08 of the Revised Code,</del> the board	210
of county commissioners shall establish a county family services	211
planning committee. The board shall appoint a member to	212
represent the county department of job and family services; an	213
employee in the classified civil service of the county	214
department of job and family services, if there are any such	215
employees; and a member to represent the public. The board shall	216
appoint other individuals to the committee in such a manner that	217
the committee's membership is broadly representative of the	218
groups of individuals and the public and private entities that	219
have an interest in the family services provided in the county.	220
The board shall make appointments in a manner that reflects the	221
ethnic and racial composition of the county. The following	222



groups and entities may be represented on the committee:	223
(1) Consumers of family services;	224
(2) The public children services agency;	225
(3) The child support enforcement agency;	226
(4) The county family and children first council;	227
(5) Public and private colleges and universities;	228
(6) Public entities that provide family services,	229
including boards of health, boards of education, the county	230
board of developmental disabilities, and the board of alcohol,	231
drug addiction, and mental health services that serves the	232
county;	233
(7) Private nonprofit and for-profit entities that provide	234
family services in the county or that advocate for consumers of	235
family services in the county, including entities that provide	236
services to or advocate for victims of domestic violence;	237
(8) Labor organizations;	238
(9) Any other group or entity that has an interest in the	239
family services provided in the county, including groups or	240
entities that represent any of the county's business, urban, and	241
rural sectors.	242
(B) The county family services planning committee shall do	243
all of the following:	244
(1) Serve as an advisory body to the board of county	245
commissioners with regard to the family services provided in the	246
county, including assistance under Chapters 5107. and 5108. of	247
the Revised Code, publicly funded child care under Chapter 5104.	248
of the Revised Code, and social services provided under section	249

5101.46 of the Revised Code;	250
(2) At least once a year, review and analyze the county	251
department of job and family services' implementation of the	252
programs established under Chapters 5107. and 5108. of the	253
Revised Code. In its review, the committee shall use information	254
available to it to examine all of the following:	255
(a) Return of assistance groups to participation in either	256
program after ceasing to participate;	257
(b) Teen pregnancy rates among the programs' participants;	258
(c) The other types of assistance the programs'	259
participants receive, including medicaid, publicly funded child	260
care under Chapter 5104. of the Revised Code, supplemental	261
nutrition assistance program benefits under section 5101.54 of	262
the Revised Code, and energy assistance under Chapter 5117. of	263
the Revised Code;	264
(d) Other issues the committee considers appropriate.	265
The committee shall make recommendations to the board of	266
county commissioners and county department of job and family	267
services regarding the committee's findings.	268
(3) Conduct public hearings on proposed county profiles	269
for the provision of social services under section 5101.46 of	270
the Revised Code;	271
(4) At the request of the board, make recommendations and	272
provide assistance regarding the family services provided in the	273
county;	274
(5) At any other time the committee considers appropriate,	275
consult with the board and make recommendations regarding the	276
family services provided in the county. The committee's	277

recommendations may address the following:	278
(a) Implementation and administration of family service programs;	279 280
(b) Use of federal, state, and local funds available for family service programs;	281 282
(c) Establishment of goals to be achieved by family service programs;	283 284
(d) Evaluation of the outcomes of family service programs;	285
(e) Any other matter the board considers relevant to the provision of family services.	286 287
(C) If there is a committee in existence in a county on October 1, 1997, that the board of county commissioners determines is capable of fulfilling the responsibilities of a county family services planning committee, the board may designate the committee as the county's family services planning committee and the committee shall serve in that capacity.	288 289 290 291 292 293
<b>Sec. 763.01.</b> As used in this chapter:	294
(A) "Private entity" means an entity other than a government entity.	295 296
(B) "Workforce development activity" has the same meaning as in section 6301.01 of the Revised Code.	297 298
<del>(C) "Workforce Investment Act" means the "Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.A. 2801, as amended.</del>	299 300 301
<b>Sec. 763.07.</b> To enhance the administration, delivery, and effectiveness of family services duties and workforce development activities, the chief elected official of a	302 303 304

municipal corporation that, is a local area for the purpose of 305  
Chapter 6301. of the Revised Code, ~~is the type of local area~~ 306  
~~defined in division (A) (1) of section 6301.01 of the Revised~~ 307  
~~Code~~ may enter into a regional plan of cooperation with one or 308  
more boards of county commissioners pursuant to section 307.984 309  
of the Revised Code. A regional plan of cooperation must specify 310  
how the private and government entities subject to the plan will 311  
coordinate and enhance the administration, delivery, and 312  
effectiveness of family services duties and workforce 313  
development activities. 314

**Sec. 2329.66.** (A) Every person who is domiciled in this 315  
state may hold property exempt from execution, garnishment, 316  
attachment, or sale to satisfy a judgment or order, as follows: 317

(1) (a) In the case of a judgment or order regarding money 318  
owed for health care services rendered or health care supplies 319  
provided to the person or a dependent of the person, one parcel 320  
or item of real or personal property that the person or a 321  
dependent of the person uses as a residence. Division (A) (1) (a) 322  
of this section does not preclude, affect, or invalidate the 323  
creation under this chapter of a judgment lien upon the exempted 324  
property but only delays the enforcement of the lien until the 325  
property is sold or otherwise transferred by the owner or in 326  
accordance with other applicable laws to a person or entity 327  
other than the surviving spouse or surviving minor children of 328  
the judgment debtor. Every person who is domiciled in this state 329  
may hold exempt from a judgment lien created pursuant to 330  
division (A) (1) (a) of this section the person's interest, not to 331  
exceed one hundred twenty-five thousand dollars, in the exempted 332  
property. 333

(b) In the case of all other judgments and orders, the 334

person's interest, not to exceed one hundred twenty-five 335  
thousand dollars, in one parcel or item of real or personal 336  
property that the person or a dependent of the person uses as a 337  
residence. 338

(c) For purposes of divisions (A) (1) (a) and (b) of this 339  
section, "parcel" means a tract of real property as identified 340  
on the records of the auditor of the county in which the real 341  
property is located. 342

(2) The person's interest, not to exceed three thousand 343  
two hundred twenty-five dollars, in one motor vehicle; 344

(3) The person's interest, not to exceed four hundred 345  
dollars, in cash on hand, money due and payable, money to become 346  
due within ninety days, tax refunds, and money on deposit with a 347  
bank, savings and loan association, credit union, public 348  
utility, landlord, or other person, other than personal 349  
earnings. 350

(4) (a) The person's interest, not to exceed five hundred 351  
twenty-five dollars in any particular item or ten thousand seven 352  
hundred seventy-five dollars in aggregate value, in household 353  
furnishings, household goods, wearing apparel, appliances, 354  
books, animals, crops, musical instruments, firearms, and 355  
hunting and fishing equipment that are held primarily for the 356  
personal, family, or household use of the person; 357

(b) The person's aggregate interest in one or more items 358  
of jewelry, not to exceed one thousand three hundred fifty 359  
dollars, held primarily for the personal, family, or household 360  
use of the person or any of the person's dependents. 361

(5) The person's interest, not to exceed an aggregate of 362  
two thousand twenty-five dollars, in all implements, 363

professional books, or tools of the person's profession, trade,	364
or business, including agriculture;	365
(6) (a) The person's interest in a beneficiary fund set	366
apart, appropriated, or paid by a benevolent association or	367
society, as exempted by section 2329.63 of the Revised Code;	368
(b) The person's interest in contracts of life or	369
endowment insurance or annuities, as exempted by section 3911.10	370
of the Revised Code;	371
(c) The person's interest in a policy of group insurance	372
or the proceeds of a policy of group insurance, as exempted by	373
section 3917.05 of the Revised Code;	374
(d) The person's interest in money, benefits, charity,	375
relief, or aid to be paid, provided, or rendered by a fraternal	376
benefit society, as exempted by section 3921.18 of the Revised	377
Code;	378
(e) The person's interest in the portion of benefits under	379
policies of sickness and accident insurance and in lump sum	380
payments for dismemberment and other losses insured under those	381
policies, as exempted by section 3923.19 of the Revised Code.	382
(7) The person's professionally prescribed or medically	383
necessary health aids;	384
(8) The person's interest in a burial lot, including, but	385
not limited to, exemptions under section 517.09 or 1721.07 of	386
the Revised Code;	387
(9) The person's interest in the following:	388
(a) Moneys paid or payable for <del>living</del> -maintenance or	389
rights, as exempted by section 3304.19 of the Revised Code;	390

(b) Workers' compensation, as exempted by section 4123.67	391
of the Revised Code;	392
(c) Unemployment compensation benefits, as exempted by	393
section 4141.32 of the Revised Code;	394
(d) Cash assistance payments under the Ohio works first	395
program, as exempted by section 5107.75 of the Revised Code;	396
(e) Benefits and services under the prevention, retention,	397
and contingency program, as exempted by section 5108.08 of the	398
Revised Code;	399
(f) Disability financial assistance payments, as exempted	400
by section 5115.06 of the Revised Code;	401
(g) Payments under section 24 or 32 of the "Internal	402
Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended.	403
(10) (a) Except in cases in which the person was convicted	404
of or pleaded guilty to a violation of section 2921.41 of the	405
Revised Code and in which an order for the withholding of	406
restitution from payments was issued under division (C) (2) (b) of	407
that section, in cases in which an order for withholding was	408
issued under section 2907.15 of the Revised Code, in cases in	409
which an order for forfeiture was issued under division (A) or	410
(B) of section 2929.192 of the Revised Code, and in cases in	411
which an order was issued under section 2929.193 or 2929.194 of	412
the Revised Code, and only to the extent provided in the order,	413
and except as provided in sections 3105.171, 3105.63, 3119.80,	414
3119.81, 3121.02, 3121.03, and 3123.06 of the Revised Code, the	415
person's rights to or interests in a pension, benefit, annuity,	416
retirement allowance, or accumulated contributions, the person's	417
rights to or interests in a participant account in any deferred	418
compensation program offered by the Ohio public employees	419

deferred compensation board, a government unit, or a municipal corporation, or the person's other accrued or accruing rights or interests, as exempted by section 143.11, 145.56, 146.13, 148.09, 742.47, 3307.41, 3309.66, or 5505.22 of the Revised Code, and the person's rights to or interests in benefits from the Ohio public safety officers death benefit fund;

(b) Except as provided in sections 3119.80, 3119.81, 3121.02, 3121.03, and 3123.06 of the Revised Code, the person's rights to receive or interests in receiving a payment or other benefits under any pension, annuity, or similar plan or contract, not including a payment or benefit from a stock bonus or profit-sharing plan or a payment included in division (A)(6)(b) or (10)(a) of this section, on account of illness, disability, death, age, or length of service, to the extent reasonably necessary for the support of the person and any of the person's dependents, except if all the following apply:

(i) The plan or contract was established by or under the auspices of an insider that employed the person at the time the person's rights or interests under the plan or contract arose.

(ii) The payment is on account of age or length of service.

(iii) The plan or contract is not qualified under the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended.

(c) Except for any portion of the assets that were deposited for the purpose of evading the payment of any debt and except as provided in sections 3119.80, 3119.81, 3121.02, 3121.03, and 3123.06 of the Revised Code, the person's rights or interests in the assets held in, or to directly or indirectly



receive any payment or benefit under, any individual retirement 449  
account, individual retirement annuity, "Roth IRA," account 450  
opened pursuant to a program administered by a state under 451  
section 529 or 529A of the "Internal Revenue Code of 1986," 100 452  
Stat. 2085, 26 U.S.C. 1, as amended, or education individual 453  
retirement account that provides payments or benefits by reason 454  
of illness, disability, death, retirement, or age or provides 455  
payments or benefits for purposes of education or qualified 456  
disability expenses, to the extent that the assets, payments, or 457  
benefits described in division (A)(10)(c) of this section are 458  
attributable to or derived from any of the following or from any 459  
earnings, dividends, interest, appreciation, or gains on any of 460  
the following: 461

(i) Contributions of the person that were less than or 462  
equal to the applicable limits on deductible contributions to an 463  
individual retirement account or individual retirement annuity 464  
in the year that the contributions were made, whether or not the 465  
person was eligible to deduct the contributions on the person's 466  
federal tax return for the year in which the contributions were 467  
made; 468

(ii) Contributions of the person that were less than or 469  
equal to the applicable limits on contributions to a Roth IRA or 470  
education individual retirement account in the year that the 471  
contributions were made; 472

(iii) Contributions of the person that are within the 473  
applicable limits on rollover contributions under subsections 474  
219, 402(c), 403(a)(4), 403(b)(8), 408(b), 408(d)(3), 408A(c)(3) 475  
(B), 408A(d)(3), and 530(d)(5) of the "Internal Revenue Code of 476  
1986," 100 Stat. 2085, 26 U.S.C.A. 1, as amended; 477

(iv) Contributions by any person into any plan, fund, or 478

account that is formed, created, or administered pursuant to, or 479  
is otherwise subject to, section 529 or 529A of the "Internal 480  
Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended. 481

(d) Except for any portion of the assets that were 482  
deposited for the purpose of evading the payment of any debt and 483  
except as provided in sections 3119.80, 3119.81, 3121.02, 484  
3121.03, and 3123.06 of the Revised Code, the person's rights or 485  
interests in the assets held in, or to receive any payment 486  
under, any Keogh or "H.R. 10" plan that provides benefits by 487  
reason of illness, disability, death, retirement, or age, to the 488  
extent reasonably necessary for the support of the person and 489  
any of the person's dependents. 490

(e) The person's rights to or interests in any assets held 491  
in, or to directly or indirectly receive any payment or benefit 492  
under, any individual retirement account, individual retirement 493  
annuity, "Roth IRA," account opened pursuant to a program 494  
administered by a state under section 529 or 529A of the 495  
"Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as 496  
amended, or education individual retirement account that a 497  
decedent, upon or by reason of the decedent's death, directly or 498  
indirectly left to or for the benefit of the person, either 499  
outright or in trust or otherwise, including, but not limited 500  
to, any of those rights or interests in assets or to receive 501  
payments or benefits that were transferred, conveyed, or 502  
otherwise transmitted by the decedent by means of a will, trust, 503  
exercise of a power of appointment, beneficiary designation, 504  
transfer or payment on death designation, or any other method or 505  
procedure. 506

(f) The exemptions under divisions (A) (10) (a) to (e) of 507  
this section also shall apply or otherwise be available to an 508

alternate payee under a qualified domestic relations order	509
(QDRO) or other similar court order.	510
(g) A person's interest in any plan, program, instrument,	511
or device described in divisions (A)(10)(a) to (e) of this	512
section shall be considered an exempt interest even if the plan,	513
program, instrument, or device in question, due to an error made	514
in good faith, failed to satisfy any criteria applicable to that	515
plan, program, instrument, or device under the "Internal Revenue	516
Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended.	517
(11) The person's right to receive spousal support, child	518
support, an allowance, or other maintenance to the extent	519
reasonably necessary for the support of the person and any of	520
the person's dependents;	521
(12) The person's right to receive, or moneys received	522
during the preceding twelve calendar months from, any of the	523
following:	524
(a) An award of reparations under sections 2743.51 to	525
2743.72 of the Revised Code, to the extent exempted by division	526
(D) of section 2743.66 of the Revised Code;	527
(b) A payment on account of the wrongful death of an	528
individual of whom the person was a dependent on the date of the	529
individual's death, to the extent reasonably necessary for the	530
support of the person and any of the person's dependents;	531
(c) Except in cases in which the person who receives the	532
payment is an inmate, as defined in section 2969.21 of the	533
Revised Code, and in which the payment resulted from a civil	534
action or appeal against a government entity or employee, as	535
defined in section 2969.21 of the Revised Code, a payment, not	536
to exceed twenty thousand two hundred dollars, on account of	537

personal bodily injury, not including pain and suffering or 538  
compensation for actual pecuniary loss, of the person or an 539  
individual for whom the person is a dependent; 540

(d) A payment in compensation for loss of future earnings 541  
of the person or an individual of whom the person is or was a 542  
dependent, to the extent reasonably necessary for the support of 543  
the debtor and any of the debtor's dependents. 544

(13) Except as provided in sections 3119.80, 3119.81, 545  
3121.02, 3121.03, and 3123.06 of the Revised Code, personal 546  
earnings of the person owed to the person for services in an 547  
amount equal to the greater of the following amounts: 548

(a) If paid weekly, thirty times the current federal 549  
minimum hourly wage; if paid biweekly, sixty times the current 550  
federal minimum hourly wage; if paid semimonthly, sixty-five 551  
times the current federal minimum hourly wage; or if paid 552  
monthly, one hundred thirty times the current federal minimum 553  
hourly wage that is in effect at the time the earnings are 554  
payable, as prescribed by the "Fair Labor Standards Act of 555  
1938," 52 Stat. 1060, 29 U.S.C. 206(a)(1), as amended; 556

(b) Seventy-five per cent of the disposable earnings owed 557  
to the person. 558

(14) The person's right in specific partnership property, 559  
as exempted by the person's rights in a partnership pursuant to 560  
section 1776.50 of the Revised Code, except as otherwise set 561  
forth in section 1776.50 of the Revised Code; 562

(15) A seal and official register of a notary public, as 563  
exempted by section 147.04 of the Revised Code; 564

(16) The person's interest in a tuition unit or a payment 565  
under section 3334.09 of the Revised Code pursuant to a tuition 566

payment contract, as exempted by section 3334.15 of the Revised Code; 567  
568

(17) Any other property that is specifically exempted from 569  
execution, attachment, garnishment, or sale by federal statutes 570  
other than the "Bankruptcy Reform Act of 1978," 92 Stat. 2549, 571  
11 U.S.C.A. 101, as amended; 572

(18) The person's aggregate interest in any property, not 573  
to exceed one thousand seventy-five dollars, except that 574  
division (A)(18) of this section applies only in bankruptcy 575  
proceedings. 576

(B) On April 1, 2010, and on the first day of April in 577  
each third calendar year after 2010, the Ohio judicial 578  
conference shall adjust each dollar amount set forth in this 579  
section to reflect any increase in the consumer price index for 580  
all urban consumers, as published by the United States 581  
department of labor, or, if that index is no longer published, a 582  
generally available comparable index, for the three-year period 583  
ending on the thirty-first day of December of the preceding 584  
year. Any adjustments required by this division shall be rounded 585  
to the nearest twenty-five dollars. 586

The Ohio judicial conference shall prepare a memorandum 587  
specifying the adjusted dollar amounts. The judicial conference 588  
shall transmit the memorandum to the director of the legislative 589  
service commission, and the director shall publish the 590  
memorandum in the register of Ohio. (Publication of the 591  
memorandum in the register of Ohio shall continue until the next 592  
memorandum specifying an adjustment is so published.) The 593  
judicial conference also may publish the memorandum in any other 594  
manner it concludes will be reasonably likely to inform persons 595  
who are affected by its adjustment of the dollar amounts. 596

(C) As used in this section:	597
(1) "Disposable earnings" means net earnings after the garnishee has made deductions required by law, excluding the deductions ordered pursuant to section 3119.80, 3119.81, 3121.02, 3121.03, or 3123.06 of the Revised Code.	598 599 600 601
(2) "Insider" means:	602
(a) If the person who claims an exemption is an individual, a relative of the individual, a relative of a general partner of the individual, a partnership in which the individual is a general partner, a general partner of the individual, or a corporation of which the individual is a director, officer, or in control;	603 604 605 606 607 608
(b) If the person who claims an exemption is a corporation, a director or officer of the corporation; a person in control of the corporation; a partnership in which the corporation is a general partner; a general partner of the corporation; or a relative of a general partner, director, officer, or person in control of the corporation;	609 610 611 612 613 614
(c) If the person who claims an exemption is a partnership, a general partner in the partnership; a general partner of the partnership; a person in control of the partnership; a partnership in which the partnership is a general partner; or a relative in, a general partner of, or a person in control of the partnership;	615 616 617 618 619 620
(d) An entity or person to which or whom any of the following applies:	621 622
(i) The entity directly or indirectly owns, controls, or holds with power to vote, twenty per cent or more of the outstanding voting securities of the person who claims an	623 624 625

exemption, unless the entity holds the securities in a fiduciary 626  
or agency capacity without sole discretionary power to vote the 627  
securities or holds the securities solely to secure to debt and 628  
the entity has not in fact exercised the power to vote. 629

(ii) The entity is a corporation, twenty per cent or more 630  
of whose outstanding voting securities are directly or 631  
indirectly owned, controlled, or held with power to vote, by the 632  
person who claims an exemption or by an entity to which division 633  
(C) (2) (d) (i) of this section applies. 634

(iii) A person whose business is operated under a lease or 635  
operating agreement by the person who claims an exemption, or a 636  
person substantially all of whose business is operated under an 637  
operating agreement with the person who claims an exemption. 638

(iv) The entity operates the business or all or 639  
substantially all of the property of the person who claims an 640  
exemption under a lease or operating agreement. 641

(e) An insider, as otherwise defined in this section, of a 642  
person or entity to which division (C) (2) (d) (i), (ii), (iii), or 643  
(iv) of this section applies, as if the person or entity were a 644  
person who claims an exemption; 645

(f) A managing agent of the person who claims an 646  
exemption. 647

(3) "Participant account" has the same meaning as in 648  
section 148.01 of the Revised Code. 649

(4) "Government unit" has the same meaning as in section 650  
148.06 of the Revised Code. 651

(D) For purposes of this section, "interest" shall be 652  
determined as follows: 653

(1) In bankruptcy proceedings, as of the date a petition 654  
is filed with the bankruptcy court commencing a case under Title 655  
11 of the United States Code; 656

(2) In all cases other than bankruptcy proceedings, as of 657  
the date of an appraisal, if necessary under section 2329.68 of 658  
the Revised Code, or the issuance of a writ of execution. 659

An interest, as determined under division (D) (1) or (2) of 660  
this section, shall not include the amount of any lien otherwise 661  
valid pursuant to section 2329.661 of the Revised Code. 662

**Sec. 2953.25.** (A) As used in this section: 663

(1) "Collateral sanction" means a penalty, disability, or 664  
disadvantage that is related to employment or occupational 665  
licensing, however denominated, as a result of the individual's 666  
conviction of or plea of guilty to an offense and that applies 667  
by operation of law in this state whether or not the penalty, 668  
disability, or disadvantage is included in the sentence or 669  
judgment imposed. 670

"Collateral sanction" does not include imprisonment, 671  
probation, parole, supervised release, forfeiture, restitution, 672  
fine, assessment, or costs of prosecution. 673

(2) "Decision-maker" includes, but is not limited to, the 674  
state acting through a department, agency, board, commission, or 675  
instrumentality established by the law of this state for the 676  
exercise of any function of government, a political subdivision, 677  
an educational institution, or a government contractor or 678  
subcontractor made subject to this section by contract, law, or 679  
ordinance. 680

(3) "Department-funded program" means a residential or 681  
nonresidential program that is not a term in a state 682



correctional institution, that is funded in whole or part by the department of rehabilitation and correction, and that is imposed as a sanction for an offense, as part of a sanction that is imposed for an offense, or as a term or condition of any sanction that is imposed for an offense.

(4) "Designee" means the person designated by the deputy director of the division of parole and community services to perform the duties designated in division (B) of this section.

(5) "Division of parole and community services" means the division of parole and community services of the department of rehabilitation and correction.

(6) "Offense" means any felony or misdemeanor under the laws of this state.

(7) "Political subdivision" has the same meaning as in section 2969.21 of the Revised Code.

(8) "Discretionary civil impact," "licensing agency," and "mandatory civil impact" have the same meanings as in section 2961.21 of the Revised Code.

~~(B) (1) After the provisions of this division become operative as described in division (J) of this section, an~~ An individual who is subject to one or more collateral sanctions as a result of being convicted of or pleading guilty to an offense and who either has served a term in a state correctional institution for any offense or has spent time in a department-funded program for any offense may file a petition with the designee of the deputy director of the division of parole and community services for a certificate of qualification for employment.

~~(2) After the provisions of this division become operative~~

~~as described in division (J) of this section, an~~ An individual 712  
who is subject to one or more collateral sanctions as a result 713  
of being convicted of or pleading guilty to an offense and who 714  
is not in a category described in division (B) (1) of this 715  
section may file ~~a petition with the court of common pleas of~~ 716  
~~the county in which the person resides or with the designee of~~ 717  
~~the deputy director of the division of parole and community~~ 718  
~~services~~ for a certificate of qualification for employment by 719  
doing either of the following: 720

(a) In the case of an individual who resides in this 721  
state, filing a petition with the court of common pleas of the 722  
county in which the person resides or with the designee of the 723  
deputy director of the division of parole and community 724  
services; 725

(b) In the case of an individual who resides outside of 726  
this state, filing a petition with the court of common pleas of 727  
any county in which any conviction or plea of guilty from which 728  
the individual seeks relief was entered or with the designee of 729  
the deputy director of the division of parole and community 730  
services. 731

(3) A petition under division (B) (1) or (2) of this 732  
section shall be made on a copy of the form prescribed by the 733  
division of parole and community services under division (J) of 734  
this section and shall contain all of the information described 735  
in division (F) of this section. 736

~~(4) An~~ (a) Except as provided in division (B) (4) (b) of 737  
this section, an individual may file a petition under division 738  
(B) (1) or (2) of this section at any time after the expiration 739  
of whichever of the following is applicable: 740

~~(a)~~ (i) If the offense that resulted in the collateral 741  
sanction from which the individual seeks relief is a felony, at 742  
any time after the expiration of one year from the date of 743  
release of the individual from any period of incarceration in a 744  
state or local correctional facility that was imposed for that 745  
offense and all periods of supervision imposed after release 746  
from the period of incarceration or, if the individual was not 747  
incarcerated for that offense, at any time after the expiration 748  
of one year from the date of the individual's final release from 749  
all other sanctions imposed for that offense. 750

~~(b)~~ (ii) If the offense that resulted in the collateral 751  
sanction from which the individual seeks relief is a 752  
misdemeanor, at any time after the expiration of six months from 753  
the date of release of the individual from any period of 754  
incarceration in a local correctional facility that was imposed 755  
for that offense and all periods of supervision imposed after 756  
release from the period of incarceration or, if the individual 757  
was not incarcerated for that offense, at any time after the 758  
expiration of six months from the date of the final release of 759  
the individual from all sanctions imposed for that offense 760  
including any period of supervision. 761

(b) The department of rehabilitation and correction may 762  
establish, by rule adopted under Chapter 119. of the Revised 763  
Code, criteria that may be satisfied by an individual to allow 764  
the individual to file a petition before the expiration of six 765  
months or one year from the date of final release, whichever is 766  
applicable under division (B) (4) (a) of this section. 767

(5) (a) A designee that receives a petition for a 768  
~~certification~~ certificate of qualification for employment from 769  
an individual under division (B) (1) or (2) of this section shall 770

review the petition to determine whether it is complete. If the 771  
petition is complete, the designee shall forward the petition, 772  
and any other information the designee possesses that relates to 773  
the petition, to the court of common pleas of the county in 774  
which the individual resides if the individual resides in this 775  
state or, if the individual resides outside of this state, to 776  
the court of common pleas of any county in which any conviction 777  
or plea of guilty from which the individual seeks relief was 778  
entered. 779

(b) A court of common pleas that receives a petition for a 780  
certificate of qualification for employment from an individual 781  
under division (B) (2) of this section, or that is forwarded a 782  
petition for such a certificate under division (B) (5) (a) of this 783  
section, shall attempt to determine all other courts in this 784  
state in which the individual was convicted of or pleaded guilty 785  
to an offense other than the offense from which the individual 786  
is seeking relief. The court that receives or is forwarded the 787  
petition shall notify all other courts in this state that it 788  
determines under this division were courts in which the 789  
individual was convicted of or pleaded guilty to an offense 790  
other than the offense from which the individual is seeking 791  
relief that the individual has filed the petition and that the 792  
court may send comments regarding the possible issuance of the 793  
certificate. 794

A court of common pleas that receives a petition for a 795  
certificate of qualification for employment under division (B) 796  
(2) of this section shall notify the county's prosecuting 797  
~~attorney of the county in which the individual resides~~ that the 798  
individual has filed the petition. 799

A court of common pleas that receives a petition for a 800

certificate of qualification for employment under division (B) 801  
(2) of this section, or that is forwarded a petition for 802  
qualification under division (B) (5) (a) of this section may 803  
direct the clerk of court to process and record all notices 804  
required in or under this section. 805

(C) (1) Upon receiving a petition for a certificate of 806  
qualification for employment filed by an individual under 807  
division (B) (2) of this section or being forwarded a petition 808  
for such a certificate under division (B) (5) (a) of this section, 809  
the court shall review the individual's petition, the 810  
individual's criminal history, all filings submitted by the 811  
prosecutor or by the victim in accordance with rules adopted by 812  
the division of parole and community services, the applicant's 813  
military service record, if applicable, and whether the 814  
applicant has an emotional, mental, or physical condition that 815  
is traceable to the applicant's military service in the armed 816  
forces of the United States and that was a contributing factor 817  
in the commission of the offense or offenses, and all other 818  
relevant evidence. The court may order any report, 819  
investigation, or disclosure by the individual that the court 820  
believes is necessary for the court to reach a decision on 821  
whether to approve the individual's petition for a certificate 822  
of qualification for employment. 823

(2) Upon receiving a petition for a certificate of 824  
qualification for employment filed by an individual under 825  
division (B) (2) of this section or being forwarded a petition 826  
for such a certificate under division (B) (5) (a) of this section, 827  
except as otherwise provided in this division, the court shall 828  
decide whether to issue the certificate within sixty days after 829  
the court receives or is forwarded the completed petition and 830  
all information requested for the court to make that decision. 831

Upon request of the individual who filed the petition, the court 832  
may extend the sixty-day period specified in this division. 833

(3) Subject to division (C) (5) of this section, a court 834  
that receives an individual's petition for a certificate of 835  
qualification for employment under division (B) (2) of this 836  
section or that is forwarded a petition for such a certificate 837  
under division (B) (5) (a) of this section may issue a certificate 838  
of qualification for employment, at the court's discretion, if 839  
the court finds that the individual has established all of the 840  
following by a preponderance of the evidence: 841

(a) Granting the petition will materially assist the 842  
individual in obtaining employment or occupational licensing. 843

(b) The individual has a substantial need for the relief 844  
requested in order to live a law-abiding life. 845

(c) Granting the petition would not pose an unreasonable 846  
risk to the safety of the public or any individual. 847

(4) The submission of an incomplete petition by an 848  
individual shall not be grounds for the designee or court to 849  
deny the petition. 850

~~(5) A court that receives an individual's petition for a 851  
certificate of qualification for employment under division (B) 852  
(2) of this section or that is forwarded a petition for such a 853  
certificate under division (B) (5) (a) of this section shall not 854  
issue a certificate of qualification for employment that grants 855  
the individual shall not create relief from any of the following 856  
collateral sanctions: 857~~

(a) Requirements imposed by Chapter 2950. of the Revised 858  
Code and rules adopted under sections 2950.13 and 2950.132 of 859  
the Revised Code; 860

(b) A driver's license, commercial driver's license, or 861  
probationary license suspension, cancellation, or revocation 862  
pursuant to section 4510.037, 4510.07, 4511.19, or 4511.191 of 863  
the Revised Code if the relief sought is available pursuant to 864  
section 4510.021 or division (B) of section 4510.13 of the 865  
Revised Code; 866

(c) Restrictions on employment as a prosecutor or law 867  
enforcement officer; 868

(d) The denial, ineligibility, or automatic suspension of 869  
a license that is imposed upon an individual applying for or 870  
holding a license as a health care professional under Title 871  
XLVII of the Revised Code if the individual is convicted of, 872  
pleads guilty to, is subject to a judicial finding of 873  
eligibility for intervention in lieu of conviction in this state 874  
under section 2951.041 of the Revised Code, or is subject to 875  
treatment or intervention in lieu of conviction for a violation 876  
of section 2903.01, 2903.02, 2903.03, 2903.11, 2905.01, 2907.02, 877  
2907.03, 2907.05, 2909.02, 2911.01, 2911.11, or 2919.123 of the 878  
Revised Code; 879

(e) The immediate suspension of a license, certificate, or 880  
evidence of registration that is imposed upon an individual 881  
holding a license as a health care professional under Title 882  
XLVII of the Revised Code pursuant to division (C) of section 883  
3719.121 of the Revised Code; 884

(f) The denial or ineligibility for employment in a pain 885  
clinic under division (B) (4) of section 4729.552 of the Revised 886  
Code; 887

(g) The mandatory suspension of a license that is imposed 888  
on an individual applying for or holding a license as a health 889

care professional under Title XLVII of the Revised Code pursuant 890  
to section 3123.43 of the Revised Code. 891

(6) If a court that receives an individual's petition for 892  
a certificate of qualification for employment under division (B) 893  
(2) of this section or that is forwarded a petition for such a 894  
certificate under division (B) (5) (a) of this section denies the 895  
petition, the court shall provide written notice to the 896  
individual of the court's denial. The court may place conditions 897  
on the individual regarding the individual's filing of any 898  
subsequent petition for a certificate of qualification for 899  
employment. The written notice must notify the individual of any 900  
conditions placed on the individual's filing of a subsequent 901  
petition for a certificate of qualification for employment. 902

If a court of common pleas that receives an individual's 903  
petition for a certificate of qualification for employment under 904  
division (B) (2) of this section or that is forwarded a petition 905  
for such a certificate under division (B) (5) (a) of this section 906  
denies the petition, the individual may appeal the decision to 907  
the court of appeals only if the individual alleges that the 908  
denial was an abuse of discretion on the part of the court of 909  
common pleas. 910

(D) (1) A certificate of qualification for employment 911  
issued to an individual lifts the automatic bar of a collateral 912  
sanction, and a decision-maker shall consider on a case-by-case 913  
basis whether to grant or deny the issuance or restoration of an 914  
occupational license or an employment opportunity, 915  
notwithstanding the individual's possession of the certificate, 916  
without, however, reconsidering or rejecting any finding made by 917  
a designee or court under division (C) (3) of this section. 918

(2) The certificate constitutes a rebuttable presumption 919



that the person's criminal convictions are insufficient evidence 920  
that the person is unfit for the license, employment 921  
opportunity, or certification in question. Notwithstanding the 922  
presumption established under this division, the agency may deny 923  
the license or certification for the person if it determines 924  
that the person is unfit for issuance of the license. 925

(3) If an employer that has hired a person who has been 926  
issued a certificate of qualification for employment applies to 927  
a licensing agency for a license or certification and the person 928  
has a conviction or guilty plea that otherwise would bar the 929  
person's employment with the employer or licensure for the 930  
employer because of a mandatory civil impact, the agency shall 931  
give the person individualized consideration, notwithstanding 932  
the mandatory civil impact, the mandatory civil impact shall be 933  
considered for all purposes to be a discretionary civil impact, 934  
and the certificate constitutes a rebuttable presumption that 935  
the person's criminal convictions are insufficient evidence that 936  
the person is unfit for the employment, or that the employer is 937  
unfit for the license or certification, in question. 938

(E) A certificate of qualification for employment does not 939  
grant the individual to whom the certificate was issued relief 940  
from the mandatory civil impacts identified in division (A) (1) 941  
of section 2961.01 or division (B) of section 2961.02 of the 942  
Revised Code. 943

(F) A petition for a certificate of qualification for 944  
employment filed by an individual under division (B) (1) or (2) 945  
of this section shall include all of the following: 946

(1) The individual's name, date of birth, and social 947  
security number; 948

- (2) All aliases of the individual and all social security numbers associated with those aliases; 949  
950
- (3) The individual's residence address, including the city, county, and state of residence and zip code; 951  
952
- (4) The length of time that the individual has ~~been a resident of this~~ resided in the individual's current state of residence, expressed in years and months of residence; 953  
954  
955
- (5) ~~The name or type of each collateral sanction from which the individual is requesting a certificate of qualification for employment~~ A general statement as to why the individual has filed the petition and how the certificate of qualification for employment would assist the individual; 956  
957  
958  
959  
960
- (6) A summary of the individual's criminal history with respect to each offense that is a disqualification from employment or licensing in an occupation or profession, including the years of each conviction or plea of guilty for each of those offenses; 961  
962  
963  
964  
965
- (7) A summary of the individual's employment history, specifying the name of, and dates of employment with, each employer; 966  
967  
968
- (8) Verifiable references and endorsements; 969
- (9) The name of one or more immediate family members of the individual, or other persons with whom the individual has a close relationship, who support the individual's reentry plan; 970  
971  
972
- (10) A summary of the reason the individual believes the certificate of qualification for employment should be granted; 973  
974
- (11) Any other information required by rule by the department of rehabilitation and correction. 975  
976

(G) (1) In a judicial or administrative proceeding alleging 977  
negligence or other fault, a certificate of qualification for 978  
employment issued to an individual under this section may be 979  
introduced as evidence of a person's due care in hiring, 980  
retaining, licensing, leasing to, admitting to a school or 981  
program, or otherwise transacting business or engaging in 982  
activity with the individual to whom the certificate of 983  
qualification for employment was issued if the person knew of 984  
the certificate at the time of the alleged negligence or other 985  
fault. 986

(2) In any proceeding on a claim against an employer for 987  
negligent hiring, a certificate of qualification for employment 988  
issued to an individual under this section shall provide 989  
immunity for the employer as to the claim if the employer knew 990  
of the certificate at the time of the alleged negligence. 991

(3) If an employer hires an individual who has been issued 992  
a certificate of qualification for employment under this 993  
section, if the individual, after being hired, subsequently 994  
demonstrates dangerousness or is convicted of or pleads guilty 995  
to a felony, and if the employer retains the individual as an 996  
employee after the demonstration of dangerousness or the 997  
conviction or guilty plea, the employer may be held liable in a 998  
civil action that is based on or relates to the retention of the 999  
individual as an employee only if it is proved by a 1000  
preponderance of the evidence that the person having hiring and 1001  
firing responsibility for the employer had actual knowledge that 1002  
the employee was dangerous or had been convicted of or pleaded 1003  
guilty to the felony and was willful in retaining the individual 1004  
as an employee after the demonstration of dangerousness or the 1005  
conviction or guilty plea of which the person has actual 1006  
knowledge. 1007

(H) A certificate of qualification for employment issued 1008  
under this section shall be ~~presumptively~~ revoked if the 1009  
individual to whom the certificate of qualification for 1010  
employment was issued is convicted of or pleads guilty to a 1011  
felony offense committed subsequent to the issuance of the 1012  
certificate of qualification for employment. The department of 1013  
rehabilitation and correction shall periodically review the 1014  
certificates listed in the database described in division (K) of 1015  
this section to identify those that are subject to revocation 1016  
under this division. Upon identifying a certificate of 1017  
qualification for employment that is subject to revocation, the 1018  
department shall note in the database that the certificate has 1019  
been revoked, the reason for revocation, and the effective date 1020  
of revocation, which shall be the date of the conviction or plea 1021  
of guilty subsequent to the issuance of the certificate. 1022

(I) A designee's forwarding, or failure to forward, a 1023  
petition for a certificate of qualification for employment to a 1024  
court or a court's issuance, or failure to issue, a petition for 1025  
a certificate of qualification for employment to an individual 1026  
under division (B) of this section does not give rise to a claim 1027  
for damages against the department of rehabilitation and 1028  
correction or court. 1029

(J) ~~Not later than ninety days after September 28, 2012,~~ 1030  
~~the~~ The division of parole and community services shall adopt 1031  
rules in accordance with Chapter 119. of the Revised Code for 1032  
the implementation and administration of this section and shall 1033  
prescribe the form for the petition to be used under division 1034  
(B) (1) or (2) of this section. The form for the petition shall 1035  
include places for all of the information specified in division 1036  
(F) of this section. ~~Upon the adoption of the rules, the 1037  
provisions of divisions (A) to (I) of this section become 1038~~

~~operative.~~ 1039

(K) The department of rehabilitation and correction shall 1040  
~~conduct a study to determine the manner for transferring the~~ 1041  
~~mechanism for the issuance of a certificate of qualification for~~ 1042  
~~employment created by this section to an electronic database~~ 1043  
~~established and maintained by the department. The maintain a~~ 1044  
~~database to which the mechanism is to be transferred shall~~ 1045  
~~include that identifies~~ granted certificates and revoked 1046  
certificates and ~~shall be designed to track~~ tracks the number of 1047  
certificates granted and revoked, the industries, occupations, 1048  
and professions with respect to which the certificates have been 1049  
most applicable, and the types of employers that have accepted 1050  
the certificates, ~~and the recidivism rates of individuals who~~ 1051  
~~have been issued the certificates. Not later than the date that~~ 1052  
~~is one year after September 28, 2012, the~~ The department of 1053  
~~rehabilitation and correction shall submit to the general~~ 1054  
~~assembly and the governor annually create a report that contains~~ 1055  
~~the results of the study and recommendations for transferring~~ 1056  
~~the mechanism for the issuance of certificate of qualification~~ 1057  
~~for employment created by this section to an electronic~~ 1058  
summarizes the information maintained in the database 1059  
established and maintained by the department and shall make the  
report available to the public on its internet web site. 1061

~~(L) The department of rehabilitation and correction, in~~ 1062  
~~conjunction with the Ohio judicial conference, shall conduct a~~ 1063  
~~study to determine whether the application process for~~ 1064  
~~certificates of qualification for employment created by this~~ 1065  
~~section is feasible based upon the caseload capacity of the~~ 1066  
~~department and the courts of common pleas. Not later than the~~ 1067  
~~date that is one year after September 28, 2012, the department~~ 1068  
~~shall submit to the general assembly a report that contains the~~ 1069

~~results of the study and any recommendations for improvement of~~ 1070  
~~the application process.~~ 1071

**Sec. 3121.03.** If a court or child support enforcement 1072  
agency that issued or modified a support order, or the agency 1073  
administering the support order, is required by the Revised Code 1074  
to issue one or more withholding or deduction notices described 1075  
in this section or other orders described in this section, the 1076  
court or agency shall issue one or more of the following types 1077  
of notices or orders, as appropriate, for payment of the support 1078  
and also, if required by the Revised Code or the court, to pay 1079  
any arrearages: 1080

(A) (1) If the court or the child support enforcement 1081  
agency determines that the obligor is receiving income from a 1082  
payor, the court or agency shall require the payor to do all of 1083  
the following: 1084

(a) Withhold from the obligor's income a specified amount 1085  
for support in satisfaction of the support order and begin the 1086  
withholding no later than fourteen business days following the 1087  
date the notice is mailed or transmitted to the payor under 1088  
section 3121.035, 3123.021, or 3123.06 of the Revised Code and 1089  
division (A) (2) of this section or, if the payor is an employer, 1090  
no later than the first pay period that occurs after fourteen 1091  
business days following the date the notice is mailed or 1092  
transmitted; 1093

(b) Send the amount withheld to the office of child 1094  
support in the department of job and family services pursuant to 1095  
section 3121.43 of the Revised Code immediately but not later 1096  
than seven business days after the date the obligor is paid; 1097

(c) Continue the withholding at intervals specified in the 1098

notice until further notice from the court or child support enforcement agency. 1099  
1100

To the extent possible, the amount specified to be withheld shall satisfy the amount ordered for support in the support order plus any arrearages owed by the obligor under any prior support order that pertained to the same child or spouse, notwithstanding any applicable limitations of sections 2329.66, 2329.70, 2716.02, 2716.041, and 2716.05 of the Revised Code. However, in no case shall the sum of the amount to be withheld and any fee withheld by the payor as a charge for its services exceed the maximum amount permitted under section 303(b) of the "Consumer Credit Protection Act," 15 U.S.C. 1673(b). 1101  
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(2) A court or agency that imposes an income withholding requirement shall, within the applicable time specified in section 3119.80, 3119.81, 3121.035, 3123.021, or 3123.06 of the Revised Code, send to the obligor's payor by regular mail or via secure federally managed data transmission interface a notice that contains all of the information applicable to withholding notices set forth in section 3121.037 of the Revised Code. The notice is final and is enforceable by the court. 1111  
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(B) (1) If the court or child support enforcement agency determines that the obligor has funds that are not exempt under the laws of this state or the United States from execution, attachment, or other legal process and are on deposit in an account in a financial institution under the jurisdiction of the court that issued the court support order, or in the case of an administrative child support order, under the jurisdiction of the common pleas court of the county in which the agency that issued or is administering the order is located, the court or agency may require any financial institution in which the 1119  
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obligor's funds are on deposit to do all of the following: 1129

(a) Deduct from the obligor's account a specified amount 1130  
for support in satisfaction of the support order and begin the 1131  
deduction no later than fourteen business days following the 1132  
date the notice was mailed or transmitted to the financial 1133  
institution under section 3121.035 or 3123.06 of the Revised 1134  
Code and division (B) (2) of this section; 1135

(b) Send the amount deducted to the office of child 1136  
support in the department of job and family services pursuant to 1137  
section 3121.43 of the Revised Code immediately but not later 1138  
than seven business days after the date the latest deduction was 1139  
made; 1140

(c) Provide the date on which the amount was deducted; 1141

(d) Continue the deduction at intervals specified in the 1142  
notice until further notice from the court or child support 1143  
enforcement agency. 1144

To the extent possible, the amount to be deducted shall 1145  
satisfy the amount ordered for support in the support order plus 1146  
any arrearages that may be owed by the obligor under any prior 1147  
support order that pertained to the same child or spouse, 1148  
notwithstanding the limitations of sections 2329.66, 2329.70, 1149  
and 2716.13 of the Revised Code. 1150

(2) A court or agency that imposes a deduction requirement 1151  
shall, within the applicable period of time specified in section 1152  
3119.80, 3119.81, 3121.035, or 3123.06 of the Revised Code, send 1153  
to the financial institution by regular mail or via secure 1154  
federally managed data transmission interface a notice that 1155  
contains all of the information applicable to deduction notices 1156  
set forth in section 3121.037 of the Revised Code. The notice is 1157



final and is enforceable by the court. 1158

(C) With respect to any court support order it issues, a 1159  
court may issue an order requiring the obligor to enter into a 1160  
cash bond with the court. The court shall issue the order as 1161  
part of the court support order or, if the court support order 1162  
has previously been issued, as a separate order. The cash bond 1163  
shall be in a sum fixed by the court at not less than five 1164  
hundred nor more than ten thousand dollars, conditioned that the 1165  
obligor will make payment as previously ordered and will pay any 1166  
arrearages under any prior court support order that pertained to 1167  
the same child or spouse. 1168

The order, along with an additional order requiring the 1169  
obligor to immediately notify the child support enforcement 1170  
agency, in writing, if the obligor begins to receive income from 1171  
a payor, shall be attached to and served on the obligor at the 1172  
same time as service of the court support order or, if the court 1173  
support order has previously been issued, as soon as possible 1174  
after the issuance of the order under this section. The 1175  
additional order requiring notice by the obligor shall state all 1176  
of the following: 1177

(1) That when the obligor begins to receive income from a 1178  
payor the obligor may request that the court cancel its bond 1179  
order and instead issue a notice requiring the withholding of an 1180  
amount from income for support in accordance with this section; 1181

(2) That when the obligor begins to receive income from a 1182  
payor the court will proceed to collect on the bond if the court 1183  
determines that payments due under the court support order have 1184  
not been made and that the amount that has not been paid is at 1185  
least equal to the support owed for one month under the court 1186  
support order and will issue a notice requiring the withholding 1187

of an amount from income for support in accordance with this 1188  
section. The notice required of the obligor shall include a 1189  
description of the nature of any new employment, the name and 1190  
business address of any new employer, and any other information 1191  
reasonably required by the court. 1192

The court shall not order an obligor to post a cash bond 1193  
under this section unless the court determines that the obligor 1194  
has the ability to do so. 1195

A child support enforcement agency may not issue a cash 1196  
bond order. If a child support enforcement agency is required to 1197  
issue a withholding or deduction notice under this section with 1198  
respect to a court support order but the agency determines that 1199  
no withholding or deduction notice would be appropriate, the 1200  
agency may request that the court issue a cash bond order under 1201  
this section, and upon the request, the court may issue the 1202  
order. 1203

(D) (1) If the obligor under a court support order is 1204  
unemployed, has no income, and does not have an account at any 1205  
financial institution, or on request of a child support 1206  
enforcement agency under division (D) (1) or (2) of this section, 1207  
the court shall issue an order requiring the obligor, if able to 1208  
engage in employment, to seek employment or participate in a 1209  
work activity to which a recipient of assistance under Title IV- 1210  
A of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C.A. 1211  
301, as amended, may be assigned as specified in section 407(d) 1212  
of the "Social Security Act," 42 U.S.C.A. 607(d), as amended. 1213  
The court shall include in the order requirements that the 1214  
obligor register with the OhioMeansJobs web site and to notify 1215  
the child support enforcement agency on obtaining employment, 1216  
obtaining any income, or obtaining ownership of any asset with a 1217

value of five hundred dollars or more. The court may issue the order regardless of whether the obligee to whom the obligor owes support is a recipient of assistance under Title IV-A of the "Social Security Act." The court shall issue the order as part of a court support order or, if a court support order has previously been issued, as a separate order. If a child support enforcement agency is required to issue a withholding or deduction notice under this section with respect to a court support order but determines that no withholding or deduction notice would be appropriate, the agency may request that the court issue a court order under division (D) (1) of this section, and, on the request, the court may issue the order.

(2) If the obligor under an administrative child support order is unemployed, has no income, and does not have an account at any financial institution, the agency shall issue an administrative order requiring the obligor, if able to engage in employment, to seek employment or participate in a work activity to which a recipient of assistance under Title IV-A of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C.A. 301, as amended, may be assigned as specified in section 407(d) of the "Social Security Act," 42 U.S.C.A. 607(d), as amended. The agency shall include in the order requirements that the obligor register with the OhioMeansJobs web site and to notify the agency on obtaining employment or income, or ownership of any asset with a value of five hundred dollars or more. The agency may issue the order regardless of whether the obligee to whom the obligor owes support is a recipient of assistance under Title IV-A of the "Social Security Act." If an obligor fails to comply with an administrative order issued pursuant to division (D) (2) of this section, the agency shall submit a request to a court for the court to issue an order under division (D) (1) of

this section. 1249

**Sec. 3304.11.** As used in sections 3304.11 to 3304.27 of 1250  
the Revised Code: 1251

(A) "~~Person-Eligible individual with a disability~~" means 1252  
~~any person with an individual who has a physical or mental~~ 1253  
~~impairment that is-constitutes or results in a~~ substantial 1254  
~~impediment to employment and who can benefit in terms of an-~~ 1255  
~~employment outcome from the provision of-requires~~ vocational 1256  
~~rehabilitation services to prepare for, secure, retain, advance~~ 1257  
~~in, or regain employment.~~ 1258

(B) "Physical or mental impairment" means ~~a physical or-~~ 1259  
~~mental condition that materially limits, contributes to limiting-~~ 1260  
~~or, if not corrected, will probably result in limiting a-~~ 1261  
~~person's activities or functioning~~ any physiological, mental, or 1262  
psychological disorder. 1263

(C) "Substantial impediment to employment" means a 1264  
physical or mental ~~disability that impedes a person's-~~ 1265  
~~occupational performance, by preventing the person's obtaining,-~~ 1266  
~~retaining, or preparing for a gainful occupation consistent with-~~ 1267  
~~the person's capacities and impairment that hinders an~~ 1268  
individual from preparing for, entering into, engaging in, 1269  
advancing in, or retaining employment consistent with the 1270  
individual's abilities and capabilities. 1271

(D) "~~Vocational rehabilitation" and "vocational-~~ 1272  
~~rehabilitation services"~~ means ~~any activity or service-~~ 1273  
~~calculated to enable a person with a disability or groups of-~~ 1274  
~~persons with disabilities to engage in gainful occupation and-~~ 1275  
~~includes, but is not limited to, medical and vocational-~~ 1276  
~~evaluation, including diagnostic and related services,-~~ 1277

~~vocational counseling, guidance and placement, including follow-up services, rehabilitation training, including books and other training materials, physical restoration, recruitment and training services designed to provide persons with disabilities new employment opportunities, maintenance, occupational tools, equipment, supplies, transportation, services to families of persons with disabilities that contribute substantially to the rehabilitation of these persons, and any other goods or service necessary to render a person with a disability employable has the same meaning as defined in section 361.5 of Title 34 of the Code of Federal Regulations, 34 C.F.R. 361.5.~~

(E) "Establishment of a rehabilitation facility" means the expansion, remodeling, or alteration of an existing building that is necessary to adapt or to increase the effectiveness of that building for rehabilitation facility purposes, the acquisition of equipment for these purposes, and the initial staffing.

(F) "Construction" means the construction of new buildings, acquisition of land or existing buildings and their expansion, remodeling, alteration and renovation, and the initial staffing and equipment of any new, newly acquired, expanded, remodeled, altered, or renovated buildings.

~~(G) "Physical restoration services" means those services that are necessary to correct or substantially modify within a reasonable period of time a physical or mental condition that is stable or slowly progressive.~~

~~(H) "Occupational license" means any license, permit, or other written authority required by any governmental unit in order to engage in any occupation or business.~~

~~(I) "Maintenance" means money payments to persons with~~ 1307  
~~disabilities who need financial assistance for their subsistence~~ 1308  
~~during their vocational rehabilitation.~~ monetary support provided 1309  
to an individual for expenses such as food, shelter, and 1310  
clothing that are in excess of the normal expenses of the 1311  
individual and that are necessitated by the individual's 1312  
participation in an assessment for determining eligibility and 1313  
need for vocational rehabilitation services or the individual's 1314  
receipt of vocational rehabilitation services under an 1315  
individualized plan for employment. 1316

**Sec. 3304.12.** (A) The governor, with the advice and 1317  
consent of the senate, shall appoint the opportunities for 1318  
Ohioans with disabilities commission within the opportunities 1319  
for Ohioans with disabilities agency consisting of seven 1320  
members, no more than four of whom shall be members of the same 1321  
political party and who shall include at least three from 1322  
rehabilitation professions, including at least one member from 1323  
the field of services to the blind, and at least four 1324  
individuals with disabilities, no less than two nor more than 1325  
three of whom have received vocational rehabilitation services 1326  
offered by a state vocational rehabilitation services agency or 1327  
the veterans' administration. The members with disabilities 1328  
shall be representative of several major categories of ~~persons~~ 1329  
eligible individuals with disabilities served by the 1330  
opportunities for Ohioans with disabilities agency. 1331

(B) Terms of office shall be for seven years, commencing 1332  
on the ninth day of September and ending on the eighth day of 1333  
September, with no person eligible to serve more than two seven- 1334  
year terms. Each member shall hold office from the date of 1335  
appointment until the end of the term for which the member was 1336  
appointed. Any member appointed to fill a vacancy occurring 1337

prior to the expiration of the term for which the member's 1338  
predecessor was appointed shall hold office for the remainder of 1339  
that term. Any member shall continue in office subsequent to the 1340  
expiration date of the member's term until a successor takes 1341  
office, or until a period of sixty days has elapsed, whichever 1342  
occurs first. Members who fail to perform their duties or who 1343  
are guilty of misconduct may be removed on written charges 1344  
preferred by the governor or by a majority of the commission. 1345

(C) Members of the commission shall be reimbursed for 1346  
travel and necessary expenses incurred in the conduct of their 1347  
duties, and shall receive an amount fixed pursuant to division 1348  
(J) of section 124.15 of the Revised Code while actually engaged 1349  
in attendance at meetings or in the performance of their duties. 1350

**Sec. 3304.14.** For the purposes of sections 3304.11 to 1351  
3304.27 of the Revised Code, the opportunities for Ohioans with 1352  
disabilities commission shall approve the state vocational 1353  
rehabilitation services plan, jointly approve the state plan for 1354  
independent living with the Ohio state independent living 1355  
council, appoint a consumer advisory committee, and, to the 1356  
extent feasible, conduct a review and analysis of the 1357  
effectiveness of and consumer satisfaction with all of the 1358  
following: 1359

(A) The functions performed by the opportunities for 1360  
Ohioans with disabilities agency; 1361

(B) The vocational rehabilitation services provided by 1362  
state agencies and other public and private entities responsible 1363  
for providing vocational rehabilitation services to ~~persons~~ 1364  
eligible individuals with disabilities under the "Rehabilitation 1365  
Act of 1973," 87 Stat. 355, 29 U.S.C. 701, as amended; 1366

(C) The employment outcomes achieved by eligible 1367  
individuals with disabilities receiving vocational 1368  
rehabilitation services under sections 3304.11 to 3304.27 of the 1369  
Revised Code, including the availability of health and other 1370  
employment benefits in connection with those employment 1371  
outcomes. 1372

**Sec. 3304.15.** (A) There is hereby created the 1373  
opportunities for Ohioans with disabilities agency. The agency 1374  
is the designated state unit authorized under the 1375  
"Rehabilitation Act of 1973," 87 Stat. 355, 29 U.S.C. 701, as 1376  
amended, to provide vocational rehabilitation services to 1377  
eligible ~~persons~~ individuals with disabilities. 1378

(B) The governor shall appoint an executive director of 1379  
the opportunities for Ohioans with disabilities agency to serve 1380  
at the pleasure of the governor and shall fix the executive 1381  
director's compensation. The executive director shall devote the 1382  
executive director's entire time to the duties of the executive 1383  
director's office, shall hold no other office or position of 1384  
trust and profit, and shall engage in no other business during 1385  
the executive director's term of office. The governor may grant 1386  
the executive director the authority to appoint, remove, and 1387  
discipline without regard to sex, race, creed, color, age, or 1388  
national origin, such other professional, administrative, and 1389  
clerical staff members as are necessary to carry out the 1390  
functions and duties of the agency. 1391

The executive director of the opportunities for Ohioans 1392  
with disabilities agency is the executive and administrative 1393  
officer of the agency. Whenever the Revised Code imposes a duty 1394  
on or requires an action of the agency, the executive director 1395  
shall perform the duty or action on behalf of the agency. The 1396



executive director may establish procedures for all of the	1397
following:	1398
(1) The governance of the agency;	1399
(2) The conduct of agency employees and officers;	1400
(3) The performance of agency business;	1401
(4) The custody, use, and preservation of agency records,	1402
papers, books, documents, and property.	1403
(C) The executive director shall have exclusive authority	1404
to administer the daily operation and provision of vocational	1405
rehabilitation services under this chapter. In exercising that	1406
authority, the executive director may do all of the following:	1407
(1) Adopt rules in accordance with Chapter 119. of the	1408
Revised Code;	1409
(2) Prepare and submit an annual report to the governor;	1410
(3) Certify any disbursement of funds available to the	1411
agency for vocational rehabilitation <del>activities</del> <u>services</u> ;	1412
(4) Take appropriate action to guarantee rights of	1413
<u>vocational rehabilitation services</u> to <del>people eligible</del>	1414
<u>individuals with disabilities</u> ;	1415
(5) Consult with and advise other state agencies and	1416
coordinate programs for <del>persons eligible</del> <u>individuals with</u>	1417
disabilities;	1418
(6) Comply with the requirements for match as part of	1419
budget submission;	1420
(7) Establish research and demonstration projects;	1421
(8) Accept, hold, invest, reinvest, or otherwise use gifts	1422

to further vocational rehabilitation <u>services</u> ;	1423
(9) For the purposes of the business enterprise program	1424
administered under sections 3304.28 to 3304.35 of the Revised	1425
Code:	1426
(a) Establish and manage small business entities owned or	1427
operated by <del>visually impaired persons</del> <u>individuals who are blind</u> ;	1428
(b) Purchase insurance;	1429
(c) Accept computers.	1430
(10) Enter into contracts and other agreements for the	1431
provision of <u>vocational rehabilitation services</u> .	1432
(D) The executive director shall establish a fee schedule	1433
for vocational rehabilitation services in accordance with 34	1434
C.F.R. 361.50.	1435
<b>Sec. 3304.17.</b> The opportunities for Ohioans with	1436
disabilities agency shall provide vocational rehabilitation	1437
services to all eligible <del>persons</del> <u>individuals</u> with disabilities,	1438
including any <del>person</del> <u>eligible individual</u> with a disability who	1439
is eligible under the terms of an agreement or arrangement with	1440
another state or with the federal government. <u>If vocational</u>	1441
<u>rehabilitation services cannot be provided to all eligible</u>	1442
<u>individuals with disabilities in the state who apply for</u>	1443
<u>vocational rehabilitation services, the agency shall implement</u>	1444
<u>an order of selection in accordance with 34 C.F.R. 361.36.</u>	1445
<b>Sec. 3304.171.</b> (A) As used in this section, "OhioMeansJobs	1446
<u>web site</u> " has the same meaning as in section 6301.01 of the	1447
Revised Code.	1448
(B) <del>Beginning January 1, 2016, each recipient of</del> <u>Each</u>	1449
<u>eligible individual receiving</u> vocational rehabilitation services	1450

provided under section 3304.17 of the Revised Code shall create 1451  
an account with the OhioMeansJobs web site upon initiation of a 1452  
job search as a part of receiving those vocational 1453  
rehabilitation services. 1454

(C) Division (B) of this section does not apply to any 1455  
~~individual eligible individual with a disability~~ who is legally 1456  
prohibited from using a computer, has a physical or visual 1457  
impairment that makes the ~~individual eligible individual with a~~ 1458  
disability unable to use a computer, or has a limited ability to 1459  
read, write, speak, or understand a language in which the 1460  
OhioMeansJobs web site is available. 1461

**Sec. 3304.18.** The treasurer of state shall be the 1462  
custodian of all moneys received from the federal government for 1463  
vocational rehabilitation services programs and shall disburse 1464  
the money upon the certification of the executive director of 1465  
the opportunities for Ohioans with disabilities agency. If 1466  
federal funds are not available to the state for vocational 1467  
rehabilitation ~~purposes~~ services, the governor shall include as 1468  
part of the governor's biennial budget request to the general 1469  
assembly a request for funds sufficient to support the 1470  
activities of the agency. 1471

**Sec. 3304.182.** Any agreement between the opportunities for 1472  
Ohioans with disabilities agency and a private or public entity 1473  
providing funds under section 3304.181 of the Revised Code may 1474  
permit the agency to receive a specified percentage of the 1475  
funds, but the percentage shall be not more than twenty-five per 1476  
cent of the total funds available under the agreement. The 1477  
agency may terminate an agreement at any time for just cause. It 1478  
may terminate an agreement for any other reason by giving at 1479  
least thirty days' notice to the public or private entity. 1480

Any vocational rehabilitation services provided under an 1481  
agreement entered into under section 3304.181 of the Revised 1482  
Code shall be provided by a person or government entity that 1483  
meets the accreditation standards established in rules adopted 1484  
by the agency under section 3304.15 of the Revised Code. 1485

**Sec. 3304.19.** ~~The right of a person with a disability to~~ 1486  
~~living~~ Any maintenance provided under sections 3304.11 to 1487  
3304.27 of the Revised Code, is not transferable or assignable 1488  
at law or in equity, and none of the money paid or payable or 1489  
rights existing under this chapter are subject to execution, 1490  
levy, attachment, garnishment, or other legal process, or to the 1491  
operation of any bankruptcy or insolvency law. 1492

**Sec. 3304.20.** Any ~~person~~ eligible individual with a 1493  
disability applying for or receiving vocational rehabilitation 1494  
services who is dissatisfied with regard to the furnishing or 1495  
denial of vocational rehabilitation services, may file a request 1496  
for an administrative review and redetermination of that action 1497  
in accordance with rules of the opportunities for Ohioans with 1498  
disabilities agency. When the ~~person~~ eligible individual with a 1499  
disability is dissatisfied with the finding of this 1500  
administrative review, the ~~person~~ eligible individual with a 1501  
disability is entitled, in accordance with agency rules and in 1502  
accordance with Chapter 119. of the Revised Code, to a fair 1503  
hearing before the executive director of the agency. 1504

**Sec. 3304.21.** No person shall, except for the purposes of 1505  
sections 3304.11 to 3304.27 of the Revised Code, and in 1506  
accordance with the rules established by the opportunities for 1507  
Ohioans with disabilities agency, solicit, disclose, receive, 1508  
make use of, authorize, knowingly permit, participate in, or 1509  
acquiesce in the use of any list of names or information 1510

concerning ~~persons~~eligible individuals with disabilities 1511  
applying for or receiving any vocational rehabilitation services 1512  
from the agency, which information is directly or indirectly 1513  
derived from the records of the agency or is acquired in the 1514  
performance of the person's official duties. 1515

**Sec. 3304.22.** No officer or employee of the opportunities 1516  
for Ohioans with disabilities commission, the opportunities for 1517  
Ohioans with disabilities agency, or any person engaged in the 1518  
administration of a vocational rehabilitation services program 1519  
sponsored by or affiliated with the state shall use or permit 1520  
the use of any vocational rehabilitation services program for 1521  
the purpose of interfering with an election for any partisan 1522  
political purpose; solicit or receive money for a partisan 1523  
political purpose; or require any other person to contribute any 1524  
service or money for a partisan political purpose. Whoever 1525  
violates this section shall be removed from the officer's or 1526  
employee's office or employment. 1527

**Sec. 3304.27.** All vocational rehabilitation services made 1528  
available under sections 3304.11 to 3304.27 of the Revised Code, 1529  
are made available subject to amendment or repeal of those 1530  
sections, and no ~~person~~eligible individual with a disability 1531  
shall have any claim by reason of the ~~person's~~eligible 1532  
individual's vocational rehabilitation services being affected 1533  
in any way by such an amendment or repeal. 1534

**Sec. 3304.28.** As used in sections 3304.28 to 3304.34 of 1535  
the Revised Code: 1536

(A) "Suitable vending facility" means automatic vending 1537  
machines, cafeterias, snack bars, cart service shelters, 1538  
counters, and other appropriate auxiliary food service equipment 1539  
determined to be necessary by the bureau of services for the 1540

visually impaired for the automatic or manual dispensing of 1541  
foods, beverages, and other such commodities for sale by ~~persons~~ 1542  
individuals, no fewer than one-half of whom are blind, under the 1543  
supervision of a licensed ~~blind~~ vendor who is blind or an 1544  
employee of the opportunities for Ohioans with disabilities 1545  
agency. 1546

(B) "Blind" means either of the following: 1547

(1) Vision twenty/two hundred or less in the better eye 1548  
with proper correction; 1549

(2) Field defect in the better eye with proper correction 1550  
that contracts the peripheral field so that the diameter of the 1551  
visual field subtends an angle no greater than twenty degrees. 1552

(C) "Governmental property" means any real property, 1553  
building, or facility owned, leased, or rented by the state or 1554  
any board, commission, department, division, or other unit or 1555  
agency thereof, but does not include any institution under the 1556  
management of the department of rehabilitation and correction 1557  
pursuant to section 5120.05 of the Revised Code, or under the 1558  
management of the department of youth services created pursuant 1559  
to section 5139.01 of the Revised Code. 1560

**Sec. 3304.29.** The bureau of services for the visually 1561  
impaired shall: 1562

(A) Survey suitable vending facility concession 1563  
opportunities for individuals who are blind ~~persons~~ on 1564  
governmental property; 1565

(B) Obtain and make public, information concerning 1566  
employment opportunities for individuals who are blind ~~persons~~ 1567  
in suitable vending facilities; 1568

(C) License individuals who are blind persons to operate 1569  
suitable vending facilities on governmental property; 1570

(D) Adopt rules and do everything necessary and proper to 1571  
carry out sections 3304.29 to 3304.34 of the Revised Code. 1572

**Sec. 3304.30.** Every person in charge of governmental 1573  
property to be substantially renovated or who is responsible for 1574  
the acquisition, lease, or rental of such property shall consult 1575  
with the director of the bureau of services for the visually 1576  
impaired prior to such renovation, acquisition, lease, or rental 1577  
to determine if sufficient numbers of persons will be using such 1578  
property to support a suitable vending facility. If the director 1579  
determines that such property would be a satisfactory site for a 1580  
suitable vending facility, provision shall be made for 1581  
electrical outlets, plumbing fixtures, and other requirements 1582  
for the installation and operation of a suitable vending 1583  
facility. In the case of a state university, medical university, 1584  
technical college, state community college, community college, 1585  
university branch district, or state-affiliated college or 1586  
university, the decision to establish a suitable vending 1587  
facility shall be made jointly by the director of services for 1588  
the visually impaired and proper administrative authorities of 1589  
the state or state-affiliated college or university. 1590

The bureau shall provide each suitable vending facility 1591  
with equipment and an adequate initial stock of suitable 1592  
articles to be vended. An inventory shall be made of each 1593  
suitable vending facility at least once every six months. Each 1594  
blind licensee may make the blind licensee's own inventory on 1595  
forms prescribed by the bureau, provided that the bureau shall 1596  
retain the right to make its own inventory at any mutually 1597  
agreeable time. Each blind licensee may employ and discharge 1598

personnel required to operate the blind licensee's suitable 1599  
vending facility, but employment preference shall be given to 1600  
individuals who are blind persons and who are capable of 1601  
discharging the required duties, ~~and at~~. At all times at least 1602  
one-half of the employees shall be blind. 1603

**Sec. 3304.31.** Licenses issued by the bureau of services 1604  
for the visually impaired under section 3304.29 of the Revised 1605  
Code shall be in effect until suspended or revoked. The bureau 1606  
may deny, revoke, or suspend a license or otherwise discipline a 1607  
licensee upon proof that the ~~person~~ licensee is guilty of fraud 1608  
or deceit in procuring or attempting to procure a license, is 1609  
guilty of a felony or a crime of moral turpitude, is addicted to 1610  
the use of habit-forming drugs or alcohol, or is mentally 1611  
incompetent. Such license may also be denied, revoked, or 1612  
suspended on proof of violation by the applicant or licensee of 1613  
the rules established by the bureau for the operation of 1614  
suitable vending facilities by the blind or if a licensee fails 1615  
to maintain a vending facility as a suitable vending facility. 1616

Any individual who is blind person and who has had his the 1617  
individual's license suspended or revoked or ~~his the~~ 1618  
individual's application denied by the bureau may reapply for a 1619  
license and may be reinstated or be granted a license by the 1620  
bureau upon presentation of satisfactory evidence that there is 1621  
no longer cause for such suspension, revocation, or denial. 1622  
Before the bureau may revoke, deny, or suspend a license, or 1623  
otherwise discipline a licensee, written charges must be filed 1624  
by the director of the bureau and a hearing shall be held as 1625  
provided in Chapter 119. of the Revised Code. 1626

**Sec. 3304.41.** The opportunities for Ohioans with 1627  
disabilities agency shall establish and administer a program for 1628



the use of funds appropriated for that purpose to provide 1629  
personal care assistance to enable eligible ~~severely physically-~~ 1630  
~~disabled persons~~ individuals with severe physical disabilities 1631  
to live ~~independently or~~ and work, independently. The agency 1632  
shall adopt rules in accordance with Chapter 119. of the Revised 1633  
Code as necessary to carry out the purposes of this section, ~~and~~ 1634  
~~shall apply to the controlling board for the release of the~~ 1635  
~~funds.~~ 1636

**Sec. 3309.23.** (A) Except as provided in division (B) of 1637  
this section, the following shall be contributors to the school 1638  
employees retirement system: 1639

(1) All employees, as defined in division (B) of section 1640  
3309.01 of the Revised Code; 1641

(2) The employees of an existing or newly created employer 1642  
unit as defined in division (A) of section 3309.01 of the 1643  
Revised Code, supported in whole or in part by the state or any 1644  
political subdivision thereof and wholly controlled and managed 1645  
by the state or any subdivision thereof. Such employees shall 1646  
become contributors on the same terms and conditions as provided 1647  
by this chapter, provided the board of trustees or other 1648  
managing body of such school, college, or other institution, if 1649  
such institution is now in existence or if in existence on such 1650  
date, shall agree by formal resolution to accept all the 1651  
requirements and obligations imposed by this chapter upon 1652  
employers. A certified copy of the resolution shall be filed 1653  
with the school employees retirement board. When such resolution 1654  
has been adopted and a copy of it filed with the school 1655  
employees retirement board, it shall not later be subject to 1656  
rescission or abrogation. Service in such schools, colleges, or 1657  
other institutions shall be then considered in every way the 1658

same as service in the public schools. 1659

(3) All other individuals who become members. 1660

(B) The following individuals may choose to be exempt from 1661  
compulsory membership by filing a written application for 1662  
exemption with the employer within the first month after being 1663  
employed: 1664

(1) A student who is not a member at the time of 1665  
employment and who is employed by the school, college, or 1666  
university in which the student is enrolled and regularly 1667  
attending classes; 1668

(2) An emergency employee serving on a temporary basis in 1669  
case of fire, snow, earthquake, flood, or other similar 1670  
emergency; 1671

(3) An individual employed in a program established 1672  
pursuant to the ~~"Workforce Investment Act," 112 Stat. 936-~~ 1673  
~~(1998), 29 U.S.C. 2801~~ "Workforce Innovation and Opportunity 1674  
Act," 29 U.S.C. 3101 et seq., or any other federal job training 1675  
program. 1676

(C) A member may elect to have employment by the school, 1677  
college, or university at which the member is enrolled and 1678  
regularly attending classes exempted from contribution to the 1679  
retirement system by filing a written application with the 1680  
member's employer within the first month after being so 1681  
employed. 1682

(D) In all cases of doubt pertaining to contributors on an 1683  
individual or group basis or the status of existing or newly 1684  
created employer units, the decision shall be made by the 1685  
retirement board, and such decision shall be final. 1686

<b>Sec. 3313.603.</b> (A) As used in this section:	1687
(1) "One unit" means a minimum of one hundred twenty hours of course instruction, except that for a laboratory course, "one unit" means a minimum of one hundred fifty hours of course instruction.	1688 1689 1690 1691
(2) "One-half unit" means a minimum of sixty hours of course instruction, except that for physical education courses, "one-half unit" means a minimum of one hundred twenty hours of course instruction.	1692 1693 1694 1695
(B) Beginning September 15, 2001, except as required in division (C) of this section and division (C) of section 3313.614 of the Revised Code, the requirements for graduation from every high school shall include twenty units earned in grades nine through twelve and shall be distributed as follows:	1696 1697 1698 1699 1700
(1) English language arts, four units;	1701
(2) Health, one-half unit;	1702
(3) Mathematics, three units;	1703
(4) Physical education, one-half unit;	1704
(5) Science, two units until September 15, 2003, and three units thereafter, which at all times shall include both of the following:	1705 1706 1707
(a) Biological sciences, one unit;	1708
(b) Physical sciences, one unit.	1709
(6) History and government, one unit, which shall comply with division (M) of this section and shall include both of the following:	1710 1711 1712
(a) American history, one-half unit;	1713

(b) American government, one-half unit.	1714
(7) Social studies, two units.	1715
Beginning with students who enter ninth grade for the first time on or after July 1, 2017, the two units of instruction prescribed by division (B) (7) of this section shall include at least one-half unit of instruction in the study of world history and civilizations.	1716 1717 1718 1719 1720
(8) Elective units, seven units until September 15, 2003, and six units thereafter.	1721 1722
Each student's electives shall include at least one unit, or two half units, chosen from among the areas of business/technology, fine arts, and/or foreign language.	1723 1724 1725
(C) Beginning with students who enter ninth grade for the first time on or after July 1, 2010, except as provided in divisions (D) to (F) of this section, the requirements for graduation from every public and chartered nonpublic high school shall include twenty units that are designed to prepare students for the workforce and college. The units shall be distributed as follows:	1726 1727 1728 1729 1730 1731 1732
(1) English language arts, four units;	1733
(2) Health, one-half unit, which shall include instruction in nutrition and the benefits of nutritious foods and physical activity for overall health;	1734 1735 1736
(3) Mathematics, four units, which shall include one unit of algebra II or the equivalent of algebra II. However, students who enter ninth grade for the first time on or after July 1, 2015, and who are pursuing a career-technical instructional track shall not be required to take algebra II, and instead may	1737 1738 1739 1740 1741

complete a career-based pathway mathematics course approved by	1742
the department of education as an alternative.	1743
(4) Physical education, one-half unit;	1744
(5) Science, three units with inquiry-based laboratory	1745
experience that engages students in asking valid scientific	1746
questions and gathering and analyzing information, which shall	1747
include the following, or their equivalent:	1748
(a) Physical sciences, one unit;	1749
(b) Life sciences, one unit;	1750
(c) Advanced study in one or more of the following	1751
sciences, one unit:	1752
(i) Chemistry, physics, or other physical science;	1753
(ii) Advanced biology or other life science;	1754
(iii) Astronomy, physical geology, or other earth or space	1755
science.	1756
(6) History and government, one unit, which shall comply	1757
with division (M) of this section and shall include both of the	1758
following:	1759
(a) American history, one-half unit;	1760
(b) American government, one-half unit.	1761
(7) Social studies, two units.	1762
Each school shall integrate the study of economics and	1763
financial literacy, as expressed in the social studies academic	1764
content standards adopted by the state board of education under	1765
division (A) (1) of section 3301.079 of the Revised Code and the	1766
academic content standards for financial literacy and	1767

entrepreneurship adopted under division (A) (2) of that section, 1768  
into one or more existing social studies credits required under 1769  
division (C) (7) of this section, or into the content of another 1770  
class, so that every high school student receives instruction in 1771  
those concepts. In developing the curriculum required by this 1772  
paragraph, schools shall use available public-private 1773  
partnerships and resources and materials that exist in business, 1774  
industry, and through the centers for economics education at 1775  
institutions of higher education in the state. 1776

Beginning with students who enter ninth grade for the 1777  
first time on or after July 1, 2017, the two units of 1778  
instruction prescribed by division (C) (7) of this section shall 1779  
include at least one-half unit of instruction in the study of 1780  
world history and civilizations. 1781

(8) Five units consisting of one or any combination of 1782  
foreign language, fine arts, business, career-technical 1783  
education, family and consumer sciences, technology, 1784  
agricultural education, a junior reserve officer training corps 1785  
(JROTC) program approved by the congress of the United States 1786  
under title 10 of the United States Code, or English language 1787  
arts, mathematics, science, or social studies courses not 1788  
otherwise required under division (C) of this section. 1789

Ohioans must be prepared to apply increased knowledge and 1790  
skills in the workplace and to adapt their knowledge and skills 1791  
quickly to meet the rapidly changing conditions of the twenty- 1792  
first century. National studies indicate that all high school 1793  
graduates need the same academic foundation, regardless of the 1794  
opportunities they pursue after graduation. The goal of Ohio's 1795  
system of elementary and secondary education is to prepare all 1796  
students for and seamlessly connect all students to success in 1797

life beyond high school graduation, regardless of whether the 1798  
next step is entering the workforce, beginning an 1799  
apprenticeship, engaging in post-secondary training, serving in 1800  
the military, or pursuing a college degree. 1801

The requirements for graduation prescribed in division (C) 1802  
of this section are the standard expectation for all students 1803  
entering ninth grade for the first time at a public or chartered 1804  
nonpublic high school on or after July 1, 2010. A student may 1805  
satisfy this expectation through a variety of methods, 1806  
including, but not limited to, integrated, applied, career- 1807  
technical, and traditional coursework. 1808

Whereas teacher quality is essential for student success 1809  
when completing the requirements for graduation, the general 1810  
assembly shall appropriate funds for strategic initiatives 1811  
designed to strengthen schools' capacities to hire and retain 1812  
highly qualified teachers in the subject areas required by the 1813  
curriculum. Such initiatives are expected to require an 1814  
investment of \$120,000,000 over five years. 1815

Stronger coordination between high schools and 1816  
institutions of higher education is necessary to prepare 1817  
students for more challenging academic endeavors and to lessen 1818  
the need for academic remediation in college, thereby reducing 1819  
the costs of higher education for Ohio's students, families, and 1820  
the state. The state board and the chancellor of higher 1821  
education shall develop policies to ensure that only in rare 1822  
instances will students who complete the requirements for 1823  
graduation prescribed in division (C) of this section require 1824  
academic remediation after high school. 1825

School districts, community schools, and chartered 1826  
nonpublic schools shall integrate technology into learning 1827

experiences across the curriculum in order to maximize 1828  
efficiency, enhance learning, and prepare students for success 1829  
in the technology-driven twenty-first century. Districts and 1830  
schools shall use distance and web-based course delivery as a 1831  
method of providing or augmenting all instruction required under 1832  
this division, including laboratory experience in science. 1833  
Districts and schools shall utilize technology access and 1834  
electronic learning opportunities provided by the broadcast 1835  
educational media commission, chancellor, the Ohio learning 1836  
network, education technology centers, public television 1837  
stations, and other public and private providers. 1838

(D) Except as provided in division (E) of this section, a 1839  
student who enters ninth grade on or after July 1, 2010, and 1840  
before July 1, 2016, may qualify for graduation from a public or 1841  
chartered nonpublic high school even though the student has not 1842  
completed the requirements for graduation prescribed in division 1843  
(C) of this section if all of the following conditions are 1844  
satisfied: 1845

(1) During the student's third year of attending high 1846  
school, as determined by the school, the student and the 1847  
student's parent, guardian, or custodian sign and file with the 1848  
school a written statement asserting the parent's, guardian's, 1849  
or custodian's consent to the student's graduating without 1850  
completing the requirements for graduation prescribed in 1851  
division (C) of this section and acknowledging that one 1852  
consequence of not completing those requirements is 1853  
ineligibility to enroll in most state universities in Ohio 1854  
without further coursework. 1855

(2) The student and parent, guardian, or custodian fulfill 1856  
any procedural requirements the school stipulates to ensure the 1857



student's and parent's, guardian's, or custodian's informed 1858  
consent and to facilitate orderly filing of statements under 1859  
division (D) (1) of this section. Annually, each district or 1860  
school shall notify the department of the number of students who 1861  
choose to qualify for graduation under division (D) of this 1862  
section and the number of students who complete the student's 1863  
success plan and graduate from high school. 1864

(3) The student and the student's parent, guardian, or 1865  
custodian and a representative of the student's high school 1866  
jointly develop a student success plan for the student in the 1867  
manner described in division (C) (1) of section 3313.6020 of the 1868  
Revised Code that specifies the student matriculating to a two- 1869  
year degree program, acquiring a business and industry- 1870  
recognized credential, or entering an apprenticeship. 1871

(4) The student's high school provides counseling and 1872  
support for the student related to the plan developed under 1873  
division (D) (3) of this section during the remainder of the 1874  
student's high school experience. 1875

(5) (a) Except as provided in division (D) (5) (b) of this 1876  
section, the student successfully completes, at a minimum, the 1877  
curriculum prescribed in division (B) of this section. 1878

(b) Beginning with students who enter ninth grade for the 1879  
first time on or after July 1, 2014, a student shall be required 1880  
to complete successfully, at the minimum, the curriculum 1881  
prescribed in division (B) of this section, except as follows: 1882

(i) Mathematics, four units, one unit which shall be one 1883  
of the following: 1884

(I) Probability and statistics; 1885

(II) Computer programming; 1886

(III) Applied mathematics or quantitative reasoning;	1887
(IV) Any other course approved by the department using standards established by the superintendent not later than October 1, 2014.	1888 1889 1890
(ii) Elective units, five units;	1891
(iii) Science, three units as prescribed by division (B) of this section which shall include inquiry-based laboratory experience that engages students in asking valid scientific questions and gathering and analyzing information.	1892 1893 1894 1895
The department, in collaboration with the chancellor, shall analyze student performance data to determine if there are mitigating factors that warrant extending the exception permitted by division (D) of this section to high school classes beyond those entering ninth grade before July 1, 2016. The department shall submit its findings and any recommendations not later than December 1, 2015, to the speaker and minority leader of the house of representatives, the president and minority leader of the senate, the chairpersons and ranking minority members of the standing committees of the house of representatives and the senate that consider education legislation, the state board of education, and the superintendent of public instruction.	1896 1897 1898 1899 1900 1901 1902 1903 1904 1905 1906 1907 1908
(E) Each school district and chartered nonpublic school retains the authority to require an even more challenging minimum curriculum for high school graduation than specified in division (B) or (C) of this section. A school district board of education, through the adoption of a resolution, or the governing authority of a chartered nonpublic school may stipulate any of the following:	1909 1910 1911 1912 1913 1914 1915

(1) A minimum high school curriculum that requires more than twenty units of academic credit to graduate;	1916 1917
(2) An exception to the district's or school's minimum high school curriculum that is comparable to the exception provided in division (D) of this section but with additional requirements, which may include a requirement that the student successfully complete more than the minimum curriculum prescribed in division (B) of this section;	1918 1919 1920 1921 1922 1923
(3) That no exception comparable to that provided in division (D) of this section is available.	1924 1925
(F) A student enrolled in a dropout prevention and recovery program, which program has received a waiver from the department, may qualify for graduation from high school by successfully completing a competency-based instructional program administered by the dropout prevention and recovery program in lieu of completing the requirements for graduation prescribed in division (C) of this section. The department shall grant a waiver to a dropout prevention and recovery program, within sixty days after the program applies for the waiver, if the program meets all of the following conditions:	1926 1927 1928 1929 1930 1931 1932 1933 1934 1935
(1) The program serves only students not younger than sixteen years of age and not older than twenty-one years of age.	1936 1937
(2) The program enrolls students who, at the time of their initial enrollment, either, or both, are at least one grade level behind their cohort age groups or experience crises that significantly interfere with their academic progress such that they are prevented from continuing their traditional programs.	1938 1939 1940 1941 1942
(3) The program requires students to attain at least the applicable score designated for each of the assessments	1943 1944

prescribed under division (B) (1) of section 3301.0710 of the Revised Code or, to the extent prescribed by rule of the state board under division (D) (5) of section 3301.0712 of the Revised Code, division (B) (2) of that section.

(4) The program develops a student success plan for the student in the manner described in division (C) (1) of section 3313.6020 of the Revised Code that specifies the student's matriculating to a two-year degree program, acquiring a business and industry-recognized credential, or entering an apprenticeship.

(5) The program provides counseling and support for the student related to the plan developed under division (F) (4) of this section during the remainder of the student's high school experience.

(6) The program requires the student and the student's parent, guardian, or custodian to sign and file, in accordance with procedural requirements stipulated by the program, a written statement asserting the parent's, guardian's, or custodian's consent to the student's graduating without completing the requirements for graduation prescribed in division (C) of this section and acknowledging that one consequence of not completing those requirements is ineligibility to enroll in most state universities in Ohio without further coursework.

(7) Prior to receiving the waiver, the program has submitted to the department an instructional plan that demonstrates how the academic content standards adopted by the state board under section 3301.079 of the Revised Code will be taught and assessed.

(8) Prior to receiving the waiver, the program has 1974  
submitted to the department a policy on career advising that 1975  
satisfies the requirements of section 3313.6020 of the Revised 1976  
Code, with an emphasis on how every student will receive career 1977  
advising. 1978

(9) Prior to receiving the waiver, the program has 1979  
submitted to the department a written agreement outlining the 1980  
future cooperation between the program and any combination of 1981  
local job training, postsecondary education, nonprofit, and 1982  
health and social service organizations to provide services for 1983  
students in the program and their families. 1984

Divisions (F) (8) and (9) of this section apply only to 1985  
waivers granted on or after July 1, 2015. 1986

If the department does not act either to grant the waiver 1987  
or to reject the program application for the waiver within sixty 1988  
days as required under this section, the waiver shall be 1989  
considered to be granted. 1990

(G) Every high school may permit students below the ninth 1991  
grade to take advanced work. If a high school so permits, it 1992  
shall award high school credit for successful completion of the 1993  
advanced work and shall count such advanced work toward the 1994  
graduation requirements of division (B) or (C) of this section 1995  
if the advanced work was both: 1996

(1) Taught by a person who possesses a license or 1997  
certificate issued under section 3301.071, 3319.22, or 3319.222 1998  
of the Revised Code that is valid for teaching high school; 1999

(2) Designated by the board of education of the city, 2000  
local, or exempted village school district, the board of the 2001  
cooperative education school district, or the governing 2002

authority of the chartered nonpublic school as meeting the high school curriculum requirements. 2003  
2004

Each high school shall record on the student's high school transcript all high school credit awarded under division (G) of this section. In addition, if the student completed a seventh- or eighth-grade fine arts course described in division (K) of this section and the course qualified for high school credit under that division, the high school shall record that course on the student's high school transcript. 2005  
2006  
2007  
2008  
2009  
2010  
2011

(H) The department shall make its individual academic career plan available through its Ohio career information system web site for districts and schools to use as a tool for communicating with and providing guidance to students and families in selecting high school courses. 2012  
2013  
2014  
2015  
2016

(I) A school district or chartered nonpublic school may integrate academic content in a subject area for which the state board has adopted standards under section 3301.079 of the Revised Code into a course in a different subject area, including a career-technical education course, in accordance with guidance for integrated coursework developed by the department. Upon successful completion of an integrated course, a student may receive credit for both subject areas that were integrated into the course. Units earned in English language arts, mathematics, science, and social studies that are for subject area content delivered through integrated academic and career-technical instruction are eligible to meet the graduation requirements of division (B) or (C) of this section. 2017  
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For purposes of meeting graduation requirements, if an end-of-course examination has been prescribed under section 3301.0712 of the Revised Code for the subject area delivered 2030  
2031  
2032

through integrated instruction, the school district or school 2033  
may administer the related subject area examinations upon the 2034  
student's completion of the integrated course. 2035

Nothing in division (I) of this section shall be construed 2036  
to excuse any school district, chartered nonpublic school, or 2037  
student from any requirement in the Revised Code related to 2038  
curriculum, assessments, or the awarding of a high school 2039  
diploma. 2040

(J) (1) The state board, in consultation with the 2041  
chancellor, shall adopt a statewide plan implementing methods 2042  
for students to earn units of high school credit based on a 2043  
demonstration of subject area competency, instead of or in 2044  
combination with completing hours of classroom instruction. The 2045  
state board shall adopt the plan not later than March 31, 2009, 2046  
and commence phasing in the plan during the 2009-2010 school 2047  
year. The plan shall include a standard method for recording 2048  
demonstrated proficiency on high school transcripts. Each school 2049  
district and community school shall comply with the state 2050  
board's plan adopted under this division and award units of high 2051  
school credit in accordance with the plan. The state board may 2052  
adopt existing methods for earning high school credit based on a 2053  
demonstration of subject area competency as necessary prior to 2054  
the 2009-2010 school year. 2055

(2) Not later than December 31, 2015, the state board 2056  
shall update the statewide plan adopted pursuant to division (J) 2057  
(1) of this section to also include methods for students 2058  
enrolled in seventh and eighth grade to meet curriculum 2059  
requirements based on a demonstration of subject area 2060  
competency, instead of or in combination with completing hours 2061  
of classroom instruction. Beginning with the 2017-2018 school 2062

year, each school district and community school also shall 2063  
comply with the updated plan adopted pursuant to this division 2064  
and permit students enrolled in seventh and eighth grade to meet 2065  
curriculum requirements based on subject area competency in 2066  
accordance with the plan. 2067

(3) Not later than December 31, 2017, the department shall 2068  
develop a framework for school districts and community schools 2069  
to use in granting units of high school credit to students who 2070  
demonstrate subject area competency through work-based learning 2071  
experiences, internships, or cooperative education. Beginning 2072  
with the 2018-2019 school year, each district and community 2073  
school shall comply with the framework. Each district and 2074  
community school also shall review any policy it has adopted 2075  
regarding the demonstration of subject area competency to 2076  
identify ways to incorporate work-based learning experiences, 2077  
internships, and cooperative education into the policy in order 2078  
to increase student engagement and opportunities to earn units 2079  
of high school credit. 2080

(K) This division does not apply to students who qualify 2081  
for graduation from high school under division (D) or (F) of 2082  
this section, or to students pursuing a career-technical 2083  
instructional track as determined by the school district board 2084  
of education or the chartered nonpublic school's governing 2085  
authority. Nevertheless, the general assembly encourages such 2086  
students to consider enrolling in a fine arts course as an 2087  
elective. 2088

Beginning with students who enter ninth grade for the 2089  
first time on or after July 1, 2010, each student enrolled in a 2090  
public or chartered nonpublic high school shall complete two 2091  
semesters or the equivalent of fine arts to graduate from high 2092



school. The coursework may be completed in any of grades seven 2093  
to twelve. Each student who completes a fine arts course in 2094  
grade seven or eight may elect to count that course toward the 2095  
five units of electives required for graduation under division 2096  
(C) (8) of this section, if the course satisfied the requirements 2097  
of division (G) of this section. In that case, the high school 2098  
shall award the student high school credit for the course and 2099  
count the course toward the five units required under division 2100  
(C) (8) of this section. If the course in grade seven or eight 2101  
did not satisfy the requirements of division (G) of this 2102  
section, the high school shall not award the student high school 2103  
credit for the course but shall count the course toward the two 2104  
semesters or the equivalent of fine arts required by this 2105  
division. 2106

(L) Notwithstanding anything to the contrary in this 2107  
section, the board of education of each school district and the 2108  
governing authority of each chartered nonpublic school may adopt 2109  
a policy to excuse from the high school physical education 2110  
requirement each student who, during high school, has 2111  
participated in interscholastic athletics, marching band, or 2112  
cheerleading for at least two full seasons or in the junior 2113  
reserve officer training corps for at least two full school 2114  
years. If the board or authority adopts such a policy, the board 2115  
or authority shall not require the student to complete any 2116  
physical education course as a condition to graduate. However, 2117  
the student shall be required to complete one-half unit, 2118  
consisting of at least sixty hours of instruction, in another 2119  
course of study. In the case of a student who has participated 2120  
in the junior reserve officer training corps for at least two 2121  
full school years, credit received for that participation may be 2122  
used to satisfy the requirement to complete one-half unit in 2123

another course of study. 2124

(M) It is important that high school students learn and 2125  
understand United States history and the governments of both the 2126  
United States and the state of Ohio. Therefore, beginning with 2127  
students who enter ninth grade for the first time on or after 2128  
July 1, 2012, the study of American history and American 2129  
government required by divisions (B) (6) and (C) (6) of this 2130  
section shall include the study of all of the following 2131  
documents: 2132

(1) The Declaration of Independence; 2133

(2) The Northwest Ordinance; 2134

(3) The Constitution of the United States with emphasis on 2135  
the Bill of Rights; 2136

(4) The Ohio Constitution. 2137

The study of each of the documents prescribed in divisions 2138  
(M) (1) to (4) of this section shall include study of that 2139  
document in its original context. 2140

The study of American history and government required by 2141  
divisions (B) (6) and (C) (6) of this section shall include the 2142  
historical evidence of the role of documents such as the 2143  
Federalist Papers and the Anti-Federalist Papers to firmly 2144  
establish the historical background leading to the establishment 2145  
of the provisions of the Constitution and Bill of Rights. 2146

**Sec. 3313.618.** (A) In addition to the applicable 2147  
curriculum requirements, each student entering ninth grade for 2148  
the first time on or after July 1, 2014, shall satisfy at least 2149  
one of the following conditions in order to qualify for a high 2150  
school diploma: 2151

(1) Be remediation-free, in accordance with standards 2152  
adopted under division (F) of section 3345.061 of the Revised 2153  
Code, on each of the nationally standardized assessments in 2154  
English, mathematics, and reading; 2155

(2) Attain a score specified under division (B) (5) (c) of 2156  
section 3301.0712 of the Revised Code on the end-of-course 2157  
examinations prescribed under division (B) of section 3301.0712 2158  
of the Revised Code. 2159

(3) Attain a score that demonstrates workforce readiness 2160  
and employability on a nationally recognized job skills 2161  
assessment selected by the state board of education under 2162  
division (G) of section 3301.0712 of the Revised Code and obtain 2163  
either an industry-recognized credential, as described under 2164  
division (B) (2) (d) of section 3302.03 of the Revised Code, or a 2165  
license issued by a state agency or board for practice in a 2166  
vocation that requires an examination for issuance of that 2167  
license. 2168

The state board shall approve the industry-recognized 2169  
credentials and licenses that may qualify a student for a high 2170  
school diploma under division (A) (3) of this section. 2171

A student may choose to qualify for a high school diploma 2172  
by satisfying any of the separate requirements prescribed by 2173  
divisions (A) (1) to (3) of this section. If the student's school 2174  
district or school does not administer the examination 2175  
prescribed by one of those divisions that the student chooses to 2176  
take to satisfy the requirements of this section, the school 2177  
district or school may require that student to arrange for the 2178  
applicable scores to be sent directly to the district or school 2179  
by the company or organization that administers the examination. 2180

(B) The state board of education shall not create or 2181  
require any additional assessment for the granting of any type 2182  
of high school diploma other than as prescribed by this section. 2183  
Except as provided in ~~section~~ sections 3313.6111 and 3313.6112 2184  
of the Revised Code, the state board or the superintendent of 2185  
public instruction shall not create any endorsement or 2186  
designation that may be affiliated with a high school diploma. 2187

**Sec. 3313.6110.** (A) A person who has completed the final 2188  
year of instruction at home, as authorized under section 3321.04 2189  
of the Revised Code, and has successfully fulfilled the high 2190  
school curriculum applicable to that person may be granted a 2191  
high school diploma by the person's parent, guardian, or other 2192  
person having charge or care of a child, as defined in division 2193  
(A) (1) of section 3321.01 of the Revised Code. 2194

(B) Beginning with diplomas issued on or after July 1, 2195  
2015, each diploma granted under division (A) of this section 2196  
shall be accompanied by the official letter of excuse issued by 2197  
the district superintendent for the student's final year of home 2198  
education. 2199

(C) A person who has graduated from a nonchartered 2200  
nonpublic school in Ohio and who has successfully fulfilled that 2201  
school's high school curriculum may be granted a high school 2202  
diploma by the governing authority of that school. 2203

(D) Notwithstanding anything in the Revised Code to the 2204  
contrary, a diploma granted under this section shall serve as 2205  
proof of the successful completion of that person's applicable 2206  
high school curriculum and satisfactory to fulfill any legal 2207  
requirement to show such proof. 2208

(E) For the purposes of an application for employment, a 2209

diploma granted under this section shall be considered proof of 2210  
completion of a high school education, regardless of whether the 2211  
person to which the diploma was granted participated in the 2212  
assessments prescribed by division (A) (1) or (B) (1) or (2) of 2213  
section 3301.0710 and section 3301.0712 of the Revised Code. 2214

(F) A diploma granted under division (A) of this section 2215  
may include a state seal of biliteracy or an OhioMeansJobs- 2216  
readiness seal that may be assigned to the student's diploma, by 2217  
the parent, guardian, or other person having charge or care of 2218  
the student, in the same manner as prescribed for transcripts 2219  
issued by school districts and chartered nonpublic schools under 2220  
~~section~~ sections 3313.6111 and 3113.6112 of the Revised Code. 2221

**Sec. 3313.6112.** (A) The superintendent of public 2222  
instruction, in consultation with the chancellor of higher 2223  
education and the governor's office of workforce transformation, 2224  
shall establish the OhioMeansJobs-readiness seal, which may be 2225  
attached or affixed to the high school diploma and transcript of 2226  
a student enrolled in a public or chartered nonpublic school. 2227

(B) A school district, community school established under 2228  
Chapter 3314. of the Revised Code, STEM school established under 2229  
Chapter 3326. of the Revised Code, college-preparatory boarding 2230  
school established under Chapter 3328. of the Revised Code, or 2231  
chartered nonpublic school shall attach or affix the 2232  
OhioMeansJobs-readiness seal to the diploma and transcript of a 2233  
student enrolled in the school who meets the requirements 2234  
prescribed under division (C) (1) of this section. 2235

(C) The state superintendent, in consultation with the 2236  
chancellor and the governor's office of workforce 2237  
transformation, shall do all of the following: 2238

(1) Establish the requirements and criteria for earning an OhioMeansJobs-readiness seal, including demonstration of work-readiness and work ethic competencies such as teamwork, problem-solving, reliability, punctuality, and computer technology competency; 2239  
2240  
2241  
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(2) Develop a standardized form for students to complete and have validated prior to graduation by at least three individuals, each of whom must be an employer, teacher, business mentor, community leader, faith-based leader, school leader, or coach of the student; 2244  
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(3) Prepare and deliver to all school districts, community schools, STEM schools, college-preparatory boarding schools, and chartered nonpublic schools an appropriate mechanism for assigning an OhioMeansJobs-readiness seal on a student's diploma and transcript indicating that the student has been assigned the seal; 2249  
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(4) Provide any other information the state superintendent considers necessary for school districts, community schools, STEM schools, college-preparatory boarding schools, and chartered nonpublic schools to assign an OhioMeansJobs-readiness seal. 2255  
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(D) A student shall not be charged a fee to be assigned an OhioMeansJobs-readiness seal on the student's diploma and transcript. 2260  
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**Sec. 3313.89.** Beginning with the 2014-2015 school year, 2263  
each public high school shall publish or provide, not later than 2264  
the first day of April of each year, in its newsletter, high 2265  
school planning guide, regular publication provided to parents 2266  
and students, or in a prominent location on the school web site, 2267

information regarding the online education and career planning 2268  
tool developed under section 6301.15 of the Revised Code. The 2269  
information shall include the internet web site address for the 2270  
planning tool and a link to that web site. The information also 2271  
shall include a link to the OhioMeansJobs web site. 2272

As used in this section, "OhioMeansJobs web site" has the 2273  
same meaning as in section 6301.01 of the Revised Code. 2274

Sec. 3313.904. The department of education and the 2275  
department of job and family services, in consultation with the 2276  
governor's office of workforce transformation, shall establish 2277  
an option for career-technical education students to participate 2278  
in pre-apprenticeship training programs that impart the skills 2279  
and knowledge needed for successful participation in a 2280  
registered apprenticeship occupation course. 2281

**Sec. 3314.03.** A copy of every contract entered into under 2282  
this section shall be filed with the superintendent of public 2283  
instruction. The department of education shall make available on 2284  
its web site a copy of every approved, executed contract filed 2285  
with the superintendent under this section. 2286

(A) Each contract entered into between a sponsor and the 2287  
governing authority of a community school shall specify the 2288  
following: 2289

(1) That the school shall be established as either of the 2290  
following: 2291

(a) A nonprofit corporation established under Chapter 2292  
1702. of the Revised Code, if established prior to April 8, 2293  
2003; 2294

(b) A public benefit corporation established under Chapter 2295  
1702. of the Revised Code, if established after April 8, 2003. 2296

(2) The education program of the school, including the	2297
school's mission, the characteristics of the students the school	2298
is expected to attract, the ages and grades of students, and the	2299
focus of the curriculum;	2300
(3) The academic goals to be achieved and the method of	2301
measurement that will be used to determine progress toward those	2302
goals, which shall include the statewide achievement	2303
assessments;	2304
(4) Performance standards, including but not limited to	2305
all applicable report card measures set forth in section 3302.03	2306
or 3314.017 of the Revised Code, by which the success of the	2307
school will be evaluated by the sponsor;	2308
(5) The admission standards of section 3314.06 of the	2309
Revised Code and, if applicable, section 3314.061 of the Revised	2310
Code;	2311
(6) (a) Dismissal procedures;	2312
(b) A requirement that the governing authority adopt an	2313
attendance policy that includes a procedure for automatically	2314
withdrawing a student from the school if the student without a	2315
legitimate excuse fails to participate in one hundred five	2316
consecutive hours of the learning opportunities offered to the	2317
student.	2318
(7) The ways by which the school will achieve racial and	2319
ethnic balance reflective of the community it serves;	2320
(8) Requirements for financial audits by the auditor of	2321
state. The contract shall require financial records of the	2322
school to be maintained in the same manner as are financial	2323
records of school districts, pursuant to rules of the auditor of	2324
state. Audits shall be conducted in accordance with section	2325



117.10 of the Revised Code.	2326
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	2327
(a) A detailed description of each facility used for instructional purposes;	2328
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	2329
(c) The annual mortgage principal and interest payments that are paid by the school;	2330
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	2331
(10) Qualifications of teachers, including a requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours per week pursuant to section 3319.301 of the Revised Code.	2332
(11) That the school will comply with the following requirements:	2333
(a) The school will provide learning opportunities to a minimum of twenty-five students for a minimum of nine hundred twenty hours per school year.	2334
(b) The governing authority will purchase liability insurance, or otherwise provide for the potential liability of the school.	2335
(c) The school will be nonsectarian in its programs,	2336
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admission policies, employment practices, and all other 2353  
operations, and will not be operated by a sectarian school or 2354  
religious institution. 2355

(d) The school will comply with sections 9.90, 9.91, 2356  
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 2357  
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3313.472, 2358  
3313.50, 3313.536, 3313.539, 3313.5310, 3313.608, 3313.609, 2359  
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.643, 2360  
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 2361  
3313.667, 3313.668, 3313.67, 3313.671, 3313.672, 3313.673, 2362  
3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 2363  
3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.86, 2364  
3313.89, 3313.96, 3319.073, 3319.321, 3319.39, 3319.391, 2365  
3319.41, 3319.46, 3321.01, 3321.041, 3321.13, 3321.14, 3321.17, 2366  
3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 4113.52, and 2367  
5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 2368  
4123., 4141., and 4167. of the Revised Code as if it were a 2369  
school district and will comply with section 3301.0714 of the 2370  
Revised Code in the manner specified in section 3314.17 of the 2371  
Revised Code. 2372

(e) The school shall comply with Chapter 102. and section 2373  
2921.42 of the Revised Code. 2374

(f) The school will comply with sections 3313.61, 2375  
3313.611, and 3313.614 of the Revised Code, except that for 2376  
students who enter ninth grade for the first time before July 1, 2377  
2010, the requirement in sections 3313.61 and 3313.611 of the 2378  
Revised Code that a person must successfully complete the 2379  
curriculum in any high school prior to receiving a high school 2380  
diploma may be met by completing the curriculum adopted by the 2381  
governing authority of the community school rather than the 2382

curriculum specified in Title XXXVIII of the Revised Code or any 2383  
rules of the state board of education. Beginning with students 2384  
who enter ninth grade for the first time on or after July 1, 2385  
2010, the requirement in sections 3313.61 and 3313.611 of the 2386  
Revised Code that a person must successfully complete the 2387  
curriculum of a high school prior to receiving a high school 2388  
diploma shall be met by completing the requirements prescribed 2389  
in division (C) of section 3313.603 of the Revised Code, unless 2390  
the person qualifies under division (D) or (F) of that section. 2391  
Each school shall comply with the plan for awarding high school 2392  
credit based on demonstration of subject area competency, and 2393  
beginning with the 2017-2018 school year, with the updated plan 2394  
that permits students enrolled in seventh and eighth grade to 2395  
meet curriculum requirements based on subject area competency 2396  
adopted by the state board of education under divisions (J) (1) 2397  
and (2) of section 3313.603 of the Revised Code. Beginning with 2398  
the 2018-2019 school year, the school shall comply with the 2399  
framework for granting units of high school credit to students 2400  
who demonstrate subject area competency through work-based 2401  
learning experiences, internships, or cooperative education 2402  
developed by the department under division (J) (3) of section 2403  
3313.603 of the Revised Code. 2404

(g) The school governing authority will submit within four 2405  
months after the end of each school year a report of its 2406  
activities and progress in meeting the goals and standards of 2407  
divisions (A) (3) and (4) of this section and its financial 2408  
status to the sponsor and the parents of all students enrolled 2409  
in the school. 2410

(h) The school, unless it is an internet- or computer- 2411  
based community school, will comply with section 3313.801 of the 2412  
Revised Code as if it were a school district. 2413

(i) If the school is the recipient of moneys from a grant 2414  
awarded under the federal race to the top program, Division (A), 2415  
Title XIV, Sections 14005 and 14006 of the "American Recovery 2416  
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 2417  
the school will pay teachers based upon performance in 2418  
accordance with section 3317.141 and will comply with section 2419  
3319.111 of the Revised Code as if it were a school district. 2420

(j) If the school operates a preschool program that is 2421  
licensed by the department of education under sections 3301.52 2422  
to 3301.59 of the Revised Code, the school shall comply with 2423  
sections 3301.50 to 3301.59 of the Revised Code and the minimum 2424  
standards for preschool programs prescribed in rules adopted by 2425  
the state board under section 3301.53 of the Revised Code. 2426

(k) The school will comply with sections 3313.6021 and 2427  
3313.6023 of the Revised Code as if it were a school district 2428  
unless it is either of the following: 2429

(i) An internet- or computer-based community school; 2430

(ii) A community school in which a majority of the 2431  
enrolled students are children with disabilities as described in 2432  
division (A) (4) (b) of section 3314.35 of the Revised Code. 2433

(12) Arrangements for providing health and other benefits 2434  
to employees; 2435

(13) The length of the contract, which shall begin at the 2436  
beginning of an academic year. No contract shall exceed five 2437  
years unless such contract has been renewed pursuant to division 2438  
(E) of this section. 2439

(14) The governing authority of the school, which shall be 2440  
responsible for carrying out the provisions of the contract; 2441

(15) A financial plan detailing an estimated school budget 2442  
for each year of the period of the contract and specifying the 2443  
total estimated per pupil expenditure amount for each such year. 2444

(16) Requirements and procedures regarding the disposition 2445  
of employees of the school in the event the contract is 2446  
terminated or not renewed pursuant to section 3314.07 of the 2447  
Revised Code; 2448

(17) Whether the school is to be created by converting all 2449  
or part of an existing public school or educational service 2450  
center building or is to be a new start-up school, and if it is 2451  
a converted public school or service center building, 2452  
specification of any duties or responsibilities of an employer 2453  
that the board of education or service center governing board 2454  
that operated the school or building before conversion is 2455  
delegating to the governing authority of the community school 2456  
with respect to all or any specified group of employees provided 2457  
the delegation is not prohibited by a collective bargaining 2458  
agreement applicable to such employees; 2459

(18) Provisions establishing procedures for resolving 2460  
disputes or differences of opinion between the sponsor and the 2461  
governing authority of the community school; 2462

(19) A provision requiring the governing authority to 2463  
adopt a policy regarding the admission of students who reside 2464  
outside the district in which the school is located. That policy 2465  
shall comply with the admissions procedures specified in 2466  
sections 3314.06 and 3314.061 of the Revised Code and, at the 2467  
sole discretion of the authority, shall do one of the following: 2468

(a) Prohibit the enrollment of students who reside outside 2469  
the district in which the school is located; 2470

(b) Permit the enrollment of students who reside in districts adjacent to the district in which the school is located;	2471 2472 2473
(c) Permit the enrollment of students who reside in any other district in the state.	2474 2475
(20) A provision recognizing the authority of the department of education to take over the sponsorship of the school in accordance with the provisions of division (C) of section 3314.015 of the Revised Code;	2476 2477 2478 2479
(21) A provision recognizing the sponsor's authority to assume the operation of a school under the conditions specified in division (B) of section 3314.073 of the Revised Code;	2480 2481 2482
(22) A provision recognizing both of the following:	2483
(a) The authority of public health and safety officials to inspect the facilities of the school and to order the facilities closed if those officials find that the facilities are not in compliance with health and safety laws and regulations;	2484 2485 2486 2487
(b) The authority of the department of education as the community school oversight body to suspend the operation of the school under section 3314.072 of the Revised Code if the department has evidence of conditions or violations of law at the school that pose an imminent danger to the health and safety of the school's students and employees and the sponsor refuses to take such action.	2488 2489 2490 2491 2492 2493 2494
(23) A description of the learning opportunities that will be offered to students including both classroom-based and non-classroom-based learning opportunities that is in compliance with criteria for student participation established by the department under division (H) (2) of section 3314.08 of the	2495 2496 2497 2498 2499

Revised Code;	2500
(24) The school will comply with sections 3302.04 and	2501
3302.041 of the Revised Code, except that any action required to	2502
be taken by a school district pursuant to those sections shall	2503
be taken by the sponsor of the school. However, the sponsor	2504
shall not be required to take any action described in division	2505
(F) of section 3302.04 of the Revised Code.	2506
(25) Beginning in the 2006-2007 school year, the school	2507
will open for operation not later than the thirtieth day of	2508
September each school year, unless the mission of the school as	2509
specified under division (A) (2) of this section is solely to	2510
serve dropouts. In its initial year of operation, if the school	2511
fails to open by the thirtieth day of September, or within one	2512
year after the adoption of the contract pursuant to division (D)	2513
of section 3314.02 of the Revised Code if the mission of the	2514
school is solely to serve dropouts, the contract shall be void.	2515
(26) Whether the school's governing authority is planning	2516
to seek designation for the school as a STEM school equivalent	2517
under section 3326.032 of the Revised Code;	2518
(27) That the school's attendance and participation	2519
policies will be available for public inspection;	2520
(28) That the school's attendance and participation	2521
records shall be made available to the department of education,	2522
auditor of state, and school's sponsor to the extent permitted	2523
under and in accordance with the "Family Educational Rights and	2524
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended,	2525
and any regulations promulgated under that act, and section	2526
3319.321 of the Revised Code;	2527
(29) If a school operates using the blended learning	2528

model, as defined in section 3301.079 of the Revised Code, all	2529
of the following information:	2530
(a) An indication of what blended learning model or models	2531
will be used;	2532
(b) A description of how student instructional needs will	2533
be determined and documented;	2534
(c) The method to be used for determining competency,	2535
granting credit, and promoting students to a higher grade level;	2536
(d) The school's attendance requirements, including how	2537
the school will document participation in learning	2538
opportunities;	2539
(e) A statement describing how student progress will be	2540
monitored;	2541
(f) A statement describing how private student data will	2542
be protected;	2543
(g) A description of the professional development	2544
activities that will be offered to teachers.	2545
(30) A provision requiring that all moneys the school's	2546
operator loans to the school, including facilities loans or cash	2547
flow assistance, must be accounted for, documented, and bear	2548
interest at a fair market rate;	2549
(31) A provision requiring that, if the governing	2550
authority contracts with an attorney, accountant, or entity	2551
specializing in audits, the attorney, accountant, or entity	2552
shall be independent from the operator with which the school has	2553
contracted.	2554
(B) The community school shall also submit to the sponsor	2555



a comprehensive plan for the school. The plan shall specify the	2556
following:	2557
(1) The process by which the governing authority of the	2558
school will be selected in the future;	2559
(2) The management and administration of the school;	2560
(3) If the community school is a currently existing public	2561
school or educational service center building, alternative	2562
arrangements for current public school students who choose not	2563
to attend the converted school and for teachers who choose not	2564
to teach in the school or building after conversion;	2565
(4) The instructional program and educational philosophy	2566
of the school;	2567
(5) Internal financial controls.	2568
When submitting the plan under this division, the school	2569
shall also submit copies of all policies and procedures	2570
regarding internal financial controls adopted by the governing	2571
authority of the school.	2572
(C) A contract entered into under section 3314.02 of the	2573
Revised Code between a sponsor and the governing authority of a	2574
community school may provide for the community school governing	2575
authority to make payments to the sponsor, which is hereby	2576
authorized to receive such payments as set forth in the contract	2577
between the governing authority and the sponsor. The total	2578
amount of such payments for monitoring, oversight, and technical	2579
assistance of the school shall not exceed three per cent of the	2580
total amount of payments for operating expenses that the school	2581
receives from the state.	2582
(D) The contract shall specify the duties of the sponsor	2583

which shall be in accordance with the written agreement entered 2584  
into with the department of education under division (B) of 2585  
section 3314.015 of the Revised Code and shall include the 2586  
following: 2587

(1) Monitor the community school's compliance with all 2588  
laws applicable to the school and with the terms of the 2589  
contract; 2590

(2) Monitor and evaluate the academic and fiscal 2591  
performance and the organization and operation of the community 2592  
school on at least an annual basis; 2593

(3) Report on an annual basis the results of the 2594  
evaluation conducted under division (D) (2) of this section to 2595  
the department of education and to the parents of students 2596  
enrolled in the community school; 2597

(4) Provide technical assistance to the community school 2598  
in complying with laws applicable to the school and terms of the 2599  
contract; 2600

(5) Take steps to intervene in the school's operation to 2601  
correct problems in the school's overall performance, declare 2602  
the school to be on probationary status pursuant to section 2603  
3314.073 of the Revised Code, suspend the operation of the 2604  
school pursuant to section 3314.072 of the Revised Code, or 2605  
terminate the contract of the school pursuant to section 3314.07 2606  
of the Revised Code as determined necessary by the sponsor; 2607

(6) Have in place a plan of action to be undertaken in the 2608  
event the community school experiences financial difficulties or 2609  
closes prior to the end of a school year. 2610

(E) Upon the expiration of a contract entered into under 2611  
this section, the sponsor of a community school may, with the 2612

approval of the governing authority of the school, renew that 2613  
contract for a period of time determined by the sponsor, but not 2614  
ending earlier than the end of any school year, if the sponsor 2615  
finds that the school's compliance with applicable laws and 2616  
terms of the contract and the school's progress in meeting the 2617  
academic goals prescribed in the contract have been 2618  
satisfactory. Any contract that is renewed under this division 2619  
remains subject to the provisions of sections 3314.07, 3314.072, 2620  
and 3314.073 of the Revised Code. 2621

(F) If a community school fails to open for operation 2622  
within one year after the contract entered into under this 2623  
section is adopted pursuant to division (D) of section 3314.02 2624  
of the Revised Code or permanently closes prior to the 2625  
expiration of the contract, the contract shall be void and the 2626  
school shall not enter into a contract with any other sponsor. A 2627  
school shall not be considered permanently closed because the 2628  
operations of the school have been suspended pursuant to section 2629  
3314.072 of the Revised Code. 2630

**Sec. 3326.01.** (A) As used in this chapter, 2631

(1) "STEM" is an abbreviation of "science, technology, 2632  
engineering, and mathematics." 2633

(2) "STEAM" is an abbreviation of "science, technology, 2634  
engineering, arts, and mathematics." 2635

(B)(1) A science, technology, engineering, arts, and 2636  
mathematics school shall be considered a type of science, 2637  
technology, engineering, and mathematics school. 2638

(2) A STEAM school equivalent shall be considered to be a 2639  
type of STEM school equivalent. 2640

(3) A STEAM program of excellence shall be considered to 2641

be a type of STEM program of excellence. 2642

(C) (1) Any reference to a STEM school or science, technology, engineering, and mathematics school in the Revised Code shall be considered to include a STEAM school, unless the context specifically indicates a different meaning or intent. All provisions of the Revised Code applicable to a STEM school shall apply to a STEAM school in the same manner, except as otherwise provided in this chapter. 2643  
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(2) Any reference to a STEM school equivalent in the Revised Code shall be considered to include a STEAM school equivalent, unless the context specifically indicates a different meaning or intent. All provisions of the Revised Code applicable to a STEM school equivalent shall apply to a STEAM school equivalent in the same manner, except as otherwise provided in this chapter. 2650  
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(3) Any reference to a STEM program of excellence in the Revised Code shall be considered to include a STEAM program of excellence, unless the context specifically indicates a different meaning or intent. All provisions of the Revised Code applicable to a STEM program of excellence shall apply to a STEAM program of excellence in the same manner, except as otherwise provided in this chapter. 2657  
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**Sec. 3326.03.** (A) The STEM committee shall authorize the establishment of and award grants to science, technology, engineering, and mathematics schools based on proposals submitted to the committee. 2664  
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The committee shall determine the criteria for proposals, establish procedures for the submission of proposals, accept and evaluate proposals, and choose which proposals to approve to 2668  
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become a STEM school. In approving proposals for STEM schools, 2671  
the committee shall consider locating the schools in diverse 2672  
geographic regions of the state so that all students have access 2673  
to a STEM school. 2674

The committee shall seek technical assistance from the 2675  
Ohio STEM learning network, or its successor, throughout the 2676  
process of accepting and evaluating proposals and choosing which 2677  
proposals to approve. In approving proposals for STEM schools, 2678  
the committee shall consider the recommendations of the Ohio 2679  
STEM learning network, or its successor. 2680

The committee may authorize the establishment of a group 2681  
of multiple STEM schools to operate from multiple facilities 2682  
located in one or more school districts under the direction of a 2683  
single governing body in the manner prescribed by section 2684  
3326.031 of the Revised Code. The committee shall consider the 2685  
merits of each of the proposed STEM schools within a group and 2686  
shall authorize each school separately. Anytime after 2687  
authorizing a group of STEM schools to be under the direction of 2688  
a single governing body, upon a proposal from the governing 2689  
body, the committee may authorize one or more additional schools 2690  
to operate as part of that group. 2691

The STEM committee may approve one or more STEM schools to 2692  
serve only students identified as gifted under Chapter 3324. of 2693  
the Revised Code. 2694

(B) Proposals may be submitted only by a partnership of 2695  
public and private entities consisting of at least all of the 2696  
following: 2697

(1) A city, exempted village, local, or joint vocational 2698  
school district or an educational service center; 2699

(2) Higher education entities;	2700
(3) Business organizations.	2701
A community school established under Chapter 3314. of the Revised Code, a chartered nonpublic school, or both may be part of the partnership.	2702 2703 2704
(C) Each proposal shall include at least the following:	2705
(1) Assurances that the STEM school or group of STEM schools will be under the oversight of a governing body and a description of the members of that governing body and how they will be selected;	2706 2707 2708 2709
(2) Assurances that each STEM school will operate in compliance with this chapter and the provisions of the proposal as accepted by the committee;	2710 2711 2712
(3) Evidence that each school will offer a rigorous, diverse, integrated, and project-based curriculum to students in any of grades kindergarten through twelve, with the goal to prepare those students for college, the workforce, and citizenship, and that does all of the following:	2713 2714 2715 2716 2717
(a) Emphasizes the role of science, technology, engineering, and mathematics in promoting innovation and economic progress;	2718 2719 2720
(b) Incorporates scientific inquiry and technological design;	2721 2722
(c) <u>Includes the arts and humanities. If the proposal is for a STEAM school, it also shall include evidence that the curriculum will integrate arts and design into the study of science, technology, engineering, and mathematics to foster creative thinking, problem-solving, and new approaches to</u>	2723 2724 2725 2726 2727

<u>scientific invention.</u>	2728
(d) Emphasizes personalized learning and teamwork skills.	2729
(4) Evidence that each school will attract school leaders who support the curriculum principles of division (C) (3) of this section;	2730 2731 2732
(5) A description of how each school's curriculum will be developed and approved in accordance with section 3326.09 of the Revised Code;	2733 2734 2735
(6) Evidence that each school will utilize an established capacity to capture and share knowledge for best practices and innovative professional development with the Ohio STEM learning network, or its successor;	2736 2737 2738 2739
(7) Evidence that each school will operate in collaboration with a partnership that includes institutions of higher education and businesses <sup>†</sup> . <u>If the proposal is for a STEAM school, it also shall include evidence that this partnership will include arts organizations.</u>	2740 2741 2742 2743 2744
(8) Assurances that each school has received commitments of sustained and verifiable fiscal and in-kind support from regional education and business entities <sup>†</sup> . <u>If the proposal is for a STEAM school, it also shall include assurances that the school has received commitments of sustained and verifiable fiscal and in-kind support from arts organizations.</u>	2745 2746 2747 2748 2749 2750
(9) A description of how each school's assets will be distributed if the school closes for any reason.	2751 2752
<u>(D) If a STEM school wishes to become a STEAM school, it may change its existing proposal to include the items required under divisions (C) (3) (c), (7), and (8) of this section and</u>	2753 2754 2755

submit the revised proposal to the STEM committee for approval. 2756

**Sec. 3326.032.** (A) The STEM committee may grant a 2757  
designation of STEM school equivalent to a community school 2758  
established under Chapter 3314. of the Revised Code or to a 2759  
chartered nonpublic school. In order to be eligible for this 2760  
designation, a community school or chartered nonpublic school 2761  
shall submit a proposal that satisfies the requirements of this 2762  
section. 2763

The committee shall determine the criteria for proposals, 2764  
establish procedures for the submission of proposals, accept and 2765  
evaluate proposals, and choose which proposals warrant a 2766  
community school or chartered nonpublic school to be designated 2767  
as a STEM school equivalent. 2768

(B) A proposal for designation as a STEM school equivalent 2769  
shall include at least the following: 2770

(1) Assurances that the community school or chartered 2771  
nonpublic school submitting the proposal has a working 2772  
partnership with both public and private entities, including 2773  
higher education entities and business organizations~~r~~. If the 2774  
proposal is for a STEAM school equivalent, it also shall include 2775  
evidence that this partnership includes arts organizations. 2776

(2) Assurances that the school submitting the proposal 2777  
will operate in compliance with this section and the provisions 2778  
of the proposal as accepted by the committee; 2779

(3) Evidence that the school submitting the proposal will 2780  
offer a rigorous, diverse, integrated, and project-based 2781  
curriculum to students in any of grades kindergarten through 2782  
twelve, with the goal to prepare those students for college, the 2783  
workforce, and citizenship, and that does all of the following: 2784



(a) Emphasizes the role of science, technology,	2785
engineering, and mathematics in promoting innovation and	2786
economic progress;	2787
(b) Incorporates scientific inquiry and technological	2788
design;	2789
(c) Includes the arts and humanities <del>r</del> . <u>If the proposal is</u>	2790
<u>for a STEAM school equivalent, it also shall include evidence</u>	2791
<u>that the curriculum will integrate arts and design into the</u>	2792
<u>study of science, technology, engineering, and mathematics to</u>	2793
<u>foster creative thinking, problem-solving, and new approaches to</u>	2794
<u>scientific invention.</u>	2795
(d) Emphasizes personalized learning and teamwork skills.	2796
(4) Evidence that the school submitting the proposal will	2797
attract school leaders who support the curriculum principles of	2798
division (B) (3) of this section;	2799
(5) A description of how each school's curriculum will be	2800
developed and approved in accordance with section 3326.09 of the	2801
Revised Code;	2802
(6) Evidence that the school submitting the proposal will	2803
utilize an established capacity to capture and share knowledge	2804
for best practices and innovative professional development;	2805
(7) Assurances that the school submitting the proposal has	2806
received commitments of sustained and verifiable fiscal and in-	2807
kind support from regional education and business entities. <u>If</u>	2808
<u>the proposal is for a STEAM school equivalent, it also shall</u>	2809
<u>include assurances that the school has received commitments of</u>	2810
<u>sustained and verifiable fiscal and in-kind support from arts</u>	2811
<u>organizations.</u>	2812

(C) (1) A community school or chartered nonpublic school 2813  
that is designated as a STEM school equivalent under this 2814  
section shall not be subject to the requirements of Chapter 2815  
3326. of the Revised Code, except that the school shall be 2816  
subject to the requirements of this section and to the 2817  
curriculum requirements of section 3326.09 of the Revised Code. 2818

Nothing in this section, however, shall relieve a 2819  
community school of the applicable requirements of Chapter 3314. 2820  
of the Revised Code. Nor shall anything in this section relieve 2821  
a chartered nonpublic school of any provisions of law outside of 2822  
this chapter that are applicable to chartered nonpublic schools. 2823

(2) A community school or chartered nonpublic school that 2824  
is designated as a STEM school equivalent under this section 2825  
shall not be eligible for operating funding under sections 2826  
3326.31 to 3326.37, 3326.39 to 3326.40, and 3326.51 of the 2827  
Revised Code. 2828

(3) A community school or chartered nonpublic school that 2829  
is designated as a STEM school equivalent under this section may 2830  
apply for any of the grants and additional funds described in 2831  
section 3326.38 of the Revised Code for which the school is 2832  
eligible. 2833

(D) If a community school or chartered nonpublic school 2834  
that is designated as a STEM school equivalent under this 2835  
section intends to close or intends to no longer be designated 2836  
as a STEM school equivalent, it shall notify the STEM committee 2837  
of that fact. 2838

(E) If a community school or chartered nonpublic school 2839  
that is designated as a STEM school equivalent wishes to be 2840  
designated as a STEAM school equivalent, it may change its 2841

existing proposal to include the items required under divisions 2842  
(B) (1), (3) (c), and (7) of this section and submit the revised 2843  
proposal to the STEM committee for approval. 2844

**Sec. 3326.04.** (A) The STEM committee shall award grants to 2845  
support the operation of STEM programs of excellence to serve 2846  
students in any of grades kindergarten through ~~eight~~twelve 2847  
through a request for proposals. 2848

(B) Proposals may be submitted by any of the following: 2849

(1) The board of education of a city, exempted village, or 2850  
local school district; 2851

(2) The governing authority of a community school 2852  
established under Chapter 3314. of the Revised Code; 2853

(3) The governing authority of a chartered nonpublic 2854  
school. 2855

(C) Each proposal shall demonstrate to the satisfaction of 2856  
the STEM committee that the program meets at least the following 2857  
standards: 2858

(1) Unless the program is designed to serve only students 2859  
identified as gifted under Chapter 3324. of the Revised Code, 2860  
the program will serve all students enrolled in the district or 2861  
school in the grades for which the program is designed. 2862

(2) The program will offer a rigorous and diverse 2863  
curriculum that is based on scientific inquiry and technological 2864  
design, that emphasizes personalized learning and teamwork 2865  
skills, and that will expose students to advanced scientific 2866  
concepts within and outside the classroom. If the proposal is 2867  
for a STEAM program of excellence, it also shall include 2868  
evidence that the curriculum will integrate arts and design into 2869

the curriculum to foster creative thinking, problem-solving, and 2870  
new approaches to scientific invention. 2871

(3) Unless the program is designed to serve only students 2872  
identified as gifted under Chapter 3324. of the Revised Code, 2873  
the program will not limit participation of students on the 2874  
basis of intellectual ability, measures of achievement, or 2875  
aptitude. 2876

(4) The program will utilize an established capacity to 2877  
capture and share knowledge for best practices and innovative 2878  
professional development. 2879

(5) The program will operate in collaboration with a 2880  
partnership that includes institutions of higher education and 2881  
businesses. If the proposal is for a STEAM program of 2882  
excellence, it also shall include evidence that this partnership 2883  
includes arts organizations. 2884

(6) The program will include teacher professional 2885  
development strategies that are augmented by community and 2886  
business partners. 2887

(D) The STEM committee shall give priority to proposals 2888  
for new or expanding innovative programs. 2889

(E) If a STEM program of excellence wishes to become a 2890  
STEAM program of excellence, it may change its existing proposal 2891  
to include the items required under divisions (C)(2) and (5) of 2892  
this section and submit the revised proposal to the STEM 2893  
committee for approval. 2894

**Sec. 3326.09.** Subject to approval by its governing body or 2895  
governing authority, the curriculum of each science, technology, 2896  
engineering, and mathematics school and of each community school 2897  
or chartered nonpublic school that is designated as a STEM 2898

school equivalent under section 3326.032 of the Revised Code 2899  
shall be developed by a team that consists of at least the 2900  
school's chief administrative officer, a teacher, a 2901  
representative of the higher education institution that is a 2902  
collaborating partner in the STEM school or school designated as 2903  
a STEM school equivalent, and a member of the public with 2904  
expertise in the application of science, technology, 2905  
engineering, or mathematics. In the case of a STEAM school or a 2906  
STEAM school equivalent, the team also shall include an expert 2907  
in the integration of arts and design into the STEM fields. 2908

**Sec. 3326.11.** Each science, technology, engineering, and 2909  
mathematics school established under this chapter and its 2910  
governing body shall comply with sections 9.90, 9.91, 109.65, 2911  
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 2912  
3301.0714, 3301.0715, 3301.0729, 3301.948, 3313.14, 3313.15, 2913  
3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 2914  
3313.481, 3313.482, 3313.50, 3313.536, 3313.539, 3313.5310, 2915  
3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 2916  
3313.6021, 3313.61, 3313.611, 3313.614, 3313.615, 3313.643, 2917  
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 2918  
3313.667, 3313.668, 3313.67, 3313.671, 3313.672, 3313.673, 2919  
3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 2920  
3313.721, 3313.80, 3313.801, 3313.814, 3313.816, 3313.817, 2921  
3313.86, 3313.89, 3313.96, 3319.073, 3319.21, 3319.32, 3319.321, 2922  
3319.35, 3319.39, 3319.391, 3319.41, 3319.45, 3319.46, 3321.01, 2923  
3321.041, 3321.05, 3321.13, 3321.14, 3321.17, 3321.18, 3321.19, 2924  
3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 2925  
102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 2926  
4123., 4141., and 4167. of the Revised Code as if it were a 2927  
school district. 2928

**Sec. 3333.91.** ~~Not later than December 31, 2014, the~~ The 2929

governor's office of workforce transformation, in collaboration 2930  
with the chancellor of higher education, the superintendent of 2931  
public instruction, and the department of job and family 2932  
services, shall develop and submit to the appropriate federal 2933  
agency a single, state unified plan required under the 2934  
"Workforce Innovation and Opportunity Act," 29 U.S.C. 3101 et 2935  
seq., which shall include the information required for the adult 2936  
basic and literacy education program administered by the United 2937  
States secretary of education, and the "Carl D. Perkins 2938  
Vocational and Technical Education Act," 20 U.S.C. 2301, et 2939  
seq., as amended, ~~and the "Workforce Investment Act of 1998," 29~~ 2940  
~~U.S.C. 2801, et seq., as amended.~~ Following the plan's initial 2941  
submission to the appropriate federal agency, the governor's 2942  
office of workforce transformation may update it as necessary. 2943  
If the plan is updated, the governor's office of workforce 2944  
transformation shall submit the updated plan to the appropriate 2945  
federal agency. 2946

**Sec. 3333.92.** (A) As used in this section, "OhioMeansJobs 2947  
web site" has the same meaning as in section 6301.01 of the 2948  
Revised Code. 2949

(B) (1) ~~Beginning January 1, 2016, each~~ Each participant in 2950  
an adult basic and literacy education funded training or 2951  
education program shall create an account with the OhioMeansJobs 2952  
web site at the twelfth week of the program. 2953

(2) ~~Beginning January 1, 2016, each~~ Each participant in an 2954  
Ohio technical center funded training or education program shall 2955  
create an account with the OhioMeansJobs web site at the time of 2956  
enrollment in the program. 2957

(C) Division (B) of this section does not apply to any 2958  
individual who is legally prohibited from using a computer, has 2959

a physical or visual impairment that makes the individual unable 2960  
to use a computer, or has a limited ability to read, write, 2961  
speak, or understand a language in which the OhioMeansJobs web 2962  
site is available. 2963

**Sec. 4141.29.** Each eligible individual shall receive 2964  
benefits as compensation for loss of remuneration due to 2965  
involuntary total or partial unemployment in the amounts and 2966  
subject to the conditions stipulated in this chapter. 2967

(A) No individual is entitled to a waiting period or 2968  
benefits for any week unless the individual: 2969

(1) Has filed a valid application for determination of 2970  
benefit rights in accordance with section 4141.28 of the Revised 2971  
Code; 2972

(2) Has made a claim for benefits in accordance with 2973  
section 4141.28 of the Revised Code; 2974

(3) (a) Has registered for work and thereafter continues to 2975  
report to an employment office or other registration place 2976  
maintained or designated by the director of job and family 2977  
services. Registration shall be made in accordance with the time 2978  
limits, frequency, and manner prescribed by the director. 2979

(b) For purposes of division (A) (3) of this section, an 2980  
individual has "registered" upon doing any of the following: 2981

(i) Filing an application for benefit rights; 2982

(ii) Making a weekly claim for benefits; 2983

(iii) Reopening an existing claim following a period of 2984  
employment or nonreporting. 2985

(c) After an applicant is registered, that registration 2986

continues for a period of three calendar weeks, including the 2987  
week during which the applicant registered. However, an 2988  
individual is not registered for purposes of division (A) (3) of 2989  
this section during any period in which the individual fails to 2990  
report, as instructed by the director, or fails to reopen an 2991  
existing claim following a period of employment. 2992

(d) The director may, for good cause, extend the period of 2993  
registration. 2994

(e) For purposes of this section, "report" means contact 2995  
by phone, access electronically, or be present for an in-person 2996  
appointment, as designated by the director. 2997

(4) (a) (i) Is able to work and available for suitable work 2998  
and, except as provided in division (A) (4) (a) (ii) or (iii) of 2999  
this section, is actively seeking suitable work either in a 3000  
locality in which the individual has earned wages subject to 3001  
this chapter during the individual's base period, or if the 3002  
individual leaves that locality, then in a locality where 3003  
suitable work normally is performed. 3004

(ii) The director may waive the requirement that a 3005  
claimant be actively seeking work when the director finds that 3006  
the individual has been laid off and the employer who laid the 3007  
individual off has notified the director within ten days after 3008  
the layoff, that work is expected to be available for the 3009  
individual within a specified number of days not to exceed 3010  
forty-five calendar days following the last day the individual 3011  
worked. In the event the individual is not recalled within the 3012  
specified period, this waiver shall cease to be operative with 3013  
respect to that layoff. 3014

(iii) The director may waive the requirement that a 3015



claimant be actively seeking work if the director determines 3016  
that the individual has been laid off and the employer who laid 3017  
the individual off has notified the director in accordance with 3018  
division (C) of section 4141.28 of the Revised Code that the 3019  
employer has closed the employer's entire plant or part of the 3020  
employer's plant for a purpose other than inventory or vacation 3021  
that will cause unemployment for a definite period not exceeding 3022  
twenty-six weeks beginning on the date the employer notifies the 3023  
director, for the period of the specific shutdown, if all of the 3024  
following apply: 3025

(I) The employer and the individuals affected by the 3026  
layoff who are claiming benefits under this chapter jointly 3027  
request the exemption. 3028

(II) The employer provides that the affected individuals 3029  
shall return to work for the employer within twenty-six weeks 3030  
after the date the employer notifies the director. 3031

(III) The director determines that the waiver of the 3032  
active search for work requirement will promote productivity and 3033  
economic stability within the state. 3034

(iv) Division (A) (4) (a) (iii) of this section does not 3035  
exempt an individual from meeting the other requirements 3036  
specified in division (A) (4) (a) (i) of this section to be able to 3037  
work and otherwise fully be available for work. An exemption 3038  
granted under division (A) (4) (a) (iii) of this section may be 3039  
granted only with respect to a specific plant closing. 3040

(b) (i) The individual shall be instructed as to the 3041  
efforts that the individual must make in the search for suitable 3042  
work, including that, within six months after October 11, 2013, 3043  
the individual shall register with the OhioMeansJobs web site, 3044

except in any of the following circumstances: 3045

(I) The individual is an individual described in division 3046  
(A) (4) (b) (iii) of this section; 3047

(II) Where the active search for work requirement has been 3048  
waived under division (A) (4) (a) of this section; 3049

(III) Where the active search for work requirement is 3050  
considered to be met under division (A) (4) (c), (d), or (e) of 3051  
this section. 3052

(ii) An individual who is registered with the 3053  
OhioMeansJobs web site shall receive a weekly listing of 3054  
available jobs based on information provided by the individual 3055  
at the time of registration. For each week that the individual 3056  
claims benefits, the individual shall keep a record of the 3057  
individual's work search efforts and shall produce that record 3058  
in the manner and means prescribed by the director. 3059

(iii) No individual shall be required to register with the 3060  
OhioMeansJobs web site if the individual is legally prohibited 3061  
from using a computer, has a physical or visual impairment that 3062  
makes the individual unable to use a computer, or has a limited 3063  
ability to read, write, speak, or understand a language in which 3064  
the OhioMeansJobs web site is available. 3065

(iv) As used in division (A) (4) (b) of this section: 3066

(I) "OhioMeansJobs web site" ~~means the electronic job~~ 3067  
~~placement system operated by the state~~ has the same meaning as 3068  
in section 6301.01 of the Revised Code. 3069

(II) "Registration" includes the creation, electronic 3070  
posting, and maintenance of an active, searchable resume. 3071

(c) An individual who is attending a training course 3072

approved by the director meets the requirement of this division, 3073  
if attendance was recommended by the director and the individual 3074  
is regularly attending the course and is making satisfactory 3075  
progress. An individual also meets the requirements of this 3076  
division if the individual is participating and advancing in a 3077  
training program, as defined in division (P) of section 5709.61 3078  
of the Revised Code, and if an enterprise, defined in division 3079  
(B) of section 5709.61 of the Revised Code, is paying all or 3080  
part of the cost of the individual's participation in the 3081  
training program with the intention of hiring the individual for 3082  
employment as a new employee, as defined in division (L) of 3083  
section 5709.61 of the Revised Code, for at least ninety days 3084  
after the individual's completion of the training program. 3085

(d) An individual who becomes unemployed while attending a 3086  
regularly established school and whose base period qualifying 3087  
weeks were earned in whole or in part while attending that 3088  
school, meets the availability and active search for work 3089  
requirements of division (A)(4)(a) of this section if the 3090  
individual regularly attends the school during weeks with 3091  
respect to which the individual claims unemployment benefits and 3092  
makes self available on any shift of hours for suitable 3093  
employment with the individual's most recent employer or any 3094  
other employer in the individual's base period, or for any other 3095  
suitable employment to which the individual is directed, under 3096  
this chapter. 3097

(e) An individual who is a member in good standing with a 3098  
labor organization that refers individuals to jobs meets the 3099  
active search for work requirement specified in division (A)(4) 3100  
(a) of this section if the individual provides documentation 3101  
that the individual is eligible for a referral or placement upon 3102  
request and in a manner prescribed by the director. 3103

(f) Notwithstanding any other provisions of this section, 3104  
no otherwise eligible individual shall be denied benefits for 3105  
any week because the individual is in training approved under 3106  
section 236(a)(1) of the "Trade Act of 1974," 88 Stat. 1978, 19 3107  
U.S.C.A. 2296, nor shall that individual be denied benefits by 3108  
reason of leaving work to enter such training, provided the work 3109  
left is not suitable employment, or because of the application 3110  
to any week in training of provisions in this chapter, or any 3111  
applicable federal unemployment compensation law, relating to 3112  
availability for work, active search for work, or refusal to 3113  
accept work. 3114

For the purposes of division (A)(4)(f) of this section, 3115  
"suitable employment" means with respect to an individual, work 3116  
of a substantially equal or higher skill level than the 3117  
individual's past adversely affected employment, as defined for 3118  
the purposes of the "Trade Act of 1974," 88 Stat. 1978, 19 3119  
U.S.C.A. 2101, and wages for such work at not less than eighty 3120  
per cent of the individual's average weekly wage as determined 3121  
for the purposes of that federal act. 3122

(5) Is unable to obtain suitable work. An individual who 3123  
is provided temporary work assignments by the individual's 3124  
employer under agreed terms and conditions of employment, and 3125  
who is required pursuant to those terms and conditions to 3126  
inquire with the individual's employer for available work 3127  
assignments upon the conclusion of each work assignment, is not 3128  
considered unable to obtain suitable employment if suitable work 3129  
assignments are available with the employer but the individual 3130  
fails to contact the employer to inquire about work assignments. 3131

(6) Participates in reemployment services, such as job 3132  
search assistance services, if the individual has been 3133

determined to be likely to exhaust benefits under this chapter, 3134  
including compensation payable pursuant to 5 U.S.C.A. Chapter 3135  
85, other than extended compensation, and needs reemployment 3136  
services pursuant to the profiling system established by the 3137  
director under division (K) of this section, unless the director 3138  
determines that: 3139

(a) The individual has completed such services; or 3140

(b) There is justifiable cause for the claimant's failure 3141  
to participate in such services. 3142

Ineligibility for failure to participate in reemployment 3143  
services as described in division (A)(6) of this section shall 3144  
be for the week or weeks in which the claimant was scheduled and 3145  
failed to participate without justifiable cause. 3146

(7) Participates in the reemployment and eligibility 3147  
assessment program, or other reemployment services, as required 3148  
by the director. As used in division (A)(7) of this section, 3149  
"reemployment services" includes job search assistance 3150  
activities, skills assessments, and the provision of labor 3151  
market statistics or analysis. 3152

(a) For purposes of division (A)(7) of this section, 3153  
participation is required unless the director determines that 3154  
either of the following circumstances applies to the individual: 3155

(i) The individual has completed similar services. 3156

(ii) Justifiable cause exists for the failure of the 3157  
individual to participate in those services. 3158

(b) Within six months after October 11, 2013, 3159  
notwithstanding any earlier contact an individual may have had 3160  
with a local ~~one-stop county office~~ OhioMeansJobs center, 3161

~~including as described defined~~ in section ~~6301.08~~ 6301.01 of the 3162  
Revised Code, beginning with the eighth week after the week 3163  
during which an individual first files a valid application for 3164  
determination of benefit rights in the individual's benefit 3165  
year, the individual shall report to a local ~~one stop county~~ 3166  
~~office~~ OhioMeansJobs center for reemployment services in the 3167  
manner prescribed by the director. 3168

(c) An individual whose active search for work requirement 3169  
has been waived under division (A) (4) (a) of this section or is 3170  
considered to be satisfied under division (A) (4) (c), (d), or (e) 3171  
of this section is exempt from the requirements of division (A) 3172  
(7) of this section. 3173

(B) An individual suffering total or partial unemployment 3174  
is eligible for benefits for unemployment occurring subsequent 3175  
to a waiting period of one week and no benefits shall be payable 3176  
during this required waiting period. Not more than one week of 3177  
waiting period shall be required of any individual in any 3178  
benefit year in order to establish the individual's eligibility 3179  
for total or partial unemployment benefits. 3180

(C) The waiting period for total or partial unemployment 3181  
shall commence on the first day of the first week with respect 3182  
to which the individual first files a claim for benefits at an 3183  
employment office or other place of registration maintained or 3184  
designated by the director or on the first day of the first week 3185  
with respect to which the individual has otherwise filed a claim 3186  
for benefits in accordance with the rules of the department of 3187  
job and family services, provided such claim is allowed by the 3188  
director. 3189

(D) Notwithstanding division (A) of this section, no 3190  
individual may serve a waiting period or be paid benefits under 3191

the following conditions: 3192

(1) For any week with respect to which the director finds 3193  
that: 3194

(a) The individual's unemployment was due to a labor 3195  
dispute other than a lockout at any factory, establishment, or 3196  
other premises located in this or any other state and owned or 3197  
operated by the employer by which the individual is or was last 3198  
employed; and for so long as the individual's unemployment is 3199  
due to such labor dispute. No individual shall be disqualified 3200  
under this provision if either of the following applies: 3201

(i) The individual's employment was with such employer at 3202  
any factory, establishment, or premises located in this state, 3203  
owned or operated by such employer, other than the factory, 3204  
establishment, or premises at which the labor dispute exists, if 3205  
it is shown that the individual is not financing, participating 3206  
in, or directly interested in such labor dispute; 3207

(ii) The individual's employment was with an employer not 3208  
involved in the labor dispute but whose place of business was 3209  
located within the same premises as the employer engaged in the 3210  
dispute, unless the individual's employer is a wholly owned 3211  
subsidiary of the employer engaged in the dispute, or unless the 3212  
individual actively participates in or voluntarily stops work 3213  
because of such dispute. If it is established that the claimant 3214  
was laid off for an indefinite period and not recalled to work 3215  
prior to the dispute, or was separated by the employer prior to 3216  
the dispute for reasons other than the labor dispute, or that 3217  
the individual obtained a bona fide job with another employer 3218  
while the dispute was still in progress, such labor dispute 3219  
shall not render the employee ineligible for benefits. 3220

(b) The individual has been given a disciplinary layoff 3221  
for misconduct in connection with the individual's work. 3222

(2) For the duration of the individual's unemployment if 3223  
the director finds that: 3224

(a) The individual quit work without just cause or has 3225  
been discharged for just cause in connection with the 3226  
individual's work, provided division (D) (2) of this section does 3227  
not apply to the separation of a person under any of the 3228  
following circumstances: 3229

(i) Separation from employment for the purpose of entering 3230  
the armed forces of the United States if the individual is 3231  
inducted into the armed forces within one of the following 3232  
periods: 3233

(I) Thirty days after separation; 3234

(II) One hundred eighty days after separation if the 3235  
individual's date of induction is delayed solely at the 3236  
discretion of the armed forces. 3237

(ii) Separation from employment pursuant to a labor- 3238  
management contract or agreement, or pursuant to an established 3239  
employer plan, program, or policy, which permits the employee, 3240  
because of lack of work, to accept a separation from employment; 3241

(iii) The individual has left employment to accept a 3242  
recall from a prior employer or, except as provided in division 3243  
(D) (2) (a) (iv) of this section, to accept other employment as 3244  
provided under section 4141.291 of the Revised Code, or left or 3245  
was separated from employment that was concurrent employment at 3246  
the time of the most recent separation or within six weeks prior 3247  
to the most recent separation where the remuneration, hours, or 3248  
other conditions of such concurrent employment were 3249



substantially less favorable than the individual's most recent 3250  
employment and where such employment, if offered as new work, 3251  
would be considered not suitable under the provisions of 3252  
divisions (E) and (F) of this section. Any benefits that would 3253  
otherwise be chargeable to the account of the employer from whom 3254  
an individual has left employment or was separated from 3255  
employment that was concurrent employment under conditions 3256  
described in division (D) (2) (a) (iii) of this section, shall 3257  
instead be charged to the mutualized account created by division 3258  
(B) of section 4141.25 of the Revised Code, except that any 3259  
benefits chargeable to the account of a reimbursing employer 3260  
under division (D) (2) (a) (iii) of this section shall be charged 3261  
to the account of the reimbursing employer and not to the 3262  
mutualized account, except as provided in division (D) (2) of 3263  
section 4141.24 of the Revised Code. 3264

(iv) When an individual has been issued a definite layoff 3265  
date by the individual's employer and before the layoff date, 3266  
the individual quits to accept other employment, the provisions 3267  
of division (D) (2) (a) (iii) of this section apply and no 3268  
disqualification shall be imposed under division (D) of this 3269  
section. However, if the individual fails to meet the employment 3270  
and earnings requirements of division (A) (2) of section 4141.291 3271  
of the Revised Code, then the individual, pursuant to division 3272  
(A) (5) of this section, shall be ineligible for benefits for any 3273  
week of unemployment that occurs prior to the layoff date. 3274

(b) The individual has refused without good cause to 3275  
accept an offer of suitable work when made by an employer either 3276  
in person or to the individual's last known address, or has 3277  
refused or failed to investigate a referral to suitable work 3278  
when directed to do so by a local employment office of this 3279  
state or another state, provided that this division shall not 3280

cause a disqualification for a waiting week or benefits under 3281  
the following circumstances: 3282

(i) When work is offered by the individual's employer and 3283  
the individual is not required to accept the offer pursuant to 3284  
the terms of the labor-management contract or agreement; or 3285

(ii) When the individual is attending a training course 3286  
pursuant to division (A) (4) of this section except, in the event 3287  
of a refusal to accept an offer of suitable work or a refusal or 3288  
failure to investigate a referral, benefits thereafter paid to 3289  
such individual shall not be charged to the account of any 3290  
employer and, except as provided in division (B) (1) (b) of 3291  
section 4141.241 of the Revised Code, shall be charged to the 3292  
mutualized account as provided in division (B) of section 3293  
4141.25 of the Revised Code. 3294

(c) Such individual quit work to marry or because of 3295  
marital, parental, filial, or other domestic obligations. 3296

(d) The individual became unemployed by reason of 3297  
commitment to any correctional institution. 3298

(e) The individual became unemployed because of dishonesty 3299  
in connection with the individual's most recent or any base 3300  
period work. Remuneration earned in such work shall be excluded 3301  
from the individual's total base period remuneration and 3302  
qualifying weeks that otherwise would be credited to the 3303  
individual for such work in the individual's base period shall 3304  
not be credited for the purpose of determining the total 3305  
benefits to which the individual is eligible and the weekly 3306  
benefit amount to be paid under section 4141.30 of the Revised 3307  
Code. Such excluded remuneration and noncredited qualifying 3308  
weeks shall be excluded from the calculation of the maximum 3309

amount to be charged, under division (D) of section 4141.24 and 3310  
section 4141.33 of the Revised Code, against the accounts of the 3311  
individual's base period employers. In addition, no benefits 3312  
shall thereafter be paid to the individual based upon such 3313  
excluded remuneration or noncredited qualifying weeks. 3314

For purposes of division (D) (2) (e) of this section, 3315  
"dishonesty" means the commission of substantive theft, fraud, 3316  
or deceitful acts. 3317

(E) No individual otherwise qualified to receive benefits 3318  
shall lose the right to benefits by reason of a refusal to 3319  
accept new work if: 3320

(1) As a condition of being so employed the individual 3321  
would be required to join a company union, or to resign from or 3322  
refrain from joining any bona fide labor organization, or would 3323  
be denied the right to retain membership in and observe the 3324  
lawful rules of any such organization. 3325

(2) The position offered is vacant due directly to a 3326  
strike, lockout, or other labor dispute. 3327

(3) The work is at an unreasonable distance from the 3328  
individual's residence, having regard to the character of the 3329  
work the individual has been accustomed to do, and travel to the 3330  
place of work involves expenses substantially greater than that 3331  
required for the individual's former work, unless the expense is 3332  
provided for. 3333

(4) The remuneration, hours, or other conditions of the 3334  
work offered are substantially less favorable to the individual 3335  
than those prevailing for similar work in the locality. 3336

(F) Subject to the special exceptions contained in 3337  
division (A) (4) (f) of this section and section 4141.301 of the 3338

Revised Code, in determining whether any work is suitable for a 3339  
claimant in the administration of this chapter, the director, in 3340  
addition to the determination required under division (E) of 3341  
this section, shall consider the degree of risk to the 3342  
claimant's health, safety, and morals, the individual's physical 3343  
fitness for the work, the individual's prior training and 3344  
experience, the length of the individual's unemployment, the 3345  
distance of the available work from the individual's residence, 3346  
and the individual's prospects for obtaining local work. 3347

(G) The "duration of unemployment" as used in this section 3348  
means the full period of unemployment next ensuing after a 3349  
separation from any base period or subsequent work and until an 3350  
individual has become reemployed in employment subject to this 3351  
chapter, or the unemployment compensation act of another state, 3352  
or of the United States, and until such individual has worked 3353  
six weeks and for those weeks has earned or been paid 3354  
remuneration equal to six times an average weekly wage of not 3355  
less than: eighty-five dollars and ten cents per week beginning 3356  
on June 26, 1990; and beginning on and after January 1, 1992, 3357  
twenty-seven and one-half per cent of the statewide average 3358  
weekly wage as computed each first day of January under division 3359  
(B) (3) of section 4141.30 of the Revised Code, rounded down to 3360  
the nearest dollar, except for purposes of division (D) (2) (c) of 3361  
this section, such term means the full period of unemployment 3362  
next ensuing after a separation from such work and until such 3363  
individual has become reemployed subject to the terms set forth 3364  
above, and has earned wages equal to one-half of the 3365  
individual's average weekly wage or sixty dollars, whichever is 3366  
less. 3367

(H) If a claimant is disqualified under division (D) (2) 3368  
(a), (c), or (d) of this section or found to be qualified under 3369

the exceptions provided in division (D) (2) (a) (i), (iii), or (iv) 3370  
of this section or division (A) (2) of section 4141.291 of the 3371  
Revised Code, then benefits that may become payable to such 3372  
claimant, which are chargeable to the account of the employer 3373  
from whom the individual was separated under such conditions, 3374  
shall be charged to the mutualized account provided in section 3375  
4141.25 of the Revised Code, provided that no charge shall be 3376  
made to the mutualized account for benefits chargeable to a 3377  
reimbursing employer, except as provided in division (D) (2) of 3378  
section 4141.24 of the Revised Code. In the case of a 3379  
reimbursing employer, the director shall refund or credit to the 3380  
account of the reimbursing employer any over-paid benefits that 3381  
are recovered under division (B) of section 4141.35 of the 3382  
Revised Code. Amounts chargeable to other states, the United 3383  
States, or Canada that are subject to agreements and 3384  
arrangements that are established pursuant to section 4141.43 of 3385  
the Revised Code shall be credited or reimbursed according to 3386  
the agreements and arrangements to which the chargeable amounts 3387  
are subject. 3388

(I) (1) Benefits based on service in employment as provided 3389  
in divisions (B) (2) (a) and (b) of section 4141.01 of the Revised 3390  
Code shall be payable in the same amount, on the same terms, and 3391  
subject to the same conditions as benefits payable on the basis 3392  
of other service subject to this chapter; except that after 3393  
December 31, 1977: 3394

(a) Benefits based on service in an instructional, 3395  
research, or principal administrative capacity in an institution 3396  
of higher education, as defined in division (Y) of section 3397  
4141.01 of the Revised Code; or for an educational institution 3398  
as defined in division (CC) of section 4141.01 of the Revised 3399  
Code, shall not be paid to any individual for any week of 3400

unemployment that begins during the period between two 3401  
successive academic years or terms, or during a similar period 3402  
between two regular but not successive terms or during a period 3403  
of paid sabbatical leave provided for in the individual's 3404  
contract, if the individual performs such services in the first 3405  
of those academic years or terms and has a contract or a 3406  
reasonable assurance that the individual will perform services 3407  
in any such capacity for any such institution in the second of 3408  
those academic years or terms. 3409

(b) Benefits based on service for an educational 3410  
institution or an institution of higher education in other than 3411  
an instructional, research, or principal administrative 3412  
capacity, shall not be paid to any individual for any week of 3413  
unemployment which begins during the period between two 3414  
successive academic years or terms of the employing educational 3415  
institution or institution of higher education, provided the 3416  
individual performed those services for the educational 3417  
institution or institution of higher education during the first 3418  
such academic year or term and, there is a reasonable assurance 3419  
that such individual will perform those services for any 3420  
educational institution or institution of higher education in 3421  
the second of such academic years or terms. 3422

If compensation is denied to any individual for any week 3423  
under division (I) (1) (b) of this section and the individual was 3424  
not offered an opportunity to perform those services for an 3425  
institution of higher education or for an educational 3426  
institution for the second of such academic years or terms, the 3427  
individual is entitled to a retroactive payment of compensation 3428  
for each week for which the individual timely filed a claim for 3429  
compensation and for which compensation was denied solely by 3430  
reason of division (I) (1) (b) of this section. An application for 3431

retroactive benefits shall be timely filed if received by the 3432  
director or the director's deputy within or prior to the end of 3433  
the fourth full calendar week after the end of the period for 3434  
which benefits were denied because of reasonable assurance of 3435  
employment. The provision for the payment of retroactive 3436  
benefits under division (I)(1)(b) of this section is applicable 3437  
to weeks of unemployment beginning on and after November 18, 3438  
1983. The provisions under division (I)(1)(b) of this section 3439  
shall be retroactive to September 5, 1982, only if, as a 3440  
condition for full tax credit against the tax imposed by the 3441  
"Federal Unemployment Tax Act," 53 Stat. 183 (1939), 26 U.S.C.A. 3442  
3301 to 3311, the United States secretary of labor determines 3443  
that retroactivity is required by federal law. 3444

(c) With respect to weeks of unemployment beginning after 3445  
December 31, 1977, benefits shall be denied to any individual 3446  
for any week which commences during an established and customary 3447  
vacation period or holiday recess, if the individual performs 3448  
any services described in divisions (I)(1)(a) and (b) of this 3449  
section in the period immediately before the vacation period or 3450  
holiday recess, and there is a reasonable assurance that the 3451  
individual will perform any such services in the period 3452  
immediately following the vacation period or holiday recess. 3453

(d) With respect to any services described in division (I) 3454  
(1)(a), (b), or (c) of this section, benefits payable on the 3455  
basis of services in any such capacity shall be denied as 3456  
specified in division (I)(1)(a), (b), or (c) of this section to 3457  
any individual who performs such services in an educational 3458  
institution or institution of higher education while in the 3459  
employ of an educational service agency. For this purpose, the 3460  
term "educational service agency" means a governmental agency or 3461  
governmental entity that is established and operated exclusively 3462

for the purpose of providing services to one or more educational 3463  
institutions or one or more institutions of higher education. 3464

(e) Any individual employed by a county board of 3465  
developmental disabilities shall be notified by the thirtieth 3466  
day of April each year if the individual is not to be reemployed 3467  
the following academic year. 3468

(f) Any individual employed by a school district, other 3469  
than a municipal school district as defined in section 3311.71 3470  
of the Revised Code, shall be notified by the first day of June 3471  
each year if the individual is not to be reemployed the 3472  
following academic year. 3473

(2) No disqualification will be imposed, between academic 3474  
years or terms or during a vacation period or holiday recess 3475  
under this division, unless the director or the director's 3476  
deputy has received a statement in writing from the educational 3477  
institution or institution of higher education that the claimant 3478  
has a contract for, or a reasonable assurance of, reemployment 3479  
for the ensuing academic year or term. 3480

(3) If an individual has employment with an educational 3481  
institution or an institution of higher education and employment 3482  
with a noneducational employer, during the base period of the 3483  
individual's benefit year, then the individual may become 3484  
eligible for benefits during the between-term, or vacation or 3485  
holiday recess, disqualification period, based on employment 3486  
performed for the noneducational employer, provided that the 3487  
employment is sufficient to qualify the individual for benefit 3488  
rights separately from the benefit rights based on school 3489  
employment. The weekly benefit amount and maximum benefits 3490  
payable during a disqualification period shall be computed based 3491  
solely on the nonschool employment. 3492



(J) Benefits shall not be paid on the basis of employment 3493  
performed by an alien, unless the alien had been lawfully 3494  
admitted to the United States for permanent residence at the 3495  
time the services were performed, was lawfully present for 3496  
purposes of performing the services, or was otherwise 3497  
permanently residing in the United States under color of law at 3498  
the time the services were performed, under section 212(d) (5) of 3499  
the "Immigration and Nationality Act," 66 Stat. 163, 8 U.S.C.A. 3500  
1101: 3501

(1) Any data or information required of individuals 3502  
applying for benefits to determine whether benefits are not 3503  
payable to them because of their alien status shall be uniformly 3504  
required from all applicants for benefits. 3505

(2) In the case of an individual whose application for 3506  
benefits would otherwise be approved, no determination that 3507  
benefits to the individual are not payable because of the 3508  
individual's alien status shall be made except upon a 3509  
preponderance of the evidence that the individual had not, in 3510  
fact, been lawfully admitted to the United States. 3511

(K) The director shall establish and utilize a system of 3512  
profiling all new claimants under this chapter that: 3513

(1) Identifies which claimants will be likely to exhaust 3514  
regular compensation and will need job search assistance 3515  
services to make a successful transition to new employment; 3516

(2) Refers claimants identified pursuant to division (K) 3517  
(1) of this section to reemployment services, such as job search 3518  
assistance services, available under any state or federal law; 3519

(3) Collects follow-up information relating to the 3520  
services received by such claimants and the employment outcomes 3521

for such claimant's subsequent to receiving such services and 3522  
utilizes such information in making identifications pursuant to 3523  
division (K) (1) of this section; and 3524

(4) Meets such other requirements as the United States 3525  
secretary of labor determines are appropriate. 3526

(L) Except as otherwise provided in division (A) (6) of 3527  
this section, ineligibility pursuant to division (A) of this 3528  
section shall begin on the first day of the week in which the 3529  
claimant becomes ineligible for benefits and shall end on the 3530  
last day of the week preceding the week in which the claimant 3531  
satisfies the eligibility requirements. 3532

(M) The director may adopt rules that the director 3533  
considers necessary for the administration of division (A) of 3534  
this section. 3535

**Sec. 4141.43.** (A) The director of job and family services 3536  
may cooperate with the industrial commission, the bureau of 3537  
workers' compensation, the United States internal revenue 3538  
service, the United States employment service, and other similar 3539  
departments and agencies, as determined by the director, in the 3540  
exchange or disclosure of information as to wages, employment, 3541  
payrolls, unemployment, and other information. The director may 3542  
employ, jointly with one or more of such agencies or 3543  
departments, auditors, examiners, inspectors, and other 3544  
employees necessary for the administration of this chapter and 3545  
employment and training services for workers in the state. 3546

(B) The director may make the state's record relating to 3547  
the administration of this chapter available to the railroad 3548  
retirement board and may furnish the board at the board's 3549  
expense such copies thereof as the board deems necessary for its 3550

purposes. 3551

(C) The director may afford reasonable cooperation with 3552  
every agency of the United States charged with the 3553  
administration of any unemployment compensation law. 3554

(D) The director may enter into arrangements with the 3555  
appropriate agencies of other states or of the United States or 3556  
Canada whereby individuals performing services in this and other 3557  
states for a single employer under circumstances not 3558  
specifically provided for in division (B) of section 4141.01 of 3559  
the Revised Code or in similar provisions in the unemployment 3560  
compensation laws of such other states shall be deemed to be 3561  
engaged in employment performed entirely within this state or 3562  
within one of such other states or within Canada, and whereby 3563  
potential rights to benefits accumulated under the unemployment 3564  
compensation laws of several states or under such a law of the 3565  
United States, or both, or of Canada may constitute the basis 3566  
for the payment of benefits through a single appropriate agency 3567  
under terms that the director finds will be fair and reasonable 3568  
as to all affected interests and will not result in any 3569  
substantial loss to the unemployment compensation fund. 3570

(E) The director may enter into agreements with the 3571  
appropriate agencies of other states or of the United States or 3572  
Canada: 3573

(1) Whereby services or wages upon the basis of which an 3574  
individual may become entitled to benefits under the 3575  
unemployment compensation law of another state or of the United 3576  
States or Canada shall be deemed to be employment or wages for 3577  
employment by employers for the purposes of qualifying claimants 3578  
for benefits under this chapter, and the director may estimate 3579  
the number of weeks of employment represented by the wages 3580

reported to the director for such claimants by such other 3581  
agency, provided such other state agency or agency of the United 3582  
States or Canada has agreed to reimburse the unemployment 3583  
compensation fund for such portion of benefits paid under this 3584  
chapter upon the basis of such services or wages as the director 3585  
finds will be fair and reasonable as to all affected interests; 3586

(2) Whereby the director will reimburse other state or 3587  
federal or Canadian agencies charged with the administration of 3588  
unemployment compensation laws with such reasonable portion of 3589  
benefits, paid under the law of such other states or of the 3590  
United States or of Canada upon the basis of employment or wages 3591  
for employment by employers, as the director finds will be fair 3592  
and reasonable as to all affected interests. Reimbursements so 3593  
payable shall be deemed to be benefits for the purpose of 3594  
section 4141.09 and division (A) of section 4141.30 of the 3595  
Revised Code. However, no reimbursement so payable shall be 3596  
charged against any employer's account for the purposes of 3597  
section 4141.24 of the Revised Code if the employer's account, 3598  
under the same or similar circumstances, with respect to 3599  
benefits charged under the provisions of this chapter, other 3600  
than this section, would not be charged or, if the claimant at 3601  
the time the claimant files the combined wage claim cannot 3602  
establish benefit rights under this chapter. This noncharging 3603  
shall not be applicable to a nonprofit organization that has 3604  
elected to make payments in lieu of contributions under section 3605  
4141.241 of the Revised Code, except as provided in division (D) 3606  
(2) of section 4141.24 of the Revised Code. The director may 3607  
make to other state or federal or Canadian agencies and receive 3608  
from such other state or federal or Canadian agencies 3609  
reimbursements from or to the unemployment compensation fund, in 3610  
accordance with arrangements pursuant to this section. 3611

(3) Notwithstanding division (B) (2) (f) of section 4141.01 3612  
of the Revised Code, the director may enter into agreements with 3613  
other states whereby services performed for a crew leader, as 3614  
defined in division (BB) of section 4141.01 of the Revised Code, 3615  
may be covered in the state in which the crew leader either: 3616

(a) Has the crew leader's place of business or from which 3617  
the crew leader's business is operated or controlled; 3618

(b) Resides if the crew leader has no place of business in 3619  
any state. 3620

(F) The director may apply for an advance to the 3621  
unemployment compensation fund and do all things necessary or 3622  
required to obtain such advance and arrange for the repayment of 3623  
such advance in accordance with Title XII of the "Social 3624  
Security Act" as amended. 3625

(G) The director may enter into reciprocal agreements or 3626  
arrangements with the appropriate agencies of other states in 3627  
regard to services on vessels engaged in interstate or foreign 3628  
commerce whereby such services for a single employer, wherever 3629  
performed, shall be deemed performed within this state or within 3630  
such other states. 3631

(H) The director shall participate in any arrangements for 3632  
the payment of compensation on the basis of combining an 3633  
individual's wages and employment, covered under this chapter, 3634  
with the individual's wages and employment covered under the 3635  
unemployment compensation laws of other states which are 3636  
approved by the United States secretary of labor in consultation 3637  
with the state unemployment compensation agencies as reasonably 3638  
calculated to assure the prompt and full payment of compensation 3639  
in such situations and which include provisions for: 3640

(1) Applying the base period of a single state law to a claim involving the combining of an individual's wages and employment covered under two or more state unemployment compensation laws, and

(2) Avoiding the duplicate use of wages and employment by reason of such combining.

(I) The director shall cooperate with the United States department of labor to the fullest extent consistent with this chapter, and shall take such action, through the adoption of appropriate rules, regulations, and administrative methods and standards, as may be necessary to secure to this state and its citizens all advantages available under the provisions of the "Social Security Act" that relate to unemployment compensation, the "Federal Unemployment Tax Act," (1970) 84 Stat. 713, 26 U.S.C.A. 3301 to 3311, the "Wagner-Peyser Act," (1933) 48 Stat. 113, 29 U.S.C.A. 49, ~~and the "Federal-State Extended Unemployment Compensation Act of 1970," 84 Stat. 596, 26 U.S.C.A. 3306, and the "Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.A. 2801 et seq.~~ "Workforce Innovation and Opportunity Act," 29 U.S.C.A. 3101 et seq.

(J) The director may disclose wage information furnished to or maintained by the director under Chapter 4141. of the Revised Code to a consumer reporting agency as defined by the "Fair Credit Reporting Act," 84 Stat. 1128, 15 U.S.C.A. 1681a, as amended, for the purpose of verifying an individual's income under a written agreement that requires all of the following:

(1) A written statement of informed consent from the individual whose information is to be disclosed;

(2) A written statement confirming that the consumer

reporting agency and any other entity to which the information 3670  
is disclosed or released will safeguard the information from 3671  
illegal or unauthorized disclosure; 3672

(3) A written statement confirming that the consumer 3673  
reporting agency will pay to the bureau all costs associated 3674  
with the disclosure. 3675

The director shall prescribe a manner and format in which 3676  
this information may be provided. 3677

(K) The director shall adopt rules defining the 3678  
requirements of the release of individual income verification 3679  
information specified in division (J) of this section, which 3680  
shall include all terms and conditions necessary to meet the 3681  
requirements of federal law as interpreted by the United States 3682  
department of labor or considered necessary by the director for 3683  
the proper administration of this division. 3684

(L) The director shall disclose information furnished to 3685  
or maintained by the director under this chapter upon request 3686  
and on a reimbursable basis as required by section 303 of the 3687  
"Social Security Act," 42 U.S.C.A. 503, and section 3304 of the 3688  
"Internal Revenue Code," 26 U.S.C.A. 3304. 3689

**Sec. 4141.51.** (A) An employer who wishes to participate in 3690  
the SharedWork Ohio program shall submit a plan to the director 3691  
of job and family services in which the employer does all of the 3692  
following: 3693

(1) Identifies the participating employees by name, social 3694  
security number, affected unit, and normal weekly hours of work; 3695

(2) Describes the manner in which the employer will 3696  
implement the requirements of the SharedWork Ohio program, 3697  
including the proposed reduction percentage, which shall be 3698

between ten per cent and fifty per cent, and any temporary 3699  
closure of the participating employer's business for equipment 3700  
maintenance or other similar circumstances that the employer 3701  
knows may occur during the effective period of an approved plan; 3702

(3) Includes a plan for giving advance notice, if 3703  
feasible, to an employee whose normal weekly hours of work are 3704  
to be reduced and, if advance notice is not feasible, an 3705  
explanation of why that notice is not feasible; 3706

(4) Includes a certification by the employer that the 3707  
aggregate reduction in the number of hours worked by the 3708  
employees of the employer is in lieu of layoffs and includes an 3709  
estimate of the number of layoffs that would have occurred 3710  
absent the ability to participate in the SharedWork Ohio 3711  
program; 3712

(5) Includes a certification by the employer that if the 3713  
employer provides health benefits and retirement benefits under 3714  
a defined benefit plan, as defined in 26 U.S.C. 414(j), as 3715  
amended, or contributions under a defined contribution plan as 3716  
defined in 26 U.S.C. 414(i), as amended, to any employee whose 3717  
normal weekly hours of work are reduced under the program that 3718  
such benefits will continue to be provided to an employee 3719  
participating in the SharedWork Ohio program under the same 3720  
terms and conditions as though the normal weekly hours of work 3721  
of the employee had not been reduced or to the same extent as 3722  
other employees not participating in the program; 3723

(6) Permits eligible employees to participate, as 3724  
appropriate, in training to enhance job skills approved by the 3725  
director, including employer-sponsored training or worker 3726  
training funded under the federal ~~"Workforce Investment Act of~~ 3727  
~~1998," 112 Stat. 936, 29 U.S.C. 2801 et seq., as amended~~ 3728



<u>"Workforce Innovation and Opportunity Act," 29 U.S.C. 3101 et</u>	3729
<u>seq.;</u>	3730
(7) Includes any other information as required by the	3731
United States secretary of labor or the director under the rules	3732
the director adopts under section 4141.50 of the Revised Code;	3733
(8) Includes an attestation by the employer that the terms	3734
of the written plan submitted by the employer and implementation	3735
of that plan are consistent with obligations of the employer	3736
under the applicable federal and state laws;	3737
(9) Includes a certification by the employer that the	3738
employer will promptly notify the director of any change in the	3739
business that includes the sale or transfer of all or part of	3740
the business, and that the employer will notify any successor in	3741
interest to the employer's business prior to the transfer of all	3742
or part of the business, of the existence of any approved shared	3743
work plan;	3744
(10) Includes a certification by the employer that, as of	3745
the date the employer submits the plan, the employer is current	3746
on all reports and has paid all contributions, reimbursements,	3747
interest, and penalties due under this chapter;	3748
(11) Includes an assurance from the employer that the	3749
employer will remain current on all employer reporting and	3750
payments of contributions, reimbursements, interest, and	3751
penalties as required by this chapter;	3752
(12) Includes a certification by the employer that none of	3753
the participating employees are employed on a seasonal,	3754
temporary, or intermittent basis;	3755
(13) Includes an assurance from the employer that the	3756
employer will not reduce a participating employee's normal	3757

weekly hours of work by more than the reduction percentage, 3758  
except in the event of a temporary closure of the employer's 3759  
business for equipment maintenance, or when the employee takes 3760  
approved time off during the week with pay, and the combined 3761  
work hours and paid leave hours equal the number of hours the 3762  
employee would have worked under the plan. 3763

(B) The director shall approve a shared work plan if an 3764  
employer includes in the plan all of the information, 3765  
certifications, and assurances required under division (A) of 3766  
this section. 3767

(C) The director shall approve or deny a shared work plan 3768  
and shall send a written notice to the employer stating whether 3769  
the director approved or denied the plan not later than thirty 3770  
days after the director receives the plan. If the director 3771  
denies approval of a shared work plan, the director shall state 3772  
the reasons for denying approval in the written notice sent to 3773  
the employer. 3774

(D) The director shall enforce the requirements of the 3775  
SharedWork Ohio program in the same manner as the director 3776  
enforces the requirements of this chapter, including under 3777  
section 4141.40 of the Revised Code. 3778

**Sec. 5101.09.** (A) When the director of job and family 3779  
services is authorized by the Revised Code to adopt a rule, the 3780  
director shall adopt the rule in accordance with the following: 3781

(1) Chapter 119. of the Revised Code if any of the 3782  
following apply: 3783

(a) The rule concerns the administration or enforcement of 3784  
Chapter 4141. of the Revised Code; 3785

(b) The rule concerns a program administered by the 3786

department of job and family services, unless the statute 3787  
authorizing the rule requires that it be adopted in accordance 3788  
with section 111.15 of the Revised Code; 3789

(c) The statute authorizing the rule requires that the 3790  
rule be adopted in accordance with Chapter 119. of the Revised 3791  
Code. 3792

(2) Section 111.15 of the Revised Code, excluding division 3793  
(D) of that section, if either of the following apply: 3794

(a) The rule concerns the day-to-day staff procedures and 3795  
operations of the department or financial and operational 3796  
matters between the department and another government entity or 3797  
a private entity receiving a grant from the department, unless 3798  
the statute authorizing the rule requires that it be adopted in 3799  
accordance with Chapter 119. of the Revised Code; 3800

(b) The statute authorizing the rule requires that the 3801  
rule be adopted in accordance with section 111.15 of the Revised 3802  
Code and, by the terms of division (D) of that section, division 3803  
(D) of that section does not apply to the rule. 3804

(3) Section 111.15 of the Revised Code, including division 3805  
(D) of that section, if the statute authorizing the rule 3806  
requires that the rule be adopted in accordance with that 3807  
section and the rule is not exempt from the application of 3808  
division (D) of that section. 3809

(B) Except as otherwise required by the Revised Code, the 3810  
adoption of a rule in accordance with Chapter 119. of the 3811  
Revised Code does not make the department of job and family 3812  
services, a county family services agency, or a ~~workforce-~~ 3813  
~~development agency~~ local board subject to the notice, hearing, 3814  
or other requirements of sections 119.06 to 119.13 of the 3815

Revised Code. As used in this division, "~~workforce development~~  
~~agency~~local board" has the same meaning as in section 6301.01 of  
the Revised Code. 3816  
3817  
3818

**Sec. 5101.20.** (A) As used in this section of the Revised 3819  
Code: 3820

(1) "Local area" has the same meaning as in section ~~101 of~~  
~~the "Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.~~  
~~2801, as amended, and division (A) of section 6301.01 of the~~  
Revised Code~~.~~. 3821  
3822  
3823  
3824

(2) "Chief elected official" has the same meaning as ~~in~~  
~~section 101 of the "Workforce Investment Act of 1998," 112 Stat.~~  
~~936, 29 U.S.C. 2801, as amended, and division (F) of "chief~~  
elected official or officials" as defined in section 6301.01 of  
the Revised Code~~.~~. 3825  
3826  
3827  
3828  
3829

(3) "Grantee" means the chief elected officials of a local 3830  
area. 3831

(4) "Local board" has the same meaning as in section  
6301.01 of the Revised Code. 3832  
3833

(5) "Planning region" has the same meaning as in section  
6301.01 of the Revised Code. 3834  
3835

(B) The director of job and family services shall enter 3836  
into one or more written grant agreements with each local area 3837  
under which ~~financial assistance is~~allocated funds are awarded 3838  
for workforce development activities included in the agreements. 3839  
A grant agreement shall establish the terms and conditions 3840  
governing the accountability for and use of grants provided by 3841  
the department of job and family services to the grantee for the 3842  
administration of workforce development activities funded under 3843  
the ~~"Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.~~ 3844

~~2801, as amended~~ "Workforce Innovation and Opportunity Act," 29 3845  
U.S.C. 3101 et seq. 3846

(C) Effective September 1, 2017, the director may award 3847  
grants to local areas only through grant agreements entered into 3848  
under this section. 3849

(D) In the case of a local area comprised of multiple 3850  
political subdivisions, nothing in this section shall preclude 3851  
the chief elected officials of a local area from entering into 3852  
an agreement among themselves to distribute any liability for 3853  
activities of the local area, but such an agreement shall not be 3854  
binding on the department of job and family services. 3855

~~(D)~~ (E) The written grant agreement entered into under 3856  
division (B) of this section shall comply with all applicable 3857  
federal and state laws governing workforce development 3858  
activities and related funding. ~~All~~ Each local area is subject 3859  
to all federal conditions and restrictions that apply to the use 3860  
of grants received by funds allotted to the department of job 3861  
and family services shall apply to the use of the grants 3862  
~~received by the~~ and allocated to local areas from the department 3863  
for workforce development activities. 3864

~~(E)~~ (F) A written grant agreement entered into under 3865  
division (B) of this section shall: 3866

(1) Identify as parties to the agreement the chief elected 3867  
~~officials~~ representatives for the local area, including the 3868  
chief elected official or officials, the local board, and the 3869  
fiscal agent; 3870

(2) Provide for the incorporation of the planning region 3871  
and local workforce development plan; 3872

(3) Include the chief elected official's or officials' 3873

assurance that the local area and any subgrantee or contractor 3874  
of the local area will do all of the following: 3875

(a) Ensure that the ~~financial assistance awarded funds~~ 3876  
allocated under the grant agreement ~~is~~are used, and the 3877  
workforce development duties included in the agreement are 3878  
performed, in accordance with ~~requirements established by the~~ 3879  
~~department or any of the following:~~ federal ~~or~~and state law, 3880  
the state plan for receipt of federal financial participation, 3881  
grant agreements between the department and a federal agency, ~~or~~ 3882  
~~executive orders,~~ and policies and guidance issued by the 3883  
department; 3884

(b) ~~Ensure that the chief elected officials and any~~ 3885  
~~subgrantee or contractor of the local area utilize that the~~ 3886  
implementation and use of a financial management system and 3887  
other accountability mechanisms ~~that meet~~ the requirements of 3888  
federal and state law and are in accordance with the policies 3889  
and procedures that the department establishes; 3890

(c) Require the chief elected officials and any subgrantee 3891  
or contractor of the local area to do both of the following: 3892

(i) Monitor all private and government entities that 3893  
receive a ~~payment from financial assistance awarded funds~~ 3894  
allocated under the grant agreement to ensure that ~~each entity~~ 3895  
~~uses the payment funds~~ are utilized in accordance with 3896  
~~requirements for the workforce development duties included in~~ 3897  
~~the~~ all applicable federal and state laws, policies, and 3898  
guidance, and with the terms and conditions of the grant 3899  
agreement; 3900

(ii) Take action to recover ~~payments that are not used in~~ 3901  
~~accordance with the requirements for the workforce development~~ 3902

~~duties that are included in the funds for expenditures that are~~ 3903  
~~unallowable under federal or state law or under the terms of the~~ 3904  
~~grant agreement.~~ 3905

~~(d) Require the chief elected officials of a local area to~~ 3906  
~~promptly reimburse the department the amount that represents the~~ 3907  
~~amount a local area is responsible for of funds the department~~ 3908  
~~pays to any entity. Promptly remit funds to the department that~~ 3909  
~~are payable to the state or federal government because of an~~ 3910  
adverse audit finding, adverse quality control finding, final 3911  
disallowance of federal financial participation, or other 3912  
sanction or penalty; 3913

~~(e) Require chief elected officials of a local area to~~ 3914  
~~take. Take prompt corrective action if the department, auditor of~~ 3915  
~~state, federal agency, or other entity authorized by federal or~~ 3916  
~~state law to determine compliance with requirements for a~~ 3917  
~~workforce development duty included in the agreement. state or~~ 3918  
~~federal agency determines compliance has not been achieved;~~ 3919  
~~noncompliance with state or federal law.~~ 3920

~~(4) Provide that the award of financial assistance~~ 3921  
~~allocation is subject to the availability of federal funds and~~ 3922  
appropriations made by the general assembly; 3923

(5) Provide for annual financial, administrative, or other 3924  
incentive awards, if any, to be provided in accordance with 3925  
section 5101.23 of the Revised Code. 3926

(6) Establish the ~~method of~~ terms and conditions for 3927  
amending or terminating the grant agreement and an expedited 3928  
process for correcting terms or conditions of the agreement that 3929  
the director and the chief elected officials agree are 3930  
erroneous. 3931

(7) ~~Provide for~~ Permit the department of job and family 3932  
services to ~~award financial assistance~~ allocate funds for the 3933  
workforce development duties included in the agreement in 3934  
accordance with a methodology for determining the amount of the 3935  
award established by rules adopted under division ~~(F)~~ (G) of 3936  
this section. 3937

(8) Determine the dates that the grant agreement begins 3938  
and ends. 3939

~~(F)~~ (G) (1) The director shall adopt rules in accordance 3940  
with section 111.15 of the Revised Code governing grant 3941  
agreements. The director shall adopt the rules as if they were 3942  
internal management rules. The rules shall establish 3943  
methodologies to be used to determine the amount of ~~financial~~ 3944  
~~assistance~~ funds to be awarded under the agreements and may do 3945  
any of the following: 3946

(a) Govern the establishment of consolidated funding 3947  
allocations and other allocations; 3948

(b) Specify allowable uses of ~~financial assistance awarded~~ 3949  
funds allocated under the agreements; 3950

(c) Establish reporting, cash management, audit, and other 3951  
requirements the director determines are necessary to provide 3952  
accountability for the use of ~~financial assistance awarded~~ funds 3953  
allocated under the agreements and determine compliance with 3954  
requirements established by the department or any of the 3955  
following: a federal or state law, state plan for receipt of 3956  
federal financial participation, grant agreement between the 3957  
department and a federal entity, or executive order. 3958

(2) A requirement of a grant agreement established by a 3959  
rule adopted under this division is applicable to a grant 3960



agreement without having to be restated in the grant agreement. 3961

**Sec. 5101.201.** ~~The~~ As the director of the state agency for 3962  
the implementation of several workforce programs, the director 3963  
of job and family services may enter into agreements with ~~one-~~ 3964  
~~stop operators~~ local boards, as defined in section 6301.01 of 3965  
the Revised Code, and one-stop other OhioMeansJobs center 3966  
partners for the purpose of implementing the requirements of 3967  
section 121 of the ~~"Workforce Investment Act of 1998," 112 Stat.~~ 3968  
~~936, 29 U.S.C. 2801~~ "Workforce Innovation and Opportunity Act," 3969  
29 U.S.C. 3151. 3970

**Sec. 5101.214.** The director of job and family services may 3971  
enter into a written agreement with one or more state agencies, 3972  
as defined in section 117.01 of the Revised Code, and state 3973  
universities and colleges to assist in the coordination, 3974  
provision, or enhancement of the family services duties of a 3975  
county family services agency or the workforce development 3976  
activities of a ~~workforce development agency~~ local board, as 3977  
defined in section 6301.01 of the Revised Code. The director 3978  
also may enter into written agreements or contracts with, or 3979  
issue grants to, private and government entities under which 3980  
funds are provided for the enhancement or innovation of family 3981  
services duties or workforce development activities on the state 3982  
or local level. 3983

The director may adopt internal management rules in 3984  
accordance with section 111.15 of the Revised Code to implement 3985  
this section. 3986

**Sec. 5101.23.** Subject to the availability of funds, the 3987  
department of job and family services may provide annual 3988  
financial, administrative, or other incentive awards to county 3989  
family services agencies and ~~workforce development agencies~~ 3990

local areas as defined in section 6301.01 of the Revised Code. A 3991  
county family services agency or ~~workforce development agency~~ 3992  
local area may spend ~~funds provided as a financial an~~ incentive 3993  
~~award~~ awarded under this section only for the purpose for which 3994  
the funds are appropriated. The department may adopt internal 3995  
management rules in accordance with section 111.15 of the 3996  
Revised Code to establish the amounts of awards, methodology for 3997  
distributing the awards, types of awards, and standards for 3998  
administration ~~by the department.~~ 3999

There is hereby created in the state treasury the social 4000  
services incentive fund. The director of job and family services 4001  
may request that the director of budget and management transfer 4002  
funds in the Title IV-A reserve fund created under section 4003  
5101.82 of the Revised Code and other funds appropriated for 4004  
family services duties or workforce investment activities into 4005  
the fund. If the director of budget and management determines 4006  
that the funds identified by the director of job and family 4007  
services are available and appropriate for transfer, the 4008  
director of budget and management shall make the transfer. Money 4009  
in the fund shall be used to provide incentive awards under this 4010  
section. 4011

**Sec. 5101.241.** (A) As used in this section: 4012

(1) "Local area" and "chief elected official" have the 4013  
same meaning as in section 5101.20 of the Revised Code. 4014

(2) "Responsible entity" means the chief elected officials 4015  
of a local area. 4016

(B) The department of job and family services may take 4017  
action under division (C) of this section against the 4018  
responsible entity, regardless of who performs the workforce 4019

development activity, if the department determines any of the 4020  
following are the case: 4021

(1) ~~A requirement~~ An entity has failed to comply with the 4022  
terms and conditions of a grant agreement entered into ~~executed~~ 4023  
between the department and a local area under section 5101.20 of 4024  
the Revised Code ~~that includes the workforce development~~ 4025  
~~activity, including a requirement for grant agreements~~ 4026  
~~established by rules adopted under that section, is not complied~~ 4027  
~~with.~~ 4028

(2) A performance standard for the workforce development 4029  
activity established by the federal government or the department 4030  
is not met~~.~~ 4031

(3) ~~A~~ An entity has failed to comply with a workforce 4032  
development activity requirement ~~for the workforce development~~ 4033  
~~activity~~ established by the department ~~or any of the following~~ 4034  
~~is not complied with.~~ a federal or state law, a state plan for 4035  
receipt of federal financial participation, a grant agreement 4036  
between the department and a federal agency, or an executive 4037  
order~~.~~ 4038

(4) The responsible entity is solely or partially 4039  
responsible, as determined by the director of job and family 4040  
services, for an adverse audit finding, adverse quality control 4041  
finding, final disallowance of federal financial participation, 4042  
or other sanction or penalty regarding the workforce development 4043  
activity. 4044

(C) The department may take one or more of the following 4045  
actions against the responsible entity when authorized by 4046  
division (B) (1), (2), (3), or (4) of this section: 4047

(1) Require the responsible entity to submit to and comply 4048

with a corrective action plan, established or approved by the 4049  
department, pursuant to a time schedule specified by the 4050  
department; 4051

(2) Require the responsible entity to do one of the 4052  
following: 4053

(a) Share with the department a final disallowance of 4054  
federal financial participation or other sanction or penalty; 4055

(b) Reimburse the department the amount the department 4056  
pays to the federal government or another entity that represents 4057  
the amount the responsible entity is responsible for of an 4058  
adverse audit finding, adverse quality control finding, final 4059  
disallowance of federal financial participation, or other 4060  
sanction or penalty issued by the federal government, auditor of 4061  
state, or other entity; 4062

(c) Pay the federal government or another entity the 4063  
amount that represents the amount the responsible entity is 4064  
responsible for of an adverse audit finding, adverse quality 4065  
control finding, final disallowance of federal financial 4066  
participation, or other sanction or penalty issued by the 4067  
federal government, auditor of state, or other entity; 4068

(d) Pay the department the amount that represents the 4069  
amount the responsible entity is responsible for of an adverse 4070  
audit finding, adverse quality control finding, or other 4071  
sanction or penalty issued by the department. 4072

(3) Impose a financial or administrative sanction or 4073  
adverse audit finding issued by the department against the 4074  
responsible entity, which may be increased with each subsequent 4075  
action taken against the responsible entity; 4076

(4) Perform or contract with a government or private 4077

entity for the entity to perform the workforce development 4078  
activity until the department is satisfied that the responsible 4079  
entity ensures that the activity will be performed to the 4080  
department's satisfaction. If the department performs or 4081  
contracts with an entity to perform the workforce development 4082  
activity under division (C) (4) of this section, the department 4083  
may withhold funds allocated to or reimbursements due to the 4084  
responsible entity for the activity and use those funds to 4085  
implement division (C) (4) of this section. 4086

(5) Request the attorney general to bring mandamus 4087  
proceedings to compel the responsible entity to take or cease 4088  
the actions listed in division (B) of this section. The attorney 4089  
general shall bring any mandamus proceedings in the Franklin 4090  
county court of appeals at the department's request. 4091

(6) If the department takes action under this division 4092  
because of division (B) (3) of this section, withhold funds 4093  
allocated or reimbursement due to the responsible entity until 4094  
the department determines that the responsible entity is in 4095  
compliance with the requirement. The department shall release 4096  
the funds when the department determines that compliance has 4097  
been achieved. 4098

(7) Issue a notice of intent to revoke approval of all or 4099  
part of the local plan effected that conflicts with state or 4100  
federal law and effectuate the revocation. 4101

(D) The department shall notify the responsible entity and 4102  
the appropriate county auditor ~~when the department proposes to~~ 4103  
~~take before taking~~ action under division (C) of this section. 4104  
The notice shall be in writing and specify the proposed action 4105  
~~the department proposes to take~~. The department shall send the 4106  
notice by regular United States mail. Except as provided in 4107

division (E) of this section, the responsible entity may request 4108  
an administrative review of a proposed action in accordance with 4109  
administrative review procedures the department shall establish. 4110  
The administrative review procedures shall comply with all of 4111  
the following: 4112

(1) A request for an administrative review shall state 4113  
specifically all of the following: 4114

(a) The proposed action specified in the notice from the 4115  
department for which the review is requested; 4116

(b) The reason why the responsible entity believes the 4117  
proposed action is inappropriate; 4118

(c) All facts and legal arguments that the responsible 4119  
entity wants the department to consider; 4120

(d) The name of the person who will serve as the 4121  
responsible entity's representative in the review. 4122

(2) If the department's notice specifies more than one 4123  
proposed action and the responsible entity does not specify all 4124  
of the proposed actions in its request pursuant to division (D) 4125  
(1) (a) of this section, the proposed actions not specified in 4126  
the request shall not be subject to administrative review and 4127  
the parts of the notice regarding those proposed actions shall 4128  
be final and binding on the responsible entity. 4129

(3) The responsible entity shall have fifteen calendar 4130  
days after the department mails the notice to the responsible 4131  
entity to send a written request to the department for an 4132  
administrative review. The responsible entity and the department 4133  
shall attempt to resolve informally any dispute and may develop 4134  
a written resolution to the dispute at any time prior to 4135  
submitting the written report described in division (D) (7) of 4136

this section to the director. 4137

(4) In the case of a proposed action under division (C) (2) 4138  
of this section, the responsible entity may not include in its 4139  
request disputes over a finding, final disallowance of federal 4140  
financial participation, or other sanction or penalty issued by 4141  
the federal government, auditor of state, or other entity other 4142  
than the department. 4143

(5) If the responsible entity fails to request an 4144  
administrative review within the required time, the responsible 4145  
entity loses the right to request an administrative review of 4146  
the proposed actions specified in the notice and the notice 4147  
becomes final and binding on the responsible entity. 4148

(6) The director of job and family services shall appoint 4149  
an administrative review panel to conduct the administrative 4150  
review. The review panel shall consist of department employees 4151  
who are not involved in the department's proposal to take action 4152  
against the responsible entity. The review panel shall review 4153  
the responsible entity's request. The review panel may require 4154  
that the department or responsible entity submit additional 4155  
information and schedule and conduct an informal hearing to 4156  
obtain testimony or additional evidence. A review of a proposal 4157  
to take action under division (C) (2) of this section shall be 4158  
limited solely to the issue of the amount the responsible entity 4159  
shall share with the department, reimburse the department, or 4160  
pay to the federal government, department, or other entity under 4161  
division (C) (2) of this section. The review panel is not 4162  
required to make a stenographic record of its hearing or other 4163  
proceedings. 4164

(7) After finishing an administrative review, an 4165  
administrative review panel appointed under division (D) (6) of 4166

this section shall submit a written report to the director 4167  
setting forth its findings of fact, conclusions of law, and 4168  
recommendations for action. The director may approve, modify, or 4169  
disapprove the recommendations. 4170

(8) The director's approval, modification, or disapproval 4171  
under division (D) (7) of this section shall be final and binding 4172  
on the responsible entity and shall not be subject to further 4173  
review. 4174

(E) The responsible entity is not entitled to an 4175  
administrative review under division (D) of this section for any 4176  
of the following: 4177

(1) An action taken under division (C) (5) or (6) of this 4178  
section; 4179

(2) An action taken under section 5101.242 of the Revised 4180  
Code; 4181

(3) An action taken under division (C) (2) of this section 4182  
if the federal government, auditor of state, or entity other 4183  
than the department has identified the responsible entity as 4184  
being solely or partially responsible for an adverse audit 4185  
finding, adverse quality control finding, final disallowance of 4186  
federal financial participation, or other sanction or penalty; 4187

(4) An adjustment to an allocation, cash draw, advance, or 4188  
reimbursement to the responsible entity's local area that the 4189  
department determines necessary for budgetary reasons; 4190

(5) Withholding of a cash draw or reimbursement due to 4191  
noncompliance with a reporting requirement established in rules 4192  
adopted under section 5101.243 of the Revised Code. 4193

(F) This section does not apply to other actions the 4194



department takes against the responsible entity pursuant to 4195  
authority granted by another state law unless the other state 4196  
law requires the department to take the action in accordance 4197  
with this section. 4198

(G) The director of job and family services may adopt 4199  
rules in accordance with Chapter 119. of the Revised Code as 4200  
necessary to implement this section. 4201

(H) The governor may decertify a local ~~workforce~~ 4202  
~~development~~ board for any of the following reasons in accordance 4203  
with ~~subsection (e) of section 117 of the "Workforce Investment~~ 4204  
~~Act of 1998" 112 Stat. 936, 29 U.S.C. 2801, as amended~~ (c) (3) of 4205  
section 107 of the "Workforce Innovation and Opportunity Act," 4206  
29 U.S.C. 3122: 4207

(1) Fraud or abuse; 4208

(2) Failure to carry out the requirements of the federal 4209  
~~"Workforce Investment Act," 112 Stat. 936, 29 U.S.C. 2801, as~~ 4210  
~~amended, including failure to meet performance standards~~ 4211  
~~established by the federal government for two consecutive years~~ 4212  
"Workforce Innovation and Opportunity Act," 29 U.S.C. 3101 et 4213  
seq.; 4214

(3) Failure to meet local performance accountability 4215  
measures for the local area for two consecutive program years, 4216  
as specified in subsection (c) (3) (B) of section 107 of the 4217  
"Workforce Innovation and Opportunity Act," 29 U.S.C. 3122. 4218

(I) (1) ~~If the governor finds that access to basic~~ 4219  
~~"Workforce Investment Act" services is not being provided in a~~ 4220  
~~local area, the governor may declare an emergency and, in~~ 4221  
~~consultation with the chief elected officials of the local area~~ 4222  
~~affected, arrange for provision of these services through an~~ 4223

~~alternative entity during the time period in which resolution of~~ 4224  
~~the problem preventing service delivery in the local area is~~ 4225  
~~pending~~ determines that there has been a substantial violation 4226  
of a specific provision of the "Workforce Innovation and 4227  
Opportunity Act," 29 U.S.C. 3101 et seq., and that corrective 4228  
action has not been taken, the governor shall take one of the 4229  
following actions: 4230

(a) Issue a notice of intent to revoke approval of all or 4231  
part of a local plan affected by the violation; 4232

(b) Impose a reorganization plan. 4233

(2) A reorganization plan imposed under division (I) (1) of 4234  
this section may include any of the following: 4235

(a) Decertifying the local board involved in the 4236  
violation; 4237

(b) Prohibiting the use of eligible providers; 4238

(c) Selecting an alternate entity to administer the 4239  
program for the local area involved in the violation; 4240

(d) Merging the local area with one or more other local 4241  
areas; 4242

(e) Making other changes that the governor determines to 4243  
be necessary to secure compliance with the specific provision. 4244

~~An~~ 4245

An action taken by the governor pursuant to this section 4246  
is not subject to appeal under this section may be appealed and 4247  
shall not become effective until the time for appeal has expired 4248  
or a final decision has been issued on the appeal. 4249

**Sec. 5108.01.** As used in this chapter: 4250

(A) "County family services planning committee" means the 4251  
county family services planning committee established under 4252  
section 329.06 of the Revised Code ~~or the board created by~~ 4253  
~~consolidation under division (C) of section 6301.06 of the~~ 4254  
~~Revised Code.~~ 4255

(B) "Prevention, retention, and contingency program" means 4256  
the program established by this chapter and funded in part with 4257  
federal funds provided under Title IV-A. 4258

(C) "Title IV-A" means Title IV-A of the "Social Security 4259  
Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended. 4260

**Sec. 5123.60.** (A) As used in this section and section 4261  
5123.601 of the Revised Code, "Ohio protection and advocacy 4262  
system" means the nonprofit entity designated by the governor in 4263  
accordance with Am. Sub. H.B. 153 of the 129th general assembly 4264  
to serve as the state's protection and advocacy system and 4265  
client assistance program. 4266

(B) The Ohio protection and advocacy system shall provide 4267  
both of the following: 4268

(1) Advocacy services for people with disabilities, as 4269  
provided under section 101 of the "Developmental Disabilities 4270  
Assistance and Bill of Rights Act of 2000," 114 Stat. 1678 4271  
(2000), 42 U.S.C. 15001; 4272

(2) A client assistance program, as provided under section 4273  
112 of the ~~"Workforce Investment Act of 1998," 112 Stat. 1163-~~ 4274  
~~(1998), 29 U.S.C. 732, as amended~~ "Rehabilitation Act of 1973," 4275  
29 U.S.C. 732. 4276

(C) The Ohio protection and advocacy system may establish 4277  
any guidelines necessary for its operation. 4278

<b>Sec. 5166.40.</b> (A) As used in sections 5166.40 to 5166.409	4279
of the Revised Code:	4280
(1) "Adult" means an individual who is at least eighteen	4281
years of age.	4282
(2) "Buckeye account" means a modified health savings	4283
account established under section 5166.402 of the Revised Code.	4284
(3) "Contribution" means the amounts that an individual	4285
contributes to the individual's buckeye account and are	4286
contributed to the account on the individual's behalf under	4287
divisions (C) and (D) of section 5166.402 of the Revised Code.	4288
"Contribution" does not mean the portion of an individual's	4289
buckeye account that consists of medicaid funds deposited under	4290
division (B) of section 5166.402 of the Revised Code or section	4291
5166.404 of the Revised Code.	4292
(4) "Core portion" means the portion of a healthy Ohio	4293
program participant's buckeye account that consists of the	4294
following:	4295
(a) The amount of contributions to the account;	4296
(b) The amounts awarded to the account under divisions (C)	4297
and (D) of section 5166.404 of the Revised Code.	4298
(5) "Eligible employer-sponsored health plan" has the same	4299
meaning as in section 5000A(f) (2) of the "Internal Revenue Code	4300
of 1986," 26 U.S.C. 5000A(f) (2).	4301
(6) "Healthy Ohio program" means the medicaid waiver	4302
component established under sections 5166.40 to 5166.409 of the	4303
Revised Code under which medicaid recipients specified in	4304
division (B) of this section enroll in comprehensive health	4305
plans and contribute to buckeye accounts.	4306

(7) "Healthy Ohio program debit swipe card" means a debit  
swipe card issued by a managed care organization to a healthy  
Ohio program participant under section 5166.403 of the Revised  
Code.

(8) "Not-for-profit organization" means an organization  
that is exempt from federal income taxation under section 501(a)  
and (c) (3) of the "Internal Revenue Code of 1986," 26 U.S.C.  
501(a) and (c) (3).

(9) "Ward of the state" means ~~both of the following:~~ an  
individual who is a ward, as defined in section 2111.01 of the  
Revised Code.

(10) "Workforce development activity" and "~~workforce~~  
~~development agency~~local board" have the same meanings as in  
section 6301.01 of the Revised Code.

(B) The medicaid director shall establish a medicaid  
waiver component to be known as the healthy Ohio program. Each  
adult medicaid recipient, other than a ward of the state,  
determined to be eligible for medicaid on the basis of either of  
the following shall participate in the healthy Ohio program:

(1) On the basis of being included in the category  
identified by the department of medicaid as covered families and  
children;

(2) On the basis of being included in the eligibility  
group described in section 1902(a) (10) (A) (i) (VIII) of the  
"Social Security Act," 42 U.S.C. 1396a(a) (10) (A) (i) (VIII).

(C) Except as provided in section 5166.406 of the Revised  
Code, a healthy Ohio program participant shall not receive  
medicaid services under the fee-for-service component of  
medicaid or participate in the care management system.

**Sec. 5166.408.** Each county department of job and family 4336  
services shall offer to refer to a ~~workforce development agency~~ 4337  
local board each healthy Ohio program participant who resides in 4338  
the county served by the county department and is either 4339  
unemployed or employed for less than an average of twenty hours 4340  
per week. The referral shall include information about the 4341  
workforce development activities available from the ~~workforce~~ 4342  
~~development agency~~ local board. A participant may refuse to 4343  
accept the referral and to participate in the workforce 4344  
development activities without any affect on the participant's 4345  
eligibility for, or participation in, the healthy Ohio program. 4346

**Sec. 5709.64.** (A) If an enterprise has been granted an 4347  
incentive for the current calendar year under an agreement 4348  
entered pursuant to section 5709.62, 5709.63, or 5709.632 of the 4349  
Revised Code, it may apply, on or before the thirtieth day of 4350  
April of that year, to the director of development, on a form 4351  
prescribed by the director, for a tax incentive qualification 4352  
certificate. The enterprise qualifies for an initial certificate 4353  
if, on or before the last day of the calendar year immediately 4354  
preceding that in which application is made, it satisfies all of 4355  
the following requirements: 4356

(1) The enterprise has established, expanded, renovated, 4357  
or occupied a facility pursuant to the agreement under section 4358  
5709.62, 5709.63, or 5709.632 of the Revised Code. 4359

(2) The enterprise has hired new employees to fill 4360  
nonretail positions at the facility, at least twenty-five per 4361  
cent of whom at the time they were employed were at least one of 4362  
the following: 4363

(a) Unemployed persons who had resided at least six months 4364  
in the county in which the enterprise's project site is located; 4365

(b) JPTA eligible employees who had resided at least six months in the county in which the enterprise's project site is located;

(c) Participants of the Ohio works first program under Chapter 5107. of the Revised Code or the prevention, and contingency program under Chapter 5108. of the Revised Code or recipients of general assistance under former Chapter 5113. of the Revised Code, financial assistance under Chapter 5115. of the Revised Code, or unemployment compensation benefits who had resided at least six months in the county in which the enterprise's project site is located;

~~(d) Handicapped persons~~ Eligible individuals with disabilities, as defined under division (A) of section 3304.11 of the Revised Code, who had resided at least six months in the county in which the enterprise's project site is located;

(e) Residents for at least one year of a zone located in the county in which the enterprise's project site is located.

The director of development shall, by rule, establish criteria for determining what constitutes a nonretail position at a facility.

(3) The average number of positions attributable to the enterprise in the municipal corporation during the calendar year immediately preceding the calendar year in which application is made exceeds the maximum number of positions attributable to the enterprise in the municipal corporation during the calendar year immediately preceding the first year the enterprise satisfies the requirements set forth in divisions (A) (1) and (2) of this section. If the enterprise is engaged in a business which, because of its seasonal nature, customarily enables the

enterprise to operate at full capacity only during regularly 4395  
recurring periods of the year, the average number of positions 4396  
attributable to the enterprise in the municipal corporation 4397  
during each period of the calendar year immediately preceding 4398  
the calendar year in which application is made must exceed only 4399  
the maximum number of positions attributable to the enterprise 4400  
in each corresponding period of the calendar year immediately 4401  
preceding the first year the enterprise satisfies the 4402  
requirements of divisions (A) (1) and (2) of this section. The 4403  
director of development shall, by rule, prescribe methods for 4404  
determining whether an enterprise is engaged in a seasonal 4405  
business and for determining the length of the corresponding 4406  
periods to be compared. 4407

(4) The enterprise has not closed or reduced employment at 4408  
any place of business in the state for the primary purpose of 4409  
establishing, expanding, renovating, or occupying a facility. 4410  
The legislative authority of any municipal corporation or the 4411  
board of county commissioners of any county that concludes that 4412  
an enterprise has closed or reduced employment at a place of 4413  
business in that municipal corporation or county for the primary 4414  
purpose of establishing, expanding, renovating, or occupying a 4415  
facility in a zone may appeal to the director to determine 4416  
whether the enterprise has done so. Upon receiving such an 4417  
appeal, the director shall investigate the allegations and make 4418  
such a determination before issuing an initial or renewal tax 4419  
incentive qualification certificate under this section. 4420

Within sixty days after receiving an application under 4421  
this division, the director shall review, investigate, and 4422  
verify the application and determine whether the enterprise 4423  
qualifies for a certificate. The application shall include an 4424  
affidavit executed by the applicant verifying that the 4425



enterprise satisfies the requirements of division (A) (2) of this 4426  
section, and shall contain such information and documents as the 4427  
director requires, by rule, to ascertain whether the enterprise 4428  
qualifies for a certificate. If the director finds the 4429  
enterprise qualified, the director shall issue a tax incentive 4430  
qualification certificate, which shall bear as its date of 4431  
issuance the thirtieth day of June of the year of application, 4432  
and shall state that the applicant is entitled to receive, for 4433  
the taxable year that includes the certificate's date of 4434  
issuance, the tax incentives provided under section 5709.65 of 4435  
the Revised Code with regard to the facility to which the 4436  
certificate applies. If an enterprise is issued an initial 4437  
certificate, it may apply, on or before the thirtieth day of 4438  
April of each succeeding calendar year for which it has been 4439  
granted an incentive under an agreement entered pursuant to 4440  
section 5709.62, 5709.63, or 5709.632 of the Revised Code, for a 4441  
renewal certificate. Subsequent to its initial certification, 4442  
the enterprise qualifies for up to three successive renewal 4443  
certificates if, on or before the last day of the calendar year 4444  
immediately preceding that in which the application is made, it 4445  
satisfies all the requirements of divisions (A) (1) to (4) of 4446  
this section, and neither the zone's designation nor the zone's 4447  
certification has been revoked prior to the fifteenth day of 4448  
June of the year in which the application is made. The 4449  
application shall include an affidavit executed by the applicant 4450  
verifying that the enterprise satisfies the requirements of 4451  
division (A) (2) of this section. An enterprise with ten or more 4452  
supervisory personnel at the facility to which a certificate 4453  
applies qualifies for any subsequent renewal certificates only 4454  
if it meets all of the foregoing requirements and, in addition, 4455  
at least ten per cent of those supervisory personnel are 4456  
employees who, when first hired by the enterprise, satisfied at 4457

least one of the criteria specified in divisions (A) (2) (a) to 4458  
(e) of this section. If the enterprise qualifies, a renewal 4459  
certificate shall be issued bearing as its date of issuance the 4460  
thirtieth day of June of the year of application. The director 4461  
shall send copies of the initial certificate, and each renewal 4462  
certificate, by certified mail, to the enterprise, the tax 4463  
commissioner, the board of county commissioners, and the chief 4464  
executive of the municipal corporation in which the facility to 4465  
which the certificate applies is located. 4466

(B) If the director determines that an enterprise is not 4467  
qualified for an initial or renewal tax incentive qualification 4468  
certificate, the director shall send notice of this 4469  
determination, specifying the reasons for it, by certified mail, 4470  
to the applicant, the tax commissioner, the board of county 4471  
commissioners, and the chief executive of the municipal 4472  
corporation in which the facility to which the certificate would 4473  
have applied is located. Within thirty days after receiving such 4474  
a notice, an enterprise may request, in writing, a hearing 4475  
before the director for the purpose of reviewing the application 4476  
and the reasons for the determination. Within sixty days after 4477  
receiving a request for a hearing, the director shall afford one 4478  
and, within thirty days after the hearing, shall issue a 4479  
redetermination of the enterprise's qualification for a 4480  
certificate. If the enterprise is found to be qualified, the 4481  
director shall proceed in the manner provided under division (A) 4482  
of this section. If the enterprise is found to be unqualified, 4483  
the director shall send notice of this finding, by certified 4484  
mail, to the applicant, the tax commissioner, the board of 4485  
county commissioners, and the chief executive of the municipal 4486  
corporation in which the facility to which the certificate would 4487  
have applied is located. The director's redetermination that an 4488

enterprise is unqualified may be appealed to the board of tax 4489  
appeals in the manner provided under section 5717.02 of the 4490  
Revised Code. 4491

**Sec. 5903.11.** (A) Any federally funded employment and 4492  
training program administered by any state agency including, but 4493  
not limited to, the ~~"Workforce Investment Act of 1998," 112-~~ 4494  
~~Stat. 936, codified in scattered sections of 29 U.S.C., as~~ 4495  
~~amended "Workforce Innovation and Opportunity Act," 29 U.S.C.~~ 4496  
3101 et seq., shall include a veteran priority system to provide 4497  
maximum employment and training opportunities to veterans and 4498  
eligible persons within each targeted group as established by 4499  
federal law and state and federal policy in the service area. 4500  
Disabled veterans, veterans of the Vietnam era, other veterans, 4501  
and eligible persons shall receive preference over nonveterans 4502  
within each targeted group in the provision of employment and 4503  
training services available through these programs as required 4504  
by this section. 4505

(B) Each state agency shall refer qualified applicants to 4506  
job openings and training opportunities in programs described in 4507  
division (A) of this section in the following order of priority: 4508

- (1) Special disabled veterans; 4509
- (2) Veterans of the Vietnam era; 4510
- (3) Disabled veterans; 4511
- (4) All other veterans; 4512
- (5) Other eligible persons; 4513
- (6) Nonveterans. 4514

(C) Each state agency providing employment and training 4515  
services to veterans and eligible persons under programs 4516

described in division (A) of this section shall submit an annual 4517  
written report to the speaker of the house of representatives 4518  
and the president of the senate on the services that it provides 4519  
to veterans and eligible persons. Each such agency shall report 4520  
separately on all entitlement programs, employment or training 4521  
programs, and any other programs that it provides to each class 4522  
of persons described in divisions (B)(1) to (6) of this section. 4523  
Each such agency shall also report on action taken to ensure 4524  
compliance with statutory requirements. Compliance and reporting 4525  
procedures shall be in accordance with the reporting procedures 4526  
then in effect for all employment and training programs 4527  
described in division (A) of this section, with the addition of 4528  
veterans as a separate reporting module. 4529

(D) All state agencies that administer federally funded 4530  
employment and training programs described in division (A) of 4531  
this section for veterans and eligible persons shall do all of 4532  
the following: 4533

(1) Ensure that veterans are treated with courtesy and 4534  
respect at all state governmental facilities; 4535

(2) Give priority in referral to jobs to qualified 4536  
veterans and other eligible persons; 4537

(3) Give priority in referral to and enrollment in 4538  
training programs to qualified veterans and other eligible 4539  
persons; 4540

(4) Give preferential treatment to special disabled 4541  
veterans in the provision of all needed state services; 4542

(5) Provide information and effective referral assistance 4543  
to veterans and other eligible persons regarding needed benefits 4544  
and services that may be obtained through other agencies. 4545

- (E) As used in this section: 4546
- (1) "Special disabled veteran" means a veteran who is 4547  
entitled to, or who but for the receipt of military pay would be 4548  
entitled to, compensation under any law administered by the 4549  
department of veterans affairs for a disability rated at thirty 4550  
per cent or more or a person who was discharged or released from 4551  
active duty because of a service-connected disability. 4552
- (2) "Veteran of the Vietnam era" means an eligible veteran 4553  
who served on active duty for a period of more than one hundred 4554  
eighty days, any part of which occurred from August 5, 1964, 4555  
through May 7, 1975, and was discharged or released therefrom 4556  
with other than a dishonorable discharge or a person who was 4557  
discharged or released from active duty for a service-connected 4558  
disability if any part of the active duty was performed from 4559  
August 5, 1964, through May 7, 1975. 4560
- (3) "Disabled veteran" means a veteran who is entitled to, 4561  
or who but for the receipt of military retirement pay would be 4562  
entitled to compensation, under any law administered by the 4563  
department of veterans affairs and who is not a special disabled 4564  
veteran. 4565
- (4) "Eligible veteran" means a person who served on active 4566  
duty for more than one hundred eighty days and was discharged or 4567  
released from active duty with other than a dishonorable 4568  
discharge or a person who was discharged or released from active 4569  
duty because of a service-connected disability. 4570
- (5) "Other eligible person" means one of the following: 4571
- (a) The spouse of any person who died of a service- 4572  
connected disability; 4573
- (b) The spouse of any member of the armed forces serving 4574

on active duty who at the time of the spouse's application for 4575  
assistance under any program described in division (A) of this 4576  
section is listed pursuant to the "Act of September 6, 1966," 80 4577  
Stat. 629, 37 U.S.C.A. 556, and the regulations issued pursuant 4578  
thereto, as having been in one or more of the following 4579  
categories for a total of ninety or more days: 4580

(i) Missing in action; 4581

(ii) Captured in line of duty by a hostile force; 4582

(iii) Forcibly detained or interned in line of duty by a 4583  
foreign government or power. 4584

(c) The spouse of any person who has a total disability 4585  
permanent in nature resulting from a service-connected 4586  
disability or the spouse of a veteran who died while such a 4587  
disability was in existence. 4588

(6) "Veteran" means a veteran as defined in section 4589  
5903.01 of the Revised Code who was a member of the armed forces 4590  
of the United States for a period of one hundred eighty days or 4591  
more; a person who was discharged or released from active duty 4592  
because of a service-connected disability; or a person who 4593  
served as a member of the United States merchant marine and to 4594  
whom either of the following applies: 4595

(a) The person has an honorable report of separation from 4596  
active duty military service, form DD214 or DD215; or 4597

(b) The person served in the United States merchant marine 4598  
between December 7, 1941, and December 31, 1946, and died on 4599  
active duty while serving in a war zone during that period of 4600  
service. 4601

(7) "Employment program" means a program which provides 4602

referral of individuals to employer job openings in the federal, 4603  
state, or private sector. 4604

(8) "Training program" means any program that upgrades the 4605  
employability of qualified applicants. 4606

(9) "Entitlement program" means any program that enlists 4607  
specific criteria in determining eligibility, including but not 4608  
limited to the existence in special segments of the general 4609  
population of specific financial needs. 4610

(10) "Targeted group" means a group of persons designated 4611  
by federal law or regulations or by state law to receive special 4612  
assistance under an employment and training program described in 4613  
division (A) of this section. 4614

**Sec. 6301.01.** As used in this chapter: 4615

(A) "Local area" means ~~any of the following:~~ 4616

~~(1) A municipal corporation that is authorized to 4617  
administer and enforce the "Workforce Investment Act of 1998," 4618  
112 Stat. 936, 29 U.S.C.A. 2801, as amended, under this chapter 4619  
and is not joining in partnership with any other political 4620  
subdivisions in order to do so; 4621~~

~~(2) A single county; 4622~~

~~(3) A consortium of any of the following political 4623  
subdivisions: 4624~~

~~(a) A group of two or more counties in the state; 4625~~

~~(b) One or more counties and one municipal corporation in 4626  
the state; 4627~~

~~(c) One or more counties with or without one municipal 4628  
corporation in the state and one or more counties with or 4629~~

~~without one municipal corporation in another state, on the~~ 4630  
~~condition that those in another state share a labor market area~~ 4631  
~~with those in the state.~~ 4632

~~"Local area" does not mean a region for purposes of~~ 4633  
~~determinations concerning administrative incentives.~~ 4634

~~(B) "Municipal corporation" means a municipal corporation~~ 4635  
~~that is eligible for automatic or temporary designation as a~~ 4636  
~~local workforce investment area pursuant to section 116(a)(2) or~~ 4637  
~~(3) of the "Workforce Investment Act of 1998," 112 Stat. 936, 29~~ 4638  
~~U.S.C.A. 2831(a)(2) or (3), but that does not request that the~~ 4639  
~~governor grant such automatic or temporary designation, and that~~ 4640  
~~instead elects to administer and enforce workforce development~~ 4641  
~~activities pursuant to this chapter.~~ 4642

~~(C) "County" means a county that is eligible to be~~ 4643  
~~designated as a local workforce investment area pursuant to the~~ 4644  
~~"Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.A.~~ 4645  
~~2801, as amended, but that does not request such designation,~~ 4646  
~~and instead elects to administer and enforce workforce~~ 4647  
~~development activities pursuant to this chapter.~~ 4648

~~(D) "Workforce development agency" means the entity given~~ 4649  
~~responsibility for workforce development activities that is~~ 4650  
~~designated by the board of county commissioners in accordance~~ 4651  
~~with section 330.04 of the Revised Code, the chief elected~~ 4652  
~~official of a municipal corporation in accordance with section~~ 4653  
~~763.05 of the Revised Code, or the chief elected officials of a~~ 4654  
~~local area defined in division (A)(3) of this section a local~~ 4655  
~~workforce development area designated under section 106 of the~~ 4656  
~~Workforce Innovation and Opportunity Act, 29 U.S.C. 3121,~~ 4657  
~~pursuant to this chapter.~~ 4658



~~(E)~~ (B) "Workforce development activity" means ~~a program,~~ 4659  
~~grant, or other function, the primary goal of which is to do one~~ 4660  
~~or more of the following:~~ 4661

~~(1) Help individuals maximize their employment~~ 4662  
~~opportunities;~~ 4663

~~(2) Help employers gain access to skilled workers;~~ 4664

~~(3) Help employers retain skilled workers;~~ 4665

~~(4) Help develop or enhance the skills of incumbent~~ 4666  
~~workers;~~ 4667

~~(5) Improve the quality of the state's workforce;~~ 4668

~~(6) Enhance the productivity and competitiveness of the~~ 4669  
~~state's economy an activity carried out through a workforce~~ 4670  
~~development system.~~ 4671

~~(F)~~ (C) "Chief elected official or officials," when used 4672  
in reference to a local area, means ~~the board of county~~ 4673  
~~commissioners of the county or of each county in the local area~~ 4674  
~~or, if the county has adopted a charter under Section 3 of~~ 4675  
~~Article X, Ohio Constitution, the chief governing body of that~~ 4676  
~~county, and the chief elected official of the municipal~~ 4677  
~~corporation, if the local area includes a municipal corporation,~~ 4678  
~~except that when the local area is the type defined in division~~ 4679  
~~(A) (1) of this section, "chief elected officials" means the~~ 4680  
~~chief elected official of the municipal corporation~~ chief 4681  
electd executive officer of a unit of general local government 4682  
in the local area or, in the case of a local area that includes 4683  
more than one unit of general local government, the individual 4684  
or individuals designated under an agreement described in 4685  
section 107 of the Workforce Innovation and Opportunity Act, 29 4686  
U.S.C. 3122. 4687

~~(G)~~ (D) "State board" means the governor's executive 4688  
workforce board established by required under section 101 of the 4689  
Workforce Innovation and Opportunity Act, 29 U.S.C. 3111, and 4690  
established pursuant to section 6301.04 of the Revised Code. 4691

~~(H)~~ (E) "Local board" means a local workforce investment 4692  
development board established in each local area of the state 4693  
and certified by the governor to set policy for the portion of 4694  
the statewide workforce investment system within the local area 4695  
and implement the "Workforce Investment Act of 1998," 112 Stat. 4696  
936, 29 U.S.C. 2801 under section 107 of the Workforce 4697  
Innovation and Opportunity Act, 29 U.S.C. 3122. 4698

~~(I)~~ (F) "OhioMeansJobs web site" means the statewide 4699  
electronic system for labor exchange and job placement activity 4700  
operated by the state. 4701

(G) "OhioMeansJobs center" means a physical one-stop 4702  
center described in section 121(e)(2) of the Workforce 4703  
Innovation and Opportunity Act, 29 U.S.C. 3151(e)(2). 4704

(H) "OhioMeansJobs center operator" means an entity or a 4705  
consortium of entities designated or certified through a 4706  
competitive process to operate a one-stop center under section 4707  
121(d) of the Workforce Innovation and Opportunity Act, 29 4708  
U.S.C. 3151(d). 4709

(I) "Planning region" means an area consisting of two or 4710  
more local areas that are collectively aligned to engage in the 4711  
regional planning process outlined in section 106(c)(1) of the 4712  
Workforce Innovation and Opportunity Act, 29 U.S.C. 3121(c)(1). 4713

(J) "Workforce Innovation and Opportunity Act" means the 4714  
"Workforce Innovation and Opportunity Act," 29 U.S.C. 3101 et 4715  
seq., or other citation as specifically provided. 4716

**Sec. 6301.02.** The director of job and family services 4717  
shall administer the Workforce Innovation and Opportunity Act, 4718  
the former "Workforce Investment Act of 1998," 112 Stat. 936, ~~29~~ 4719  
~~U.S.C.A. 2801~~ Pub. L. No. 105-220, as amended, and the "Wagner- 4720  
Peyser Act," 48 Stat. 113 (1933), 29 U.S.C.A. 49, as amended, 4721  
and the funds received pursuant to those acts. In administering 4722  
those acts and funds received pursuant to those acts, the 4723  
director shall assist the state board in establishing and 4724  
administering a workforce development system that is designed to 4725  
provide leadership, support, and oversight to locally designed 4726  
workforce development systems. The director shall conduct 4727  
investigations and hold hearings as necessary for the 4728  
administration of this chapter. 4729

To the extent permitted by state and federal law, the 4730  
director may adopt rules pursuant to Chapter 119. of the Revised 4731  
Code to establish any program or pilot program for the purposes 4732  
of providing workforce development activities or ~~family services~~ 4733  
~~to individuals who do not meet eligibility criteria for those~~ 4734  
~~activities or services~~ under applicable federal law. Prior to 4735  
the initiation of any program of that nature, the director of 4736  
budget and management shall certify to the governor that 4737  
sufficient funds are available to administer a program of that 4738  
nature. The director of job and family services shall advise the 4739  
state board ~~shall have final approval~~ of any such program. 4740

Unless otherwise prohibited by state or federal law, every 4741  
state agency, board, or commission shall provide to the state 4742  
board and the director all information and assistance requested 4743  
by the state board and the director in furtherance of workforce 4744  
development activities. 4745

**Sec. 6301.03.** (A) In administering the Workforce 4746

Innovation and Opportunity Act, the former "Workforce Investment 4747  
Act of 1998," 112 Stat. 936, ~~29 U.S.C.A. 2801~~ Pub. L. No. 105- 4748  
220, as amended, and the "Wagner-Peyser Act," 48 Stat. 113 4749  
(1933), 29 U.S.C.A. 49, as amended, the funds received pursuant 4750  
to those acts, and the workforce development system, the 4751  
director of job and family services may, ~~at the direction of~~ in 4752  
consultation with the state board, make allocations and payment 4753  
of funds for the local administration of the workforce 4754  
development activities established under this chapter. 4755

(B) The director shall allocate to local areas all funds 4756  
required to be allocated to local areas pursuant to the 4757  
Workforce Innovation and Opportunity Act and the former 4758  
"Workforce Investment Act of 1998," 112 Stat. 936, ~~29 U.S.C.A.~~ 4759  
~~2801~~ Pub. L. No. 105-220, as amended. The director shall make 4760  
allocations only with funds available. Local areas, as defined 4761  
by either section 101 of the former "Workforce Investment Act of 4762  
1998," 112 Stat. 936, ~~29 U.S.C.A. 2801~~ Pub. L. No. 105-220, as 4763  
amended, or section 6301.01 of the Revised Code, and 4764  
subrecipients of a local area shall establish a workforce 4765  
development fund and the entity receiving funds shall deposit 4766  
all funds received under this section into the workforce 4767  
development fund. All expenditures for activities funded under 4768  
this section shall be made from the workforce development fund, 4769  
including reimbursements to a county public assistance fund for 4770  
expenditures made for activities funded under this section. 4771

(C) The use of funds, reporting requirements, and other 4772  
administrative and operational requirements governing the use of 4773  
funds received by the director pursuant to this section shall be 4774  
governed by internal management rules adopted by ~~and approved by~~ 4775  
the ~~state board~~ director pursuant to section 111.15 of the 4776  
Revised Code. 4777

(1) A local area described in division (B) of this section shall use the OhioMeansJobs web site as the labor exchange and job placement system for the area.

(2) No additional federal or state workforce funds shall be used to build or maintain any labor exchange and job placement system that is duplicative to the OhioMeansJobs web site.

(D) To the extent permitted by state or federal law, the director, ~~and local areas, counties, and municipal corporations~~ authorized to administer workforce development activities may assess a fee for specialized services requested by an employer. The director shall adopt rules pursuant to Chapter 119. of the Revised Code governing the nature and amount of those types of fees.

**Sec. 6301.04.** (A) The governor shall establish a state board and . The state board shall consist of the following members:

(1) The governor;

(2) Two members of the house of representatives, appointed by the speaker of the house of representatives;

(3) Two members of the senate, appointed by the president of the senate;

(4) Members required under section 101(b)(1)(C) of the Workforce Innovation and Opportunity Act, 29 U.S.C. 3111(b)(1)(C);

(5) Any additional members appointed by the governor.

(B) The governor shall appoint members to the board, who serve at the governor's pleasure, to perform duties under the

~~"Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.A. 4806~~  
~~2801, as amended Workforce Innovation and Opportunity Act, as 4807~~  
authorized by the governor. ~~The~~ 4808

(C) ~~The~~ board is not subject to sections 101.82 to 101.87 4809  
of the Revised Code. ~~All~~ 4810

(D) ~~All~~ state agencies engaged in workforce development 4811  
activities shall assist the board in the performance of its 4812  
duties. 4813

(E) The board shall have the power and authority to do all 4814  
of the following: 4815

~~(A) Provide oversight and policy direction to ensure that 4816~~  
~~the state workforce development activities are aligned and 4817~~  
~~-serving the needs of the state's employers, incumbent workers, 4818~~  
~~and job seekers;~~ 4819

~~(B) Adopt rules necessary to administer state workforce 4820~~  
~~development activities;~~ 4821

~~(C) Adopt rules necessary for the auditing and monitoring 4822~~  
~~of subrecipients of the workforce development system grant 4823~~  
~~funds;~~ 4824

~~(D) Designate local workforce investment areas in 4825~~  
~~accordance with 29 U.S.C. 2831;~~ 4826

~~(E) Develop a unified budget for all state and federal 4827~~  
~~workforce funds;~~ 4828

~~(F) Establish a statewide employment and data collection 4829~~  
~~system;~~ 4830

~~(G) Develop statewide performance measures for workforce 4831~~  
~~development and investment;~~ 4832

~~(H) (1) Develop a, implement, and modify the state~~ 4833  
workforce development plan; 4834

~~(I) Prepare the annual report to the United States~~ 4835  
~~secretary of labor, pursuant to section 136(d) of the "Workforce~~ 4836  
~~Investment Act of 1998," 112 Stat. 936, 29 U.S.C. 2871, as~~ 4837  
~~amended;~~ 4838

~~(J) Carry out any additional functions, duties, or~~ 4839  
~~responsibilities assigned to the board by the governor~~ 4840

(2) Review statewide workforce policies and programs and 4841  
recommendations on actions to be taken by the state to align 4842  
workforce development programs to support a comprehensive and 4843  
streamlined workforce development system; 4844

(3) Recommend measures for the development and continuous 4845  
improvement of the workforce development system in the state, 4846  
including updating comprehensive state performance 4847  
accountability measures, also known as workforce success 4848  
measures; 4849

(4) Continue to identify and disseminate information on 4850  
promising practices in the area of workforce development; 4851

(5) Perform other related work that is required of the 4852  
board by the Workforce Innovation and Opportunity Act or 4853  
requested by the governor. 4854

**Sec. 6301.05.** The chief elected official of a local area 4855  
shall enter into a written grant agreement with the director of 4856  
job and family services in accordance with section 5101.20 of 4857  
the Revised Code. 4858

A grant agreement entered into pursuant to this section 4859  
shall include the responsibility of ~~municipal corporations and~~ 4860

~~the board of county commissioners the chief elected official or~~ 4861  
~~officials~~ to be accountable to the department of job and family 4862  
services for the use of funds provided through the "~~Workforce~~ 4863  
~~Investment Act of 1998," 112 Stat. 936, 29 U.S.C. 2801, as~~ 4864  
~~amended~~ Workforce Innovation and Opportunity Act, including 4865  
regulations issued by the United States department of labor 4866  
pursuant to that act. 4867

**Sec. 6301.06.** (A) The chief elected official or officials 4868  
of a local area shall create a local board, ~~which shall consist~~ 4869  
~~of the following individuals:~~ 4870

~~(1) The chief elected official from the municipal~~ 4871  
~~corporation with the largest population in the local area,~~ 4872  
~~except that if the municipal corporation is a local area as~~ 4873  
~~defined in division (A) (1) of section 6301.01 of the Revised~~ 4874  
~~Code, the chief elected official of that municipal corporation~~ 4875  
~~may determine whether to be a member of the board.~~ 4876  
~~Notwithstanding division (B) of section 6301.01 of the Revised~~ 4877  
~~Code, as used in division (A) (1) of this section, "municipal~~ 4878  
~~corporation" means any municipal corporation.~~ 4879

~~(2) The following individuals appointed to the board by~~ 4880  
~~the chief elected officials of the local area, who shall make~~ 4881  
~~those appointments according to all of the following~~ 4882  
~~specifications:~~ 4883

~~(a) At least five members of the board shall be~~ 4884  
~~representatives of private sector businesses in the general~~ 4885  
~~labor market area that includes that local area, and shall be~~ 4886  
~~appointed from among individuals nominated by local business~~ 4887  
~~organizations and business trade associations. Among these~~ 4888  
~~members, at least one shall represent small businesses, at least~~ 4889  
~~one shall represent medium sized businesses, and at least one~~ 4890



~~shall represent large businesses. When determining what  
constitutes small, medium-sized, and large businesses for  
purposes of this division, the chief elected officials of the  
local area shall define those sizes as those sizes are generally  
understood within the labor market area that includes that local  
area. A majority of the members of the board shall be  
representatives of private sector businesses.~~

~~(b) At least two members of the board shall represent  
organized labor and shall be appointed from nominations  
submitted by local federations of labor representing workers  
employed in the local area.~~

~~(c) At least two members of the board shall be  
representatives of local educational entities. For purposes of  
this division, "local educational entities" includes local  
educational agencies, school district boards of education,  
entities providing educational and literacy activities, and  
post secondary educational institutions.~~

~~(d) At least one member of the board shall be a  
representative of consumers of workforce development activities.~~

~~(e) Any other individuals the chief elected officials of  
the local area determine are necessary to carry out the  
functions described in section 107(d) of the Workforce  
Innovation and Opportunity Act, 29 U.S.C. 3122(d). The chief  
elected official or officials shall appoint members of the local  
board in accordance with the requirements of section 107(b)(2)  
of the Workforce Innovation and Opportunity Act, 29 U.S.C.  
3122(b)(2).~~

(B) Members of the local board serve at the pleasure of  
the chief elected official or officials of the local area.

Members shall not be compensated but may be reimbursed for 4920  
actual, reasonable, and necessary expenses incurred in the 4921  
performance of their duties as board members. Those expenses 4922  
shall be paid from funds allocated pursuant to section 6301.03 4923  
of the Revised Code. 4924

The chief elected official or officials of a local area 4925  
may provide office space, staff, or other administrative support 4926  
as needed to the board. For purposes of section 102.02 of the 4927  
Revised Code, members of the board are not public officials or 4928  
employees. 4929

(C) The chief elected official or officials of a local 4930  
~~area other than a local area as defined in division (A) (1) of~~ 4931  
~~section 6301.01 of the Revised Code, shall coordinate the~~ 4932  
~~workforce development activities of the county family services~~ 4933  
~~planning committees and the local boards in the local area in~~ 4934  
~~any manner that is efficient and effective to meet the needs of~~ 4935  
~~the local area. The chief elected officials of the local area~~ 4936  
~~may, but are not required to, consolidate all boards and~~ 4937  
~~committees as they determine appropriate into a single board for~~ 4938  
~~purposes of workforce development activities. A majority of the~~ 4939  
~~members of that consolidated board shall represent private~~ 4940  
~~sector businesses. The membership of that consolidated board~~ 4941  
~~shall include a representative from each group granted~~ 4942  
~~representation as described in division (A) of this section and~~ 4943  
~~also a member who represents consumers of family services and a~~ 4944  
~~member who represents the county department of job and family~~ 4945  
~~services. The membership of that consolidated board may include~~ 4946  
~~a representative of one or more groups and entities that may be~~ 4947  
~~represented on a county family services planning committee, as~~ 4948  
~~specified in section 329.06 of the Revised Code shall adopt a~~ 4949  
~~process for appointing members to the local board for the local~~ 4950

area. 4951

(D) The chief elected official or officials of a local 4952  
area may contract with the local board. The parties shall 4953  
specify in the contract the workforce development activities 4954  
that the local board is to administer and shall establish in the 4955  
contract standards, including performance standards, for the 4956  
local board's operation. The contract may include any other 4957  
provisions that the chief elected official or officials consider 4958  
necessary. 4959

(E) The chief elected official or officials may contract 4960  
with any government or private entity to enhance the 4961  
administration of local workforce development activities for 4962  
which the local board is responsible. The entity with which the 4963  
chief elected official or officials contract is not required to 4964  
be located in the local area in which the chief elected official 4965  
or officials serve as chief elected executive officer. 4966

**Sec. 6301.061.** A board of county commissioners may appoint 4967  
an advisory committee on workforce development. A committee 4968  
appointed under this section may do both of the following: 4969

(A) Work to further cooperation between the county and 4970  
other workforce development and economic development related 4971  
entities including the state, local area ~~one-stop workforce~~ 4972  
development systems, and private businesses; 4973

(B) Advise the board and other interested parties on ways 4974  
to maintain and improve the workforce development system of the 4975  
local area in which the county is a part. 4976

**Sec. 6301.07.** (A) For purposes of this section, 4977  
"performance character" means the career-essential relational 4978  
attributes that build trust with others, including respect, 4979

honesty, integrity, task-excellence, responsibility, and 4980  
resilience. 4981

(B) Every local board, ~~under the direction and approval of~~ 4982  
~~the state board and with the agreement of~~ in partnership with 4983  
the chief elected official or officials of the local area, ~~and~~ 4984  
~~after holding public hearings that allow public comment and~~ 4985  
~~testimony,~~ shall ~~prepare a workforce development~~ develop and 4986  
submit to the governor a comprehensive four-year local plan. The 4987  
local plan shall accomplish ~~support the strategy described in~~ 4988  
the state plan and shall contain descriptions of the activities 4989  
of the local board as outlined in section 108 of the Workforce 4990  
Innovation and Opportunity Act, 29 U.S.C. 3123, including all of 4991  
the following: 4992

(1) ~~Identify the workforce investment needs of businesses~~ 4993  
~~in the local area, identify projected employment opportunities,~~ 4994  
~~and identify the job skills and performance character necessary~~ 4995  
~~to obtain and succeed in those opportunities;~~ Identification of 4996  
strategic planning elements, including all of the following: 4997

(a) The strategic vision of the local board; 4998  
(b) Goals for preparing an educated and skilled workforce; 4999  
(c) The knowledge and skills, including performance 5000  
character, needed to meet the employment needs of employers in 5001  
the planning region, including in-demand industry sectors and 5002  
occupations. 5003

(2) ~~Identify~~ A description of the workforce development 5004  
system in the local area and how the local board, working with 5005  
education programs and the entities that carry out core 5006  
programs, will coordinate activities to expand access to 5007  
employment, training, education, and supportive services to 5008

eligible individuals with barriers to employment to improve 5009  
service delivery and to avoid duplication; 5010

(3) A determination of the local area's workforce 5011  
development needs for youth, dislocated workers, adults, 5012  
displaced homemakers, incumbent workers, and any other group of 5013  
workers identified by the local board, adult and dislocated 5014  
worker employment training activities, including the type and 5015  
availability of activities needed; 5016

~~(3) Determine the distribution of workforce development~~ 5017  
~~resources and funding to be distributed for each workforce~~ 5018  
~~development activity to meet the identified needs, utilizing the~~ 5019  
~~funds allocated pursuant to the "Workforce Investment Act of~~ 5020  
~~1998," 112 Stat. 936, 29 U.S.C.A. 2801, as amended;~~ 5021

(4) Give priority to An assessment of the type and 5022  
availability of youth workforce development activities carried 5023  
out in the local area, including activities for youth with 5024  
disabilities and youth receiving independent living services 5025  
pursuant to sections 2151.81 to 2151.84 of the Revised Code when 5026  
determining distribution of workforce development resources and 5027  
workforce development activity funding; 5028

~~(5) Review the minimum curriculum required by the state~~ 5029  
~~board for certifying training providers and identify any~~ 5030  
~~additional curriculum requirements to include in contracts~~ 5031  
~~between the training providers and the chief elected officials~~ 5032  
~~of the local area;~~ 5033

~~(6) Establish performance standards for service providers~~ 5034  
~~that reflect local workforce development needs;~~ 5035

~~(7) Describe A description of any other information the~~ 5036  
chief elected official or officials of the local area require; 5037

(6) A description of any other information the governor requires. 5038  
5039

(C) (1) The local boards of the local areas within a planning region and the chief elected officials of those local areas shall prepare, submit to, and obtain approval from the state for a single regional plan that includes a description of the activities described in section 106(c) (1) of the Workforce Innovation and Opportunity Act, 29 U.S.C. 3121(c) (1), and that incorporates local plans described in division (B) of this section for each local area in that region. 5040  
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(2) The state shall identify regions within the state, and designate each region it identifies as one of the following types: 5048  
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(a) A region consisting of one local area; 5051

(b) A planning region; 5052

(c) An interstate planning region that is contained within two or more states and consists of labor market areas, economic development areas, or other appropriate contiguous subareas of those states. 5053  
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(D) Before the date on which a local board submits a regional or local plan for approval, the local board shall make copies of the proposed plan available to the public through electronic and other means and allow members of the public to submit comments on the proposed plan to the local board. For purposes of this division, public hearings and presentation to local news media are examples of other means by which a local board may make a proposed plan available. 5057  
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(E) A local board may provide policy guidance and recommendations to the chief elected official or officials of a 5065  
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local area for any workforce development activities. 5067

~~(D) Nothing in this section prohibits the chief elected officials of a local area from assigning, through a partnership agreement, any duties in addition to the duties under this section to a local board, except that a local board cannot contract with itself for the direct provision of services in its local area. A local board may consult with the chief elected officials of its local area and make recommendations regarding the workforce development activities provided in its local area at any time.~~ 5068  
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**Sec. 6301.08.** Every local area shall ~~participate in a one-stop~~ establish and administer a local workforce development system for workforce development activities. Each board of county commissioners and the ~~The~~ chief elected official or officials of a municipal corporation local area shall ensure that at least one ~~delivery method~~ comprehensive OhioMeansJobs center is available in the local area, either through a physical location, or. An OhioMeansJobs center may be supported by electronic means approved by the ~~state board,~~ director of job and family services for the provision of workforce development activities. 5077  
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~~Within six months after the effective date of this amendment, every local area described in division (B) of section 6301.03 of the Revised Code~~ Every OhioMeansJobs center shall name its one stop system as be named "OhioMeansJobs (name of county) County." 5088  
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~~A one-stop system may~~ Every OhioMeansJobs center shall be operated by a private entity or a public agency, including a workforce development agency, any existing facility or organization that is established to administer workforce 5093  
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~~development activities in the local area, and a county family services agency an OhioMeansJobs center operator.~~ 5097  
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~~A one-stop~~ The local workforce development system shall 5099  
include representatives of all the partners required under the 5100  
~~"Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.A. 2801, as amended. In addition, a one-stop system shall include~~ 5101  
~~at least one representative from a county department of job and family services~~ Workforce Innovation and Opportunity Act. 5102  
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**Sec. 6301.09.** The provision under division (g) of section 5105  
~~111 of the "Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.A. 2801, as amended~~ 101 of the Workforce Innovation and 5106  
Opportunity Act, 29 U.S.C. 3111, applies to the state board 5107  
~~created under section 6301.04 of the Revised Code~~ this chapter. 5108  
The provision under division (e) of section ~~117 of the~~ 5109  
~~"Workforce Investment Act of 1998"~~ 107 of the Workforce 5110  
Innovation and Opportunity Act, 29 U.S.C. 3122 applies to the 5111  
local boards established pursuant to ~~section 6301.06 of the~~ 5112  
~~Revised Code~~ this chapter. 5113  
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**Sec. 6301.11. (A)** As used in this section, "public or 5115  
private institution" has the same meaning as in section 3333.93 5116  
~~of the Revised Code~~ means any of the following: 5117

(1) A state institution of higher education, as defined in 5118  
section 3345.011 of the Revised Code; 5119

(2) A private, nonprofit institution in this state holding 5120  
a certificate of authorization pursuant to Chapter 1713. of the 5121  
Revised Code; 5122

(3) An Ohio technical center that provides adult technical 5123  
education services as recognized by the chancellor of higher 5124  
education. 5125



(B) The state board, in connection with the department of 5126  
job and family services and public or private institutions, 5127  
shall develop a methodology for identifying jobs that are in 5128  
demand by employers operating in this state. The methodology for 5129  
identifying in-demand jobs shall include an analysis of jobs 5130  
that are in demand in each region of the state. The director of 5131  
job and family services shall determine the regions. 5132

The department and the public or private institutions, in 5133  
consultation with the state board, shall use the methodology to 5134  
create a list of such in-demand jobs in the state and a list of 5135  
such in-demand jobs in each region of the state. The department 5136  
shall publish the lists on the web site of the department. The 5137  
department and public or private institutions shall periodically 5138  
update the lists to reflect evolving workforce demands in this 5139  
state and its regions. 5140

Local boards, ~~workforce development agencies,~~ and other 5141  
providers of workforce training shall use the lists of in-demand 5142  
jobs to cultivate and prioritize workforce development 5143  
activities that correspond to the employment needs of employers 5144  
operating in this state and in each of its regions and to assist 5145  
individuals in maximizing their employment opportunities. 5146

**Sec. 6301.12.** (A) The office of workforce development 5147  
within the department of job and family services shall 5148  
comprehensively review the direct and indirect economic impact 5149  
of businesses engaged in the production of horizontal wells in 5150  
this state and, based on its findings, prepare an annual Ohio 5151  
workforce report. The office shall prepare the report by the 5152  
thirtieth day of July of each year. The report shall include at 5153  
least all of the following with respect to the industry: 5154

(1) The total number of jobs created or retained during 5155

the previous year; 5156

(2) The total number of Ohio-based contractors that employ 5157  
skilled construction trades; 5158

(3) The number of employees who are residents of this 5159  
state; 5160

(4) The total economic impact; 5161

(5) A review of the state's regional workforce development 5162  
plans required by the ~~"Workforce Investment Act of 1998," 112-~~ 5163  
~~Stat. 936, 29 U.S.C.A. 2801, as amended,~~ Workforce Innovation 5164  
and Opportunity Act that outline workforce development efforts 5165  
including goals and benchmarks toward maximizing job training, 5166  
education, and job creation opportunities in the state. 5167

(B) Upon the completion of the office's annual Ohio 5168  
workforce report, the office shall provide an electronic copy of 5169  
the report to the president and minority leader of the senate 5170  
and the speaker and minority leader of the house of 5171  
representatives and post it on the office's internet web site. 5172

**Sec. 6301.18.** (A) ~~Beginning January 1, 2016, each~~ Each 5173  
participant in an adult training or education program funded 5174  
under the ~~"Workforce Innovation and Opportunity Act," 29 U.S.C.~~ 5175  
~~3101,~~ shall create an account with the OhioMeansJobs web site at 5176  
the time of enrollment in the program. 5177

(B) Division (A) of this section does not apply to any 5178  
individual who is legally prohibited from using a computer, has 5179  
a physical or visual impairment that makes the individual unable 5180  
to use a computer, or has a limited ability to read, write, 5181  
speak, or understand a language in which the OhioMeansJobs web 5182  
site is available. 5183

Sec. 6301.20. (A) Not later than December 31, 2017, the 5184  
governor's office of workforce transformation, the department of 5185  
education, and the chancellor of higher education, in 5186  
consultation with business and economic development stakeholder 5187  
groups, shall develop a regional workforce collaboration model. 5188  
The model shall provide guidance on how the JobsOhio regional 5189  
network, local chambers of commerce, economic development 5190  
organizations, businesses, business associations, secondary and 5191  
post-secondary education organizations, and Ohio college tech 5192  
prep regional centers, that are jointly managed by the 5193  
department of education and the chancellor, shall collaborate to 5194  
form a partnership that provides career services to students. 5195

Career services to students may include, but are not 5196  
limited to, job shadowing, internships, co-ops, apprenticeships, 5197  
career exploration activities, and problem-based curriculum 5198  
developed in alignment with in-demand jobs. 5199

(B) The governor's office of workforce transformation 5200  
shall oversee the creation of regional workforce collaboration 5201  
partnerships based on the model created under division (A) of 5202  
this section. The partnerships shall be located in each of the 5203  
six different regions of the state, as determined by JobsOhio. 5204

(C) As used in this section, "JobsOhio" has the same 5205  
meaning as in section 187.01 of the Revised Code. 5206

**Section 2.** That existing sections 107.35, 131.33, 307.984, 5207  
329.04, 329.06, 763.01, 763.07, 2329.66, 2953.25, 3121.03, 5208  
3304.11, 3304.12, 3304.14, 3304.15, 3304.17, 3304.171, 3304.18, 5209  
3304.182, 3304.19, 3304.20, 3304.21, 3304.22, 3304.27, 3304.28, 5210  
3304.29, 3304.30, 3304.31, 3304.41, 3309.23, 3313.603, 3313.618, 5211  
3313.6110, 3313.89, 3314.03, 3326.01, 3326.03, 3326.032, 5212  
3326.04, 3326.09, 3326.11, 3333.91, 3333.92, 4141.29, 4141.43, 5213

4141.51, 5101.09, 5101.20, 5101.201, 5101.214, 5101.23, 5214  
5101.241, 5108.01, 5123.60, 5166.40, 5166.408, 5709.64, 5903.11, 5215  
6301.01, 6301.02, 6301.03, 6301.04, 6301.05, 6301.06, 6301.061, 5216  
6301.07, 6301.08, 6301.09, 6301.11, 6301.12, and 6301.18 and 5217  
sections 330.01, 330.02, 330.04, 330.05, 330.07, 763.02, and 5218  
763.05 of the Revised Code are hereby repealed. 5219

**Section 3.** Not later than July 1, 2018, the Department of 5220  
Education, in consultation with the Department of Higher 5221  
Education and the Governor's Office of Workforce Transformation, 5222  
shall develop both of the following: 5223

(A) A plan that permits and encourages school districts 5224  
and chartered nonpublic schools to integrate academic content in 5225  
subject areas for which the State Board of Education adopts 5226  
standards under section 3301.079 of the Revised Code into other 5227  
coursework so that students may earn simultaneous credit in 5228  
accordance with division (I) of section 3313.603 of the Revised 5229  
Code; 5230

(B) Guidance to assist school districts and schools that 5231  
choose to implement integrated coursework under division (I) of 5232  
section 3313.603 of the Revised Code that includes guidance on 5233  
appropriate licensure teachers must have to teach integrated 5234  
coursework and guidance on appropriately integrating subject 5235  
area content into course curriculum to ensure that students 5236  
receive instruction in the academic content necessary to meet 5237  
graduation requirements. 5238

**Section 4.** The General Assembly, applying the principle 5239  
stated in division (B) of section 1.52 of the Revised Code that 5240  
amendments are to be harmonized if reasonable capable of 5241  
simultaneous operation, finds that the following sections, 5242  
presented in this act as composites of the sections as amended 5243

by the acts indicated, are the resulting versions of the 5244  
sections in effect prior to the effective date of the sections 5245  
as presented in this act: 5246

Section 2329.66 of the Revised Code as amended by both 5247  
H.B. 155 and Sub. S.B. 11 of the 131st General Assembly. 5248

Section 3314.03 of the Revised Code as amended by Am. Sub. 5249  
H.B. 410, Sub. S.B. 3, and Am. Sub. S.B. 252, all of the 131st 5250  
General Assembly. 5251

Section 3326.11 of the Revised Code as amended by Am. Sub. 5252  
H.B. 410, Sub. S.B. 3, and Am. Sub. S.B. 252, all of the 131st 5253  
General Assembly. 5254