

As Reported by the House Juvenile and Family Law Committee

127th General Assembly

Regular Session

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Sub. H. B. No. 214

Representatives Wagner, Combs

Cosponsors: Representatives Seitz, McGregor, J., Stebelton, Brown

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A B I L L

To amend sections 2151.152, 2151.23, 2151.39, 1
3313.64, 5103.031, 5103.032, 5103.035, 5103.0312, 2
5103.0313, 5103.16, 5103.391, 5126.04, 5153.122, 3
and 5153.123 and to enact sections 5103.23, 4
5103.231, 5103.232, 5103.233, 5103.234, 5103.235, 5
5103.236, and 5103.237 of the Revised Code 6
relative to training for foster caregivers, 7
department of job and family services authority to 8
begin the child placement level of care pilot 9
program and petition Congress for expanded usage 10
of Title IV-E funding, the Interstate Compact on 11
the Placement of Children, and the coordination of 12
the provision of services for foster children with 13
mental retardation or developmental disabilities. 14
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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 2151.152, 5103.031, 5103.032, 16
5103.035, 5103.0312, 5103.0313, 5103.391, 5126.04, 5153.122, and 17
5153.123 of the Revised Code be amended to read as follows: 18

Sec. 2151.152. The juvenile judge may enter into an agreement 19

with the department of job and family services pursuant to section 20
5101.11 of the Revised Code for the purpose of reimbursing the 21
court for foster care maintenance costs and associated 22
administrative and training costs incurred on behalf of a child 23
eligible who is either of the following: 24

(A) Eligible for payments under Title IV-E of the "Social 25
Security Act," 94 Stat. 501 (1980), 42 U.S.C.A. 670 ~~(1980)~~, and 26
who is in the temporary or permanent custody of the court or 27
subject to a disposition issued under division (A)(5) of section 28
2151.354 or division (A)(7)(a)(ii) or (A)(8) of section 2152.19 of 29
the Revised Code; 30

(B) Determined to be at serious risk of removal from the home 31
and for whom the court has undertaken a plan of reasonable efforts 32
to prevent such removal. The 33

The agreement shall govern the responsibilities and duties 34
the court shall perform in providing services to the child. 35

Sec. 5103.031. Except as provided in section 5103.033 of the 36
Revised Code, the department of job and family services may not 37
issue a certificate under section 5103.03 of the Revised Code to a 38
foster home unless the prospective foster caregiver successfully 39
completes the following amount of preplacement training through a 40
preplacement training program approved by the department of job 41
and family services under section 5103.038 of the Revised Code or 42
preplacement training provided under division (B) of section 43
5103.30 of the Revised Code: 44

(A) If the foster home is a family foster home, at least 45
~~twenty-four~~ thirty-six hours; 46

(B) If the foster home is a specialized foster home, at least 47
thirty-six hours. 48

Sec. 5103.032. (A) Except as provided in divisions ~~(B)~~, (C), 49

and (D), and (E) of this section and in section 5103.033 of the Revised Code and subject to division (B) of this section, the department of job and family services may not renew a foster home certificate under section 5103.03 of the Revised Code unless the foster caregiver successfully completes the following amount of continuing training in accordance with the foster caregiver's needs assessment and continuing training plan developed and implemented under section 5103.035 of the Revised Code:

(1) If the foster home is a family foster home, at least forty hours in the preceding two-year period;

(2) If the foster home is a specialized foster home, at least sixty hours in the preceding two-year period.

The continuing training required by this section shall comply with rules the department adopts pursuant to section 5103.0316 of the Revised Code.

(B) A foster caregiver may fulfill up to twenty per cent of the required amount of continuing training described in division (A) of this section by teaching one or more training classes for other foster caregivers or by providing mentorship services to other foster caregivers. The department of job and family services shall adopt rules in accordance with Chapter 119. of the Revised Code as necessary for the qualification of foster caregivers to provide training or mentorship services to other foster caregivers.

(C) At the beginning of a foster caregiver's two-year certification period, a public children services agency, private child placing agency, or private noncustodial agency acting as a recommending agency for a foster caregiver holding a certificate issued under section 5103.03 of the Revised Code for a family foster home or specialized foster home may waive up to eight hours of continuing training the foster caregiver is otherwise required

by division (A) of this section to complete in that two-year 81
certification period if all of the following apply: 82

(1) The foster caregiver has held a certificate issued under 83
section 5103.03 of the Revised Code for a family foster home or 84
specialized foster home for at least two years; 85

(2) The foster caregiver has provided foster care for at 86
least ninety days of the twelve months preceding the date the 87
agency issues the waiver; 88

(3) The foster caregiver has not violated any requirements 89
governing certification of foster homes during the twelve months 90
preceding the date the agency issues the waiver; 91

(4) The foster caregiver has complied in full with the needs 92
assessment and continuing training plan developed for the foster 93
caregiver under section 5103.035 of the Revised Code for the 94
preceding certification period. 95

~~(C)~~(D) Each recommending agency shall establish and implement 96
a policy regarding good cause for a foster caregiver's failure to 97
complete the continuing training in accordance with division (A) 98
of this section. If the foster caregiver complies with the policy, 99
as determined by the agency, the department may renew the foster 100
caregiver's foster home certificate. The agency shall submit the 101
policy to the department and provide a copy to each foster home 102
the agency recommends for certification or renewal. The policy 103
shall include the following: 104

(1) What constitutes good cause, including documented 105
illness, critical emergencies, and lack of accessible training 106
programs; 107

(2) Procedures for developing a scheduled corrective action 108
plan that provides for prompt completion of the continuing 109
training; 110

(3) Procedures for recommending revocation of the foster home certificate if the foster caregiver fails to comply with the corrective action plan.

~~(D)~~(E) A foster caregiver shall be given an additional amount of time within which the foster caregiver must complete the continuing training required under division (A) of this section in accordance with rules adopted by the department of job and family services if either of the following applies:

(1) The foster caregiver has served in active duty outside this state with a branch of the armed forces of the United States for more than thirty days in the preceding two-year period.

(2) The foster caregiver has served in active duty as a member of the Ohio organized militia, as defined in section 5923.01 of the Revised Code, for more than thirty days in the preceding two-year period and that active duty relates to either an emergency in or outside of this state or to military duty in or outside of this state.

Sec. 5103.035. A public children services agency, private child placing agency, or private noncustodial agency acting as a recommending agency for a foster caregiver shall develop and implement a written needs assessment and continuing training plan for the foster caregiver. Each needs assessment and continuing training plan shall satisfy all of the following requirements:

(A) Be effective for the two-year period the foster caregiver's certificate is in effect;

(B) Be appropriate for the type of foster home the foster caregiver operates;

(C) Require the foster caregiver to successfully complete the training required by the department in rules adopted pursuant to section 5103.0316 of the Revised Code and any other courses the

agency considers appropriate; 141

(D) Include criteria the agency is to use to determine 142
whether the foster caregiver has successfully completed the 143
courses; 144

(E) Guarantee that the courses the foster caregiver is 145
required to complete are available to the foster caregiver at 146
reasonable times and places; 147

(F) Specify the number of hours of continuing training, if 148
any, the foster caregiver may complete by teaching one or more 149
training classes to other foster caregivers or by providing 150
mentoring services to other foster caregivers pursuant to division 151
(B) of section 5103.032 of the Revised Code; 152

(G) Specify the number of hours of continuing training, if 153
any, the agency will waive pursuant to division ~~(B)~~(C) of section 154
5103.032 of the Revised Code. 155

Sec. 5103.0312. A public children services agency, private 156
child placing agency, or private noncustodial agency acting as a 157
recommending agency for a foster caregiver shall ~~pay~~ reimburse the 158
foster caregiver ~~a stipend to reimburse the foster caregiver in a~~ 159
lump sum for attending a preplacement ~~or continuing~~ training 160
program operated under section 5103.034 or 5103.30 of the Revised 161
Code and shall reimburse the foster caregiver a stipend for 162
attending a continuing training program operated under section 163
5103.034 or 5103.30 of the Revised Code. The ~~payment~~ amount of the 164
lump sum reimbursement and the stipend rate shall be ~~based on a~~ 165
~~stipend rate~~ established by the department of job and family 166
services. ~~The stipend rate~~ and shall be the same regardless of the 167
type of recommending agency from which the foster caregiver seeks 168
a recommendation. The department shall, pursuant to rules adopted 169
under section 5103.0316 of the Revised Code, reimburse the 170
recommending agency for stipend ~~payments~~ reimbursements it makes 171

in accordance with this section. ~~No payment shall be made~~ The 172
department shall adopt rules under Chapter 119. of the Revised 173
Code regarding the release of lump sum stipends to an individual 174
for attending a preplacement training program ~~if the individual~~ 175
~~fails to obtain a foster home certificate under section 5103.03 of~~ 176
~~the Revised Code.~~ 177

Sec. 5103.0313. Except as provided in section 5103.303 of the 178
Revised Code, the department of job and family services shall 179
compensate a private child placing agency or private noncustodial 180
agency for the cost of procuring or operating preplacement and 181
continuing training programs approved by the department of job and 182
family services under section 5103.038 of the Revised Code for 183
prospective foster caregivers and foster caregivers who are 184
recommended for initial certification or recertification by the 185
agency. 186

The compensation shall be paid to the agency in the form of 187
an allowance to reimburse the agency for ~~each hour~~ the minimum 188
required amount of preplacement and continuing training provided 189
or received under section 5103.031 or 5103.032 of the Revised 190
Code. 191

Sec. 5103.391. The director of job and family services shall 192
appoint all of the following to serve on the Ohio child welfare 193
training program steering committee: 194

(A) Employees of the department of job and family services; 195

(B) One representative of each of the regional training 196
centers established under section 5103.42 of the Revised Code; 197

(C) One representative of a statewide organization that 198
represents the interests of public children services agencies; 199

(D) One representative of the Ohio child welfare training 200
program coordinator; 201

(E) Two current foster caregivers certified by the department of job and family services under section 5103.03 of the Revised Code; 202
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(F) Employees of public children services agencies. 205

Sec. 5126.04. (A) Each county board of mental retardation and 206
developmental disabilities shall plan and set priorities based on 207
available resources for the provision of facilities, programs, and 208
other services to meet the needs of county residents who are 209
individuals with mental retardation and other developmental 210
disabilities, former residents of the county residing in state 211
institutions or placed under purchase of service agreements under 212
section 5123.18 of the Revised Code, and children subject to a 213
determination made pursuant to section 121.38 of the Revised Code. 214

Each county board shall assess the facility and service needs 215
of the individuals with mental retardation and other developmental 216
disabilities who are residents of the county or former residents 217
of the county residing in state institutions or placed under 218
purchase of service agreements under section 5123.18 of the 219
Revised Code. 220

Each county board shall require individual habilitation or 221
service plans for individuals with mental retardation and other 222
developmental disabilities who are being served or who have been 223
determined eligible for services and are awaiting the provision of 224
services. Each board shall ensure that methods of having their 225
service needs evaluated are available. 226

(B)(1) If a foster child is in need of assessment for eligible services or is receiving services from a county board of mental retardation and developmental disabilities and that child is placed in a different county, the agency that placed the child, immediately upon placement, shall inform the county board in the new county all of the following: 227
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<u>(a) That a foster child has been placed in that county;</u>	233
<u>(b) The name and other identifying information of the foster child;</u>	234
<u>child;</u>	235
<u>(c) The name of the foster child's previous county of residence;</u>	236
<u>residence;</u>	237
<u>(d) That the foster child was in need of assessment for eligible services or was receiving services from the county board of mental retardation and developmental disabilities in the previous county.</u>	238
<u>eligible services or was receiving services from the county board</u>	239
<u>of mental retardation and developmental disabilities in the</u>	240
<u>previous county.</u>	241
<u>(2) Upon receiving the notice described in division (B)(1) of this section or otherwise learning that the child was in need of assessment for eligible services or was receiving services from a county board of mental retardation and developmental disabilities in the previous county, the county board in the new county shall communicate with the county board of the previous county to determine how services for the foster child shall be provided in accordance with each board's plan and priorities as described in division (A) of this section.</u>	242
<u>this section or otherwise learning that the child was in need of</u>	243
<u>assessment for eligible services or was receiving services from a</u>	244
<u>county board of mental retardation and developmental disabilities</u>	245
<u>in the previous county, the county board in the new county shall</u>	246
<u>communicate with the county board of the previous county to</u>	247
<u>determine how services for the foster child shall be provided in</u>	248
<u>accordance with each board's plan and priorities as described in</u>	249
<u>division (A) of this section.</u>	250
<u>If the two county boards are unable to reach an agreement within ten days of the child's placement, the county board in the new county shall send notice to the Ohio department of mental retardation and developmental disabilities of the failure to agree. The department shall decide how services shall be provided for the foster child within ten days of receiving notice that the county boards could not reach an agreement. The department may decide that one, or both, of the county boards shall provide services. The services shall be provided in accordance with the board's plan and priorities as described in division (A) of this section.</u>	251
<u>within ten days of the child's placement, the county board in the</u>	252
<u>new county shall send notice to the Ohio department of mental</u>	253
<u>retardation and developmental disabilities of the failure to</u>	254
<u>agree. The department shall decide how services shall be provided</u>	255
<u>for the foster child within ten days of receiving notice that the</u>	256
<u>county boards could not reach an agreement. The department may</u>	257
<u>decide that one, or both, of the county boards shall provide</u>	258
<u>services. The services shall be provided in accordance with the</u>	259
<u>board's plan and priorities as described in division (A) of this</u>	260
<u>section.</u>	261
<u>(C) The department of mental retardation and developmental disabilities may adopt rules in accordance with Chapter 119. of</u>	262
<u>disabilities may adopt rules in accordance with Chapter 119. of</u>	263

the Revised Code as necessary to implement this section. To the 264
extent that rules adopted under this section apply to the 265
identification and placement of handicapped children under Chapter 266
3323. of the Revised Code, the rules shall be consistent with the 267
standards and procedures established under sections 3323.03 to 268
3323.05 of the Revised Code. 269

~~(C)~~(D) The responsibility or authority of a county board to 270
provide services under this chapter does not affect the 271
responsibility of any other entity of state or local government to 272
provide services to individuals with mental retardation and 273
developmental disabilities. 274

~~(D)~~(E) On or before the first day of February prior to a 275
school year, a county board of mental retardation and 276
developmental disabilities may elect not to participate during 277
that school year in the provision of or contracting for 278
educational services for children ages six through twenty-one 279
years of age, provided that on or before that date the board gives 280
notice of this election to the superintendent of public 281
instruction, each school district in the county, and the 282
educational service center serving the county. If a board makes 283
this election, it shall not have any responsibility for or 284
authority to provide educational services that school year for 285
children ages six through twenty-one years of age. If a board does 286
not make an election for a school year in accordance with this 287
division, the board shall be deemed to have elected to participate 288
during that school year in the provision of or contracting for 289
educational services for children ages six through twenty-one 290
years of age. 291

~~(E)~~(F) If a county board of mental retardation and 292
developmental disabilities elects to provide educational services 293
during a school year to individuals six through twenty-one years 294
of age who are multiply handicapped, the board may provide these 295

services to individuals who are appropriately identified and 296
determined eligible pursuant to Chapter 3323. of the Revised Code, 297
and in accordance with applicable rules of the state board of 298
education. The county board may also provide related services to 299
individuals six through twenty-one years of age who have one or 300
more disabling conditions, in accordance with section 3317.20 and 301
Chapter 3323. of the Revised Code and applicable rules of the 302
state board of education. 303

Sec. 5153.122. Each PCSA caseworker hired after January 1, 304
2007, shall complete at least one hundred two hours of in-service 305
training during the first year of the caseworker's continuous 306
employment as a PCSA caseworker, except that the executive 307
director of the public children services agency may waive the 308
training requirement for a school of social work graduate who 309
participated in the university partnership program described in 310
division (D) of section 5101.141 of the Revised Code. The training 311
shall consist of courses in recognizing, accepting reports of, and 312
preventing child abuse, neglect, and dependency; assessing child 313
safety; assessing risks; interviewing persons; investigating 314
cases; intervening; providing services to children and their 315
families; the importance of and need for accurate data; 316
preparation for court; maintenance of case record information; and 317
other topics relevant to child abuse, neglect, and dependency. The 318
training shall also include courses in the legal duties of PCSA 319
caseworkers to protect the constitutional and statutory rights of 320
children and families from the initial time of contact during 321
investigation through treatment that shall include instruction 322
regarding parents' rights and the limitations that the Fourth 323
Amendment to the United States Constitution places upon 324
caseworkers and their investigations. 325

After a PCSA caseworker's first year of continuous employment 326
as a PCSA caseworker, the caseworker annually shall complete 327

thirty-six hours of training in areas relevant to the caseworker's 328
assigned duties. 329

During the first two years of continuous employment as a PCSA 330
caseworker, each PCSA caseworker shall complete at least twelve 331
hours of training in recognizing the signs of domestic violence 332
and its relationship to child abuse as established in rules the 333
director of job and family services shall adopt pursuant to 334
Chapter 119. of the Revised Code. The twelve hours may be in 335
addition to the ~~ninety hours~~ of training required during the 336
caseworker's first year of employment or part of the ~~thirty-six~~ 337
~~hours~~ of training required during the second year of employment. 338

Sec. 5153.123. Each PCSA caseworker supervisor shall complete 339
at least sixty hours of in-service training during the first year 340
of the supervisor's continuous employment as a PCSA caseworker 341
supervisor. The training shall include courses in screening 342
reports of child abuse, neglect, or dependency. After a PCSA 343
caseworker supervisor's first year of continuous employment as a 344
PCSA caseworker supervisor, the supervisor annually shall complete 345
thirty hours of training in areas relevant to the supervisor's 346
assigned duties. During the first two years of continuous 347
employment as a PCSA caseworker supervisor, each PCSA caseworker 348
supervisor shall complete at least twelve hours of training in 349
recognizing the signs of domestic violence and its relationship to 350
child abuse as established in rules the director of job and family 351
services shall adopt pursuant to Chapter 119. of the Revised Code. 352
The twelve hours may be in addition to the ~~sixty hours~~ of training 353
required during the supervisor's first year of employment or part 354
of the ~~thirty hours~~ of training required during the second year of 355
employment. 356

Section 2. That existing sections 2151.152, 5103.031, 357
5103.032, 5103.035, 5103.0312, 5103.0313, 5103.391, 5126.04, 358

5153.122, and 5153.123 of the Revised Code are hereby repealed. 359

Section 3. (A) Contingent upon the availability of funding, 360
the Ohio Department of Job and Family Services shall implement and 361
oversee use of a Child Placement Level of Care Tool on a pilot 362
basis. The Department shall implement the pilot program in 363
Cuyahoga County and not more than nine additional counties 364
selected by the Department. The pilot program shall be developed 365
with the participating counties and must be acceptable to all 366
participating counties. A selected county must agree to 367
participate in the pilot program. 368

(B) The pilot program shall begin not later than July 1, 369
2008, and end not later than December 31, 2009. The length of the 370
program shall not include any time expended in preparation for 371
implementation or any post-pilot program evaluation activity. 372

(C)(1) In accordance with sections 125.01 to 125.11 of the 373
Revised Code, the Ohio Department of Job and Family Services shall 374
provide for an independent evaluation of the pilot program to rate 375
the program's success in the following areas: 376

(a) Placement stability, length of stay, and other outcomes 377
for children; 378

(b) Cost; 379

(c) Worker satisfaction; 380

(d) Any other criteria the Department determines will be 381
useful in the consideration of statewide implementation. 382

(2) The evaluation design shall include: 383

(a) A comparison of data to historical outcomes or control 384
counties; 385

(b) A retrospective data review of Cuyahoga County's use of 386
the tool; 387

(c) A prospective data evaluation in each of the pilot 388
counties. 389

(D) The Ohio Department of Mental Health shall conduct a 390
study of the children placed using the Child Placement Level of 391
Care Tool, which shall run concurrent with the Ohio Department of 392
Job and Family Services Child Placement Level of Care Tool pilot 393
program. This study shall use both the Child Placement Level of 394
Care Tool and the Ohio Scales in a simultaneous collection of 395
information about children at the time a placement decision is 396
made. Simultaneous data collection using the Ohio Scales and the 397
Placement Level of Care Tool shall be coordinated through 398
collaboration between the Ohio Department of Mental Health and the 399
independent evaluator designated under division (C) of this 400
section to ensure study design integrity and cost efficiency. 401

Based on this data collection from the Ohio Scales and the 402
Child Placement Level of Care Tool, the study shall focus on 403
analyzing any correlations between the initial placement outcomes 404
and initial scores of problem severity and behavioral health 405
functioning. Through a data sharing agreement with the independent 406
evaluator designated in division (C) of this section, the 407
Department of Mental Health shall also analyze data from 408
subsequent administrations of the Ohio Scales Tool and changes in 409
placement level of care for any correlations. Upon completion of 410
the study, the Ohio Department of Mental Health shall send a copy 411
of the results of the study to the independent evaluator 412
designated under division (C) of this section. 413

(E) The independent evaluator designated under division (C) 414
of this section shall send a copy of the evaluator's initial 415
evaluation of the Child Placement Level of Care Tool, the Ohio 416
Department of Mental Health's calibration study designated under 417
division (D) of this section, and the continuity of care analysis 418
designated under division (D) of this section to the Ohio 419

Department of Job and Family Services. 420

(F) The Ohio Department of Job and Family Services may adopt 421
rules in accordance with Chapter 119. of the Revised Code as 422
necessary to carry out the purposes of this section. The 423
Department shall seek maximum federal financial participation to 424
support the pilot and the evaluation. 425

(G) As used in this section: 426

(1) "Child Placement Level of Care Tool" means an assessment 427
tool to be developed by the participating counties to assess a 428
child's placement needs when a child must be removed from the 429
child's own home and cannot be placed with a relative or kin not 430
certified as a foster caregiver that includes assessing a child's 431
behavior, history, psychological state, and the involvement of 432
service systems. 433

(2) "Ohio Scales Tool" means the Ohio Youth Problems, 434
Functioning, ROLES, and Marker Scales (Ohio Scales, Worker Form) 435
used by the Ohio Department of Mental Health to measure outcomes 436
for youth ages five to eighteen. 437

Section 4. The Ohio Department of Job and Family Services may 438
seek federal approval through the United States Department of 439
Health and Human Services to include within funding under Title 440
IV-E of the "Social Security Act," 94 Stat. 501 (1980), 42 U.S.C. 441
670, an additional category of foster care certification, and 442
simplified standards for that certification, for placements in 443
which the child has an existing relationship with the foster 444
caregiver. 445

Section 5. The Ohio Department of Job and Family Services 446
shall partner with the Ohio Department of Mental Retardation and 447
Developmental Disabilities to offer joint cross system briefings 448
to better educate the professionals of both systems for more 449

effective service delivery for dually involved children and 450
families. The joint cross system briefings shall be conducted 451
regularly for one year after the effective date of this act and 452
shall serve as a platform for conducting forums and developing 453
training curriculums for foster caregivers that care for mentally 454
retarded and developmentally disabled children. 455

Section 6. That sections 2151.23, 2151.39, 3313.64, and 456
5103.16 be amended and sections 5103.23, 5103.231, 5103.232, 457
5103.233, 5103.234, 5103.235, 5103.236, and 5103.237 of the 458
Revised Code be enacted to read as follows: 459

Sec. 2151.23. (A) The juvenile court has exclusive original 460
jurisdiction under the Revised Code as follows: 461

(1) Concerning any child who on or about the date specified 462
in the complaint, indictment, or information is alleged to have 463
violated section 2151.87 of the Revised Code or an order issued 464
under that section or to be a juvenile traffic offender or a 465
delinquent, unruly, abused, neglected, or dependent child and, 466
based on and in relation to the allegation pertaining to the 467
child, concerning the parent, guardian, or other person having 468
care of a child who is alleged to be an unruly or delinquent child 469
for being an habitual or chronic truant; 470

(2) Subject to divisions (G) and (V) of section 2301.03 of 471
the Revised Code, to determine the custody of any child not a ward 472
of another court of this state; 473

(3) To hear and determine any application for a writ of 474
habeas corpus involving the custody of a child; 475

(4) To exercise the powers and jurisdiction given the probate 476
division of the court of common pleas in Chapter 5122. of the 477
Revised Code, if the court has probable cause to believe that a 478
child otherwise within the jurisdiction of the court is a mentally 479

ill person subject to hospitalization by court order, as defined	480
in section 5122.01 of the Revised Code;	481
(5) To hear and determine all criminal cases charging adults	482
with the violation of any section of this chapter;	483
(6) To hear and determine all criminal cases in which an	484
adult is charged with a violation of division (C) of section	485
2919.21, division (B)(1) of section 2919.22, section 2919.222,	486
division (B) of section 2919.23, or section 2919.24 of the Revised	487
Code, provided the charge is not included in an indictment that	488
also charges the alleged adult offender with the commission of a	489
felony arising out of the same actions that are the basis of the	490
alleged violation of division (C) of section 2919.21, division	491
(B)(1) of section 2919.22, section 2919.222, division (B) of	492
section 2919.23, or section 2919.24 of the Revised Code;	493
(7) Under the interstate compact on juveniles in section	494
2151.56 of the Revised Code;	495
(8) Concerning any child who is to be taken into custody	496
pursuant to section 2151.31 of the Revised Code, upon being	497
notified of the intent to take the child into custody and the	498
reasons for taking the child into custody;	499
(9) To hear and determine requests for the extension of	500
temporary custody agreements, and requests for court approval of	501
permanent custody agreements, that are filed pursuant to section	502
5103.15 of the Revised Code;	503
(10) To hear and determine applications for consent to marry	504
pursuant to section 3101.04 of the Revised Code;	505
(11) Subject to divisions (G) and (V) of section 2301.03 of	506
the Revised Code, to hear and determine a request for an order for	507
the support of any child if the request is not ancillary to an	508
action for divorce, dissolution of marriage, annulment, or legal	509
separation, a criminal or civil action involving an allegation of	510

domestic violence, or an action for support brought under Chapter	511
3115. of the Revised Code;	512
(12) Concerning an action commenced under section 121.38 of	513
the Revised Code;	514
(13) To hear and determine violations of section 3321.38 of	515
the Revised Code;	516
(14) To exercise jurisdiction and authority over the parent,	517
guardian, or other person having care of a child alleged to be a	518
delinquent child, unruly child, or juvenile traffic offender,	519
based on and in relation to the allegation pertaining to the	520
child;	521
(15) To conduct the hearings, and to make the determinations,	522
adjudications, and orders authorized or required under sections	523
2152.82 to 2152.85 and Chapter 2950. of the Revised Code regarding	524
a child who has been adjudicated a delinquent child and to refer	525
the duties conferred upon the juvenile court judge under sections	526
2152.82 to 2152.85 and Chapter 2950. of the Revised Code to	527
magistrates appointed by the juvenile court judge in accordance	528
with Juvenile Rule 40.	529
(B) Except as provided in divisions (G) and (I) of section	530
2301.03 of the Revised Code, the juvenile court has original	531
jurisdiction under the Revised Code:	532
(1) To hear and determine all cases of misdemeanors charging	533
adults with any act or omission with respect to any child, which	534
act or omission is a violation of any state law or any municipal	535
ordinance;	536
(2) To determine the paternity of any child alleged to have	537
been born out of wedlock pursuant to sections 3111.01 to 3111.18	538
of the Revised Code;	539
(3) Under the uniform interstate family support act in	540

Chapter 3115. of the Revised Code;	541
(4) To hear and determine an application for an order for the support of any child, if the child is not a ward of another court of this state;	542 543 544
(5) To hear and determine an action commenced under section 3111.28 of the Revised Code;	545 546
(6) To hear and determine a motion filed under section 3119.961 of the Revised Code;	547 548
(7) To receive filings under section 3109.74 of the Revised Code, and to hear and determine actions arising under sections 3109.51 to 3109.80 of the Revised Code.	549 550 551
(8) To enforce an order for the return of a child made under the Hague Convention on the Civil Aspects of International Child Abduction pursuant to section 3127.32 of the Revised Code;	552 553 554
(9) To grant any relief normally available under the laws of this state to enforce a child custody determination made by a court of another state and registered in accordance with section 3127.35 of the Revised Code.	555 556 557 558
(C) The juvenile court, except as to juvenile courts that are a separate division of the court of common pleas or a separate and independent juvenile court, has jurisdiction to hear, determine, and make a record of any action for divorce or legal separation that involves the custody or care of children and that is filed in the court of common pleas and certified by the court of common pleas with all the papers filed in the action to the juvenile court for trial, provided that no certification of that nature shall be made to any juvenile court unless the consent of the juvenile judge first is obtained. After a certification of that nature is made and consent is obtained, the juvenile court shall proceed as if the action originally had been begun in that court, except as to awards for spousal support or support due and unpaid	559 560 561 562 563 564 565 566 567 568 569 570 571

at the time of certification, over which the juvenile court has no jurisdiction. 572
573

(D) The juvenile court, except as provided in divisions (G) 574
and (I) of section 2301.03 of the Revised Code, has jurisdiction 575
to hear and determine all matters as to custody and support of 576
children duly certified by the court of common pleas to the 577
juvenile court after a divorce decree has been granted, including 578
jurisdiction to modify the judgment and decree of the court of 579
common pleas as the same relate to the custody and support of 580
children. 581

(E) The juvenile court, except as provided in divisions (G) 582
and (I) of section 2301.03 of the Revised Code, has jurisdiction 583
to hear and determine the case of any child certified to the court 584
by any court of competent jurisdiction if the child comes within 585
the jurisdiction of the juvenile court as defined by this section. 586

(F)(1) The juvenile court shall exercise its jurisdiction in 587
child custody matters in accordance with sections 3109.04~~7~~ and 588
3127.01 to 3127.53~~7~~ of the Revised Code and, as applicable, 589
sections 5103.20 to 5103.22 or 5103.23 to 5103.237 of the Revised 590
Code. 591

(2) The juvenile court shall exercise its jurisdiction in 592
child support matters in accordance with section 3109.05 of the 593
Revised Code. 594

(G) Any juvenile court that makes or modifies an order for 595
child support shall comply with Chapters 3119., 3121., 3123., and 596
3125. of the Revised Code. If any person required to pay child 597
support under an order made by a juvenile court on or after April 598
15, 1985, or modified on or after December 1, 1986, is found in 599
contempt of court for failure to make support payments under the 600
order, the court that makes the finding, in addition to any other 601
penalty or remedy imposed, shall assess all court costs arising 602

out of the contempt proceeding against the person and require the 603
person to pay any reasonable attorney's fees of any adverse party, 604
as determined by the court, that arose in relation to the act of 605
contempt. 606

(H) If a child who is charged with an act that would be an 607
offense if committed by an adult was fourteen years of age or 608
older and under eighteen years of age at the time of the alleged 609
act and if the case is transferred for criminal prosecution 610
pursuant to section 2152.12 of the Revised Code, the juvenile 611
court does not have jurisdiction to hear or determine the case 612
subsequent to the transfer. The court to which the case is 613
transferred for criminal prosecution pursuant to that section has 614
jurisdiction subsequent to the transfer to hear and determine the 615
case in the same manner as if the case originally had been 616
commenced in that court, including, but not limited to, 617
jurisdiction to accept a plea of guilty or another plea authorized 618
by Criminal Rule 11 or another section of the Revised Code and 619
jurisdiction to accept a verdict and to enter a judgment of 620
conviction pursuant to the Rules of Criminal Procedure against the 621
child for the commission of the offense that was the basis of the 622
transfer of the case for criminal prosecution, whether the 623
conviction is for the same degree or a lesser degree of the 624
offense charged, for the commission of a lesser-included offense, 625
or for the commission of another offense that is different from 626
the offense charged. 627

(I) If a person under eighteen years of age allegedly commits 628
an act that would be a felony if committed by an adult and if the 629
person is not taken into custody or apprehended for that act until 630
after the person attains twenty-one years of age, the juvenile 631
court does not have jurisdiction to hear or determine any portion 632
of the case charging the person with committing that act. In those 633
circumstances, divisions (A) and (B) of section 2152.12 of the 634

Revised Code do not apply regarding the act, and the case charging 635
the person with committing the act shall be a criminal prosecution 636
commenced and heard in the appropriate court having jurisdiction 637
of the offense as if the person had been eighteen years of age or 638
older when the person committed the act. All proceedings 639
pertaining to the act shall be within the jurisdiction of the 640
court having jurisdiction of the offense, and that court has all 641
the authority and duties in the case that it has in other criminal 642
cases in that court. 643

Sec. 2151.39. No person, association or agency, public or 644
private, of another state, incorporated or otherwise, shall place 645
a child in a family home or with an agency or institution within 646
the boundaries of this state, either for temporary or permanent 647
care or custody or for adoption, unless such person or association 648
has furnished the department of job and family services with a 649
medical and social history of the child, pertinent information 650
about the family, agency, association, or institution in this 651
state with whom the sending party desires to place the child, and 652
any other information or financial guaranty required by the 653
department to determine whether the proposed placement will meet 654
the needs of the child. The department may require the party 655
desiring the placement to agree to promptly receive and remove 656
from the state a child brought into the state whose placement has 657
not proven satisfactorily responsive to the needs of the child at 658
any time until the child is adopted, reaches majority, becomes 659
self-supporting or is discharged with the concurrence of the 660
department. All placements proposed to be made in this state by a 661
party located in a state which is a party to the interstate 662
compact ~~on~~ for the placement of children shall be made according 663
to the provisions of sections 5103.20 to 5103.22 of the Revised 664
Code, or, if the interstate compact on the placement of children 665
is in effect in this state, all placements proposed to be made in 666

this state by a party located in a state that is a party to that compact shall be made according to the provisions of sections 5103.23 to 5103.237 of the Revised Code.

Sec. 3313.64. (A) As used in this section and in section 3313.65 of the Revised Code:

(1)(a) Except as provided in division (A)(1)(b) of this section, "parent" means either parent, unless the parents are separated or divorced or their marriage has been dissolved or annulled, in which case "parent" means the parent who is the residential parent and legal custodian of the child. When a child is in the legal custody of a government agency or a person other than the child's natural or adoptive parent, "parent" means the parent with residual parental rights, privileges, and responsibilities. When a child is in the permanent custody of a government agency or a person other than the child's natural or adoptive parent, "parent" means the parent who was divested of parental rights and responsibilities for the care of the child and the right to have the child live with the parent and be the legal custodian of the child and all residual parental rights, privileges, and responsibilities.

(b) When a child is the subject of a power of attorney executed under sections 3109.51 to 3109.62 of the Revised Code, "parent" means the grandparent designated as attorney in fact under the power of attorney. When a child is the subject of a caretaker authorization affidavit executed under sections 3109.64 to 3109.73 of the Revised Code, "parent" means the grandparent that executed the affidavit.

(2) "Legal custody," "permanent custody," and "residual parental rights, privileges, and responsibilities" have the same meanings as in section 2151.011 of the Revised Code.

(3) "School district" or "district" means a city, local, or

exempted village school district and excludes any school operated 698
in an institution maintained by the department of youth services. 699

(4) Except as used in division (C)(2) of this section, "home" 700
means a home, institution, foster home, group home, or other 701
residential facility in this state that receives and cares for 702
children, to which any of the following applies: 703

(a) The home is licensed, certified, or approved for such 704
purpose by the state or is maintained by the department of youth 705
services. 706

(b) The home is operated by a person who is licensed, 707
certified, or approved by the state to operate the home for such 708
purpose. 709

(c) The home accepted the child through a placement by a 710
person licensed, certified, or approved to place a child in such a 711
home by the state. 712

(d) The home is a children's home created under section 713
5153.21 or 5153.36 of the Revised Code. 714

(5) "Agency" means all of the following: 715

(a) A public children services agency; 716

(b) An organization that holds a certificate issued by the 717
Ohio department of job and family services in accordance with the 718
requirements of section 5103.03 of the Revised Code and assumes 719
temporary or permanent custody of children through commitment, 720
agreement, or surrender, and places children in family homes for 721
the purpose of adoption; 722

(c) Comparable agencies of other states or countries that 723
have complied with applicable requirements of section 2151.39, of 724
the Revised Code or, as applicable, sections 5103.20 to 5103.22 or 725
5103.23 to 5103.237 of the Revised Code. 726

(6) A child is placed for adoption if either of the following 727

occurs: 728

(a) An agency to which the child has been permanently 729
committed or surrendered enters into an agreement with a person 730
pursuant to section 5103.16 of the Revised Code for the care and 731
adoption of the child. 732

(b) The child's natural parent places the child pursuant to 733
section 5103.16 of the Revised Code with a person who will care 734
for and adopt the child. 735

(7) "Handicapped preschool child" means a handicapped child, 736
as defined by division (A) of section 3323.01 of the Revised Code, 737
who is at least three years of age but is not of compulsory school 738
age, as defined in section 3321.01 of the Revised Code, and who is 739
not currently enrolled in kindergarten. 740

(8) "Child," unless otherwise indicated, includes handicapped 741
preschool children. 742

(9) "Active duty" means active duty pursuant to an executive 743
order of the president of the United States, an act of the 744
congress of the United States, or section 5919.29 or 5923.21 of 745
the Revised Code. 746

(B) Except as otherwise provided in section 3321.01 of the 747
Revised Code for admittance to kindergarten and first grade, a 748
child who is at least five but under twenty-two years of age and 749
any handicapped preschool child shall be admitted to school as 750
provided in this division. 751

(1) A child shall be admitted to the schools of the school 752
district in which the child's parent resides. 753

(2) A child who does not reside in the district where the 754
child's parent resides shall be admitted to the schools of the 755
district in which the child resides if any of the following 756
applies: 757

(a) The child is in the legal or permanent custody of a government agency or a person other than the child's natural or adoptive parent.	758 759 760
(b) The child resides in a home.	761
(c) The child requires special education.	762
(3) A child who is not entitled under division (B)(2) of this section to be admitted to the schools of the district where the child resides and who is residing with a resident of this state with whom the child has been placed for adoption shall be admitted to the schools of the district where the child resides unless either of the following applies:	763 764 765 766 767 768
(a) The placement for adoption has been terminated.	769
(b) Another school district is required to admit the child under division (B)(1) of this section.	770 771
Division (B) of this section does not prohibit the board of education of a school district from placing a handicapped child who resides in the district in a special education program outside of the district or its schools in compliance with Chapter 3323. of the Revised Code.	772 773 774 775 776
(C) A district shall not charge tuition for children admitted under division (B)(1) or (3) of this section. If the district admits a child under division (B)(2) of this section, tuition shall be paid to the district that admits the child as follows:	777 778 779 780
(1) If the child receives special education in accordance with Chapter 3323. of the Revised Code, the school district of residence, as defined in section 3323.01 of the Revised Code, shall pay tuition for the child in accordance with section 3323.091, 3323.13, 3323.14, or 3323.141 of the Revised Code regardless of who has custody of the child or whether the child resides in a home.	781 782 783 784 785 786 787

(2) For a child that does not receive special education in accordance with Chapter 3323. of the Revised Code, except as otherwise provided in division (C)(2)(d) of this section, if the child is in the permanent or legal custody of a government agency or person other than the child's parent, tuition shall be paid by:

(a) The district in which the child's parent resided at the time the court removed the child from home or at the time the court vested legal or permanent custody of the child in the person or government agency, whichever occurred first;

(b) If the parent's residence at the time the court removed the child from home or placed the child in the legal or permanent custody of the person or government agency is unknown, tuition shall be paid by the district in which the child resided at the time the child was removed from home or placed in legal or permanent custody, whichever occurred first;

(c) If a school district cannot be established under division (C)(2)(a) or (b) of this section, tuition shall be paid by the district determined as required by section 2151.362 of the Revised Code by the court at the time it vests custody of the child in the person or government agency;

(d) If at the time the court removed the child from home or vested legal or permanent custody of the child in the person or government agency, whichever occurred first, one parent was in a residential or correctional facility or a juvenile residential placement and the other parent, if living and not in such a facility or placement, was not known to reside in this state, tuition shall be paid by the district determined under division (D) of section 3313.65 of the Revised Code as the district required to pay any tuition while the parent was in such facility or placement;

(e) If the court has modified its order as to which district

is responsible to bear the cost of educating the child pursuant to 819
division (A)(2) of section 2151.362 of the Revised Code, the 820
district determined to be responsible for that cost in the order 821
so modified. 822

(3) If the child is not in the permanent or legal custody of 823
a government agency or person other than the child's parent and 824
the child resides in a home, tuition shall be paid by one of the 825
following: 826

(a) The school district in which the child's parent resides; 827

(b) If the child's parent is not a resident of this state, 828
the home in which the child resides. 829

(D) Tuition required to be paid under divisions (C)(2) and 830
(3)(a) of this section shall be computed in accordance with 831
section 3317.08 of the Revised Code. Tuition required to be paid 832
under division (C)(3)(b) of this section shall be computed in 833
accordance with section 3317.081 of the Revised Code. If a home 834
fails to pay the tuition required by division (C)(3)(b) of this 835
section, the board of education providing the education may 836
recover in a civil action the tuition and the expenses incurred in 837
prosecuting the action, including court costs and reasonable 838
attorney's fees. If the prosecuting attorney or city director of 839
law represents the board in such action, costs and reasonable 840
attorney's fees awarded by the court, based upon the prosecuting 841
attorney's, director's, or one of their designee's time spent 842
preparing and presenting the case, shall be deposited in the 843
county or city general fund. 844

(E) A board of education may enroll a child free of any 845
tuition obligation for a period not to exceed sixty days, on the 846
sworn statement of an adult resident of the district that the 847
resident has initiated legal proceedings for custody of the child. 848

(F) In the case of any individual entitled to attend school 849

under this division, no tuition shall be charged by the school 850
district of attendance and no other school district shall be 851
required to pay tuition for the individual's attendance. 852

Notwithstanding division (B), (C), or (E) of this section: 853

(1) All persons at least eighteen but under twenty-two years 854
of age who live apart from their parents, support themselves by 855
their own labor, and have not successfully completed the high 856
school curriculum or the individualized education program 857
developed for the person by the high school pursuant to section 858
3323.08 of the Revised Code, are entitled to attend school in the 859
district in which they reside. 860

(2) Any child under eighteen years of age who is married is 861
entitled to attend school in the child's district of residence. 862

(3) A child is entitled to attend school in the district in 863
which either of the child's parents is employed if the child has a 864
medical condition that may require emergency medical attention. 865
The parent of a child entitled to attend school under division 866
(F)(3) of this section shall submit to the board of education of 867
the district in which the parent is employed a statement from the 868
child's physician certifying that the child's medical condition 869
may require emergency medical attention. The statement shall be 870
supported by such other evidence as the board may require. 871

(4) Any child residing with a person other than the child's 872
parent is entitled, for a period not to exceed twelve months, to 873
attend school in the district in which that person resides if the 874
child's parent files an affidavit with the superintendent of the 875
district in which the person with whom the child is living resides 876
stating all of the following: 877

(a) That the parent is serving outside of the state in the 878
armed services of the United States; 879

(b) That the parent intends to reside in the district upon 880

returning to this state; 881

(c) The name and address of the person with whom the child is 882
living while the parent is outside the state. 883

(5) Any child under the age of twenty-two years who, after 884
the death of a parent, resides in a school district other than the 885
district in which the child attended school at the time of the 886
parent's death is entitled to continue to attend school in the 887
district in which the child attended school at the time of the 888
parent's death for the remainder of the school year, subject to 889
approval of that district board. 890

(6) A child under the age of twenty-two years who resides 891
with a parent who is having a new house built in a school district 892
outside the district where the parent is residing is entitled to 893
attend school for a period of time in the district where the new 894
house is being built. In order to be entitled to such attendance, 895
the parent shall provide the district superintendent with the 896
following: 897

(a) A sworn statement explaining the situation, revealing the 898
location of the house being built, and stating the parent's 899
intention to reside there upon its completion; 900

(b) A statement from the builder confirming that a new house 901
is being built for the parent and that the house is at the 902
location indicated in the parent's statement. 903

(7) A child under the age of twenty-two years residing with a 904
parent who has a contract to purchase a house in a school district 905
outside the district where the parent is residing and who is 906
waiting upon the date of closing of the mortgage loan for the 907
purchase of such house is entitled to attend school for a period 908
of time in the district where the house is being purchased. In 909
order to be entitled to such attendance, the parent shall provide 910
the district superintendent with the following: 911

(a) A sworn statement explaining the situation, revealing the 912
location of the house being purchased, and stating the parent's 913
intent to reside there; 914

(b) A statement from a real estate broker or bank officer 915
confirming that the parent has a contract to purchase the house, 916
that the parent is waiting upon the date of closing of the 917
mortgage loan, and that the house is at the location indicated in 918
the parent's statement. 919

The district superintendent shall establish a period of time 920
not to exceed ninety days during which the child entitled to 921
attend school under division (F)(6) or (7) of this section may 922
attend without tuition obligation. A student attending a school 923
under division (F)(6) or (7) of this section shall be eligible to 924
participate in interscholastic athletics under the auspices of 925
that school, provided the board of education of the school 926
district where the student's parent resides, by a formal action, 927
releases the student to participate in interscholastic athletics 928
at the school where the student is attending, and provided the 929
student receives any authorization required by a public agency or 930
private organization of which the school district is a member 931
exercising authority over interscholastic sports. 932

(8) A child whose parent is a full-time employee of a city, 933
local, or exempted village school district, or of an educational 934
service center, may be admitted to the schools of the district 935
where the child's parent is employed, or in the case of a child 936
whose parent is employed by an educational service center, in the 937
district that serves the location where the parent's job is 938
primarily located, provided the district board of education 939
establishes such an admission policy by resolution adopted by a 940
majority of its members. Any such policy shall take effect on the 941
first day of the school year and the effective date of any 942
amendment or repeal may not be prior to the first day of the 943

subsequent school year. The policy shall be uniformly applied to 944
all such children and shall provide for the admission of any such 945
child upon request of the parent. No child may be admitted under 946
this policy after the first day of classes of any school year. 947

(9) A child who is with the child's parent under the care of 948
a shelter for victims of domestic violence, as defined in section 949
3113.33 of the Revised Code, is entitled to attend school free in 950
the district in which the child is with the child's parent, and no 951
other school district shall be required to pay tuition for the 952
child's attendance in that school district. 953

The enrollment of a child in a school district under this 954
division shall not be denied due to a delay in the school 955
district's receipt of any records required under section 3313.672 956
of the Revised Code or any other records required for enrollment. 957
Any days of attendance and any credits earned by a child while 958
enrolled in a school district under this division shall be 959
transferred to and accepted by any school district in which the 960
child subsequently enrolls. The state board of education shall 961
adopt rules to ensure compliance with this division. 962

(10) Any child under the age of twenty-two years whose parent 963
has moved out of the school district after the commencement of 964
classes in the child's senior year of high school is entitled, 965
subject to the approval of that district board, to attend school 966
in the district in which the child attended school at the time of 967
the parental move for the remainder of the school year and for one 968
additional semester or equivalent term. A district board may also 969
adopt a policy specifying extenuating circumstances under which a 970
student may continue to attend school under division (F)(10) of 971
this section for an additional period of time in order to 972
successfully complete the high school curriculum for the 973
individualized education program developed for the student by the 974
high school pursuant to section 3323.08 of the Revised Code. 975

(11) As used in this division, "grandparent" means a parent 976
of a parent of a child. A child under the age of twenty-two years 977
who is in the custody of the child's parent, resides with a 978
grandparent, and does not require special education is entitled to 979
attend the schools of the district in which the child's 980
grandparent resides, provided that, prior to such attendance in 981
any school year, the board of education of the school district in 982
which the child's grandparent resides and the board of education 983
of the school district in which the child's parent resides enter 984
into a written agreement specifying that good cause exists for 985
such attendance, describing the nature of this good cause, and 986
consenting to such attendance. 987

In lieu of a consent form signed by a parent, a board of 988
education may request the grandparent of a child attending school 989
in the district in which the grandparent resides pursuant to 990
division (F)(11) of this section to complete any consent form 991
required by the district, including any authorization required by 992
sections 3313.712, 3313.713, 3313.716, and 3313.718 of the Revised 993
Code. Upon request, the grandparent shall complete any consent 994
form required by the district. A school district shall not incur 995
any liability solely because of its receipt of a consent form from 996
a grandparent in lieu of a parent. 997

Division (F)(11) of this section does not create, and shall 998
not be construed as creating, a new cause of action or substantive 999
legal right against a school district, a member of a board of 1000
education, or an employee of a school district. This section does 1001
not affect, and shall not be construed as affecting, any 1002
immunities from defenses to tort liability created or recognized 1003
by Chapter 2744. of the Revised Code for a school district, 1004
member, or employee. 1005

(12) A child under the age of twenty-two years is entitled to 1006
attend school in a school district other than the district in 1007

which the child is entitled to attend school under division (B), 1008
(C), or (E) of this section provided that, prior to such 1009
attendance in any school year, both of the following occur: 1010

(a) The superintendent of the district in which the child is 1011
entitled to attend school under division (B), (C), or (E) of this 1012
section contacts the superintendent of another district for 1013
purposes of this division; 1014

(b) The superintendents of both districts enter into a 1015
written agreement that consents to the attendance and specifies 1016
that the purpose of such attendance is to protect the student's 1017
physical or mental well-being or to deal with other extenuating 1018
circumstances deemed appropriate by the superintendents. 1019

While an agreement is in effect under this division for a 1020
student who is not receiving special education under Chapter 3323. 1021
of the Revised Code and notwithstanding Chapter 3327. of the 1022
Revised Code, the board of education of neither school district 1023
involved in the agreement is required to provide transportation 1024
for the student to and from the school where the student attends. 1025

A student attending a school of a district pursuant to this 1026
division shall be allowed to participate in all student 1027
activities, including interscholastic athletics, at the school 1028
where the student is attending on the same basis as any student 1029
who has always attended the schools of that district while of 1030
compulsory school age. 1031

(13) All school districts shall comply with the 1032
"McKinney-Vento Homeless Assistance Act," 42 U.S.C.A. 11431 et 1033
seq., for the education of homeless children. Each city, local, 1034
and exempted village school district shall comply with the 1035
requirements of that act governing the provision of a free, 1036
appropriate public education, including public preschool, to each 1037
homeless child. 1038

When a child loses permanent housing and becomes a homeless 1039
person, as defined in 42 U.S.C.A. 11481(5), or when a child who is 1040
such a homeless person changes temporary living arrangements, the 1041
child's parent or guardian shall have the option of enrolling the 1042
child in either of the following: 1043

(a) The child's school of origin, as defined in 42 U.S.C.A. 1044
11432(g)(3)(C); 1045

(b) The school that is operated by the school district in 1046
which the shelter where the child currently resides is located and 1047
that serves the geographic area in which the shelter is located. 1048

(14) A child under the age of twenty-two years who resides 1049
with a person other than the child's parent is entitled to attend 1050
school in the school district in which that person resides if both 1051
of the following apply: 1052

(a) That person has been appointed, through a military power 1053
of attorney executed under section 574(a) of the "National Defense 1054
Authorization Act for Fiscal Year 1994," 107 Stat. 1674 (1993), 10 1055
U.S.C. 1044b, or through a comparable document necessary to 1056
complete a family care plan, as the parent's agent for the care, 1057
custody, and control of the child while the parent is on active 1058
duty as a member of the national guard or a reserve unit of the 1059
armed forces of the United States or because the parent is a 1060
member of the armed forces of the United States and is on a duty 1061
assignment away from the parent's residence. 1062

(b) The military power of attorney or comparable document 1063
includes at least the authority to enroll the child in school. 1064

The entitlement to attend school in the district in which the 1065
parent's agent under the military power of attorney or comparable 1066
document resides applies until the end of the school year in which 1067
the military power of attorney or comparable document expires. 1068

(G) A board of education, after approving admission, may 1069

waive tuition for students who will temporarily reside in the 1070
district and who are either of the following: 1071

(1) Residents or domiciliaries of a foreign nation who 1072
request admission as foreign exchange students; 1073

(2) Residents or domiciliaries of the United States but not 1074
of Ohio who request admission as participants in an exchange 1075
program operated by a student exchange organization. 1076

(H) Pursuant to sections 3311.211, 3313.90, 3319.01, 3323.04, 1077
3327.04, and 3327.06 of the Revised Code, a child may attend 1078
school or participate in a special education program in a school 1079
district other than in the district where the child is entitled to 1080
attend school under division (B) of this section. 1081

(I)(1) Notwithstanding anything to the contrary in this 1082
section or section 3313.65 of the Revised Code, a child under 1083
twenty-two years of age may attend school in the school district 1084
in which the child, at the end of the first full week of October 1085
of the school year, was entitled to attend school as otherwise 1086
provided under this section or section 3313.65 of the Revised 1087
Code, if at that time the child was enrolled in the schools of the 1088
district but since that time the child or the child's parent has 1089
relocated to a new address located outside of that school district 1090
and within the same county as the child's or parent's address 1091
immediately prior to the relocation. The child may continue to 1092
attend school in the district, and at the school to which the 1093
child was assigned at the end of the first full week of October of 1094
the current school year, for the balance of the school year. 1095
Division (I)(1) of this section applies only if both of the 1096
following conditions are satisfied: 1097

(a) The board of education of the school district in which 1098
the child was entitled to attend school at the end of the first 1099
full week in October and of the district to which the child or 1100

child's parent has relocated each has adopted a policy to enroll 1101
children described in division (I)(1) of this section. 1102

(b) The child's parent provides written notification of the 1103
relocation outside of the school district to the superintendent of 1104
each of the two school districts. 1105

(2) At the beginning of the school year following the school 1106
year in which the child or the child's parent relocated outside of 1107
the school district as described in division (I)(1) of this 1108
section, the child is not entitled to attend school in the school 1109
district under that division. 1110

(3) Any person or entity owing tuition to the school district 1111
on behalf of the child at the end of the first full week in 1112
October, as provided in division (C) of this section, shall 1113
continue to owe such tuition to the district for the child's 1114
attendance under division (I)(1) of this section for the lesser of 1115
the balance of the school year or the balance of the time that the 1116
child attends school in the district under division (I)(1) of this 1117
section. 1118

(4) A pupil who may attend school in the district under 1119
division (I)(1) of this section shall be entitled to 1120
transportation services pursuant to an agreement between the 1121
district and the district in which the child or child's parent has 1122
relocated unless the districts have not entered into such 1123
agreement, in which case the child shall be entitled to 1124
transportation services in the same manner as a pupil attending 1125
school in the district under interdistrict open enrollment as 1126
described in division (H) of section 3313.981 of the Revised Code, 1127
regardless of whether the district has adopted an open enrollment 1128
policy as described in division (B)(1)(b) or (c) of section 1129
3313.98 of the Revised Code. 1130

(J) This division does not apply to a child receiving special 1131

education. 1132

A school district required to pay tuition pursuant to 1133
division (C)(2) or (3) of this section or section 3313.65 of the 1134
Revised Code shall have an amount deducted under division (F) of 1135
section 3317.023 of the Revised Code equal to its own tuition rate 1136
for the same period of attendance. A school district entitled to 1137
receive tuition pursuant to division (C)(2) or (3) of this section 1138
or section 3313.65 of the Revised Code shall have an amount 1139
credited under division (F) of section 3317.023 of the Revised 1140
Code equal to its own tuition rate for the same period of 1141
attendance. If the tuition rate credited to the district of 1142
attendance exceeds the rate deducted from the district required to 1143
pay tuition, the department of education shall pay the district of 1144
attendance the difference from amounts deducted from all 1145
districts' payments under division (F) of section 3317.023 of the 1146
Revised Code but not credited to other school districts under such 1147
division and from appropriations made for such purpose. The 1148
treasurer of each school district shall, by the fifteenth day of 1149
January and July, furnish the superintendent of public instruction 1150
a report of the names of each child who attended the district's 1151
schools under divisions (C)(2) and (3) of this section or section 1152
3313.65 of the Revised Code during the preceding six calendar 1153
months, the duration of the attendance of those children, the 1154
school district responsible for tuition on behalf of the child, 1155
and any other information that the superintendent requires. 1156

Upon receipt of the report the superintendent, pursuant to 1157
division (F) of section 3317.023 of the Revised Code, shall deduct 1158
each district's tuition obligations under divisions (C)(2) and (3) 1159
of this section or section 3313.65 of the Revised Code and pay to 1160
the district of attendance that amount plus any amount required to 1161
be paid by the state. 1162

(K) In the event of a disagreement, the superintendent of 1163

public instruction shall determine the school district in which 1164
the parent resides. 1165

(L) Nothing in this section requires or authorizes, or shall 1166
be construed to require or authorize, the admission to a public 1167
school in this state of a pupil who has been permanently excluded 1168
from public school attendance by the superintendent of public 1169
instruction pursuant to sections 3301.121 and 3313.662 of the 1170
Revised Code. 1171

(M) In accordance with division (B)(1) of this section, a 1172
child whose parent is a member of the national guard or a reserve 1173
unit of the armed forces of the United States and is called to 1174
active duty, or a child whose parent is a member of the armed 1175
forces of the United States and is ordered to a temporary duty 1176
assignment outside of the district, may continue to attend school 1177
in the district in which the child's parent lived before being 1178
called to active duty or ordered to a temporary duty assignment 1179
outside of the district, as long as the child's parent continues 1180
to be a resident of that district, and regardless of where the 1181
child lives as a result of the parent's active duty status or 1182
temporary duty assignment. However, the district is not 1183
responsible for providing transportation for the child if the 1184
child lives outside of the district as a result of the parent's 1185
active duty status or temporary duty assignment. 1186

Sec. 5103.16. (A) Pursuant to section 5103.18 of the Revised 1187
Code and except as otherwise provided in this section, no child 1188
shall be placed or accepted for placement under any written or 1189
oral agreement or understanding that transfers or surrenders the 1190
legal rights, powers, or duties of the legal parent, parents, or 1191
guardian of the child into the temporary or permanent custody of 1192
any association or institution that is not certified by the 1193
department of job and family services under section 5103.03 of the 1194

Revised Code, without the written consent of the office in the 1195
department that oversees the interstate compact ~~on~~ for placement 1196
of children established under section 5103.20 of the Revised Code 1197
or the interstate compact on the placement of children established 1198
under section 5103.23 of the Revised Code, as applicable, or by a 1199
commitment of a juvenile court, or by a commitment of a probate 1200
court as provided in this section. A child may be placed 1201
temporarily without written consent or court commitment with 1202
persons related by blood or marriage or in a legally licensed 1203
boarding home. 1204

(B)(1) Associations and institutions certified under section 1205
5103.03 of the Revised Code for the purpose of placing children in 1206
free foster homes or for legal adoption shall keep a record of the 1207
temporary and permanent surrenders of children. This record shall 1208
be available for separate statistics, which shall include a copy 1209
of an official birth record and all information concerning the 1210
social, mental, and medical history of the children that will aid 1211
in an intelligent disposition of the children in case that becomes 1212
necessary because the parents or guardians fail or are unable to 1213
reassume custody. 1214

(2) No child placed on a temporary surrender with an 1215
association or institution shall be placed permanently in a foster 1216
home or for legal adoption. All surrendered children who are 1217
placed permanently in foster homes or for adoption shall have been 1218
permanently surrendered, and a copy of the permanent surrender 1219
shall be a part of the separate record kept by the association or 1220
institution. 1221

(C) Any agreement or understanding to transfer or surrender 1222
the legal rights, powers, or duties of the legal parent or parents 1223
and place a child with a person seeking to adopt the child under 1224
this section shall be construed to contain a promise by the person 1225
seeking to adopt the child to pay the expenses listed in divisions 1226

(C)(1), (2), and (4) of section 3107.055 of the Revised Code and, 1227
if the person seeking to adopt the child refuses to accept 1228
placement of the child, to pay the temporary costs of routine 1229
maintenance and medical care for the child in a hospital, foster 1230
home, or other appropriate place for up to thirty days or until 1231
other custody is established for the child, as provided by law, 1232
whichever is less. 1233

(D) No child shall be placed or received for adoption or with 1234
intent to adopt unless placement is made by a public children 1235
services agency, an institution or association that is certified 1236
by the department of job and family services under section 5103.03 1237
of the Revised Code to place children for adoption, or custodians 1238
in another state or foreign country, or unless all of the 1239
following criteria are met: 1240

(1) Prior to the placement and receiving of the child, the 1241
parent or parents of the child personally have applied to, and 1242
appeared before, the probate court of the county in which the 1243
parent or parents reside, or in which the person seeking to adopt 1244
the child resides, for approval of the proposed placement 1245
specified in the application and have signed and filed with the 1246
court a written statement showing that the parent or parents are 1247
aware of their right to contest the decree of adoption subject to 1248
the limitations of section 3107.16 of the Revised Code; 1249

(2) The court ordered an independent home study of the 1250
proposed placement to be conducted as provided in section 3107.031 1251
of the Revised Code, and after completion of the home study, the 1252
court determined that the proposed placement is in the best 1253
interest of the child; 1254

(3) The court has approved of record the proposed placement. 1255

In determining whether a custodian has authority to place 1256
children for adoption under the laws of a foreign country, the 1257

probate court shall determine whether the child has been released 1258
for adoption pursuant to the laws of the country in which the 1259
child resides, and if the release is in a form that satisfies the 1260
requirements of the immigration and naturalization service of the 1261
United States department of justice for purposes of immigration to 1262
this country pursuant to section 101(b)(1)(F) of the "Immigration 1263
and Nationality Act," 75 Stat. 650 (1961), 8 U.S.C. 1101 1264
(b)(1)(F), as amended or reenacted. 1265

If the parent or parents of the child are deceased or have 1266
abandoned the child, as determined under division (A) of section 1267
3107.07 of the Revised Code, the application for approval of the 1268
proposed adoptive placement may be brought by the relative seeking 1269
to adopt the child, or by the department, board, or organization 1270
not otherwise having legal authority to place the orphaned or 1271
abandoned child for adoption, but having legal custody of the 1272
orphaned or abandoned child, in the probate court of the county in 1273
which the child is a resident, or in which the department, board, 1274
or organization is located, or where the person or persons with 1275
whom the child is to be placed reside. Unless the parent, parents, 1276
or guardian of the person of the child personally have appeared 1277
before the court and applied for approval of the placement, notice 1278
of the hearing on the application shall be served on the parent, 1279
parents, or guardian. 1280

The consent to placement, surrender, or adoption executed by 1281
a minor parent before a judge of the probate court or an 1282
authorized deputy or referee of the court, whether executed within 1283
or outside the confines of the court, is as valid as though 1284
executed by an adult. A consent given as above before an employee 1285
of a children services agency that is licensed as provided by law, 1286
is equally effective, if the consent also is accompanied by an 1287
affidavit executed by the witnessing employee or employees to the 1288
effect that the legal rights of the parents have been fully 1289

explained to the parents, prior to the execution of any consent, 1290
and that the action was done after the birth of the child. 1291

If the court approves a placement, the prospective adoptive 1292
parent with whom the child is placed has care, custody, and 1293
control of the child pending further order of the court. 1294

(E) This section does not apply to an adoption by a 1295
stepparent, a grandparent, or a guardian. 1296

Sec. 5103.23. The interstate compact on the placement of 1297
children is hereby enacted into law and entered into with all 1298
other jurisdictions legally joining therein in form substantially 1299
as follows: 1300

Article I. Purpose and Policy. 1301

It is the purpose and policy of the party states to cooperate 1302
with each other in the interstate placement of children to the end 1303
that: 1304

(A) Each child requiring placement shall receive the maximum 1305
opportunity to be placed in a suitable environment and with 1306
persons or institutions having appropriate qualifications and 1307
facilities to provide a necessary and desirable degree and type of 1308
care. 1309

(B) The appropriate authorities in a state where a child is 1310
to be placed may have full opportunity to ascertain the 1311
circumstances of the proposed placement, thereby promoting full 1312
compliance with applicable requirements for the protection of the 1313
child. 1314

(C) The proper authorities of the state from which the 1315
placement is made may obtain the most complete information on the 1316
basis of which to evaluate a projected placement before it is 1317
made. 1318

(D) Appropriate jurisdictional arrangements for the care of 1319

<u>children will be promoted.</u>	1320
<u>Article II. Definitions.</u>	1321
<u>As used in this compact:</u>	1322
<u>(A) "Child" means a person who, by reason of minority, is</u>	1323
<u>legally subject to parental, guardianship or similar control.</u>	1324
<u>(B) "Sending agency" means a party state, officer or employee</u>	1325
<u>thereof; a subdivision of a party state, or officer or employee</u>	1326
<u>thereof; a court of a party state; a person, corporation,</u>	1327
<u>association, charitable agency, or other entity which sends,</u>	1328
<u>brings, or causes to be sent or brought any child to another party</u>	1329
<u>state.</u>	1330
<u>(C) "Receiving state" means the state to which a child is</u>	1331
<u>sent, brought, or caused to be sent or brought, whether by public</u>	1332
<u>authorities or private persons or agencies, and whether for</u>	1333
<u>placement with state or local public authorities or for placement</u>	1334
<u>with private agencies or persons.</u>	1335
<u>(D) "Placement" means the arrangement for the care of a child</u>	1336
<u>in a family free or boarding home, or in a child-caring agency or</u>	1337
<u>institution but does not include any institution caring for the</u>	1338
<u>mentally ill, mentally defective, or epileptic, or any institution</u>	1339
<u>primarily educational in character, and any hospital or other</u>	1340
<u>medical facility.</u>	1341
<u>Article III. Conditions for Placement.</u>	1342
<u>(A) No sending agency shall send, bring, or cause to be sent</u>	1343
<u>or brought into any other party state any child for placement in</u>	1344
<u>foster care or as a preliminary to a possible adoption unless the</u>	1345
<u>sending agency shall comply with each and every requirement set</u>	1346
<u>forth in this article and with the applicable laws of the</u>	1347
<u>receiving state governing the placement of children therein.</u>	1348
<u>(B) Prior to sending, bringing or causing any child to be</u>	1349

sent or brought into a receiving state for placement in foster care or as a preliminary to a possible adoption, the sending agency shall furnish the appropriate public authorities in the receiving state written notice of the intention to send, bring, or place the child in the receiving state. The notice shall contain: 1350
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1354

(1) The name, date and place of the birth of the child; 1355

(2) The identity and address or addresses of the parents or legal guardian; 1356
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(3) The name and address of the person, agency, or institution to or with which the sending agency proposes to send, bring, or place the child; 1358
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1360

(4) A full statement of the reasons for such proposed action and evidence of the authority pursuant to which the placement is proposed to be made. 1361
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1363

(C) Any public officer or agency in a receiving state which is in receipt of a notice pursuant to division (B) of this article may request of the sending agency, or any other appropriate officer or agency of or in the sending agency's state, and shall be entitled to receive therefrom, such supporting or additional information as it may deem necessary under the circumstances to carry out the purpose and policy of this compact. 1364
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(D) The child shall not be sent, brought, or caused to be sent or brought into the receiving state until the appropriate public authorities in the receiving state shall notify the sending agency, in writing, to the effect that the proposed placement does not appear to be contrary to the interests of the child. 1371
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Article IV. Penalty for Illegal Placement. 1376

The sending, bringing, or causing to be sent or brought into any receiving state of a child in violation of the terms of this compact shall constitute a violation of the laws respecting the 1377
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1379

placement of children of both the state in which the sending 1380
agency is located or from which it sends or brings the child and 1381
of the receiving state. Such violation may be punished or 1382
subjected to penalty in either jurisdiction in accordance with its 1383
laws. In addition to liability for any such punishment or penalty, 1384
any such violation shall constitute full and sufficient grounds 1385
for the suspension or revocation of any license, permit, or other 1386
legal authorization held by the sending agency which empowers or 1387
allows it to place, or care for children. 1388

Article V. Retention of Jurisdiction. 1389

(A) The sending agency shall retain jurisdiction over the 1390
child sufficient to determine all matters in relation to the 1391
custody, supervision, care, treatment and disposition of the child 1392
which it would have had if the child had remained in the sending 1393
agency's state, until the child is adopted, reaches majority, 1394
becomes self-supporting or is discharged with the concurrence of 1395
the appropriate authority in the receiving state. Such 1396
jurisdiction shall also include the power to effect or cause the 1397
return of the child or its transfer to another location and 1398
custody pursuant to law. The sending agency shall continue to have 1399
financial responsibility for support and maintenance of the child 1400
during the period of the placement. Nothing contained herein shall 1401
defeat a claim of jurisdiction by a receiving state sufficient to 1402
deal with an act of delinquency or crime committed therein. 1403

(B) When the sending agency is a public agency, it may enter 1404
into an agreement with an authorized public or private agency in 1405
the receiving state providing for the performance of one or more 1406
services in respect of such case by the latter as agent for the 1407
sending agency. 1408

(C) Nothing in this compact shall be construed to prevent a 1409
private charitable agency authorized to place children in the 1410
receiving state from performing services or acting as agent in 1411

that state for a private charitable agency of the sending state; 1412
nor to prevent the agency in the receiving state from discharging 1413
financial responsibility for the support and maintenance of a 1414
child who has been placed on behalf of the sending agency without 1415
relieving the responsibility set forth in paragraph (A) hereof. 1416

Article VI. Institutional Care of Delinquent Children. 1417

A child adjudicated delinquent may be placed in an 1418
institution in another party jurisdiction pursuant to this compact 1419
but no such placement shall be made unless the child is given a 1420
court hearing on notice to the parent or guardian with opportunity 1421
to be heard prior to his being sent to such other party 1422
jurisdiction for institutional care and the court finds that: 1423

(A) Equivalent facilities for the child are not available in 1424
the sending agency's jurisdiction; and 1425

(B) Institutional care in the other jurisdiction is in the 1426
best interest of the child and will not produce undue hardship. 1427

Article VII. Compact Administrator. 1428

The executive head of each jurisdiction party to this compact 1429
shall designate an officer who shall be general coordinator of 1430
activities under this compact in his jurisdiction and who, acting 1431
jointly with like officers of other party jurisdictions, shall 1432
have power to promulgate rules and regulations to carry out more 1433
effectively the terms and provisions of this compact. 1434

Article VIII. Limitations. 1435

This compact shall not apply to: 1436

(A) The sending or bringing of a child into a receiving state 1437
by his parent, step-parent, grandparent, adult brother or sister, 1438
adult uncle or aunt, or his guardian and leaving the child with 1439
any such relative or non-agency guardian in the receiving state. 1440

(B) Any placement, sending or bringing of a child into a 1441

receiving state pursuant to any other interstate compact to which 1442
both the state from which the child is sent or brought and the 1443
receiving state are party, or to any other agreement between said 1444
states which has the force of law. 1445

Article IX. Enactment and Withdrawal. 1446

This compact shall be open to joinder by any state, territory 1447
or possession of the United States, the District of Columbia, the 1448
Commonwealth of Puerto Rico, and, with the consent of congress, 1449
the government of Canada, or any province thereof. It shall become 1450
effective with respect to any such jurisdiction when such 1451
jurisdiction has enacted the same into law. Withdrawal from this 1452
compact shall be by the enactment of a statute repealing the same, 1453
but shall not take effect until two years after the effective date 1454
of such statute and until written notice of the withdrawal has 1455
been given by the withdrawing state to the governor of each other 1456
party jurisdiction. Withdrawal of a party state shall not affect 1457
the rights, duties and obligations under this compact of any 1458
sending agency therein with respect to a placement made prior to 1459
the effective date of withdrawal. 1460

Article X. Construction and Severability. 1461

The provisions of this compact shall be liberally construed 1462
to effectuate the purposes thereof. The provisions of this compact 1463
shall be severable and if any phrase, clause, sentence or 1464
provision of this compact is declared to be contrary to the 1465
constitution of any party state or of the United States or the 1466
applicability thereof to any government, agency, person, or 1467
circumstance is held invalid, the validity of the remainder of 1468
this compact and the applicability thereof to any government, 1469
agency, person or circumstance shall not be affected thereby. If 1470
this compact shall be held contrary to the constitution of any 1471
state party thereto, the compact shall remain in full force and 1472
effect as to the state affected as to all severable matters. 1473

Sec. 5103.231. Financial responsibility for any child placed 1474
pursuant to the provisions of the interstate compact on the 1475
placement of children shall be determined in accordance with the 1476
provisions of Article V of section 5103.23 of the Revised Code. 1477
However, in the event of parental or complete default of 1478
performance thereunder, the provisions of laws fixing 1479
responsibility for the support of children also may be invoked. 1480

Sec. 5103.232. The "appropriate public authorities" as used 1481
in Article III of the interstate compact on the placement of 1482
department of job and family services and that department shall 1483
receive and act with reference to notices required by said Article 1484
III. 1485

Sec. 5103.233. As used in paragraph (A) of Article V of the 1486
interstate compact on the placement of children, the phrase 1487
"appropriate authority in the receiving state" with reference to 1488
this state shall mean the department of job and family services. 1489

Sec. 5103.234. The officers and agencies of this state and 1490
its subdivisions having authority to place children are hereby 1491
empowered to enter into agreements with appropriate officers or 1492
agencies of or in other party states pursuant to paragraph (B) of 1493
Article V of the interstate compact on the placement of children. 1494
Any such agreement which contains a financial commitment or 1495
imposes a financial obligation on this state is subject to the 1496
approval of the director of budget and management. Any such 1497
agreement which contains a financial commitment or imposes a 1498
financial obligation on any subdivision of this state shall not be 1499
binding unless it has the approval in writing of the chief local 1500
fiscal officer. 1501

Sec. 5103.235. Any requirements for visitation, inspection, 1502

or supervision of children, homes, institutions, or other agencies 1503
in another party state which may apply under Chapter 5103. of the 1504
Revised Code shall be deemed to be met if performed pursuant to an 1505
agreement entered into by appropriate officers or agencies of this 1506
state or a subdivision thereof as contemplated by paragraph (B) of 1507
Article V of the interstate compact on the placement of children. 1508

Sec. 5103.236. Any court having jurisdiction to place 1509
delinquent children may place such a child in an institution in 1510
another state pursuant to Article VI of the interstate compact on 1511
the placement of children and shall retain jurisdiction as 1512
provided in Article V thereof. 1513

Sec. 5103.237. As used in Article VII of the interstate 1514
compact on the placement of children, the term "executive head" 1515
means the governor. The Governor is hereby authorized to appoint a 1516
compact administrator in accordance with the terms of said Article 1517
VII. 1518

Section 7. That existing sections 2151.23, 2151.39, 3313.64, 1519
and 5103.16 of the Revised Code are hereby repealed. 1520

Section 8. Sections 5103.23 to 5103.237 and the amendments to 1521
sections 2151.23, 2151.39, 3313.64, and 5103.16 of the Revised 1522
Code shall continue in effect until the Interstate Compact for the 1523
Placement of Children contained in sections 5103.20 to 5103.22 of 1524
the Revised Code becomes effective as described in Article XIV of 1525
that Compact, at which time sections 5103.23 to 5103.237 and the 1526
amendments made by this act to sections 2151.23, 2151.39, 3313.64, 1527
and 5103.16 of the Revised Code regarding the Interstate Compact 1528
on the Placement of Children no longer apply. 1529

Section 9. The enactment of the Interstate Compact on the 1530

Placement of Children in Section 9 of this act is a continuation 1531
of the interstate compact of the same name that was repealed in 1532
Am. Sub. S.B. 238 of the 126th General Assembly but remains in 1533
effect according to Article IX of that Compact. 1534

Section 10. Section 3313.64 of the Revised Code is presented 1535
in Sections 1 and 3 of this act as a composite of the section as 1536
amended by Am. Sub. H.B. 137, Am. Sub. H.B. 530, Sub. S.B. 164, 1537
and Am. Sub. S.B. 238 of the 126th General Assembly. The General 1538
Assembly, applying the principle stated in division (B) of section 1539
1.52 of the Revised Code that amendments are to be harmonized if 1540
reasonably capable of simultaneous operation, finds that the 1541
composite is the resulting version of the section in effect prior 1542
to the effective date of the section as presented in this act. 1543