

As Introduced

132nd General Assembly

Regular Session

2017-2018

S. B. No. 3

Senators Beagle, Balderson

**Cosponsors: Senators Bacon, Brown, Gardner, Hite, Hoagland, Manning, Tavares,
Terhar**

A BILL

To amend sections 107.35, 131.33, 307.984, 329.04, 1
329.06, 763.01, 763.07, 2329.66, 2953.25, 2
3121.03, 3304.11, 3304.12, 3304.14, 3304.15, 3
3304.17, 3304.171, 3304.18, 3304.182, 3304.19, 4
3304.20, 3304.21, 3304.22, 3304.27, 3304.28, 5
3304.29, 3304.30, 3304.31, 3304.41, 3309.23, 6
3313.603, 3313.618, 3313.6110, 3313.89, 3314.03, 7
3326.01, 3326.03, 3326.032, 3326.04, 3326.09, 8
3326.11, 3333.91, 3333.92, 4141.29, 4141.43, 9
4141.51, 5101.09, 5101.20, 5101.201, 5101.214, 10
5101.23, 5101.241, 5108.01, 5123.60, 5166.40, 11
5166.408, 5709.64, 5903.11, 6301.01, 6301.02, 12
6301.03, 6301.04, 6301.05, 6301.06, 6301.061, 13
6301.07, 6301.08, 6301.09, 6301.11, 6301.12, and 14
6301.18; to enact sections 5.281, 3313.6112, 15
3313.904, and 6301.20; and to repeal sections 16
330.01, 330.02, 330.04, 330.05, 330.07, 763.02, 17
and 763.05 of the Revised Code, and to amend 18
Section 305.190 of Am. Sub. H.B. 64 of the 131st 19
General Assembly to revise the laws governing 20
the state's workforce development system, 21
programs that may be offered by primary and 22

secondary schools, certificates of qualification 23
for employment, and the Opportunities for 24
Ohioans with Disabilities Agency, and to 25
designate the first week of May as In-Demand 26
Jobs Week. 27

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

Section 1. That sections 107.35, 131.33, 307.984, 329.04, 28
329.06, 763.01, 763.07, 2329.66, 2953.25, 3121.03, 3304.11, 29
3304.12, 3304.14, 3304.15, 3304.17, 3304.171, 3304.18, 3304.182, 30
3304.19, 3304.20, 3304.21, 3304.22, 3304.27, 3304.28, 3304.29, 31
3304.30, 3304.31, 3304.41, 3309.23, 3313.603, 3313.618, 32
3313.6110, 3313.89, 3314.03, 3326.01, 3326.03, 3326.032, 33
3326.04, 3326.09, 3326.11, 3333.91, 3333.92, 4141.29, 4141.43, 34
4141.51, 5101.09, 5101.20, 5101.201, 5101.214, 5101.23, 35
5101.241, 5108.01, 5123.60, 5166.40, 5166.408, 5709.64, 5903.11, 36
6301.01, 6301.02, 6301.03, 6301.04, 6301.05, 6301.06, 6301.061, 37
6301.07, 6301.08, 6301.09, 6301.11, 6301.12, and 6301.18 be 38
amended and sections 5.281, 3313.6112, 3313.904, and 6301.20 of 39
the Revised Code be enacted to read as follows: 40

Sec. 5.281. The week beginning on the first day of May and 41
ending on the seventh day of May is designated as in-demand jobs 42
week. 43

Every year during in-demand jobs week, the governor's 44
office of workforce transformation, in collaboration with the 45
departments of job and family services, education, and higher 46
education, shall organize activities to raise awareness among 47
educators, students, and parents of jobs that are in demand by 48

employers operating in this state and the requirements and 49
benefits of those jobs. The activities shall include job fairs 50
and company tours to connect middle and high school students 51
with employers. 52

Sec. 107.35. ~~Not later than December 31, 2014, the~~The 53
governor's office of workforce transformation, with staff 54
support and assistance from the departments of job and family 55
services ~~and~~, education, and ~~the Ohio board of regents~~ higher 56
education, shall establish criteria to use for evaluating the 57
performance of state and local workforce programs using basic, 58
aligned workforce measures related to system efficiency and 59
effectiveness. The office shall develop and make available on 60
the internet through a web site a public dashboard to display 61
metrics regarding the state's administration of primary 62
workforce programs, including the following programs: 63

(A) The adult basic and literacy education program; 64

(B) Programs administered under the federal "Carl D. 65
Perkins Career and Technical Education Act of 2006," 120 Stat. 66
683, 20 U.S.C. 2301 et seq., as amended; 67

(C) State aid and scholarships ~~within the Ohio board of~~ 68
~~regents~~ administered by the department of higher education; 69

(D) Programs administered under title I of the federal 70
~~"Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.~~ 71
~~2801 et seq., as amended~~ "Workforce Innovation and Opportunity 72
Act," 29 U.S.C. 3101 et seq. 73

Sec. 131.33. (A) No state agency shall incur an obligation 74
which exceeds the agency's current appropriation authority. 75
Except as provided in division (D) of this section, unexpended 76
balances of appropriations shall, at the close of the period for 77

which the appropriations are made, revert to the funds from 78
which the appropriations were made, except that the director of 79
budget and management shall transfer such unexpended balances 80
from the first fiscal year to the second fiscal year of an 81
agency's appropriations to the extent necessary for voided 82
warrants to be reissued pursuant to division (C) of section 83
126.37 of the Revised Code. 84

Except as provided in this section, appropriations made to 85
a specific fiscal year shall be expended only to pay liabilities 86
incurred within that fiscal year. 87

(B) All payrolls shall be charged to the allotments of the 88
fiscal quarters in which the applicable payroll vouchers are 89
certified by the director of budget and management in accordance 90
with section 126.07 of the Revised Code. As used in this 91
division, "payrolls" means any payment made in accordance with 92
section 125.21 of the Revised Code. 93

(C) Legal liabilities from prior fiscal years for which 94
there is no reappropriation authority shall be discharged from 95
the unencumbered balances of current appropriations. 96

(D) (1) Federal grant funds obligated by the department of 97
job and family services for financial allocations to county 98
family services agencies and local ~~workforce investment~~ boards 99
may, at the discretion of the director of job and family 100
services, be available for expenditure for the duration of the 101
federal grant period of obligation and liquidation, as follows: 102

(a) At the end of the state fiscal year, all unexpended 103
county family services agency and local ~~workforce investment~~ 104
board financial allocations obligated from federal grant funds 105
may continue to be valid for expenditure during subsequent state 106

fiscal years. 107

(b) The financial allocations described in division (D) (1) 108
(a) of this section shall be reconciled at the end of the 109
federal grant period of availability or as required by federal 110
law, regardless of the state fiscal year of the appropriation. 111

(2) The director of job and family services may adopt 112
rules in accordance with section 111.15 of the Revised Code, as 113
if they were internal management rules, as necessary to 114
implement division (D) of this section. 115

(3) As used in division (D) of this section: 116

(a) "County family services agency" has the same meaning 117
as in section 307.981 of the Revised Code. 118

(b) ~~"Local workforce investment board" means a local-~~ 119
~~workforce investment board established under section 117 of the~~ 120
~~"Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.~~ 121
~~2832, as amended~~ has the same meaning as in section 6301.01 of 122
the Revised Code. 123

Sec. 307.984. (A) To enhance the administration, delivery, 124
and effectiveness of family services duties and workforce 125
development activities, a board of county commissioners may 126
enter into one or more regional plans of cooperation with the 127
following: 128

(1) One or more other boards of county commissioners; 129

(2) The chief elected official or officials of one or more 130
municipal corporations that are ~~the type of local area~~ areas as 131
defined in ~~division (A) (1) of~~ section 6301.01 of the Revised 132
Code; 133

(3) Both boards of county commissioners and such chief 134

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| elected officials. | 135 |
| (B) A regional plan of cooperation must specify how the private and government entities included in the plan will coordinate and enhance the administration, delivery, and effectiveness of family services duties and workforce development activities. | 136 137 138 139 140 |
| Sec. 329.04. (A) The county department of job and family services shall have, exercise, and perform the following powers and duties: | 141 142 143 |
| (1) Perform any duties assigned by the state department of job and family services or department of medicaid regarding the provision of public family services, including the provision of the following services to prevent or reduce economic or personal dependency and to strengthen family life: | 144 145 146 147 148 |
| (a) Services authorized by a Title IV-A program, as defined in section 5101.80 of the Revised Code; | 149 150 |
| (b) Social services authorized by Title XX of the "Social Security Act" and provided for by section 5101.46 or 5101.461 of the Revised Code; | 151 152 153 |
| (c) If the county department is designated as the child support enforcement agency, services authorized by Title IV-D of the "Social Security Act" and provided for by Chapter 3125. of the Revised Code. The county department may perform the services itself or contract with other government entities, and, pursuant to division (C) of section 2301.35 and section 2301.42 of the Revised Code, private entities, to perform the Title IV-D services. | 154 155 156 157 158 159 160 161 |
| (d) Duties assigned under section 5162.031 of the Revised Code. | 162 163 |

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

307.98 and 5101.21 of the Revised Code, exercise the powers and 193
perform the duties the grant agreement assigns to the county 194
department. 195

~~(9) If the county department is designated as the 196
workforce development agency, provide the workforce development 197
activities specified in the contract required by section 330.05 198
of the Revised Code. 199~~

(B) The powers and duties of a county department of job 200
and family services are, and shall be exercised and performed, 201
under the control and direction of the board of county 202
commissioners. The board may assign to the county department any 203
power or duty of the board regarding family services duties and 204
workforce development activities. If the new power or duty 205
necessitates the state department of job and family services or 206
department of medicaid changing its federal cost allocation 207
plan, the county department may not implement the power or duty 208
unless the United States department of health and human services 209
approves the changes. 210

Sec. 329.06. (A) Except as provided in division (C) of 211
this section ~~and section 6301.08 of the Revised Code~~, the board 212
of county commissioners shall establish a county family services 213
planning committee. The board shall appoint a member to 214
represent the county department of job and family services; an 215
employee in the classified civil service of the county 216
department of job and family services, if there are any such 217
employees; and a member to represent the public. The board shall 218
appoint other individuals to the committee in such a manner that 219
the committee's membership is broadly representative of the 220
groups of individuals and the public and private entities that 221
have an interest in the family services provided in the county. 222

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

the Revised Code, publicly funded child care under Chapter 5104. 250
of the Revised Code, and social services provided under section 251
5101.46 of the Revised Code; 252

(2) At least once a year, review and analyze the county 253
department of job and family services' implementation of the 254
programs established under Chapters 5107. and 5108. of the 255
Revised Code. In its review, the committee shall use information 256
available to it to examine all of the following: 257

(a) Return of assistance groups to participation in either 258
program after ceasing to participate; 259

(b) Teen pregnancy rates among the programs' participants; 260

(c) The other types of assistance the programs' 261
participants receive, including medicaid, publicly funded child 262
care under Chapter 5104. of the Revised Code, supplemental 263
nutrition assistance program benefits under section 5101.54 of 264
the Revised Code, and energy assistance under Chapter 5117. of 265
the Revised Code; 266

(d) Other issues the committee considers appropriate. 267

The committee shall make recommendations to the board of 268
county commissioners and county department of job and family 269
services regarding the committee's findings. 270

(3) Conduct public hearings on proposed county profiles 271
for the provision of social services under section 5101.46 of 272
the Revised Code; 273

(4) At the request of the board, make recommendations and 274
provide assistance regarding the family services provided in the 275
county; 276

(5) At any other time the committee considers appropriate, 277

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

effectiveness of family services duties and workforce 305
development activities, the chief elected official of a 306
municipal corporation that is a local area for the purpose of 307
Chapter 6301. of the Revised Code, ~~is the type of local area~~ 308
~~defined in division (A)(1) of section 6301.01 of the Revised~~ 309
~~Code~~ may enter into a regional plan of cooperation with one or 310
more boards of county commissioners pursuant to section 307.984 311
of the Revised Code. A regional plan of cooperation must specify 312
how the private and government entities subject to the plan will 313
coordinate and enhance the administration, delivery, and 314
effectiveness of family services duties and workforce 315
development activities. 316

Sec. 2329.66. (A) Every person who is domiciled in this 317
state may hold property exempt from execution, garnishment, 318
attachment, or sale to satisfy a judgment or order, as follows: 319

(1) (a) In the case of a judgment or order regarding money 320
owed for health care services rendered or health care supplies 321
provided to the person or a dependent of the person, one parcel 322
or item of real or personal property that the person or a 323
dependent of the person uses as a residence. Division (A)(1)(a) 324
of this section does not preclude, affect, or invalidate the 325
creation under this chapter of a judgment lien upon the exempted 326
property but only delays the enforcement of the lien until the 327
property is sold or otherwise transferred by the owner or in 328
accordance with other applicable laws to a person or entity 329
other than the surviving spouse or surviving minor children of 330
the judgment debtor. Every person who is domiciled in this state 331
may hold exempt from a judgment lien created pursuant to 332
division (A)(1)(a) of this section the person's interest, not to 333
exceed one hundred twenty-five thousand dollars, in the exempted 334
property. 335

(b) In the case of all other judgments and orders, the 336
person's interest, not to exceed one hundred twenty-five 337
thousand dollars, in one parcel or item of real or personal 338
property that the person or a dependent of the person uses as a 339
residence. 340

(c) For purposes of divisions (A) (1) (a) and (b) of this 341
section, "parcel" means a tract of real property as identified 342
on the records of the auditor of the county in which the real 343
property is located. 344

(2) The person's interest, not to exceed three thousand 345
two hundred twenty-five dollars, in one motor vehicle; 346

(3) The person's interest, not to exceed four hundred 347
dollars, in cash on hand, money due and payable, money to become 348
due within ninety days, tax refunds, and money on deposit with a 349
bank, savings and loan association, credit union, public 350
utility, landlord, or other person, other than personal 351
earnings. 352

(4) (a) The person's interest, not to exceed five hundred 353
twenty-five dollars in any particular item or ten thousand seven 354
hundred seventy-five dollars in aggregate value, in household 355
furnishings, household goods, wearing apparel, appliances, 356
books, animals, crops, musical instruments, firearms, and 357
hunting and fishing equipment that are held primarily for the 358
personal, family, or household use of the person; 359

(b) The person's aggregate interest in one or more items 360
of jewelry, not to exceed one thousand three hundred fifty 361
dollars, held primarily for the personal, family, or household 362
use of the person or any of the person's dependents. 363

(5) The person's interest, not to exceed an aggregate of 364

two thousand twenty-five dollars, in all implements, 365
professional books, or tools of the person's profession, trade, 366
or business, including agriculture; 367

(6) (a) The person's interest in a beneficiary fund set 368
apart, appropriated, or paid by a benevolent association or 369
society, as exempted by section 2329.63 of the Revised Code; 370

(b) The person's interest in contracts of life or 371
endowment insurance or annuities, as exempted by section 3911.10 372
of the Revised Code; 373

(c) The person's interest in a policy of group insurance 374
or the proceeds of a policy of group insurance, as exempted by 375
section 3917.05 of the Revised Code; 376

(d) The person's interest in money, benefits, charity, 377
relief, or aid to be paid, provided, or rendered by a fraternal 378
benefit society, as exempted by section 3921.18 of the Revised 379
Code; 380

(e) The person's interest in the portion of benefits under 381
policies of sickness and accident insurance and in lump sum 382
payments for dismemberment and other losses insured under those 383
policies, as exempted by section 3923.19 of the Revised Code. 384

(7) The person's professionally prescribed or medically 385
necessary health aids; 386

(8) The person's interest in a burial lot, including, but 387
not limited to, exemptions under section 517.09 or 1721.07 of 388
the Revised Code; 389

(9) The person's interest in the following: 390

(a) Moneys paid or payable for ~~living~~-maintenance or 391
rights, as exempted by section 3304.19 of the Revised Code; 392

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| (b) Workers' compensation, as exempted by section 4123.67 | 393 |
| of the Revised Code; | 394 |
| (c) Unemployment compensation benefits, as exempted by | 395 |
| section 4141.32 of the Revised Code; | 396 |
| (d) Cash assistance payments under the Ohio works first | 397 |
| program, as exempted by section 5107.75 of the Revised Code; | 398 |
| (e) Benefits and services under the prevention, retention, | 399 |
| and contingency program, as exempted by section 5108.08 of the | 400 |
| Revised Code; | 401 |
| (f) Disability financial assistance payments, as exempted | 402 |
| by section 5115.06 of the Revised Code; | 403 |
| (g) Payments under section 24 or 32 of the "Internal | 404 |
| Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended. | 405 |
| (10) (a) Except in cases in which the person was convicted | 406 |
| of or pleaded guilty to a violation of section 2921.41 of the | 407 |
| Revised Code and in which an order for the withholding of | 408 |
| restitution from payments was issued under division (C) (2) (b) of | 409 |
| that section, in cases in which an order for withholding was | 410 |
| issued under section 2907.15 of the Revised Code, in cases in | 411 |
| which an order for forfeiture was issued under division (A) or | 412 |
| (B) of section 2929.192 of the Revised Code, and in cases in | 413 |
| which an order was issued under section 2929.193 or 2929.194 of | 414 |
| the Revised Code, and only to the extent provided in the order, | 415 |
| and except as provided in sections 3105.171, 3105.63, 3119.80, | 416 |
| 3119.81, 3121.02, 3121.03, and 3123.06 of the Revised Code, the | 417 |
| person's rights to or interests in a pension, benefit, annuity, | 418 |
| retirement allowance, or accumulated contributions, the person's | 419 |
| rights to or interests in a participant account in any deferred | 420 |
| compensation program offered by the Ohio public employees | 421 |

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

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

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

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

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

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

receive any payment or benefit under, any individual retirement 451
account, individual retirement annuity, "Roth IRA," account 452
opened pursuant to a program administered by a state under 453
section 529 or 529A of the "Internal Revenue Code of 1986," 100 454
Stat. 2085, 26 U.S.C. 1, as amended, or education individual 455
retirement account that provides payments or benefits by reason 456
of illness, disability, death, retirement, or age or provides 457
payments or benefits for purposes of education or qualified 458
disability expenses, to the extent that the assets, payments, or 459
benefits described in division (A)(10)(c) of this section are 460
attributable to or derived from any of the following or from any 461
earnings, dividends, interest, appreciation, or gains on any of 462
the following: 463

(i) Contributions of the person that were less than or 464
equal to the applicable limits on deductible contributions to an 465
individual retirement account or individual retirement annuity 466
in the year that the contributions were made, whether or not the 467
person was eligible to deduct the contributions on the person's 468
federal tax return for the year in which the contributions were 469
made; 470

(ii) Contributions of the person that were less than or 471
equal to the applicable limits on contributions to a Roth IRA or 472
education individual retirement account in the year that the 473
contributions were made; 474

(iii) Contributions of the person that are within the 475
applicable limits on rollover contributions under subsections 476
219, 402(c), 403(a)(4), 403(b)(8), 408(b), 408(d)(3), 408A(c)(3) 477
(B), 408A(d)(3), and 530(d)(5) of the "Internal Revenue Code of 478
1986," 100 Stat. 2085, 26 U.S.C.A. 1, as amended; 479

(iv) Contributions by any person into any plan, fund, or 480

account that is formed, created, or administered pursuant to, or 481
is otherwise subject to, section 529 or 529A of the "Internal 482
Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended. 483

(d) Except for any portion of the assets that were 484
deposited for the purpose of evading the payment of any debt and 485
except as provided in sections 3119.80, 3119.81, 3121.02, 486
3121.03, and 3123.06 of the Revised Code, the person's rights or 487
interests in the assets held in, or to receive any payment 488
under, any Keogh or "H.R. 10" plan that provides benefits by 489
reason of illness, disability, death, retirement, or age, to the 490
extent reasonably necessary for the support of the person and 491
any of the person's dependents. 492

(e) The person's rights to or interests in any assets held 493
in, or to directly or indirectly receive any payment or benefit 494
under, any individual retirement account, individual retirement 495
annuity, "Roth IRA," account opened pursuant to a program 496
administered by a state under section 529 or 529A of the 497
"Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as 498
amended, or education individual retirement account that a 499
decedent, upon or by reason of the decedent's death, directly or 500
indirectly left to or for the benefit of the person, either 501
outright or in trust or otherwise, including, but not limited 502
to, any of those rights or interests in assets or to receive 503
payments or benefits that were transferred, conveyed, or 504
otherwise transmitted by the decedent by means of a will, trust, 505
exercise of a power of appointment, beneficiary designation, 506
transfer or payment on death designation, or any other method or 507
procedure. 508

(f) The exemptions under divisions (A) (10) (a) to (e) of 509
this section also shall apply or otherwise be available to an 510

alternate payee under a qualified domestic relations order 511
(QDRO) or other similar court order. 512

(g) A person's interest in any plan, program, instrument, 513
or device described in divisions (A)(10)(a) to (e) of this 514
section shall be considered an exempt interest even if the plan, 515
program, instrument, or device in question, due to an error made 516
in good faith, failed to satisfy any criteria applicable to that 517
plan, program, instrument, or device under the "Internal Revenue 518
Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended. 519

(11) The person's right to receive spousal support, child 520
support, an allowance, or other maintenance to the extent 521
reasonably necessary for the support of the person and any of 522
the person's dependents; 523

(12) The person's right to receive, or moneys received 524
during the preceding twelve calendar months from, any of the 525
following: 526

(a) An award of reparations under sections 2743.51 to 527
2743.72 of the Revised Code, to the extent exempted by division 528
(D) of section 2743.66 of the Revised Code; 529

(b) A payment on account of the wrongful death of an 530
individual of whom the person was a dependent on the date of the 531
individual's death, to the extent reasonably necessary for the 532
support of the person and any of the person's dependents; 533

(c) Except in cases in which the person who receives the 534
payment is an inmate, as defined in section 2969.21 of the 535
Revised Code, and in which the payment resulted from a civil 536
action or appeal against a government entity or employee, as 537
defined in section 2969.21 of the Revised Code, a payment, not 538
to exceed twenty thousand two hundred dollars, on account of 539

personal bodily injury, not including pain and suffering or 540
compensation for actual pecuniary loss, of the person or an 541
individual for whom the person is a dependent; 542

(d) A payment in compensation for loss of future earnings 543
of the person or an individual of whom the person is or was a 544
dependent, to the extent reasonably necessary for the support of 545
the debtor and any of the debtor's dependents. 546

(13) Except as provided in sections 3119.80, 3119.81, 547
3121.02, 3121.03, and 3123.06 of the Revised Code, personal 548
earnings of the person owed to the person for services in an 549
amount equal to the greater of the following amounts: 550

(a) If paid weekly, thirty times the current federal 551
minimum hourly wage; if paid biweekly, sixty times the current 552
federal minimum hourly wage; if paid semimonthly, sixty-five 553
times the current federal minimum hourly wage; or if paid 554
monthly, one hundred thirty times the current federal minimum 555
hourly wage that is in effect at the time the earnings are 556
payable, as prescribed by the "Fair Labor Standards Act of 557
1938," 52 Stat. 1060, 29 U.S.C. 206(a)(1), as amended; 558

(b) Seventy-five per cent of the disposable earnings owed 559
to the person. 560

(14) The person's right in specific partnership property, 561
as exempted by the person's rights in a partnership pursuant to 562
section 1776.50 of the Revised Code, except as otherwise set 563
forth in section 1776.50 of the Revised Code; 564

(15) A seal and official register of a notary public, as 565
exempted by section 147.04 of the Revised Code; 566

(16) The person's interest in a tuition unit or a payment 567
under section 3334.09 of the Revised Code pursuant to a tuition 568

payment contract, as exempted by section 3334.15 of the Revised Code; 569
570

(17) Any other property that is specifically exempted from 571
execution, attachment, garnishment, or sale by federal statutes 572
other than the "Bankruptcy Reform Act of 1978," 92 Stat. 2549, 573
11 U.S.C.A. 101, as amended; 574

(18) The person's aggregate interest in any property, not 575
to exceed one thousand seventy-five dollars, except that 576
division (A)(18) of this section applies only in bankruptcy 577
proceedings. 578

(B) On April 1, 2010, and on the first day of April in 579
each third calendar year after 2010, the Ohio judicial 580
conference shall adjust each dollar amount set forth in this 581
section to reflect any increase in the consumer price index for 582
all urban consumers, as published by the United States 583
department of labor, or, if that index is no longer published, a 584
generally available comparable index, for the three-year period 585
ending on the thirty-first day of December of the preceding 586
year. Any adjustments required by this division shall be rounded 587
to the nearest twenty-five dollars. 588

The Ohio judicial conference shall prepare a memorandum 589
specifying the adjusted dollar amounts. The judicial conference 590
shall transmit the memorandum to the director of the legislative 591
service commission, and the director shall publish the 592
memorandum in the register of Ohio. (Publication of the 593
memorandum in the register of Ohio shall continue until the next 594
memorandum specifying an adjustment is so published.) The 595
judicial conference also may publish the memorandum in any other 596
manner it concludes will be reasonably likely to inform persons 597
who are affected by its adjustment of the dollar amounts. 598

| | |
|--|--|
| (C) As used in this section: | 599 |
| (1) "Disposable earnings" means net earnings after the garnishee has made deductions required by law, excluding the deductions ordered pursuant to section 3119.80, 3119.81, 3121.02, 3121.03, or 3123.06 of the Revised Code. | 600 601 602 603 |
| (2) "Insider" means: | 604 |
| (a) If the person who claims an exemption is an individual, a relative of the individual, a relative of a general partner of the individual, a partnership in which the individual is a general partner, a general partner of the individual, or a corporation of which the individual is a director, officer, or in control; | 605 606 607 608 609 610 |
| (b) If the person who claims an exemption is a corporation, a director or officer of the corporation; a person in control of the corporation; a partnership in which the corporation is a general partner; a general partner of the corporation; or a relative of a general partner, director, officer, or person in control of the corporation; | 611 612 613 614 615 616 |
| (c) If the person who claims an exemption is a partnership, a general partner in the partnership; a general partner of the partnership; a person in control of the partnership; a partnership in which the partnership is a general partner; or a relative in, a general partner of, or a person in control of the partnership; | 617 618 619 620 621 622 |
| (d) An entity or person to which or whom any of the following applies: | 623 624 |
| (i) The entity directly or indirectly owns, controls, or holds with power to vote, twenty per cent or more of the outstanding voting securities of the person who claims an | 625 626 627 |

exemption, unless the entity holds the securities in a fiduciary 628
or agency capacity without sole discretionary power to vote the 629
securities or holds the securities solely to secure to debt and 630
the entity has not in fact exercised the power to vote. 631

(ii) The entity is a corporation, twenty per cent or more 632
of whose outstanding voting securities are directly or 633
indirectly owned, controlled, or held with power to vote, by the 634
person who claims an exemption or by an entity to which division 635
(C) (2) (d) (i) of this section applies. 636

(iii) A person whose business is operated under a lease or 637
operating agreement by the person who claims an exemption, or a 638
person substantially all of whose business is operated under an 639
operating agreement with the person who claims an exemption. 640

(iv) The entity operates the business or all or 641
substantially all of the property of the person who claims an 642
exemption under a lease or operating agreement. 643

(e) An insider, as otherwise defined in this section, of a 644
person or entity to which division (C) (2) (d) (i), (ii), (iii), or 645
(iv) of this section applies, as if the person or entity were a 646
person who claims an exemption; 647

(f) A managing agent of the person who claims an 648
exemption. 649

(3) "Participant account" has the same meaning as in 650
section 148.01 of the Revised Code. 651

(4) "Government unit" has the same meaning as in section 652
148.06 of the Revised Code. 653

(D) For purposes of this section, "interest" shall be 654
determined as follows: 655

(1) In bankruptcy proceedings, as of the date a petition 656
is filed with the bankruptcy court commencing a case under Title 657
11 of the United States Code; 658

(2) In all cases other than bankruptcy proceedings, as of 659
the date of an appraisal, if necessary under section 2329.68 of 660
the Revised Code, or the issuance of a writ of execution. 661

An interest, as determined under division (D) (1) or (2) of 662
this section, shall not include the amount of any lien otherwise 663
valid pursuant to section 2329.661 of the Revised Code. 664

Sec. 2953.25. (A) As used in this section: 665

(1) "Collateral sanction" means a penalty, disability, or 666
disadvantage that is related to employment or occupational 667
licensing, however denominated, as a result of the individual's 668
conviction of or plea of guilty to an offense and that applies 669
by operation of law in this state whether or not the penalty, 670
disability, or disadvantage is included in the sentence or 671
judgment imposed. 672

"Collateral sanction" does not include imprisonment, 673
probation, parole, supervised release, forfeiture, restitution, 674
fine, assessment, or costs of prosecution. 675

(2) "Decision-maker" includes, but is not limited to, the 676
state acting through a department, agency, board, commission, or 677
instrumentality established by the law of this state for the 678
exercise of any function of government, a political subdivision, 679
an educational institution, or a government contractor or 680
subcontractor made subject to this section by contract, law, or 681
ordinance. 682

(3) "Department-funded program" means a residential or 683
nonresidential program that is not a term in a state 684

correctional institution, that is funded in whole or part by the 685
department of rehabilitation and correction, and that is imposed 686
as a sanction for an offense, as part of a sanction that is 687
imposed for an offense, or as a term or condition of any 688
sanction that is imposed for an offense. 689

(4) "Designee" means the person designated by the deputy 690
director of the division of parole and community services to 691
perform the duties designated in division (B) of this section. 692

(5) "Division of parole and community services" means the 693
division of parole and community services of the department of 694
rehabilitation and correction. 695

(6) "Offense" means any felony or misdemeanor under the 696
laws of this state. 697

(7) "Political subdivision" has the same meaning as in 698
section 2969.21 of the Revised Code. 699

(B) (1) ~~After the provisions of this division become~~ 700
~~operative as described in division (J) of this section, an An~~ 701
individual who is subject to one or more collateral sanctions as 702
a result of being convicted of or pleading guilty to an offense 703
and who either has served a term in a state correctional 704
institution for any offense or has spent time in a department- 705
funded program for any offense may file a petition with the 706
designee of the deputy director of the division of parole and 707
community services for a certificate of qualification for 708
employment. 709

(2) ~~After the provisions of this division become operative~~ 710
~~as described in division (J) of this section, an An individual~~ 711
who is subject to one or more collateral sanctions as a result 712
of being convicted of or pleading guilty to an offense and who 713

is not in a category described in division (B) (1) of this 714
section may file a ~~petition with the court of common pleas of~~ 715
~~the county in which the person resides or with the designee of~~ 716
~~the deputy director of the division of parole and community~~ 717
~~services~~ for a certificate of qualification for employment by 718
doing either of the following: 719

(a) In the case of an individual who resides in this 720
state, filing a petition with the court of common pleas of the 721
county in which the person resides or with the designee of the 722
deputy director of the division of parole and community 723
services; 724

(b) In the case of an individual who resides outside of 725
this state, filing a petition with the court of common pleas of 726
any county in which any conviction or plea of guilty from which 727
the individual seeks relief was entered or with the designee of 728
the deputy director of the division of parole and community 729
services. 730

(3) A petition under division (B) (1) or (2) of this 731
section shall be made on a copy of the form prescribed by the 732
division of parole and community services under division (J) of 733
this section and shall contain all of the information described 734
in division (F) of this section. 735

~~(4) An~~ (a) Except as provided in division (B) (4) (b) of 736
this section, an individual may file a petition under division 737
(B) (1) or (2) of this section at any time after the expiration 738
of whichever of the following is applicable: 739

~~(a)~~ (i) If the offense that resulted in the collateral 740
sanction from which the individual seeks relief is a felony, at 741
any time after the expiration of one year from the date of 742

release of the individual from any period of incarceration in a 743
state or local correctional facility that was imposed for that 744
offense and all periods of supervision imposed after release 745
from the period of incarceration or, if the individual was not 746
incarcerated for that offense, at any time after the expiration 747
of one year from the date of the individual's final release from 748
all other sanctions imposed for that offense. 749

~~(b)~~ (ii) If the offense that resulted in the collateral 750
sanction from which the individual seeks relief is a 751
misdemeanor, at any time after the expiration of six months from 752
the date of release of the individual from any period of 753
incarceration in a local correctional facility that was imposed 754
for that offense and all periods of supervision imposed after 755
release from the period of incarceration or, if the individual 756
was not incarcerated for that offense, at any time after the 757
expiration of six months from the date of the final release of 758
the individual from all sanctions imposed for that offense 759
including any period of supervision. 760

(b) The department of rehabilitation and correction may 761
establish, by rule adopted under Chapter 119. of the Revised 762
Code, criteria that may be satisfied by an individual to allow 763
the individual to file a petition before the expiration of six 764
months or one year from the date of final release, whichever is 765
applicable under division (B)(4)(a) of this section. 766

(5) (a) A designee that receives a petition for a 767
~~certification~~ certificate of qualification for employment from 768
an individual under division (B)(1) or (2) of this section shall 769
review the petition to determine whether it is complete. If the 770
petition is complete, the designee shall forward the petition, 771
and any other information the designee possesses that relates to 772

the petition, to the court of common pleas of the county in 773
which the individual resides if the individual resides in this 774
state or, if the individual resides outside of this state, to 775
the court of common pleas of any county in which any conviction 776
or plea of guilty from which the individual seeks relief was 777
entered. 778

(b) A court of common pleas that receives a petition for a 779
certificate of qualification for employment from an individual 780
under division (B) (2) of this section, or that is forwarded a 781
petition for such a certificate under division (B) (5) (a) of this 782
section, shall attempt to determine all other courts in this 783
state in which the individual was convicted of or pleaded guilty 784
to an offense other than the offense from which the individual 785
is seeking relief. The court that receives or is forwarded the 786
petition shall notify all other courts in this state that it 787
determines under this division were courts in which the 788
individual was convicted of or pleaded guilty to an offense 789
other than the offense from which the individual is seeking 790
relief that the individual has filed the petition and that the 791
court may send comments regarding the possible issuance of the 792
certificate. 793

A court of common pleas that receives a petition for a 794
certificate of qualification for employment under division (B) 795
(2) of this section shall notify the county's prosecuting 796
~~attorney of the county in which the individual resides~~ that the 797
individual has filed the petition. 798

A court of common pleas that receives a petition for a 799
certificate of qualification for employment under division (B) 800
(2) of this section, or that is forwarded a petition for 801
qualification under division (B) (5) (a) of this section may 802

direct the clerk of court to process and record all notices 803
required in or under this section. 804

(C) (1) Upon receiving a petition for a certificate of 805
qualification for employment filed by an individual under 806
division (B) (2) of this section or being forwarded a petition 807
for such a certificate under division (B) (5) (a) of this section, 808
the court shall review the individual's petition, the 809
individual's criminal history, all filings submitted by the 810
prosecutor or by the victim in accordance with rules adopted by 811
the division of parole and community services, the applicant's 812
military service record, if applicable, and whether the 813
applicant has an emotional, mental, or physical condition that 814
is traceable to the applicant's military service in the armed 815
forces of the United States and that was a contributing factor 816
in the commission of the offense or offenses, and all other 817
relevant evidence. The court may order any report, 818
investigation, or disclosure by the individual that the court 819
believes is necessary for the court to reach a decision on 820
whether to approve the individual's petition for a certificate 821
of qualification for employment. 822

(2) Upon receiving a petition for a certificate of 823
qualification for employment filed by an individual under 824
division (B) (2) of this section or being forwarded a petition 825
for such a certificate under division (B) (5) (a) of this section, 826
except as otherwise provided in this division, the court shall 827
decide whether to issue the certificate within sixty days after 828
the court receives or is forwarded the completed petition and 829
all information requested for the court to make that decision. 830
Upon request of the individual who filed the petition, the court 831
may extend the sixty-day period specified in this division. 832

(3) Subject to division (C) (5) of this section, a court 833
that receives an individual's petition for a certificate of 834
qualification for employment under division (B) (2) of this 835
section or that is forwarded a petition for such a certificate 836
under division (B) (5) (a) of this section may issue a certificate 837
of qualification for employment, at the court's discretion, if 838
the court finds that the individual has established all of the 839
following by a preponderance of the evidence: 840

(a) Granting the petition will materially assist the 841
individual in obtaining employment or occupational licensing. 842

(b) The individual has a substantial need for the relief 843
requested in order to live a law-abiding life. 844

(c) Granting the petition would not pose an unreasonable 845
risk to the safety of the public or any individual. 846

(4) The submission of an incomplete petition by an 847
individual shall not be grounds for the designee or court to 848
deny the petition. 849

~~(5) A court that receives an individual's petition for a 850
certificate of qualification for employment under division (B) 851
(2) of this section or that is forwarded a petition for such a 852
certificate under division (B) (5) (a) of this section shall not 853
issue a certificate of qualification for employment that grants 854
the individual shall not create relief from any of the following 855
collateral sanctions: 856~~

(a) Requirements imposed by Chapter 2950. of the Revised 857
Code and rules adopted under sections 2950.13 and 2950.132 of 858
the Revised Code; 859

(b) A driver's license, commercial driver's license, or 860
probationary license suspension, cancellation, or revocation 861

pursuant to section 4510.037, 4510.07, 4511.19, or 4511.191 of 862
the Revised Code if the relief sought is available pursuant to 863
section 4510.021 or division (B) of section 4510.13 of the 864
Revised Code; 865

(c) Restrictions on employment as a prosecutor or law 866
enforcement officer; 867

(d) The denial, ineligibility, or automatic suspension of 868
a license that is imposed upon an individual applying for or 869
holding a license as a health care professional under Title 870
XLVII of the Revised Code if the individual is convicted of, 871
pleads guilty to, is subject to a judicial finding of 872
eligibility for intervention in lieu of conviction in this state 873
under section 2951.041 of the Revised Code, or is subject to 874
treatment or intervention in lieu of conviction for a violation 875
of section 2903.01, 2903.02, 2903.03, 2903.11, 2905.01, 2907.02, 876
2907.03, 2907.05, 2909.02, 2911.01, 2911.11, or 2919.123 of the 877
Revised Code; 878

(e) The immediate suspension of a license, certificate, or 879
evidence of registration that is imposed upon an individual 880
holding a license as a health care professional under Title 881
XLVII of the Revised Code pursuant to division (C) of section 882
3719.121 of the Revised Code; 883

(f) The denial or ineligibility for employment in a pain 884
clinic under division (B) (4) of section 4729.552 of the Revised 885
Code; 886

(g) The mandatory suspension of a license that is imposed 887
on an individual applying for or holding a license as a health 888
care professional under Title XLVII of the Revised Code pursuant 889
to section 3123.43 of the Revised Code. 890

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

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

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

(2) The certificate constitutes a rebuttable presumption that the person's criminal convictions are insufficient evidence that the person is unfit for the license, employment

opportunity, or certification in question. Notwithstanding the 921
presumption established under this division, the agency may deny 922
the license or certification for the person if it determines 923
that the person is unfit for issuance of the license. 924

(3) If an employer that has hired a person who has been 925
issued a certificate of qualification for employment applies to 926
a licensing agency for a license or certification and the person 927
has a conviction or guilty plea that otherwise would bar the 928
person's employment with the employer or licensure for the 929
employer because of a mandatory civil impact, the agency shall 930
give the person individualized consideration, notwithstanding 931
the mandatory civil impact, the mandatory civil impact shall be 932
considered for all purposes to be a discretionary civil impact, 933
and the certificate constitutes a rebuttable presumption that 934
the person's criminal convictions are insufficient evidence that 935
the person is unfit for the employment, or that the employer is 936
unfit for the license or certification, in question. 937

(E) A certificate of qualification for employment does not 938
grant the individual to whom the certificate was issued relief 939
from the mandatory civil impacts identified in division (A) (1) 940
of section 2961.01 or division (B) of section 2961.02 of the 941
Revised Code. 942

(F) A petition for a certificate of qualification for 943
employment filed by an individual under division (B) (1) or (2) 944
of this section shall include all of the following: 945

(1) The individual's name, date of birth, and social 946
security number; 947

(2) All aliases of the individual and all social security 948
numbers associated with those aliases; 949

- (3) The individual's residence address, including the city, county, and state of residence and zip code; 950
951
- (4) The length of time that the individual has ~~been a~~ resident of this ~~resided in the individual's current state of~~ residence, expressed in years and months of residence; 952
953
954
- (5) ~~The name or type of each collateral sanction from which the individual is requesting a certificate of~~ A general statement as to why the ~~individual has filed the petition and how the certificate of~~ qualification for employment would assist the individual; 955
956
957
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959
- (6) A summary of the individual's criminal history with respect to each offense that is a disqualification from employment or licensing in an occupation or profession, including the years of each conviction or plea of guilty for each of those offenses; 960
961
962
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- (7) A summary of the individual's employment history, specifying the name of, and dates of employment with, each employer; 965
966
967
- (8) Verifiable references and endorsements; 968
- (9) The name of one or more immediate family members of the individual, or other persons with whom the individual has a close relationship, who support the individual's reentry plan; 969
970
971
- (10) A summary of the reason the individual believes the certificate of qualification for employment should be granted; 972
973
- (11) Any other information required by rule by the department of rehabilitation and correction. 974
975
- (G) (1) In a judicial or administrative proceeding alleging negligence or other fault, a certificate of qualification for 976
977

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

(2) In any proceeding on a claim against an employer for 986
negligent hiring, a certificate of qualification for employment 987
issued to an individual under this section shall provide 988
immunity for the employer as to the claim if the employer knew 989
of the certificate at the time of the alleged negligence. 990

(3) If an employer hires an individual who has been issued 991
a certificate of qualification for employment under this 992
section, if the individual, after being hired, subsequently 993
demonstrates dangerousness or is convicted of or pleads guilty 994
to a felony, and if the employer retains the individual as an 995
employee after the demonstration of dangerousness or the 996
conviction or guilty plea, the employer may be held liable in a 997
civil action that is based on or relates to the retention of the 998
individual as an employee only if it is proved by a 999
preponderance of the evidence that the person having hiring and 1000
firing responsibility for the employer had actual knowledge that 1001
the employee was dangerous or had been convicted of or pleaded 1002
guilty to the felony and was willful in retaining the individual 1003
as an employee after the demonstration of dangerousness or the 1004
conviction or guilty plea of which the person has actual 1005
knowledge. 1006

(H) A certificate of qualification for employment issued 1007

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

(I) A designee's forwarding, or failure to forward, a 1022
petition for a certificate of qualification for employment to a 1023
court or a court's issuance, or failure to issue, a petition for 1024
a certificate of qualification for employment to an individual 1025
under division (B) of this section does not give rise to a claim 1026
for damages against the department of rehabilitation and 1027
correction or court. 1028

(J) ~~Not later than ninety days after September 28, 2012,~~ 1029
~~the~~ The division of parole and community services shall adopt 1030
rules in accordance with Chapter 119. of the Revised Code for 1031
the implementation and administration of this section and shall 1032
prescribe the form for the petition to be used under division 1033
(B) (1) or (2) of this section. The form for the petition shall 1034
include places for all of the information specified in division 1035
(F) of this section. ~~Upon the adoption of the rules, the~~ 1036
~~provisions of divisions (A) to (I) of this section become~~ 1037
~~operative.~~ 1038

(K) The department of rehabilitation and correction shall 1039
~~conduct a study to determine the manner for transferring the~~ 1040
~~mechanism for the issuance of a certificate of qualification for~~ 1041
~~employment created by this section to an electronic database~~ 1042
~~established and maintained by the department. The maintain a~~ 1043
~~database to which the mechanism is to be transferred shall~~ 1044
~~include that identifies~~ granted certificates and revoked 1045
certificates and ~~shall be designed to track~~ tracks the number of 1046
certificates granted and revoked, the industries, occupations, 1047
and professions with respect to which the certificates have been 1048
most applicable, and the types of employers that have accepted 1049
the certificates, ~~and the recidivism rates of individuals who~~ 1050
~~have been issued the certificates. Not later than the date that~~ 1051
~~is one year after September 28, 2012, the~~ The department of 1052
~~rehabilitation and correction shall submit to the general~~ 1053
~~assembly and the governor annually create a report that contains~~ 1054
~~the results of the study and recommendations for transferring~~ 1055
~~the mechanism for the issuance of certificate of qualification~~ 1056
~~for employment created by this section to an electronic~~ 1057
summarizes the information maintained in the database 1058
~~established and maintained by the department and shall make the~~ 1059
report available to the public on its internet web site. 1060

~~(L) The department of rehabilitation and correction, in~~ 1061
~~conjunction with the Ohio judicial conference, shall conduct a~~ 1062
~~study to determine whether the application process for~~ 1063
~~certificates of qualification for employment created by this~~ 1064
~~section is feasible based upon the caseload capacity of the~~ 1065
~~department and the courts of common pleas. Not later than the~~ 1066
~~date that is one year after September 28, 2012, the department~~ 1067
~~shall submit to the general assembly a report that contains the~~ 1068
~~results of the study and any recommendations for improvement of~~ 1069

~~the application process.~~ 1070

Sec. 3121.03. If a court or child support enforcement 1071
agency that issued or modified a support order, or the agency 1072
administering the support order, is required by the Revised Code 1073
to issue one or more withholding or deduction notices described 1074
in this section or other orders described in this section, the 1075
court or agency shall issue one or more of the following types 1076
of notices or orders, as appropriate, for payment of the support 1077
and also, if required by the Revised Code or the court, to pay 1078
any arrearages: 1079

(A) (1) If the court or the child support enforcement 1080
agency determines that the obligor is receiving income from a 1081
payor, the court or agency shall require the payor to do all of 1082
the following: 1083

(a) Withhold from the obligor's income a specified amount 1084
for support in satisfaction of the support order and begin the 1085
withholding no later than fourteen business days following the 1086
date the notice is mailed or transmitted to the payor under 1087
section 3121.035, 3123.021, or 3123.06 of the Revised Code and 1088
division (A) (2) of this section or, if the payor is an employer, 1089
no later than the first pay period that occurs after fourteen 1090
business days following the date the notice is mailed or 1091
transmitted; 1092

(b) Send the amount withheld to the office of child 1093
support in the department of job and family services pursuant to 1094
section 3121.43 of the Revised Code immediately but not later 1095
than seven business days after the date the obligor is paid; 1096

(c) Continue the withholding at intervals specified in the 1097
notice until further notice from the court or child support 1098

enforcement agency. 1099

To the extent possible, the amount specified to be 1100
withheld shall satisfy the amount ordered for support in the 1101
support order plus any arrearages owed by the obligor under any 1102
prior support order that pertained to the same child or spouse, 1103
notwithstanding any applicable limitations of sections 2329.66, 1104
2329.70, 2716.02, 2716.041, and 2716.05 of the Revised Code. 1105
However, in no case shall the sum of the amount to be withheld 1106
and any fee withheld by the payor as a charge for its services 1107
exceed the maximum amount permitted under section 303(b) of the 1108
"Consumer Credit Protection Act," 15 U.S.C. 1673(b). 1109

(2) A court or agency that imposes an income withholding 1110
requirement shall, within the applicable time specified in 1111
section 3119.80, 3119.81, 3121.035, 3123.021, or 3123.06 of the 1112
Revised Code, send to the obligor's payor by regular mail or via 1113
secure federally managed data transmission interface a notice 1114
that contains all of the information applicable to withholding 1115
notices set forth in section 3121.037 of the Revised Code. The 1116
notice is final and is enforceable by the court. 1117

(B) (1) If the court or child support enforcement agency 1118
determines that the obligor has funds that are not exempt under 1119
the laws of this state or the United States from execution, 1120
attachment, or other legal process and are on deposit in an 1121
account in a financial institution under the jurisdiction of the 1122
court that issued the court support order, or in the case of an 1123
administrative child support order, under the jurisdiction of 1124
the common pleas court of the county in which the agency that 1125
issued or is administering the order is located, the court or 1126
agency may require any financial institution in which the 1127
obligor's funds are on deposit to do all of the following: 1128

(a) Deduct from the obligor's account a specified amount 1129
for support in satisfaction of the support order and begin the 1130
deduction no later than fourteen business days following the 1131
date the notice was mailed or transmitted to the financial 1132
institution under section 3121.035 or 3123.06 of the Revised 1133
Code and division (B)(2) of this section; 1134

(b) Send the amount deducted to the office of child 1135
support in the department of job and family services pursuant to 1136
section 3121.43 of the Revised Code immediately but not later 1137
than seven business days after the date the latest deduction was 1138
made; 1139

(c) Provide the date on which the amount was deducted; 1140

(d) Continue the deduction at intervals specified in the 1141
notice until further notice from the court or child support 1142
enforcement agency. 1143

To the extent possible, the amount to be deducted shall 1144
satisfy the amount ordered for support in the support order plus 1145
any arrearages that may be owed by the obligor under any prior 1146
support order that pertained to the same child or spouse, 1147
notwithstanding the limitations of sections 2329.66, 2329.70, 1148
and 2716.13 of the Revised Code. 1149

(2) A court or agency that imposes a deduction requirement 1150
shall, within the applicable period of time specified in section 1151
3119.80, 3119.81, 3121.035, or 3123.06 of the Revised Code, send 1152
to the financial institution by regular mail or via secure 1153
federally managed data transmission interface a notice that 1154
contains all of the information applicable to deduction notices 1155
set forth in section 3121.037 of the Revised Code. The notice is 1156
final and is enforceable by the court. 1157

(C) With respect to any court support order it issues, a 1158
court may issue an order requiring the obligor to enter into a 1159
cash bond with the court. The court shall issue the order as 1160
part of the court support order or, if the court support order 1161
has previously been issued, as a separate order. The cash bond 1162
shall be in a sum fixed by the court at not less than five 1163
hundred nor more than ten thousand dollars, conditioned that the 1164
obligor will make payment as previously ordered and will pay any 1165
arrearages under any prior court support order that pertained to 1166
the same child or spouse. 1167

The order, along with an additional order requiring the 1168
obligor to immediately notify the child support enforcement 1169
agency, in writing, if the obligor begins to receive income from 1170
a payor, shall be attached to and served on the obligor at the 1171
same time as service of the court support order or, if the court 1172
support order has previously been issued, as soon as possible 1173
after the issuance of the order under this section. The 1174
additional order requiring notice by the obligor shall state all 1175
of the following: 1176

(1) That when the obligor begins to receive income from a 1177
payor the obligor may request that the court cancel its bond 1178
order and instead issue a notice requiring the withholding of an 1179
amount from income for support in accordance with this section; 1180

(2) That when the obligor begins to receive income from a 1181
payor the court will proceed to collect on the bond if the court 1182
determines that payments due under the court support order have 1183
not been made and that the amount that has not been paid is at 1184
least equal to the support owed for one month under the court 1185
support order and will issue a notice requiring the withholding 1186
of an amount from income for support in accordance with this 1187

section. The notice required of the obligor shall include a 1188
description of the nature of any new employment, the name and 1189
business address of any new employer, and any other information 1190
reasonably required by the court. 1191

The court shall not order an obligor to post a cash bond 1192
under this section unless the court determines that the obligor 1193
has the ability to do so. 1194

A child support enforcement agency may not issue a cash 1195
bond order. If a child support enforcement agency is required to 1196
issue a withholding or deduction notice under this section with 1197
respect to a court support order but the agency determines that 1198
no withholding or deduction notice would be appropriate, the 1199
agency may request that the court issue a cash bond order under 1200
this section, and upon the request, the court may issue the 1201
order. 1202

(D) (1) If the obligor under a court support order is 1203
unemployed, has no income, and does not have an account at any 1204
financial institution, or on request of a child support 1205
enforcement agency under division (D) (1) or (2) of this section, 1206
the court shall issue an order requiring the obligor, if able to 1207
engage in employment, to seek employment or participate in a 1208
work activity to which a recipient of assistance under Title IV- 1209
A of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C.A. 1210
301, as amended, may be assigned as specified in section 407(d) 1211
of the "Social Security Act," 42 U.S.C.A. 607(d), as amended. 1212
The court shall include in the order requirements that the 1213
obligor register with the OhioMeansJobs web site and to notify 1214
the child support enforcement agency on obtaining employment, 1215
obtaining any income, or obtaining ownership of any asset with a 1216
value of five hundred dollars or more. The court may issue the 1217

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

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

Sec. 3304.11. As used in sections 3304.11 to 3304.27 of 1249
the Revised Code: 1250

(A) "~~Person-Eligible individual~~ with a disability" means 1251
~~any person with an individual who has a~~ physical or mental 1252
impairment that ~~is-constitutes or results in a~~ substantial 1253
impediment to employment and who can benefit in terms of an 1254
~~employment outcome from the provision of-requires~~ vocational 1255
rehabilitation services to prepare for, secure, retain, advance 1256
in, or regain employment. 1257

(B) "Physical or mental impairment" means ~~a physical or-~~ 1258
~~mental condition that materially limits, contributes to limiting-~~ 1259
~~or, if not corrected, will probably result in limiting a-~~ 1260
~~person's activities or functioning~~ any physiological, mental, or 1261
psychological disorder. 1262

(C) "Substantial impediment to employment" means a 1263
physical or mental ~~disability that impedes a person's-~~ 1264
~~occupational performance, by preventing the person's obtaining,-~~ 1265
~~retaining, or preparing for a gainful occupation consistent with-~~ 1266
~~the person's capacities and-impairment that hinders an~~ 1267
individual from preparing for, entering into, engaging in, 1268
advancing in, or retaining employment consistent with the 1269
individual's abilities and capabilities. 1270

(D) "~~Vocational rehabilitation" and "vocational-~~ 1271
~~rehabilitation services"-means any activity or service-~~ 1272
~~calculated to enable a person with a disability or groups of-~~ 1273
~~persons with disabilities to engage in gainful occupation and-~~ 1274
~~includes, but is not limited to, medical and vocational-~~ 1275
~~evaluation, including diagnostic and related services,-~~ 1276
~~vocational counseling, guidance and placement, including follow-~~ 1277
~~up services, rehabilitation training, including books and other-~~ 1278

~~training materials, physical restoration, recruitment and 1279
training services designed to provide persons with disabilities 1280
new employment opportunities, maintenance, occupational tools, 1281
equipment, supplies, transportation, services to families of 1282
persons with disabilities that contribute substantially to the 1283
rehabilitation of these persons, and any other goods or service 1284
necessary to render a person with a disability employable has 1285
the same meaning as defined in section 361.5 of Title 34 of the 1286
Code of Federal Regulations, 34 C.F.R. 361.5. 1287~~

(E) "Establishment of a rehabilitation facility" means the 1288
expansion, remodeling, or alteration of an existing building 1289
that is necessary to adapt or to increase the effectiveness of 1290
that building for rehabilitation facility purposes, the 1291
acquisition of equipment for these purposes, and the initial 1292
staffing. 1293

(F) "Construction" means the construction of new 1294
buildings, acquisition of land or existing buildings and their 1295
expansion, remodeling, alteration and renovation, and the 1296
initial staffing and equipment of any new, newly acquired, 1297
expanded, remodeled, altered, or renovated buildings. 1298

~~(G) "Physical restoration services" means those services 1299
that are necessary to correct or substantially modify within a 1300
reasonable period of time a physical or mental condition that is 1301
stable or slowly progressive. 1302~~

~~(H) "Occupational license" means any license, permit, or 1303
other written authority required by any governmental unit in 1304
order to engage in any occupation or business. 1305~~

~~(I) "Maintenance" means money payments to persons with 1306
disabilities who need financial assistance for their subsistence 1307~~

during their vocational rehabilitation monetary support provided 1308
to an individual for expenses such as food, shelter, and 1309
clothing that are in excess of the normal expenses of the 1310
individual and that are necessitated by the individual's 1311
participation in an assessment for determining eligibility and 1312
need for vocational rehabilitation services or the individual's 1313
receipt of vocational rehabilitation services under an 1314
individualized plan for employment. 1315

Sec. 3304.12. (A) The governor, with the advice and 1316
consent of the senate, shall appoint the opportunities for 1317
Ohioans with disabilities commission within the opportunities 1318
for Ohioans with disabilities agency consisting of seven 1319
members, no more than four of whom shall be members of the same 1320
political party and who shall include at least three from 1321
rehabilitation professions, including at least one member from 1322
the field of services to the blind, and at least four 1323
individuals with disabilities, no less than two nor more than 1324
three of whom have received vocational rehabilitation services 1325
offered by a state vocational rehabilitation services agency or 1326
the veterans' administration. The members with disabilities 1327
shall be representative of several major categories of ~~persons~~ 1328
eligible individuals with disabilities served by the 1329
opportunities for Ohioans with disabilities agency. 1330

(B) Terms of office shall be for seven years, commencing 1331
on the ninth day of September and ending on the eighth day of 1332
September, with no person eligible to serve more than two seven- 1333
year terms. Each member shall hold office from the date of 1334
appointment until the end of the term for which the member was 1335
appointed. Any member appointed to fill a vacancy occurring 1336
prior to the expiration of the term for which the member's 1337
predecessor was appointed shall hold office for the remainder of 1338

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

(C) Members of the commission shall be reimbursed for 1345
travel and necessary expenses incurred in the conduct of their 1346
duties, and shall receive an amount fixed pursuant to division 1347
(J) of section 124.15 of the Revised Code while actually engaged 1348
in attendance at meetings or in the performance of their duties. 1349

Sec. 3304.14. For the purposes of sections 3304.11 to 1350
3304.27 of the Revised Code, the opportunities for Ohioans with 1351
disabilities commission shall approve the state vocational 1352
rehabilitation services plan, jointly approve the state plan for 1353
independent living with the Ohio state independent living 1354
council, appoint a consumer advisory committee, and, to the 1355
extent feasible, conduct a review and analysis of the 1356
effectiveness of and consumer satisfaction with all of the 1357
following: 1358

(A) The functions performed by the opportunities for 1359
Ohioans with disabilities agency; 1360

(B) The vocational rehabilitation services provided by 1361
state agencies and other public and private entities responsible 1362
for providing vocational rehabilitation services to ~~persons~~ 1363
eligible individuals with disabilities under the "Rehabilitation 1364
Act of 1973," 87 Stat. 355, 29 U.S.C. 701, as amended; 1365

(C) The employment outcomes achieved by eligible 1366
individuals with disabilities receiving vocational 1367

rehabilitation services under sections 3304.11 to 3304.27 of the 1368
Revised Code, including the availability of health and other 1369
employment benefits in connection with those employment 1370
outcomes. 1371

Sec. 3304.15. (A) There is hereby created the 1372
opportunities for Ohioans with disabilities agency. The agency 1373
is the designated state unit authorized under the 1374
"Rehabilitation Act of 1973," 87 Stat. 355, 29 U.S.C. 701, as 1375
amended, to provide vocational rehabilitation services to 1376
eligible ~~persons~~ individuals with disabilities. 1377

(B) The governor shall appoint an executive director of 1378
the opportunities for Ohioans with disabilities agency to serve 1379
at the pleasure of the governor and shall fix the executive 1380
director's compensation. The executive director shall devote the 1381
executive director's entire time to the duties of the executive 1382
director's office, shall hold no other office or position of 1383
trust and profit, and shall engage in no other business during 1384
the executive director's term of office. The governor may grant 1385
the executive director the authority to appoint, remove, and 1386
discipline without regard to sex, race, creed, color, age, or 1387
national origin, such other professional, administrative, and 1388
clerical staff members as are necessary to carry out the 1389
functions and duties of the agency. 1390

The executive director of the opportunities for Ohioans 1391
with disabilities agency is the executive and administrative 1392
officer of the agency. Whenever the Revised Code imposes a duty 1393
on or requires an action of the agency, the executive director 1394
shall perform the duty or action on behalf of the agency. The 1395
executive director may establish procedures for all of the 1396
following: 1397

| | |
|--|------------------------------|
| (1) The governance of the agency; | 1398 |
| (2) The conduct of agency employees and officers; | 1399 |
| (3) The performance of agency business; | 1400 |
| (4) The custody, use, and preservation of agency records, papers, books, documents, and property. | 1401 1402 |
| (C) The executive director shall have exclusive authority to administer the daily operation and provision of vocational rehabilitation services under this chapter. In exercising that authority, the executive director may do all of the following: | 1403 1404 1405 1406 |
| (1) Adopt rules in accordance with Chapter 119. of the Revised Code; | 1407 1408 |
| (2) Prepare and submit an annual report to the governor; | 1409 |
| (3) Certify any disbursement of funds available to the agency for vocational rehabilitation activities <u>services</u> ; | 1410 1411 |
| (4) Take appropriate action to guarantee rights of <u>vocational rehabilitation services</u> to people eligible <u>individuals with disabilities</u> ; | 1412 1413 1414 |
| (5) Consult with and advise other state agencies and coordinate programs for persons eligible individuals with disabilities; | 1415 1416 1417 |
| (6) Comply with the requirements for match as part of budget submission; | 1418 1419 |
| (7) Establish research and demonstration projects; | 1420 |
| (8) Accept, hold, invest, reinvest, or otherwise use gifts to further vocational rehabilitation <u>services</u> ; | 1421 1422 |
| (9) For the purposes of the business enterprise program | 1423 |

administered under sections 3304.28 to 3304.35 of the Revised Code: 1424
Code: 1425

(a) Establish and manage small business entities owned or operated by ~~visually impaired persons~~ individuals who are blind; 1426
1427

(b) Purchase insurance; 1428

(c) Accept computers. 1429

(10) Enter into contracts and other agreements for the provision of vocational rehabilitation services. 1430
1431

(D) The executive director shall establish a fee schedule for vocational rehabilitation services in accordance with 34 C.F.R. 361.50. 1432
1433
1434

Sec. 3304.17. The opportunities for Ohioans with disabilities agency shall provide vocational rehabilitation services to all eligible ~~persons~~ individuals with disabilities, including any ~~person~~ eligible individual with a disability who is eligible under the terms of an agreement or arrangement with another state or with the federal government. If vocational rehabilitation services cannot be provided to all eligible individuals with disabilities in the state who apply for vocational rehabilitation services, the agency shall implement an order of selection in accordance with 34 C.F.R. 361.36. 1435
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Sec. 3304.171. (A) As used in this section, "OhioMeansJobs web site" has the same meaning as in section 6301.01 of the Revised Code. 1445
1446
1447

(B) ~~Beginning January 1, 2016, each recipient of~~ Each eligible individual receiving vocational rehabilitation services provided under section 3304.17 of the Revised Code shall create an account with the OhioMeansJobs web site upon initiation of a 1448
1449
1450
1451

job search as a part of receiving those vocational 1452
rehabilitation services. 1453

(C) Division (B) of this section does not apply to any 1454
~~individual eligible individual with a disability~~ who is legally 1455
prohibited from using a computer, has a physical or visual 1456
impairment that makes the ~~individual eligible individual with a~~ 1457
disability unable to use a computer, or has a limited ability to 1458
read, write, speak, or understand a language in which the 1459
OhioMeansJobs web site is available. 1460

Sec. 3304.18. The treasurer of state shall be the 1461
custodian of all moneys received from the federal government for 1462
vocational rehabilitation services programs and shall disburse 1463
the money upon the certification of the executive director of 1464
the opportunities for Ohioans with disabilities agency. If 1465
federal funds are not available to the state for vocational 1466
~~rehabilitation purposes~~ services, the governor shall include as 1467
part of the governor's biennial budget request to the general 1468
assembly a request for funds sufficient to support the 1469
activities of the agency. 1470

Sec. 3304.182. Any agreement between the opportunities for 1471
Ohioans with disabilities agency and a private or public entity 1472
providing funds under section 3304.181 of the Revised Code may 1473
permit the agency to receive a specified percentage of the 1474
funds, but the percentage shall be not more than twenty-five per 1475
cent of the total funds available under the agreement. The 1476
agency may terminate an agreement at any time for just cause. It 1477
may terminate an agreement for any other reason by giving at 1478
least thirty days' notice to the public or private entity. 1479

Any vocational rehabilitation services provided under an 1480
agreement entered into under section 3304.181 of the Revised 1481

Code shall be provided by a person or government entity that 1482
meets the accreditation standards established in rules adopted 1483
by the agency under section 3304.15 of the Revised Code. 1484

Sec. 3304.19. ~~The right of a person with a disability to-~~ 1485
~~living~~ Any maintenance provided under sections 3304.11 to 1486
3304.27 of the Revised Code, is not transferable or assignable 1487
at law or in equity, and none of the money paid or payable or 1488
rights existing under this chapter are subject to execution, 1489
levy, attachment, garnishment, or other legal process, or to the 1490
operation of any bankruptcy or insolvency law. 1491

Sec. 3304.20. Any ~~person-eligible individual with a~~ 1492
disability applying for or receiving vocational rehabilitation 1493
services who is dissatisfied with regard to the furnishing or 1494
denial of vocational rehabilitation services, may file a request 1495
for an administrative review and redetermination of that action 1496
in accordance with rules of the opportunities for Ohioans with 1497
disabilities agency. When the ~~person-eligible individual with a~~ 1498
disability is dissatisfied with the finding of this 1499
administrative review, the ~~person-eligible individual with a~~ 1500
disability is entitled, in accordance with agency rules and in 1501
accordance with Chapter 119. of the Revised Code, to a fair 1502
hearing before the executive director of the agency. 1503

Sec. 3304.21. No person shall, except for the purposes of 1504
sections 3304.11 to 3304.27 of the Revised Code, and in 1505
accordance with the rules established by the opportunities for 1506
Ohioans with disabilities agency, solicit, disclose, receive, 1507
make use of, authorize, knowingly permit, participate in, or 1508
acquiesce in the use of any list of names or information 1509
concerning ~~persons-eligible individuals with disabilities~~ 1510
applying for or receiving any vocational rehabilitation services 1511

from the agency, which information is directly or indirectly 1512
derived from the records of the agency or is acquired in the 1513
performance of the person's official duties. 1514

Sec. 3304.22. No officer or employee of the opportunities 1515
for Ohioans with disabilities commission, the opportunities for 1516
Ohioans with disabilities agency, or any person engaged in the 1517
administration of a vocational rehabilitation services program 1518
sponsored by or affiliated with the state shall use or permit 1519
the use of any vocational rehabilitation services program for 1520
the purpose of interfering with an election for any partisan 1521
political purpose; solicit or receive money for a partisan 1522
political purpose; or require any other person to contribute any 1523
service or money for a partisan political purpose. Whoever 1524
violates this section shall be removed from the officer's or 1525
employee's office or employment. 1526

Sec. 3304.27. All vocational rehabilitation services made 1527
available under sections 3304.11 to 3304.27 of the Revised Code, 1528
are made available subject to amendment or repeal of those 1529
sections, and no ~~person-eligible individual~~ with a disability 1530
shall have any claim by reason of the ~~person's-eligible~~ 1531
individual's vocational rehabilitation services being affected 1532
in any way by such an amendment or repeal. 1533

Sec. 3304.28. As used in sections 3304.28 to 3304.34 of 1534
the Revised Code: 1535

(A) "Suitable vending facility" means automatic vending 1536
machines, cafeterias, snack bars, cart service shelters, 1537
counters, and other appropriate auxiliary food service equipment 1538
determined to be necessary by the bureau of services for the 1539
visually impaired for the automatic or manual dispensing of 1540
foods, beverages, and other such commodities for sale by ~~persons~~ 1541

individuals, no fewer than one-half of whom are blind, under the supervision of a licensed ~~blind~~-vendor who is blind or an employee of the opportunities for Ohioans with disabilities agency.

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

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

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

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

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

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

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

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

(D) Adopt rules and do everything necessary and proper to 1570
carry out sections 3304.29 to 3304.34 of the Revised Code. 1571

Sec. 3304.30. Every person in charge of governmental 1572
property to be substantially renovated or who is responsible for 1573
the acquisition, lease, or rental of such property shall consult 1574
with the director of the bureau of services for the visually 1575
impaired prior to such renovation, acquisition, lease, or rental 1576
to determine if sufficient numbers of persons will be using such 1577
property to support a suitable vending facility. If the director 1578
determines that such property would be a satisfactory site for a 1579
suitable vending facility, provision shall be made for 1580
electrical outlets, plumbing fixtures, and other requirements 1581
for the installation and operation of a suitable vending 1582
facility. In the case of a state university, medical university, 1583
technical college, state community college, community college, 1584
university branch district, or state-affiliated college or 1585
university, the decision to establish a suitable vending 1586
facility shall be made jointly by the director of services for 1587
the visually impaired and proper administrative authorities of 1588
the state or state-affiliated college or university. 1589

The bureau shall provide each suitable vending facility 1590
with equipment and an adequate initial stock of suitable 1591
articles to be vended. An inventory shall be made of each 1592
suitable vending facility at least once every six months. Each 1593
blind licensee may make the blind licensee's own inventory on 1594
forms prescribed by the bureau, provided that the bureau shall 1595
retain the right to make its own inventory at any mutually 1596
agreeable time. Each blind licensee may employ and discharge 1597
personnel required to operate the blind licensee's suitable 1598
vending facility, but employment preference shall be given to 1599
individuals who are blind persons and who are capable of 1600

discharging the required duties, ~~and at~~. At all times at least 1601
one-half of the employees shall be blind. 1602

Sec. 3304.31. Licenses issued by the bureau of services 1603
for the visually impaired under section 3304.29 of the Revised 1604
Code shall be in effect until suspended or revoked. The bureau 1605
may deny, revoke, or suspend a license or otherwise discipline a 1606
licensee upon proof that the ~~person~~ licensee is guilty of fraud 1607
or deceit in procuring or attempting to procure a license, is 1608
guilty of a felony or a crime of moral turpitude, is addicted to 1609
the use of habit-forming drugs or alcohol, or is mentally 1610
incompetent. Such license may also be denied, revoked, or 1611
suspended on proof of violation by the applicant or licensee of 1612
the rules established by the bureau for the operation of 1613
suitable vending facilities by the blind or if a licensee fails 1614
to maintain a vending facility as a suitable vending facility. 1615

Any individual who is blind ~~person and who~~ has had ~~his~~ the 1616
individual's license suspended or revoked or ~~his~~ the 1617
individual's application denied by the bureau may reapply for a 1618
license and may be reinstated or be granted a license by the 1619
bureau upon presentation of satisfactory evidence that there is 1620
no longer cause for such suspension, revocation, or denial. 1621
Before the bureau may revoke, deny, or suspend a license, or 1622
otherwise discipline a licensee, written charges must be filed 1623
by the director of the bureau and a hearing shall be held as 1624
provided in Chapter 119. of the Revised Code. 1625

Sec. 3304.41. The opportunities for Ohioans with 1626
disabilities agency shall establish and administer a program for 1627
the use of funds appropriated for that purpose to provide 1628
personal care assistance to enable eligible ~~severely physically~~ 1629
~~disabled persons~~ individuals with severe physical disabilities 1630

to live ~~independently or and~~ work, independently. The agency 1631
shall adopt rules in accordance with Chapter 119. of the Revised 1632
Code as necessary to carry out the purposes of this section, ~~and~~ 1633
~~shall apply to the controlling board for the release of the~~ 1634
~~funds.~~ 1635

Sec. 3309.23. (A) Except as provided in division (B) of 1636
this section, the following shall be contributors to the school 1637
employees retirement system: 1638

(1) All employees, as defined in division (B) of section 1639
3309.01 of the Revised Code; 1640

(2) The employees of an existing or newly created employer 1641
unit as defined in division (A) of section 3309.01 of the 1642
Revised Code, supported in whole or in part by the state or any 1643
political subdivision thereof and wholly controlled and managed 1644
by the state or any subdivision thereof. Such employees shall 1645
become contributors on the same terms and conditions as provided 1646
by this chapter, provided the board of trustees or other 1647
managing body of such school, college, or other institution, if 1648
such institution is now in existence or if in existence on such 1649
date, shall agree by formal resolution to accept all the 1650
requirements and obligations imposed by this chapter upon 1651
employers. A certified copy of the resolution shall be filed 1652
with the school employees retirement board. When such resolution 1653
has been adopted and a copy of it filed with the school 1654
employees retirement board, it shall not later be subject to 1655
rescission or abrogation. Service in such schools, colleges, or 1656
other institutions shall be then considered in every way the 1657
same as service in the public schools. 1658

(3) All other individuals who become members. 1659

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

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

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

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

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

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

Sec. 3313.603. (A) As used in this section:

(1) "One unit" means a minimum of one hundred twenty hours of course instruction, except that for a laboratory course, "one

unit" means a minimum of one hundred fifty hours of course instruction. 1689
1690

(2) "One-half unit" means a minimum of sixty hours of course instruction, except that for physical education courses, "one-half unit" means a minimum of one hundred twenty hours of course instruction. 1691
1692
1693
1694

(B) Beginning September 15, 2001, except as required in division (C) of this section and division (C) of section 3313.614 of the Revised Code, the requirements for graduation from every high school shall include twenty units earned in grades nine through twelve and shall be distributed as follows: 1695
1696
1697
1698
1699

(1) English language arts, four units; 1700

(2) Health, one-half unit; 1701

(3) Mathematics, three units; 1702

(4) Physical education, one-half unit; 1703

(5) Science, two units until September 15, 2003, and three units thereafter, which at all times shall include both of the following: 1704
1705
1706

(a) Biological sciences, one unit; 1707

(b) Physical sciences, one unit. 1708

(6) History and government, one unit, which shall comply with division (M) of this section and shall include both of the following: 1709
1710
1711

(a) American history, one-half unit; 1712

(b) American government, one-half unit. 1713

(7) Social studies, two units. 1714

Beginning with students who enter ninth grade for the 1715
first time on or after July 1, 2017, the two units of 1716
instruction prescribed by division (B) (7) of this section shall 1717
include at least one-half unit of instruction in the study of 1718
world history and civilizations. 1719

(8) Elective units, seven units until September 15, 2003, 1720
and six units thereafter. 1721

Each student's electives shall include at least one unit, 1722
or two half units, chosen from among the areas of 1723
business/technology, fine arts, and/or foreign language. 1724

(C) Beginning with students who enter ninth grade for the 1725
first time on or after July 1, 2010, except as provided in 1726
divisions (D) to (F) of this section, the requirements for 1727
graduation from every public and chartered nonpublic high school 1728
shall include twenty units that are designed to prepare students 1729
for the workforce and college. The units shall be distributed as 1730
follows: 1731

(1) English language arts, four units; 1732

(2) Health, one-half unit, which shall include instruction 1733
in nutrition and the benefits of nutritious foods and physical 1734
activity for overall health; 1735

(3) Mathematics, four units, which shall include one unit 1736
of algebra II or the equivalent of algebra II. However, students 1737
who enter ninth grade for the first time on or after July 1, 1738
2015, and who are pursuing a career-technical instructional 1739
track shall not be required to take algebra II, and instead may 1740
complete a career-based pathway mathematics course approved by 1741
the department of education as an alternative. 1742

(4) Physical education, one-half unit; 1743

| | |
|--|------|
| (5) Science, three units with inquiry-based laboratory | 1744 |
| experience that engages students in asking valid scientific | 1745 |
| questions and gathering and analyzing information, which shall | 1746 |
| include the following, or their equivalent: | 1747 |
| (a) Physical sciences, one unit; | 1748 |
| (b) Life sciences, one unit; | 1749 |
| (c) Advanced study in one or more of the following | 1750 |
| sciences, one unit: | 1751 |
| (i) Chemistry, physics, or other physical science; | 1752 |
| (ii) Advanced biology or other life science; | 1753 |
| (iii) Astronomy, physical geology, or other earth or space | 1754 |
| science. | 1755 |
| (6) History and government, one unit, which shall comply | 1756 |
| with division (M) of this section and shall include both of the | 1757 |
| following: | 1758 |
| (a) American history, one-half unit; | 1759 |
| (b) American government, one-half unit. | 1760 |
| (7) Social studies, two units. | 1761 |
| Each school shall integrate the study of economics and | 1762 |
| financial literacy, as expressed in the social studies academic | 1763 |
| content standards adopted by the state board of education under | 1764 |
| division (A) (1) of section 3301.079 of the Revised Code and the | 1765 |
| academic content standards for financial literacy and | 1766 |
| entrepreneurship adopted under division (A) (2) of that section, | 1767 |
| into one or more existing social studies credits required under | 1768 |
| division (C) (7) of this section, or into the content of another | 1769 |
| class, so that every high school student receives instruction in | 1770 |

those concepts. In developing the curriculum required by this 1771
paragraph, schools shall use available public-private 1772
partnerships and resources and materials that exist in business, 1773
industry, and through the centers for economics education at 1774
institutions of higher education in the state. 1775

Beginning with students who enter ninth grade for the 1776
first time on or after July 1, 2017, the two units of 1777
instruction prescribed by division (C) (7) of this section shall 1778
include at least one-half unit of instruction in the study of 1779
world history and civilizations. 1780

(8) Five units consisting of one or any combination of 1781
foreign language, fine arts, business, career-technical 1782
education, family and consumer sciences, technology, 1783
agricultural education, a junior reserve officer training corps 1784
(JROTC) program approved by the congress of the United States 1785
under title 10 of the United States Code, or English language 1786
arts, mathematics, science, or social studies courses not 1787
otherwise required under division (C) of this section. 1788

Ohioans must be prepared to apply increased knowledge and 1789
skills in the workplace and to adapt their knowledge and skills 1790
quickly to meet the rapidly changing conditions of the twenty- 1791
first century. National studies indicate that all high school 1792
graduates need the same academic foundation, regardless of the 1793
opportunities they pursue after graduation. The goal of Ohio's 1794
system of elementary and secondary education is to prepare all 1795
students for and seamlessly connect all students to success in 1796
life beyond high school graduation, regardless of whether the 1797
next step is entering the workforce, beginning an 1798
apprenticeship, engaging in post-secondary training, serving in 1799
the military, or pursuing a college degree. 1800

The requirements for graduation prescribed in division (C) 1801
of this section are the standard expectation for all students 1802
entering ninth grade for the first time at a public or chartered 1803
nonpublic high school on or after July 1, 2010. A student may 1804
satisfy this expectation through a variety of methods, 1805
including, but not limited to, integrated, applied, career- 1806
technical, and traditional coursework. 1807

Whereas teacher quality is essential for student success 1808
when completing the requirements for graduation, the general 1809
assembly shall appropriate funds for strategic initiatives 1810
designed to strengthen schools' capacities to hire and retain 1811
highly qualified teachers in the subject areas required by the 1812
curriculum. Such initiatives are expected to require an 1813
investment of \$120,000,000 over five years. 1814

Stronger coordination between high schools and 1815
institutions of higher education is necessary to prepare 1816
students for more challenging academic endeavors and to lessen 1817
the need for academic remediation in college, thereby reducing 1818
the costs of higher education for Ohio's students, families, and 1819
the state. The state board and the chancellor of higher 1820
education shall develop policies to ensure that only in rare 1821
instances will students who complete the requirements for 1822
graduation prescribed in division (C) of this section require 1823
academic remediation after high school. 1824

School districts, community schools, and chartered 1825
nonpublic schools shall integrate technology into learning 1826
experiences across the curriculum in order to maximize 1827
efficiency, enhance learning, and prepare students for success 1828
in the technology-driven twenty-first century. Districts and 1829
schools shall use distance and web-based course delivery as a 1830

method of providing or augmenting all instruction required under 1831
this division, including laboratory experience in science. 1832
Districts and schools shall utilize technology access and 1833
electronic learning opportunities provided by the broadcast 1834
educational media commission, chancellor, the Ohio learning 1835
network, education technology centers, public television 1836
stations, and other public and private providers. 1837

(D) Except as provided in division (E) of this section, a 1838
student who enters ninth grade on or after July 1, 2010, and 1839
before July 1, 2016, may qualify for graduation from a public or 1840
chartered nonpublic high school even though the student has not 1841
completed the requirements for graduation prescribed in division 1842
(C) of this section if all of the following conditions are 1843
satisfied: 1844

(1) During the student's third year of attending high 1845
school, as determined by the school, the student and the 1846
student's parent, guardian, or custodian sign and file with the 1847
school a written statement asserting the parent's, guardian's, 1848
or custodian's consent to the student's graduating without 1849
completing the requirements for graduation prescribed in 1850
division (C) of this section and acknowledging that one 1851
consequence of not completing those requirements is 1852
ineligibility to enroll in most state universities in Ohio 1853
without further coursework. 1854

(2) The student and parent, guardian, or custodian fulfill 1855
any procedural requirements the school stipulates to ensure the 1856
student's and parent's, guardian's, or custodian's informed 1857
consent and to facilitate orderly filing of statements under 1858
division (D)(1) of this section. Annually, each district or 1859
school shall notify the department of the number of students who 1860

choose to qualify for graduation under division (D) of this 1861
section and the number of students who complete the student's 1862
success plan and graduate from high school. 1863

(3) The student and the student's parent, guardian, or 1864
custodian and a representative of the student's high school 1865
jointly develop a student success plan for the student in the 1866
manner described in division (C)(1) of section 3313.6020 of the 1867
Revised Code that specifies the student matriculating to a two- 1868
year degree program, acquiring a business and industry- 1869
recognized credential, or entering an apprenticeship. 1870

(4) The student's high school provides counseling and 1871
support for the student related to the plan developed under 1872
division (D)(3) of this section during the remainder of the 1873
student's high school experience. 1874

(5)(a) Except as provided in division (D)(5)(b) of this 1875
section, the student successfully completes, at a minimum, the 1876
curriculum prescribed in division (B) of this section. 1877

(b) Beginning with students who enter ninth grade for the 1878
first time on or after July 1, 2014, a student shall be required 1879
to complete successfully, at the minimum, the curriculum 1880
prescribed in division (B) of this section, except as follows: 1881

(i) Mathematics, four units, one unit which shall be one 1882
of the following: 1883

(I) Probability and statistics; 1884

(II) Computer programming; 1885

(III) Applied mathematics or quantitative reasoning; 1886

(IV) Any other course approved by the department using 1887
standards established by the superintendent not later than 1888

| | |
|--|------|
| October 1, 2014. | 1889 |
| (ii) Elective units, five units; | 1890 |
| (iii) Science, three units as prescribed by division (B) | 1891 |
| of this section which shall include inquiry-based laboratory | 1892 |
| experience that engages students in asking valid scientific | 1893 |
| questions and gathering and analyzing information. | 1894 |
| The department, in collaboration with the chancellor, | 1895 |
| shall analyze student performance data to determine if there are | 1896 |
| mitigating factors that warrant extending the exception | 1897 |
| permitted by division (D) of this section to high school classes | 1898 |
| beyond those entering ninth grade before July 1, 2016. The | 1899 |
| department shall submit its findings and any recommendations not | 1900 |
| later than December 1, 2015, to the speaker and minority leader | 1901 |
| of the house of representatives, the president and minority | 1902 |
| leader of the senate, the chairpersons and ranking minority | 1903 |
| members of the standing committees of the house of | 1904 |
| representatives and the senate that consider education | 1905 |
| legislation, the state board of education, and the | 1906 |
| superintendent of public instruction. | 1907 |
| (E) Each school district and chartered nonpublic school | 1908 |
| retains the authority to require an even more challenging | 1909 |
| minimum curriculum for high school graduation than specified in | 1910 |
| division (B) or (C) of this section. A school district board of | 1911 |
| education, through the adoption of a resolution, or the | 1912 |
| governing authority of a chartered nonpublic school may | 1913 |
| stipulate any of the following: | 1914 |
| (1) A minimum high school curriculum that requires more | 1915 |
| than twenty units of academic credit to graduate; | 1916 |
| (2) An exception to the district's or school's minimum | 1917 |

high school curriculum that is comparable to the exception 1918
provided in division (D) of this section but with additional 1919
requirements, which may include a requirement that the student 1920
successfully complete more than the minimum curriculum 1921
prescribed in division (B) of this section; 1922

(3) That no exception comparable to that provided in 1923
division (D) of this section is available. 1924

(F) A student enrolled in a dropout prevention and 1925
recovery program, which program has received a waiver from the 1926
department, may qualify for graduation from high school by 1927
successfully completing a competency-based instructional program 1928
administered by the dropout prevention and recovery program in 1929
lieu of completing the requirements for graduation prescribed in 1930
division (C) of this section. The department shall grant a 1931
waiver to a dropout prevention and recovery program, within 1932
sixty days after the program applies for the waiver, if the 1933
program meets all of the following conditions: 1934

(1) The program serves only students not younger than 1935
sixteen years of age and not older than twenty-one years of age. 1936

(2) The program enrolls students who, at the time of their 1937
initial enrollment, either, or both, are at least one grade 1938
level behind their cohort age groups or experience crises that 1939
significantly interfere with their academic progress such that 1940
they are prevented from continuing their traditional programs. 1941

(3) The program requires students to attain at least the 1942
applicable score designated for each of the assessments 1943
prescribed under division (B) (1) of section 3301.0710 of the 1944
Revised Code or, to the extent prescribed by rule of the state 1945
board under division (D) (5) of section 3301.0712 of the Revised 1946

| | |
|--|--|
| Code, division (B) (2) of that section. | 1947 |
| (4) The program develops a student success plan for the student in the manner described in division (C) (1) of section 3313.6020 of the Revised Code that specifies the student's matriculating to a two-year degree program, acquiring a business and industry-recognized credential, or entering an apprenticeship. | 1948 1949 1950 1951 1952 1953 |
| (5) The program provides counseling and support for the student related to the plan developed under division (F) (4) of this section during the remainder of the student's high school experience. | 1954 1955 1956 1957 |
| (6) The program requires the student and the student's parent, guardian, or custodian to sign and file, in accordance with procedural requirements stipulated by the program, a written statement asserting the parent's, guardian's, or custodian's consent to the student's graduating without completing the requirements for graduation prescribed in division (C) of this section and acknowledging that one consequence of not completing those requirements is ineligibility to enroll in most state universities in Ohio without further coursework. | 1958 1959 1960 1961 1962 1963 1964 1965 1966 1967 |
| (7) Prior to receiving the waiver, the program has submitted to the department an instructional plan that demonstrates how the academic content standards adopted by the state board under section 3301.079 of the Revised Code will be taught and assessed. | 1968 1969 1970 1971 1972 |
| (8) Prior to receiving the waiver, the program has submitted to the department a policy on career advising that satisfies the requirements of section 3313.6020 of the Revised | 1973 1974 1975 |

| | |
|--|--|
| Code, with an emphasis on how every student will receive career advising. | 1976 1977 |
| (9) Prior to receiving the waiver, the program has submitted to the department a written agreement outlining the future cooperation between the program and any combination of local job training, postsecondary education, nonprofit, and health and social service organizations to provide services for students in the program and their families. | 1978 1979 1980 1981 1982 1983 |
| Divisions (F) (8) and (9) of this section apply only to waivers granted on or after July 1, 2015. | 1984 1985 |
| If the department does not act either to grant the waiver or to reject the program application for the waiver within sixty days as required under this section, the waiver shall be considered to be granted. | 1986 1987 1988 1989 |
| (G) Every high school may permit students below the ninth grade to take advanced work. If a high school so permits, it shall award high school credit for successful completion of the advanced work and shall count such advanced work toward the graduation requirements of division (B) or (C) of this section if the advanced work was both: | 1990 1991 1992 1993 1994 1995 |
| (1) Taught by a person who possesses a license or certificate issued under section 3301.071, 3319.22, or 3319.222 of the Revised Code that is valid for teaching high school; | 1996 1997 1998 |
| (2) Designated by the board of education of the city, local, or exempted village school district, the board of the cooperative education school district, or the governing authority of the chartered nonpublic school as meeting the high school curriculum requirements. | 1999 2000 2001 2002 2003 |
| Each high school shall record on the student's high school | 2004 |

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

(H) The department shall make its individual academic 2011
career plan available through its Ohio career information system 2012
web site for districts and schools to use as a tool for 2013
communicating with and providing guidance to students and 2014
families in selecting high school courses. 2015

(I) A school district or chartered nonpublic school may 2016
integrate academic content in a subject area for which the state 2017
board has adopted standards under section 3301.079 of the 2018
Revised Code into a course in a different subject area, 2019
including a career-technical education course, in accordance 2020
with guidance for integrated coursework developed by the 2021
department. Upon successful completion of an integrated course, 2022
a student may receive credit for both subject areas that were 2023
integrated into the course. Units earned ~~in English language~~ 2024
~~arts, mathematics, science, and social studies that are for~~ 2025
subject area content delivered through integrated academic and 2026
career-technical instruction are eligible to meet the graduation 2027
requirements of division (B) or (C) of this section. 2028

For purposes of meeting graduation requirements, if an 2029
end-of-course examination has been prescribed under section 2030
3301.0712 of the Revised Code for the subject area delivered 2031
through integrated instruction, the school district or school 2032
may administer the related subject area examinations upon the 2033
student's completion of the integrated course. 2034

Nothing in division (I) of this section shall be construed 2035
to excuse any school district, chartered nonpublic school, or 2036
student from any requirement in the Revised Code related to 2037
curriculum, assessments, or the awarding of a high school 2038
diploma. 2039

(J) (1) The state board, in consultation with the 2040
chancellor, shall adopt a statewide plan implementing methods 2041
for students to earn units of high school credit based on a 2042
demonstration of subject area competency, instead of or in 2043
combination with completing hours of classroom instruction. The 2044
state board shall adopt the plan not later than March 31, 2009, 2045
and commence phasing in the plan during the 2009-2010 school 2046
year. The plan shall include a standard method for recording 2047
demonstrated proficiency on high school transcripts. Each school 2048
district and community school shall comply with the state 2049
board's plan adopted under this division and award units of high 2050
school credit in accordance with the plan. The state board may 2051
adopt existing methods for earning high school credit based on a 2052
demonstration of subject area competency as necessary prior to 2053
the 2009-2010 school year. 2054

(2) Not later than December 31, 2015, the state board 2055
shall update the statewide plan adopted pursuant to division (J) 2056
(1) of this section to also include methods for students 2057
enrolled in seventh and eighth grade to meet curriculum 2058
requirements based on a demonstration of subject area 2059
competency, instead of or in combination with completing hours 2060
of classroom instruction. Beginning with the 2017-2018 school 2061
year, each school district and community school also shall 2062
comply with the updated plan adopted pursuant to this division 2063
and permit students enrolled in seventh and eighth grade to meet 2064
curriculum requirements based on subject area competency in 2065

accordance with the plan. 2066

(3) The department, in consultation with the chancellor of 2067
higher education and major business organization in the state, 2068
shall develop a framework for school districts and community 2069
schools to use in granting units of high school credit to 2070
students who demonstrate subject area competency through work- 2071
based learning experiences, internships, or cooperative 2072
education. Beginning with a date prescribed by the department, 2073
each district and community school shall comply with the 2074
framework. Each district and community school also shall review 2075
any policy it has adopted regarding the demonstration of subject 2076
area competency to identify ways to incorporate work-based 2077
learning experiences, internships, and cooperative education 2078
into the policy in order to increase student engagement and 2079
opportunities to earn units of high school credit. 2080

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

Beginning with students who enter ninth grade for the 2089
first time on or after July 1, 2010, each student enrolled in a 2090
public or chartered nonpublic high school shall complete two 2091
semesters or the equivalent of fine arts to graduate from high 2092
school. The coursework may be completed in any of grades seven 2093
to twelve. Each student who completes a fine arts course in 2094
grade seven or eight may elect to count that course toward the 2095

five units of electives required for graduation under division 2096
(C) (8) of this section, if the course satisfied the requirements 2097
of division (G) of this section. In that case, the high school 2098
shall award the student high school credit for the course and 2099
count the course toward the five units required under division 2100
(C) (8) of this section. If the course in grade seven or eight 2101
did not satisfy the requirements of division (G) of this 2102
section, the high school shall not award the student high school 2103
credit for the course but shall count the course toward the two 2104
semesters or the equivalent of fine arts required by this 2105
division. 2106

(L) Notwithstanding anything to the contrary in this 2107
section, the board of education of each school district and the 2108
governing authority of each chartered nonpublic school may adopt 2109
a policy to excuse from the high school physical education 2110
requirement each student who, during high school, has 2111
participated in interscholastic athletics, marching band, or 2112
cheerleading for at least two full seasons or in the junior 2113
reserve officer training corps for at least two full school 2114
years. If the board or authority adopts such a policy, the board 2115
or authority shall not require the student to complete any 2116
physical education course as a condition to graduate. However, 2117
the student shall be required to complete one-half unit, 2118
consisting of at least sixty hours of instruction, in another 2119
course of study. In the case of a student who has participated 2120
in the junior reserve officer training corps for at least two 2121
full school years, credit received for that participation may be 2122
used to satisfy the requirement to complete one-half unit in 2123
another course of study. 2124

(M) It is important that high school students learn and 2125
understand United States history and the governments of both the 2126

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

(1) The Declaration of Independence; 2133

(2) The Northwest Ordinance; 2134

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

(4) The Ohio Constitution. 2137

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

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

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

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

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| English, mathematics, and reading; | 2155 |
| (2) Attain a score specified under division (B) (5) (c) of section 3301.0712 of the Revised Code on the end-of-course examinations prescribed under division (B) of section 3301.0712 of the Revised Code. | 2156 2157 2158 2159 |
| (3) Attain a score that demonstrates workforce readiness and employability on a nationally recognized job skills assessment selected by the state board of education under division (G) of section 3301.0712 of the Revised Code and obtain either an industry-recognized credential, as described under division (B) (2) (d) of section 3302.03 of the Revised Code, or a license issued by a state agency or board for practice in a vocation that requires an examination for issuance of that license. | 2160 2161 2162 2163 2164 2165 2166 2167 2168 |
| The state board shall approve the industry-recognized credentials and licenses that may qualify a student for a high school diploma under division (A) (3) of this section. | 2169 2170 2171 |
| A student may choose to qualify for a high school diploma by satisfying any of the separate requirements prescribed by divisions (A) (1) to (3) of this section. If the student's school district or school does not administer the examination prescribed by one of those divisions that the student chooses to take to satisfy the requirements of this section, the school district or school may require that student to arrange for the applicable scores to be sent directly to the district or school by the company or organization that administers the examination. | 2172 2173 2174 2175 2176 2177 2178 2179 2180 |
| (B) The state board of education shall not create or require any additional assessment for the granting of any type of high school diploma other than as prescribed by this section. | 2181 2182 2183 |

Except as provided in ~~section~~ sections 3313.6111 and 3313.6112 2184
of the Revised Code, the state board and the department of 2185
education shall not create any endorsement or designation that 2186
may be affiliated with a high school diploma. 2187

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

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

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

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

(E) For the purposes of an application for employment, a 2209
diploma granted under this section shall be considered proof of 2210
completion of a high school education, regardless of whether the 2211
person to which the diploma was granted participated in the 2212

assessments prescribed by division (A) (1) or (B) (1) or (2) of 2213
section 3301.0710 and section 3301.0712 of the Revised Code. 2214

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

Sec. 3313.6112. (A) The department of education shall 2222
establish the OhioMeansJobs-ready certificate, which may be 2223
awarded to a high school student enrolled in a public or 2224
chartered nonpublic school. 2225

(B) A school district, community school established under 2226
Chapter 3314. of the Revised Code, STEM school established under 2227
Chapter 3326. of the Revised Code, college-preparatory boarding 2228
school established under Chapter 3328. of the Revised Code, or 2229
chartered nonpublic school shall award the OhioMeansJobs-ready 2230
certificate to a student enrolled in the school who meets the 2231
requirements prescribed under division (C) (1) of this section. 2232

(C) The department shall do all of the following: 2233

(1) Establish the requirements and criteria for earning an 2234
OhioMeansJobs-ready certificate, including demonstration of 2235
work-readiness by exhibiting work ethic core competencies such 2236
as teamwork, problem-solving, reliability, punctuality, and at 2237
least four objective competencies including computer technology 2238
and community service; 2239

(2) Develop a standardized form for students to complete 2240
and have validated prior to graduation by at least three 2241

individuals, each of whom must be a teacher or business mentor 2242
of the student; 2243

(3) Prepare and deliver to all school districts, community 2244
schools, STEM schools, college-preparatory boarding schools, and 2245
chartered nonpublic schools an appropriate mechanism for 2246
awarding an OhioMeansJobs-ready certificate to a student; 2247

(4) Provide any other information the department considers 2248
necessary for school districts, community schools, STEM schools, 2249
college-preparatory boarding schools, and chartered nonpublic 2250
schools to award an OhioMeansJobs-ready certificate to a 2251
student. 2252

(D) A student shall not be charged a fee to be awarded an 2253
OhioMeansJobs-ready certificate. 2254

Sec. 3313.89. Beginning with the 2014-2015 school year, 2255
each public high school shall publish or provide, not later than 2256
the first day of April of each year, in its newsletter, high 2257
school planning guide, regular publication provided to parents 2258
and students, or in a prominent location on the school web site, 2259
information regarding the online education and career planning 2260
tool developed under section 6301.15 of the Revised Code. The 2261
information shall include the internet web site address for the 2262
planning tool and a link to that web site. The information also 2263
shall include a link to the OhioMeansJobs web site. 2264

As used in this section, "OhioMeansJobs web site" has the 2265
same meaning as in section 6301.01 of the Revised Code. 2266

Sec. 3313.904. The department of education and the 2267
department of job and family services, in consultation with the 2268
governor's office of workforce transformation, shall establish 2269
an option for career-technical education students to participate 2270

in pre-apprenticeship training programs that impart the skills 2271
and knowledge needed for successful participation in a 2272
registered apprenticeship occupation course. 2273

Sec. 3314.03. A copy of every contract entered into under 2274
this section shall be filed with the superintendent of public 2275
instruction. The department of education shall make available on 2276
its web site a copy of every approved, executed contract filed 2277
with the superintendent under this section. 2278

(A) Each contract entered into between a sponsor and the 2279
governing authority of a community school shall specify the 2280
following: 2281

(1) That the school shall be established as either of the 2282
following: 2283

(a) A nonprofit corporation established under Chapter 2284
1702. of the Revised Code, if established prior to April 8, 2285
2003; 2286

(b) A public benefit corporation established under Chapter 2287
1702. of the Revised Code, if established after April 8, 2003. 2288

(2) The education program of the school, including the 2289
school's mission, the characteristics of the students the school 2290
is expected to attract, the ages and grades of students, and the 2291
focus of the curriculum; 2292

(3) The academic goals to be achieved and the method of 2293
measurement that will be used to determine progress toward those 2294
goals, which shall include the statewide achievement 2295
assessments; 2296

(4) Performance standards, including but not limited to 2297
all applicable report card measures set forth in section 3302.03 2298

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| or 3314.017 of the Revised Code, by which the success of the school will be evaluated by the sponsor; | 2299 2300 |
| (5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code; | 2301 2302 2303 |
| (6) (a) Dismissal procedures; | 2304 |
| (b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in one hundred five consecutive hours of the learning opportunities offered to the student. | 2305 2306 2307 2308 2309 2310 |
| (7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves; | 2311 2312 |
| (8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code. | 2313 2314 2315 2316 2317 2318 |
| (9) An addendum to the contract outlining the facilities to be used that contains at least the following information: | 2319 2320 |
| (a) A detailed description of each facility used for instructional purposes; | 2321 2322 |
| (b) The annual costs associated with leasing each facility that are paid by or on behalf of the school; | 2323 2324 |
| (c) The annual mortgage principal and interest payments that are paid by the school; | 2325 2326 |

(d) The name of the lender or landlord, identified as 2327
such, and the lender's or landlord's relationship to the 2328
operator, if any. 2329

(10) Qualifications of teachers, including a requirement 2330
that the school's classroom teachers be licensed in accordance 2331
with sections 3319.22 to 3319.31 of the Revised Code, except 2332
that a community school may engage noncertificated persons to 2333
teach up to twelve hours per week pursuant to section 3319.301 2334
of the Revised Code. 2335

(11) That the school will comply with the following 2336
requirements: 2337

(a) The school will provide learning opportunities to a 2338
minimum of twenty-five students for a minimum of nine hundred 2339
twenty hours per school year. 2340

(b) The governing authority will purchase liability 2341
insurance, or otherwise provide for the potential liability of 2342
the school. 2343

(c) The school will be nonsectarian in its programs, 2344
admission policies, employment practices, and all other 2345
operations, and will not be operated by a sectarian school or 2346
religious institution. 2347

(d) The school will comply with sections 9.90, 9.91, 2348
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 2349
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3313.472, 2350
3313.50, 3313.536, 3313.539, 3313.5310, 3313.608, 3313.609, 2351
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.643, 2352
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 2353
3313.667, 3313.668, 3313.67, 3313.671, 3313.672, 3313.673, 2354
3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 2355

3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.86, 2356
3313.89, 3313.96, 3319.073, 3319.321, 3319.39, 3319.391, 2357
3319.41, 3319.46, 3321.01, 3321.041, 3321.13, 3321.14, 3321.17, 2358
3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 4113.52, and 2359
5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 2360
4123., 4141., and 4167. of the Revised Code as if it were a 2361
school district and will comply with section 3301.0714 of the 2362
Revised Code in the manner specified in section 3314.17 of the 2363
Revised Code. 2364

(e) The school shall comply with Chapter 102. and section 2365
2921.42 of the Revised Code. 2366

(f) The school will comply with sections 3313.61, 2367
3313.611, and 3313.614 of the Revised Code, except that for 2368
students who enter ninth grade for the first time before July 1, 2369
2010, the requirement in sections 3313.61 and 3313.611 of the 2370
Revised Code that a person must successfully complete the 2371
curriculum in any high school prior to receiving a high school 2372
diploma may be met by completing the curriculum adopted by the 2373
governing authority of the community school rather than the 2374
curriculum specified in Title XXXVIII of the Revised Code or any 2375
rules of the state board of education. Beginning with students 2376
who enter ninth grade for the first time on or after July 1, 2377
2010, the requirement in sections 3313.61 and 3313.611 of the 2378
Revised Code that a person must successfully complete the 2379
curriculum of a high school prior to receiving a high school 2380
diploma shall be met by completing the requirements prescribed 2381
in division (C) of section 3313.603 of the Revised Code, unless 2382
the person qualifies under division (D) or (F) of that section. 2383
Each school shall comply with the plan for awarding high school 2384
credit based on demonstration of subject area competency, and 2385
beginning with the 2017-2018 school year, with the updated plan 2386

that permits students enrolled in seventh and eighth grade to 2387
meet curriculum requirements based on subject area competency 2388
adopted by the state board of education under divisions (J) (1) 2389
and (2) of section 3313.603 of the Revised Code. Beginning on a 2390
date prescribed by the department, the school shall comply with 2391
the framework for granting units of high school credit to 2392
students who demonstrate subject area competency through work- 2393
based learning experiences, internships, or cooperative 2394
education developed by the department under division (J) (3) of 2395
section 3313.603 of the Revised Code. 2396

(g) The school governing authority will submit within four 2397
months after the end of each school year a report of its 2398
activities and progress in meeting the goals and standards of 2399
divisions (A) (3) and (4) of this section and its financial 2400
status to the sponsor and the parents of all students enrolled 2401
in the school. 2402

(h) The school, unless it is an internet- or computer- 2403
based community school, will comply with section 3313.801 of the 2404
Revised Code as if it were a school district. 2405

(i) If the school is the recipient of moneys from a grant 2406
awarded under the federal race to the top program, Division (A), 2407
Title XIV, Sections 14005 and 14006 of the "American Recovery 2408
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 2409
the school will pay teachers based upon performance in 2410
accordance with section 3317.141 and will comply with section 2411
3319.111 of the Revised Code as if it were a school district. 2412

(j) If the school operates a preschool program that is 2413
licensed by the department of education under sections 3301.52 2414
to 3301.59 of the Revised Code, the school shall comply with 2415
sections 3301.50 to 3301.59 of the Revised Code and the minimum 2416

standards for preschool programs prescribed in rules adopted by 2417
the state board under section 3301.53 of the Revised Code. 2418

(k) The school will comply with sections 3313.6021 and 2419
3313.6023 of the Revised Code as if it were a school district 2420
unless it is either of the following: 2421

(i) An internet- or computer-based community school; 2422

(ii) A community school in which a majority of the 2423
enrolled students are children with disabilities as described in 2424
division (A) (4) (b) of section 3314.35 of the Revised Code. 2425

(12) Arrangements for providing health and other benefits 2426
to employees; 2427

(13) The length of the contract, which shall begin at the 2428
beginning of an academic year. No contract shall exceed five 2429
years unless such contract has been renewed pursuant to division 2430
(E) of this section. 2431

(14) The governing authority of the school, which shall be 2432
responsible for carrying out the provisions of the contract; 2433

(15) A financial plan detailing an estimated school budget 2434
for each year of the period of the contract and specifying the 2435
total estimated per pupil expenditure amount for each such year. 2436

(16) Requirements and procedures regarding the disposition 2437
of employees of the school in the event the contract is 2438
terminated or not renewed pursuant to section 3314.07 of the 2439
Revised Code; 2440

(17) Whether the school is to be created by converting all 2441
or part of an existing public school or educational service 2442
center building or is to be a new start-up school, and if it is 2443
a converted public school or service center building, 2444

specification of any duties or responsibilities of an employer 2445
that the board of education or service center governing board 2446
that operated the school or building before conversion is 2447
delegating to the governing authority of the community school 2448
with respect to all or any specified group of employees provided 2449
the delegation is not prohibited by a collective bargaining 2450
agreement applicable to such employees; 2451

(18) Provisions establishing procedures for resolving 2452
disputes or differences of opinion between the sponsor and the 2453
governing authority of the community school; 2454

(19) A provision requiring the governing authority to 2455
adopt a policy regarding the admission of students who reside 2456
outside the district in which the school is located. That policy 2457
shall comply with the admissions procedures specified in 2458
sections 3314.06 and 3314.061 of the Revised Code and, at the 2459
sole discretion of the authority, shall do one of the following: 2460

(a) Prohibit the enrollment of students who reside outside 2461
the district in which the school is located; 2462

(b) Permit the enrollment of students who reside in 2463
districts adjacent to the district in which the school is 2464
located; 2465

(c) Permit the enrollment of students who reside in any 2466
other district in the state. 2467

(20) A provision recognizing the authority of the 2468
department of education to take over the sponsorship of the 2469
school in accordance with the provisions of division (C) of 2470
section 3314.015 of the Revised Code; 2471

(21) A provision recognizing the sponsor's authority to 2472
assume the operation of a school under the conditions specified 2473

in division (B) of section 3314.073 of the Revised Code; 2474

(22) A provision recognizing both of the following: 2475

(a) The authority of public health and safety officials to 2476
inspect the facilities of the school and to order the facilities 2477
closed if those officials find that the facilities are not in 2478
compliance with health and safety laws and regulations; 2479

(b) The authority of the department of education as the 2480
community school oversight body to suspend the operation of the 2481
school under section 3314.072 of the Revised Code if the 2482
department has evidence of conditions or violations of law at 2483
the school that pose an imminent danger to the health and safety 2484
of the school's students and employees and the sponsor refuses 2485
to take such action. 2486

(23) A description of the learning opportunities that will 2487
be offered to students including both classroom-based and non- 2488
classroom-based learning opportunities that is in compliance 2489
with criteria for student participation established by the 2490
department under division (H) (2) of section 3314.08 of the 2491
Revised Code; 2492

(24) The school will comply with sections 3302.04 and 2493
3302.041 of the Revised Code, except that any action required to 2494
be taken by a school district pursuant to those sections shall 2495
be taken by the sponsor of the school. However, the sponsor 2496
shall not be required to take any action described in division 2497
(F) of section 3302.04 of the Revised Code. 2498

(25) Beginning in the 2006-2007 school year, the school 2499
will open for operation not later than the thirtieth day of 2500
September each school year, unless the mission of the school as 2501
specified under division (A) (2) of this section is solely to 2502

serve dropouts. In its initial year of operation, if the school 2503
fails to open by the thirtieth day of September, or within one 2504
year after the adoption of the contract pursuant to division (D) 2505
of section 3314.02 of the Revised Code if the mission of the 2506
school is solely to serve dropouts, the contract shall be void. 2507

(26) Whether the school's governing authority is planning 2508
to seek designation for the school as a STEM school equivalent 2509
under section 3326.032 of the Revised Code; 2510

(27) That the school's attendance and participation 2511
policies will be available for public inspection; 2512

(28) That the school's attendance and participation 2513
records shall be made available to the department of education, 2514
auditor of state, and school's sponsor to the extent permitted 2515
under and in accordance with the "Family Educational Rights and 2516
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, 2517
and any regulations promulgated under that act, and section 2518
3319.321 of the Revised Code; 2519

(29) If a school operates using the blended learning 2520
model, as defined in section 3301.079 of the Revised Code, all 2521
of the following information: 2522

(a) An indication of what blended learning model or models 2523
will be used; 2524

(b) A description of how student instructional needs will 2525
be determined and documented; 2526

(c) The method to be used for determining competency, 2527
granting credit, and promoting students to a higher grade level; 2528

(d) The school's attendance requirements, including how 2529
the school will document participation in learning 2530

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| opportunities; | 2531 |
| (e) A statement describing how student progress will be monitored; | 2532 2533 |
| (f) A statement describing how private student data will be protected; | 2534 2535 |
| (g) A description of the professional development activities that will be offered to teachers. | 2536 2537 |
| (30) A provision requiring that all moneys the school's operator loans to the school, including facilities loans or cash flow assistance, must be accounted for, documented, and bear interest at a fair market rate; | 2538 2539 2540 2541 |
| (31) A provision requiring that, if the governing authority contracts with an attorney, accountant, or entity specializing in audits, the attorney, accountant, or entity shall be independent from the operator with which the school has contracted. | 2542 2543 2544 2545 2546 |
| (B) The community school shall also submit to the sponsor a comprehensive plan for the school. The plan shall specify the following: | 2547 2548 2549 |
| (1) The process by which the governing authority of the school will be selected in the future; | 2550 2551 |
| (2) The management and administration of the school; | 2552 |
| (3) If the community school is a currently existing public school or educational service center building, alternative arrangements for current public school students who choose not to attend the converted school and for teachers who choose not to teach in the school or building after conversion; | 2553 2554 2555 2556 2557 |

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| (4) The instructional program and educational philosophy | 2558 |
| of the school; | 2559 |
| (5) Internal financial controls. | 2560 |
| When submitting the plan under this division, the school | 2561 |
| shall also submit copies of all policies and procedures | 2562 |
| regarding internal financial controls adopted by the governing | 2563 |
| authority of the school. | 2564 |
| (C) A contract entered into under section 3314.02 of the | 2565 |
| Revised Code between a sponsor and the governing authority of a | 2566 |
| community school may provide for the community school governing | 2567 |
| authority to make payments to the sponsor, which is hereby | 2568 |
| authorized to receive such payments as set forth in the contract | 2569 |
| between the governing authority and the sponsor. The total | 2570 |
| amount of such payments for monitoring, oversight, and technical | 2571 |
| assistance of the school shall not exceed three per cent of the | 2572 |
| total amount of payments for operating expenses that the school | 2573 |
| receives from the state. | 2574 |
| (D) The contract shall specify the duties of the sponsor | 2575 |
| which shall be in accordance with the written agreement entered | 2576 |
| into with the department of education under division (B) of | 2577 |
| section 3314.015 of the Revised Code and shall include the | 2578 |
| following: | 2579 |
| (1) Monitor the community school's compliance with all | 2580 |
| laws applicable to the school and with the terms of the | 2581 |
| contract; | 2582 |
| (2) Monitor and evaluate the academic and fiscal | 2583 |
| performance and the organization and operation of the community | 2584 |
| school on at least an annual basis; | 2585 |
| (3) Report on an annual basis the results of the | 2586 |

evaluation conducted under division (D) (2) of this section to 2587
the department of education and to the parents of students 2588
enrolled in the community school; 2589

(4) Provide technical assistance to the community school 2590
in complying with laws applicable to the school and terms of the 2591
contract; 2592

(5) Take steps to intervene in the school's operation to 2593
correct problems in the school's overall performance, declare 2594
the school to be on probationary status pursuant to section 2595
3314.073 of the Revised Code, suspend the operation of the 2596
school pursuant to section 3314.072 of the Revised Code, or 2597
terminate the contract of the school pursuant to section 3314.07 2598
of the Revised Code as determined necessary by the sponsor; 2599

(6) Have in place a plan of action to be undertaken in the 2600
event the community school experiences financial difficulties or 2601
closes prior to the end of a school year. 2602

(E) Upon the expiration of a contract entered into under 2603
this section, the sponsor of a community school may, with the 2604
approval of the governing authority of the school, renew that 2605
contract for a period of time determined by the sponsor, but not 2606
ending earlier than the end of any school year, if the sponsor 2607
finds that the school's compliance with applicable laws and 2608
terms of the contract and the school's progress in meeting the 2609
academic goals prescribed in the contract have been 2610
satisfactory. Any contract that is renewed under this division 2611
remains subject to the provisions of sections 3314.07, 3314.072, 2612
and 3314.073 of the Revised Code. 2613

(F) If a community school fails to open for operation 2614
within one year after the contract entered into under this 2615

section is adopted pursuant to division (D) of section 3314.02 2616
of the Revised Code or permanently closes prior to the 2617
expiration of the contract, the contract shall be void and the 2618
school shall not enter into a contract with any other sponsor. A 2619
school shall not be considered permanently closed because the 2620
operations of the school have been suspended pursuant to section 2621
3314.072 of the Revised Code. 2622

Sec. 3326.01. (A) As used in this chapter, 2623

(1) "STEM" is an abbreviation of "science, technology, 2624
engineering, and mathematics." 2625

(2) "STEAM" is an abbreviation of "science, technology, 2626
engineering, arts, and mathematics." 2627

(B) (1) A science, technology, engineering, arts, and 2628
mathematics school shall be considered a type of science, 2629
technology, engineering, and mathematics school. 2630

(2) A STEAM school equivalent shall be considered to be a 2631
type of STEM school equivalent. 2632

(3) A STEAM program of excellence shall be considered to 2633
be a type of STEM program of excellence. 2634

(C) (1) Any reference to a STEM school or science, 2635
technology, engineering, and mathematics school in the Revised 2636
Code shall be considered to include a STEAM school, unless the 2637
context specifically indicates a different meaning or intent. 2638
All provisions of the Revised Code applicable to a STEM school 2639
shall apply to a STEAM school in the same manner, except as 2640
otherwise provided in this chapter. 2641

(2) Any reference to a STEM school equivalent in the 2642
Revised Code shall be considered to include a STEAM school 2643

equivalent, unless the context specifically indicates a 2644
different meaning or intent. All provisions of the Revised Code 2645
applicable to a STEM school equivalent shall apply to a STEAM 2646
school equivalent in the same manner, except as otherwise 2647
provided in this chapter. 2648

(3) Any reference to a STEM program of excellence in the 2649
Revised Code shall be considered to include a STEAM program of 2650
excellence, unless the context specifically indicates a 2651
different meaning or intent. All provisions of the Revised Code 2652
applicable to a STEM program of excellence shall apply to a 2653
STEAM program of excellence in the same manner, except as 2654
otherwise provided in this chapter. 2655

Sec. 3326.03. (A) The STEM committee shall authorize the 2656
establishment of and award grants to science, technology, 2657
engineering, and mathematics schools based on proposals 2658
submitted to the committee. 2659

The committee shall determine the criteria for proposals, 2660
establish procedures for the submission of proposals, accept and 2661
evaluate proposals, and choose which proposals to approve to 2662
become a STEM school. In approving proposals for STEM schools, 2663
the committee shall consider locating the schools in diverse 2664
geographic regions of the state so that all students have access 2665
to a STEM school. 2666

The committee shall seek technical assistance from the 2667
Ohio STEM learning network, or its successor, throughout the 2668
process of accepting and evaluating proposals and choosing which 2669
proposals to approve. In approving proposals for STEM schools, 2670
the committee shall consider the recommendations of the Ohio 2671
STEM learning network, or its successor. 2672

The committee may authorize the establishment of a group 2673
of multiple STEM schools to operate from multiple facilities 2674
located in one or more school districts under the direction of a 2675
single governing body in the manner prescribed by section 2676
3326.031 of the Revised Code. The committee shall consider the 2677
merits of each of the proposed STEM schools within a group and 2678
shall authorize each school separately. Anytime after 2679
authorizing a group of STEM schools to be under the direction of 2680
a single governing body, upon a proposal from the governing 2681
body, the committee may authorize one or more additional schools 2682
to operate as part of that group. 2683

The STEM committee may approve one or more STEM schools to 2684
serve only students identified as gifted under Chapter 3324. of 2685
the Revised Code. 2686

(B) Proposals may be submitted only by a partnership of 2687
public and private entities consisting of at least all of the 2688
following: 2689

(1) A city, exempted village, local, or joint vocational 2690
school district or an educational service center; 2691

(2) Higher education entities; 2692

(3) Business organizations. 2693

A community school established under Chapter 3314. of the 2694
Revised Code, a chartered nonpublic school, or both may be part 2695
of the partnership. 2696

(C) Each proposal shall include at least the following: 2697

(1) Assurances that the STEM school or group of STEM 2698
schools will be under the oversight of a governing body and a 2699
description of the members of that governing body and how they 2700

will be selected; 2701

(2) Assurances that each STEM school will operate in 2702
compliance with this chapter and the provisions of the proposal 2703
as accepted by the committee; 2704

(3) Evidence that each school will offer a rigorous, 2705
diverse, integrated, and project-based curriculum to students in 2706
any of grades kindergarten through twelve, with the goal to 2707
prepare those students for college, the workforce, and 2708
citizenship, and that does all of the following: 2709

(a) Emphasizes the role of science, technology, 2710
engineering, and mathematics in promoting innovation and 2711
economic progress; 2712

(b) Incorporates scientific inquiry and technological 2713
design; 2714

(c) Includes the arts and humanities~~r~~. If the proposal is 2715
for a STEAM school, it also shall include evidence that the 2716
curriculum will integrate arts and design into the study of 2717
science, technology, engineering, and mathematics to foster 2718
creative thinking, problem-solving, and new approaches to 2719
scientific invention. 2720

(d) Emphasizes personalized learning and teamwork skills. 2721

(4) Evidence that each school will attract school leaders 2722
who support the curriculum principles of division (C) (3) of this 2723
section; 2724

(5) A description of how each school's curriculum will be 2725
developed and approved in accordance with section 3326.09 of the 2726
Revised Code; 2727

(6) Evidence that each school will utilize an established 2728

capacity to capture and share knowledge for best practices and 2729
innovative professional development with the Ohio STEM learning 2730
network, or its successor; 2731

(7) Evidence that each school will operate in 2732
collaboration with a partnership that includes institutions of 2733
higher education and businesses~~†~~. If the proposal is for a STEAM 2734
school, it also shall include evidence that this partnership 2735
will include arts organizations. 2736

(8) Assurances that each school has received commitments 2737
of sustained and verifiable fiscal and in-kind support from 2738
regional education and business entities~~†~~. If the proposal is 2739
for a STEAM school, it also shall include assurances that the 2740
school has received commitments of sustained and verifiable 2741
fiscal and in-kind support from arts organizations. 2742

(9) A description of how each school's assets will be 2743
distributed if the school closes for any reason. 2744

(D) If a STEM school wishes to become a STEAM school, it 2745
may change its existing proposal to include the items required 2746
under divisions (C) (3) (c), (7), and (8) of this section and 2747
submit the revised proposal to the STEM committee for approval. 2748

Sec. 3326.032. (A) The STEM committee may grant a 2749
designation of STEM school equivalent to a community school 2750
established under Chapter 3314. of the Revised Code or to a 2751
chartered nonpublic school. In order to be eligible for this 2752
designation, a community school or chartered nonpublic school 2753
shall submit a proposal that satisfies the requirements of this 2754
section. 2755

The committee shall determine the criteria for proposals, 2756
establish procedures for the submission of proposals, accept and 2757

evaluate proposals, and choose which proposals warrant a 2758
community school or chartered nonpublic school to be designated 2759
as a STEM school equivalent. 2760

(B) A proposal for designation as a STEM school equivalent 2761
shall include at least the following: 2762

(1) Assurances that the community school or chartered 2763
nonpublic school submitting the proposal has a working 2764
partnership with both public and private entities, including 2765
higher education entities and business organizations~~†~~. If the 2766
proposal is for a STEAM school equivalent, it also shall include 2767
evidence that this partnership includes arts organizations. 2768

(2) Assurances that the school submitting the proposal 2769
will operate in compliance with this section and the provisions 2770
of the proposal as accepted by the committee; 2771

(3) Evidence that the school submitting the proposal will 2772
offer a rigorous, diverse, integrated, and project-based 2773
curriculum to students in any of grades kindergarten through 2774
twelve, with the goal to prepare those students for college, the 2775
workforce, and citizenship, and that does all of the following: 2776

(a) Emphasizes the role of science, technology, 2777
engineering, and mathematics in promoting innovation and 2778
economic progress; 2779

(b) Incorporates scientific inquiry and technological 2780
design; 2781

(c) Includes the arts and humanities~~†~~. If the proposal is 2782
for a STEAM school equivalent, it also shall include evidence 2783
that the curriculum will integrate arts and design into the 2784
study of science, technology, engineering, and mathematics to 2785
foster creative thinking, problem-solving, and new approaches to 2786

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| <u>scientific invention.</u> | 2787 |
| (d) Emphasizes personalized learning and teamwork skills. | 2788 |
| (4) Evidence that the school submitting the proposal will attract school leaders who support the curriculum principles of division (B) (3) of this section; | 2789 2790 2791 |
| (5) A description of how each school's curriculum will be developed and approved in accordance with section 3326.09 of the Revised Code; | 2792 2793 2794 |
| (6) Evidence that the school submitting the proposal will utilize an established capacity to capture and share knowledge for best practices and innovative professional development; | 2795 2796 2797 |
| (7) Assurances that the school submitting the proposal has received commitments of sustained and verifiable fiscal and in-kind support from regional education and business entities. <u>If the proposal is for a STEAM school equivalent, it also shall include assurances that the school has received commitments of sustained and verifiable fiscal and in-kind support from arts organizations.</u> | 2798 2799 2800 2801 2802 2803 2804 |
| (C) (1) A community school or chartered nonpublic school that is designated as a STEM school equivalent under this section shall not be subject to the requirements of Chapter 3326. of the Revised Code, except that the school shall be subject to the requirements of this section and to the curriculum requirements of section 3326.09 of the Revised Code. | 2805 2806 2807 2808 2809 2810 |
| Nothing in this section, however, shall relieve a community school of the applicable requirements of Chapter 3314. of the Revised Code. Nor shall anything in this section relieve a chartered nonpublic school of any provisions of law outside of this chapter that are applicable to chartered nonpublic schools. | 2811 2812 2813 2814 2815 |

(2) A community school or chartered nonpublic school that 2816
is designated as a STEM school equivalent under this section 2817
shall not be eligible for operating funding under sections 2818
3326.31 to 3326.37, 3326.39 to 3326.40, and 3326.51 of the 2819
Revised Code. 2820

(3) A community school or chartered nonpublic school that 2821
is designated as a STEM school equivalent under this section may 2822
apply for any of the grants and additional funds described in 2823
section 3326.38 of the Revised Code for which the school is 2824
eligible. 2825

(D) If a community school or chartered nonpublic school 2826
that is designated as a STEM school equivalent under this 2827
section intends to close or intends to no longer be designated 2828
as a STEM school equivalent, it shall notify the STEM committee 2829
of that fact. 2830

(E) If a community school or chartered nonpublic school 2831
that is designated as a STEM school equivalent wishes to be 2832
designated as a STEAM school equivalent, it may change its 2833
existing proposal to include the items required under divisions 2834
(B) (1), (3) (c), and (7) of this section and submit the revised 2835
proposal to the STEM committee for approval. 2836

Sec. 3326.04. (A) The STEM committee shall award grants to 2837
support the operation of STEM programs of excellence to serve 2838
students in any of grades kindergarten through ~~eight~~ twelve 2839
through a request for proposals. 2840

(B) Proposals may be submitted by any of the following: 2841

(1) The board of education of a city, exempted village, or 2842
local school district; 2843

(2) The governing authority of a community school 2844

established under Chapter 3314. of the Revised Code; 2845

(3) The governing authority of a chartered nonpublic 2846
school. 2847

(C) Each proposal shall demonstrate to the satisfaction of 2848
the STEM committee that the program meets at least the following 2849
standards: 2850

(1) Unless the program is designed to serve only students 2851
identified as gifted under Chapter 3324. of the Revised Code, 2852
the program will serve all students enrolled in the district or 2853
school in the grades for which the program is designed. 2854

(2) The program will offer a rigorous and diverse 2855
curriculum that is based on scientific inquiry and technological 2856
design, that emphasizes personalized learning and teamwork 2857
skills, and that will expose students to advanced scientific 2858
concepts within and outside the classroom. If the proposal is 2859
for a STEAM program of excellence, it also shall include 2860
evidence that the curriculum will integrate arts and design into 2861
the curriculum to foster creative thinking, problem-solving, and 2862
new approaches to scientific invention. 2863

(3) Unless the program is designed to serve only students 2864
identified as gifted under Chapter 3324. of the Revised Code, 2865
the program will not limit participation of students on the 2866
basis of intellectual ability, measures of achievement, or 2867
aptitude. 2868

(4) The program will utilize an established capacity to 2869
capture and share knowledge for best practices and innovative 2870
professional development. 2871

(5) The program will operate in collaboration with a 2872
partnership that includes institutions of higher education and 2873

businesses. If the proposal is for a STEAM program of excellence, it also shall include evidence that this partnership includes arts organizations. 2874
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(6) The program will include teacher professional 2877
development strategies that are augmented by community and 2878
business partners. 2879

(D) The STEM committee shall give priority to proposals 2880
for new or expanding innovative programs. 2881

(E) If a STEM program of excellence wishes to become a STEAM program of excellence, it may change its existing proposal to include the items required under divisions (C) (2) and (5) of this section and submit the revised proposal to the STEM committee for approval. 2882
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Sec. 3326.09. Subject to approval by its governing body or 2887
governing authority, the curriculum of each science, technology, 2888
engineering, and mathematics school and of each community school 2889
or chartered nonpublic school that is designated as a STEM 2890
school equivalent under section 3326.032 of the Revised Code 2891
shall be developed by a team that consists of at least the 2892
school's chief administrative officer, a teacher, a 2893
representative of the higher education institution that is a 2894
collaborating partner in the STEM school or school designated as 2895
a STEM school equivalent, and a member of the public with 2896
expertise in the application of science, technology, 2897
engineering, or mathematics. In the case of a STEAM school or a STEAM school equivalent, the team also shall include an expert in the integration of arts and design into the STEM fields. 2898
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Sec. 3326.11. Each science, technology, engineering, and 2901
mathematics school established under this chapter and its 2902

governing body shall comply with sections 9.90, 9.91, 109.65, 2903
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 2904
3301.0714, 3301.0715, 3301.0729, 3301.948, 3313.14, 3313.15, 2905
3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 2906
3313.481, 3313.482, 3313.50, 3313.536, 3313.539, 3313.5310, 2907
3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 2908
3313.6021, 3313.61, 3313.611, 3313.614, 3313.615, 3313.643, 2909
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 2910
3313.667, 3313.668, 3313.67, 3313.671, 3313.672, 3313.673, 2911
3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 2912
3313.721, 3313.80, 3313.801, 3313.814, 3313.816, 3313.817, 2913
3313.86, 3313.89, 3313.96, 3319.073, 3319.21, 3319.32, 3319.321, 2914
3319.35, 3319.39, 3319.391, 3319.41, 3319.45, 3319.46, 3321.01, 2915
3321.041, 3321.05, 3321.13, 3321.14, 3321.17, 3321.18, 3321.19, 2916
3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 2917
102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 2918
4123., 4141., and 4167. of the Revised Code as if it were a 2919
school district. 2920

Sec. 3333.91. ~~Not later than December 31, 2014, the~~ The 2921
governor's office of workforce transformation, in collaboration 2922
with the chancellor of higher education, the superintendent of 2923
public instruction, and the department of job and family 2924
services, shall develop and submit to the appropriate federal 2925
agency a single, state unified plan required under the 2926
"Workforce Innovation and Opportunity Act," 29 U.S.C. 3101 et 2927
seq., which shall include the information required for the adult 2928
basic and literacy education program administered by the United 2929
States secretary of education, and the "Carl D. Perkins 2930
Vocational and Technical Education Act," 20 U.S.C. 2301, et 2931
seq., as amended, ~~and the "Workforce Investment Act of 1998," 29~~ 2932
~~U.S.C. 2801, et seq., as amended.~~ Following the plan's initial 2933

submission to the appropriate federal agency, the governor's 2934
office of workforce transformation may update it as necessary. 2935
If the plan is updated, the governor's office of workforce 2936
transformation shall submit the updated plan to the appropriate 2937
federal agency. 2938

Sec. 3333.92. (A) As used in this section, "OhioMeansJobs 2939
web site" has the same meaning as in section 6301.01 of the 2940
Revised Code. 2941

(B) (1) ~~Beginning January 1, 2016, each~~ Each participant in 2942
an adult basic and literacy education funded training or 2943
education program shall create an account with the OhioMeansJobs 2944
web site at the twelfth week of the program. 2945

(2) ~~Beginning January 1, 2016, each~~ Each participant in an 2946
Ohio technical center funded training or education program shall 2947
create an account with the OhioMeansJobs web site at the time of 2948
enrollment in the program. 2949

(C) Division (B) of this section does not apply to any 2950
individual who is legally prohibited from using a computer, has 2951
a physical or visual impairment that makes the individual unable 2952
to use a computer, or has a limited ability to read, write, 2953
speak, or understand a language in which the OhioMeansJobs web 2954
site is available. 2955

Sec. 4141.29. Each eligible individual shall receive 2956
benefits as compensation for loss of remuneration due to 2957
involuntary total or partial unemployment in the amounts and 2958
subject to the conditions stipulated in this chapter. 2959

(A) No individual is entitled to a waiting period or 2960
benefits for any week unless the individual: 2961

(1) Has filed a valid application for determination of 2962

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| benefit rights in accordance with section 4141.28 of the Revised Code; | 2963 2964 |
| (2) Has made a claim for benefits in accordance with section 4141.28 of the Revised Code; | 2965 2966 |
| (3) (a) Has registered for work and thereafter continues to report to an employment office or other registration place maintained or designated by the director of job and family services. Registration shall be made in accordance with the time limits, frequency, and manner prescribed by the director. | 2967 2968 2969 2970 2971 |
| (b) For purposes of division (A) (3) of this section, an individual has "registered" upon doing any of the following: | 2972 2973 |
| (i) Filing an application for benefit rights; | 2974 |
| (ii) Making a weekly claim for benefits; | 2975 |
| (iii) Reopening an existing claim following a period of employment or nonreporting. | 2976 2977 |
| (c) After an applicant is registered, that registration continues for a period of three calendar weeks, including the week during which the applicant registered. However, an individual is not registered for purposes of division (A) (3) of this section during any period in which the individual fails to report, as instructed by the director, or fails to reopen an existing claim following a period of employment. | 2978 2979 2980 2981 2982 2983 2984 |
| (d) The director may, for good cause, extend the period of registration. | 2985 2986 |
| (e) For purposes of this section, "report" means contact by phone, access electronically, or be present for an in-person appointment, as designated by the director. | 2987 2988 2989 |

(4) (a) (i) Is able to work and available for suitable work 2990
and, except as provided in division (A) (4) (a) (ii) or (iii) of 2991
this section, is actively seeking suitable work either in a 2992
locality in which the individual has earned wages subject to 2993
this chapter during the individual's base period, or if the 2994
individual leaves that locality, then in a locality where 2995
suitable work normally is performed. 2996

(ii) The director may waive the requirement that a 2997
claimant be actively seeking work when the director finds that 2998
the individual has been laid off and the employer who laid the 2999
individual off has notified the director within ten days after 3000
the layoff, that work is expected to be available for the 3001
individual within a specified number of days not to exceed 3002
forty-five calendar days following the last day the individual 3003
worked. In the event the individual is not recalled within the 3004
specified period, this waiver shall cease to be operative with 3005
respect to that layoff. 3006

(iii) The director may waive the requirement that a 3007
claimant be actively seeking work if the director determines 3008
that the individual has been laid off and the employer who laid 3009
the individual off has notified the director in accordance with 3010
division (C) of section 4141.28 of the Revised Code that the 3011
employer has closed the employer's entire plant or part of the 3012
employer's plant for a purpose other than inventory or vacation 3013
that will cause unemployment for a definite period not exceeding 3014
twenty-six weeks beginning on the date the employer notifies the 3015
director, for the period of the specific shutdown, if all of the 3016
following apply: 3017

(I) The employer and the individuals affected by the 3018
layoff who are claiming benefits under this chapter jointly 3019

request the exemption. 3020

(II) The employer provides that the affected individuals 3021
shall return to work for the employer within twenty-six weeks 3022
after the date the employer notifies the director. 3023

(III) The director determines that the waiver of the 3024
active search for work requirement will promote productivity and 3025
economic stability within the state. 3026

(iv) Division (A) (4) (a) (iii) of this section does not 3027
exempt an individual from meeting the other requirements 3028
specified in division (A) (4) (a) (i) of this section to be able to 3029
work and otherwise fully be available for work. An exemption 3030
granted under division (A) (4) (a) (iii) of this section may be 3031
granted only with respect to a specific plant closing. 3032

(b) (i) The individual shall be instructed as to the 3033
efforts that the individual must make in the search for suitable 3034
work, including that, within six months after October 11, 2013, 3035
the individual shall register with the OhioMeansJobs web site, 3036
except in any of the following circumstances: 3037

(I) The individual is an individual described in division 3038
(A) (4) (b) (iii) of this section; 3039

(II) Where the active search for work requirement has been 3040
waived under division (A) (4) (a) of this section; 3041

(III) Where the active search for work requirement is 3042
considered to be met under division (A) (4) (c), (d), or (e) of 3043
this section. 3044

(ii) An individual who is registered with the 3045
OhioMeansJobs web site shall receive a weekly listing of 3046
available jobs based on information provided by the individual 3047

at the time of registration. For each week that the individual 3048
claims benefits, the individual shall keep a record of the 3049
individual's work search efforts and shall produce that record 3050
in the manner and means prescribed by the director. 3051

(iii) No individual shall be required to register with the 3052
OhioMeansJobs web site if the individual is legally prohibited 3053
from using a computer, has a physical or visual impairment that 3054
makes the individual unable to use a computer, or has a limited 3055
ability to read, write, speak, or understand a language in which 3056
the OhioMeansJobs web site is available. 3057

(iv) As used in division (A) (4) (b) of this section: 3058

(I) "OhioMeansJobs web site" ~~means the electronic job~~ 3059
~~placement system operated by the state~~ has the same meaning as 3060
in section 6301.01 of the Revised Code. 3061

(II) "Registration" includes the creation, electronic 3062
posting, and maintenance of an active, searchable resume. 3063

(c) An individual who is attending a training course 3064
approved by the director meets the requirement of this division, 3065
if attendance was recommended by the director and the individual 3066
is regularly attending the course and is making satisfactory 3067
progress. An individual also meets the requirements of this 3068
division if the individual is participating and advancing in a 3069
training program, as defined in division (P) of section 5709.61 3070
of the Revised Code, and if an enterprise, defined in division 3071
(B) of section 5709.61 of the Revised Code, is paying all or 3072
part of the cost of the individual's participation in the 3073
training program with the intention of hiring the individual for 3074
employment as a new employee, as defined in division (L) of 3075
section 5709.61 of the Revised Code, for at least ninety days 3076

after the individual's completion of the training program. 3077

(d) An individual who becomes unemployed while attending a 3078
regularly established school and whose base period qualifying 3079
weeks were earned in whole or in part while attending that 3080
school, meets the availability and active search for work 3081
requirements of division (A) (4) (a) of this section if the 3082
individual regularly attends the school during weeks with 3083
respect to which the individual claims unemployment benefits and 3084
makes self available on any shift of hours for suitable 3085
employment with the individual's most recent employer or any 3086
other employer in the individual's base period, or for any other 3087
suitable employment to which the individual is directed, under 3088
this chapter. 3089

(e) An individual who is a member in good standing with a 3090
labor organization that refers individuals to jobs meets the 3091
active search for work requirement specified in division (A) (4) 3092
(a) of this section if the individual provides documentation 3093
that the individual is eligible for a referral or placement upon 3094
request and in a manner prescribed by the director. 3095

(f) Notwithstanding any other provisions of this section, 3096
no otherwise eligible individual shall be denied benefits for 3097
any week because the individual is in training approved under 3098
section 236(a) (1) of the "Trade Act of 1974," 88 Stat. 1978, 19 3099
U.S.C.A. 2296, nor shall that individual be denied benefits by 3100
reason of leaving work to enter such training, provided the work 3101
left is not suitable employment, or because of the application 3102
to any week in training of provisions in this chapter, or any 3103
applicable federal unemployment compensation law, relating to 3104
availability for work, active search for work, or refusal to 3105
accept work. 3106

For the purposes of division (A) (4) (f) of this section, 3107
"suitable employment" means with respect to an individual, work 3108
of a substantially equal or higher skill level than the 3109
individual's past adversely affected employment, as defined for 3110
the purposes of the "Trade Act of 1974," 88 Stat. 1978, 19 3111
U.S.C.A. 2101, and wages for such work at not less than eighty 3112
per cent of the individual's average weekly wage as determined 3113
for the purposes of that federal act. 3114

(5) Is unable to obtain suitable work. An individual who 3115
is provided temporary work assignments by the individual's 3116
employer under agreed terms and conditions of employment, and 3117
who is required pursuant to those terms and conditions to 3118
inquire with the individual's employer for available work 3119
assignments upon the conclusion of each work assignment, is not 3120
considered unable to obtain suitable employment if suitable work 3121
assignments are available with the employer but the individual 3122
fails to contact the employer to inquire about work assignments. 3123

(6) Participates in reemployment services, such as job 3124
search assistance services, if the individual has been 3125
determined to be likely to exhaust benefits under this chapter, 3126
including compensation payable pursuant to 5 U.S.C.A. Chapter 3127
85, other than extended compensation, and needs reemployment 3128
services pursuant to the profiling system established by the 3129
director under division (K) of this section, unless the director 3130
determines that: 3131

(a) The individual has completed such services; or 3132

(b) There is justifiable cause for the claimant's failure 3133
to participate in such services. 3134

Ineligibility for failure to participate in reemployment 3135

services as described in division (A) (6) of this section shall 3136
be for the week or weeks in which the claimant was scheduled and 3137
failed to participate without justifiable cause. 3138

(7) Participates in the reemployment and eligibility 3139
assessment program, or other reemployment services, as required 3140
by the director. As used in division (A) (7) of this section, 3141
"reemployment services" includes job search assistance 3142
activities, skills assessments, and the provision of labor 3143
market statistics or analysis. 3144

(a) For purposes of division (A) (7) of this section, 3145
participation is required unless the director determines that 3146
either of the following circumstances applies to the individual: 3147

(i) The individual has completed similar services. 3148

(ii) Justifiable cause exists for the failure of the 3149
individual to participate in those services. 3150

(b) Within six months after October 11, 2013, 3151
notwithstanding any earlier contact an individual may have had 3152
with a local ~~one stop county office~~ OhioMeansJobs center, 3153
~~including as described defined~~ in section ~~6301.08~~ 6301.01 of the 3154
Revised Code, beginning with the eighth week after the week 3155
during which an individual first files a valid application for 3156
determination of benefit rights in the individual's benefit 3157
year, the individual shall report to a local ~~one stop county~~ 3158
~~office~~ OhioMeansJobs center for reemployment services in the 3159
manner prescribed by the director. 3160

(c) An individual whose active search for work requirement 3161
has been waived under division (A) (4) (a) of this section or is 3162
considered to be satisfied under division (A) (4) (c), (d), or (e) 3163
of this section is exempt from the requirements of division (A) 3164

(7) of this section. 3165

(B) An individual suffering total or partial unemployment 3166
is eligible for benefits for unemployment occurring subsequent 3167
to a waiting period of one week and no benefits shall be payable 3168
during this required waiting period. Not more than one week of 3169
waiting period shall be required of any individual in any 3170
benefit year in order to establish the individual's eligibility 3171
for total or partial unemployment benefits. 3172

(C) The waiting period for total or partial unemployment 3173
shall commence on the first day of the first week with respect 3174
to which the individual first files a claim for benefits at an 3175
employment office or other place of registration maintained or 3176
designated by the director or on the first day of the first week 3177
with respect to which the individual has otherwise filed a claim 3178
for benefits in accordance with the rules of the department of 3179
job and family services, provided such claim is allowed by the 3180
director. 3181

(D) Notwithstanding division (A) of this section, no 3182
individual may serve a waiting period or be paid benefits under 3183
the following conditions: 3184

(1) For any week with respect to which the director finds 3185
that: 3186

(a) The individual's unemployment was due to a labor 3187
dispute other than a lockout at any factory, establishment, or 3188
other premises located in this or any other state and owned or 3189
operated by the employer by which the individual is or was last 3190
employed; and for so long as the individual's unemployment is 3191
due to such labor dispute. No individual shall be disqualified 3192
under this provision if either of the following applies: 3193

(i) The individual's employment was with such employer at 3194
any factory, establishment, or premises located in this state, 3195
owned or operated by such employer, other than the factory, 3196
establishment, or premises at which the labor dispute exists, if 3197
it is shown that the individual is not financing, participating 3198
in, or directly interested in such labor dispute; 3199

(ii) The individual's employment was with an employer not 3200
involved in the labor dispute but whose place of business was 3201
located within the same premises as the employer engaged in the 3202
dispute, unless the individual's employer is a wholly owned 3203
subsidiary of the employer engaged in the dispute, or unless the 3204
individual actively participates in or voluntarily stops work 3205
because of such dispute. If it is established that the claimant 3206
was laid off for an indefinite period and not recalled to work 3207
prior to the dispute, or was separated by the employer prior to 3208
the dispute for reasons other than the labor dispute, or that 3209
the individual obtained a bona fide job with another employer 3210
while the dispute was still in progress, such labor dispute 3211
shall not render the employee ineligible for benefits. 3212

(b) The individual has been given a disciplinary layoff 3213
for misconduct in connection with the individual's work. 3214

(2) For the duration of the individual's unemployment if 3215
the director finds that: 3216

(a) The individual quit work without just cause or has 3217
been discharged for just cause in connection with the 3218
individual's work, provided division (D)(2) of this section does 3219
not apply to the separation of a person under any of the 3220
following circumstances: 3221

(i) Separation from employment for the purpose of entering 3222

the armed forces of the United States if the individual is 3223
inducted into the armed forces within one of the following 3224
periods: 3225

(I) Thirty days after separation; 3226

(II) One hundred eighty days after separation if the 3227
individual's date of induction is delayed solely at the 3228
discretion of the armed forces. 3229

(ii) Separation from employment pursuant to a labor- 3230
management contract or agreement, or pursuant to an established 3231
employer plan, program, or policy, which permits the employee, 3232
because of lack of work, to accept a separation from employment; 3233

(iii) The individual has left employment to accept a 3234
recall from a prior employer or, except as provided in division 3235
(D) (2) (a) (iv) of this section, to accept other employment as 3236
provided under section 4141.291 of the Revised Code, or left or 3237
was separated from employment that was concurrent employment at 3238
the time of the most recent separation or within six weeks prior 3239
to the most recent separation where the remuneration, hours, or 3240
other conditions of such concurrent employment were 3241
substantially less favorable than the individual's most recent 3242
employment and where such employment, if offered as new work, 3243
would be considered not suitable under the provisions of 3244
divisions (E) and (F) of this section. Any benefits that would 3245
otherwise be chargeable to the account of the employer from whom 3246
an individual has left employment or was separated from 3247
employment that was concurrent employment under conditions 3248
described in division (D) (2) (a) (iii) of this section, shall 3249
instead be charged to the mutualized account created by division 3250
(B) of section 4141.25 of the Revised Code, except that any 3251
benefits chargeable to the account of a reimbursing employer 3252

under division (D) (2) (a) (iii) of this section shall be charged 3253
to the account of the reimbursing employer and not to the 3254
mutualized account, except as provided in division (D) (2) of 3255
section 4141.24 of the Revised Code. 3256

(iv) When an individual has been issued a definite layoff 3257
date by the individual's employer and before the layoff date, 3258
the individual quits to accept other employment, the provisions 3259
of division (D) (2) (a) (iii) of this section apply and no 3260
disqualification shall be imposed under division (D) of this 3261
section. However, if the individual fails to meet the employment 3262
and earnings requirements of division (A) (2) of section 4141.291 3263
of the Revised Code, then the individual, pursuant to division 3264
(A) (5) of this section, shall be ineligible for benefits for any 3265
week of unemployment that occurs prior to the layoff date. 3266

(b) The individual has refused without good cause to 3267
accept an offer of suitable work when made by an employer either 3268
in person or to the individual's last known address, or has 3269
refused or failed to investigate a referral to suitable work 3270
when directed to do so by a local employment office of this 3271
state or another state, provided that this division shall not 3272
cause a disqualification for a waiting week or benefits under 3273
the following circumstances: 3274

(i) When work is offered by the individual's employer and 3275
the individual is not required to accept the offer pursuant to 3276
the terms of the labor-management contract or agreement; or 3277

(ii) When the individual is attending a training course 3278
pursuant to division (A) (4) of this section except, in the event 3279
of a refusal to accept an offer of suitable work or a refusal or 3280
failure to investigate a referral, benefits thereafter paid to 3281
such individual shall not be charged to the account of any 3282

employer and, except as provided in division (B) (1) (b) of 3283
section 4141.241 of the Revised Code, shall be charged to the 3284
mutualized account as provided in division (B) of section 3285
4141.25 of the Revised Code. 3286

(c) Such individual quit work to marry or because of 3287
marital, parental, filial, or other domestic obligations. 3288

(d) The individual became unemployed by reason of 3289
commitment to any correctional institution. 3290

(e) The individual became unemployed because of dishonesty 3291
in connection with the individual's most recent or any base 3292
period work. Remuneration earned in such work shall be excluded 3293
from the individual's total base period remuneration and 3294
qualifying weeks that otherwise would be credited to the 3295
individual for such work in the individual's base period shall 3296
not be credited for the purpose of determining the total 3297
benefits to which the individual is eligible and the weekly 3298
benefit amount to be paid under section 4141.30 of the Revised 3299
Code. Such excluded remuneration and noncredited qualifying 3300
weeks shall be excluded from the calculation of the maximum 3301
amount to be charged, under division (D) of section 4141.24 and 3302
section 4141.33 of the Revised Code, against the accounts of the 3303
individual's base period employers. In addition, no benefits 3304
shall thereafter be paid to the individual based upon such 3305
excluded remuneration or noncredited qualifying weeks. 3306

For purposes of division (D) (2) (e) of this section, 3307
"dishonesty" means the commission of substantive theft, fraud, 3308
or deceitful acts. 3309

(E) No individual otherwise qualified to receive benefits 3310
shall lose the right to benefits by reason of a refusal to 3311

accept new work if: 3312

(1) As a condition of being so employed the individual 3313
would be required to join a company union, or to resign from or 3314
refrain from joining any bona fide labor organization, or would 3315
be denied the right to retain membership in and observe the 3316
lawful rules of any such organization. 3317

(2) The position offered is vacant due directly to a 3318
strike, lockout, or other labor dispute. 3319

(3) The work is at an unreasonable distance from the 3320
individual's residence, having regard to the character of the 3321
work the individual has been accustomed to do, and travel to the 3322
place of work involves expenses substantially greater than that 3323
required for the individual's former work, unless the expense is 3324
provided for. 3325

(4) The remuneration, hours, or other conditions of the 3326
work offered are substantially less favorable to the individual 3327
than those prevailing for similar work in the locality. 3328

(F) Subject to the special exceptions contained in 3329
division (A) (4) (f) of this section and section 4141.301 of the 3330
Revised Code, in determining whether any work is suitable for a 3331
claimant in the administration of this chapter, the director, in 3332
addition to the determination required under division (E) of 3333
this section, shall consider the degree of risk to the 3334
claimant's health, safety, and morals, the individual's physical 3335
fitness for the work, the individual's prior training and 3336
experience, the length of the individual's unemployment, the 3337
distance of the available work from the individual's residence, 3338
and the individual's prospects for obtaining local work. 3339

(G) The "duration of unemployment" as used in this section 3340

means the full period of unemployment next ensuing after a 3341
separation from any base period or subsequent work and until an 3342
individual has become reemployed in employment subject to this 3343
chapter, or the unemployment compensation act of another state, 3344
or of the United States, and until such individual has worked 3345
six weeks and for those weeks has earned or been paid 3346
remuneration equal to six times an average weekly wage of not 3347
less than: eighty-five dollars and ten cents per week beginning 3348
on June 26, 1990; and beginning on and after January 1, 1992, 3349
twenty-seven and one-half per cent of the statewide average 3350
weekly wage as computed each first day of January under division 3351
(B) (3) of section 4141.30 of the Revised Code, rounded down to 3352
the nearest dollar, except for purposes of division (D) (2) (c) of 3353
this section, such term means the full period of unemployment 3354
next ensuing after a separation from such work and until such 3355
individual has become reemployed subject to the terms set forth 3356
above, and has earned wages equal to one-half of the 3357
individual's average weekly wage or sixty dollars, whichever is 3358
less. 3359

(H) If a claimant is disqualified under division (D) (2) 3360
(a), (c), or (d) of this section or found to be qualified under 3361
the exceptions provided in division (D) (2) (a) (i), (iii), or (iv) 3362
of this section or division (A) (2) of section 4141.291 of the 3363
Revised Code, then benefits that may become payable to such 3364
claimant, which are chargeable to the account of the employer 3365
from whom the individual was separated under such conditions, 3366
shall be charged to the mutualized account provided in section 3367
4141.25 of the Revised Code, provided that no charge shall be 3368
made to the mutualized account for benefits chargeable to a 3369
reimbursing employer, except as provided in division (D) (2) of 3370
section 4141.24 of the Revised Code. In the case of a 3371

reimbursing employer, the director shall refund or credit to the 3372
account of the reimbursing employer any over-paid benefits that 3373
are recovered under division (B) of section 4141.35 of the 3374
Revised Code. Amounts chargeable to other states, the United 3375
States, or Canada that are subject to agreements and 3376
arrangements that are established pursuant to section 4141.43 of 3377
the Revised Code shall be credited or reimbursed according to 3378
the agreements and arrangements to which the chargeable amounts 3379
are subject. 3380

(I) (1) Benefits based on service in employment as provided 3381
in divisions (B) (2) (a) and (b) of section 4141.01 of the Revised 3382
Code shall be payable in the same amount, on the same terms, and 3383
subject to the same conditions as benefits payable on the basis 3384
of other service subject to this chapter; except that after 3385
December 31, 1977: 3386

(a) Benefits based on service in an instructional, 3387
research, or principal administrative capacity in an institution 3388
of higher education, as defined in division (Y) of section 3389
4141.01 of the Revised Code; or for an educational institution 3390
as defined in division (CC) of section 4141.01 of the Revised 3391
Code, shall not be paid to any individual for any week of 3392
unemployment that begins during the period between two 3393
successive academic years or terms, or during a similar period 3394
between two regular but not successive terms or during a period 3395
of paid sabbatical leave provided for in the individual's 3396
contract, if the individual performs such services in the first 3397
of those academic years or terms and has a contract or a 3398
reasonable assurance that the individual will perform services 3399
in any such capacity for any such institution in the second of 3400
those academic years or terms. 3401

(b) Benefits based on service for an educational 3402
institution or an institution of higher education in other than 3403
an instructional, research, or principal administrative 3404
capacity, shall not be paid to any individual for any week of 3405
unemployment which begins during the period between two 3406
successive academic years or terms of the employing educational 3407
institution or institution of higher education, provided the 3408
individual performed those services for the educational 3409
institution or institution of higher education during the first 3410
such academic year or term and, there is a reasonable assurance 3411
that such individual will perform those services for any 3412
educational institution or institution of higher education in 3413
the second of such academic years or terms. 3414

If compensation is denied to any individual for any week 3415
under division (I) (1) (b) of this section and the individual was 3416
not offered an opportunity to perform those services for an 3417
institution of higher education or for an educational 3418
institution for the second of such academic years or terms, the 3419
individual is entitled to a retroactive payment of compensation 3420
for each week for which the individual timely filed a claim for 3421
compensation and for which compensation was denied solely by 3422
reason of division (I) (1) (b) of this section. An application for 3423
retroactive benefits shall be timely filed if received by the 3424
director or the director's deputy within or prior to the end of 3425
the fourth full calendar week after the end of the period for 3426
which benefits were denied because of reasonable assurance of 3427
employment. The provision for the payment of retroactive 3428
benefits under division (I) (1) (b) of this section is applicable 3429
to weeks of unemployment beginning on and after November 18, 3430
1983. The provisions under division (I) (1) (b) of this section 3431
shall be retroactive to September 5, 1982, only if, as a 3432

condition for full tax credit against the tax imposed by the 3433
"Federal Unemployment Tax Act," 53 Stat. 183 (1939), 26 U.S.C.A. 3434
3301 to 3311, the United States secretary of labor determines 3435
that retroactivity is required by federal law. 3436

(c) With respect to weeks of unemployment beginning after 3437
December 31, 1977, benefits shall be denied to any individual 3438
for any week which commences during an established and customary 3439
vacation period or holiday recess, if the individual performs 3440
any services described in divisions (I)(1)(a) and (b) of this 3441
section in the period immediately before the vacation period or 3442
holiday recess, and there is a reasonable assurance that the 3443
individual will perform any such services in the period 3444
immediately following the vacation period or holiday recess. 3445

(d) With respect to any services described in division (I) 3446
(1)(a), (b), or (c) of this section, benefits payable on the 3447
basis of services in any such capacity shall be denied as 3448
specified in division (I)(1)(a), (b), or (c) of this section to 3449
any individual who performs such services in an educational 3450
institution or institution of higher education while in the 3451
employ of an educational service agency. For this purpose, the 3452
term "educational service agency" means a governmental agency or 3453
governmental entity that is established and operated exclusively 3454
for the purpose of providing services to one or more educational 3455
institutions or one or more institutions of higher education. 3456

(e) Any individual employed by a county board of 3457
developmental disabilities shall be notified by the thirtieth 3458
day of April each year if the individual is not to be reemployed 3459
the following academic year. 3460

(f) Any individual employed by a school district, other 3461
than a municipal school district as defined in section 3311.71 3462

of the Revised Code, shall be notified by the first day of June 3463
each year if the individual is not to be reemployed the 3464
following academic year. 3465

(2) No disqualification will be imposed, between academic 3466
years or terms or during a vacation period or holiday recess 3467
under this division, unless the director or the director's 3468
deputy has received a statement in writing from the educational 3469
institution or institution of higher education that the claimant 3470
has a contract for, or a reasonable assurance of, reemployment 3471
for the ensuing academic year or term. 3472

(3) If an individual has employment with an educational 3473
institution or an institution of higher education and employment 3474
with a noneducational employer, during the base period of the 3475
individual's benefit year, then the individual may become 3476
eligible for benefits during the between-term, or vacation or 3477
holiday recess, disqualification period, based on employment 3478
performed for the noneducational employer, provided that the 3479
employment is sufficient to qualify the individual for benefit 3480
rights separately from the benefit rights based on school 3481
employment. The weekly benefit amount and maximum benefits 3482
payable during a disqualification period shall be computed based 3483
solely on the nonschool employment. 3484

(J) Benefits shall not be paid on the basis of employment 3485
performed by an alien, unless the alien had been lawfully 3486
admitted to the United States for permanent residence at the 3487
time the services were performed, was lawfully present for 3488
purposes of performing the services, or was otherwise 3489
permanently residing in the United States under color of law at 3490
the time the services were performed, under section 212(d)(5) of 3491
the "Immigration and Nationality Act," 66 Stat. 163, 8 U.S.C.A. 3492

| | |
|--|------|
| 1101: | 3493 |
| (1) Any data or information required of individuals | 3494 |
| applying for benefits to determine whether benefits are not | 3495 |
| payable to them because of their alien status shall be uniformly | 3496 |
| required from all applicants for benefits. | 3497 |
| (2) In the case of an individual whose application for | 3498 |
| benefits would otherwise be approved, no determination that | 3499 |
| benefits to the individual are not payable because of the | 3500 |
| individual's alien status shall be made except upon a | 3501 |
| preponderance of the evidence that the individual had not, in | 3502 |
| fact, been lawfully admitted to the United States. | 3503 |
| (K) The director shall establish and utilize a system of | 3504 |
| profiling all new claimants under this chapter that: | 3505 |
| (1) Identifies which claimants will be likely to exhaust | 3506 |
| regular compensation and will need job search assistance | 3507 |
| services to make a successful transition to new employment; | 3508 |
| (2) Refers claimants identified pursuant to division (K) | 3509 |
| (1) of this section to reemployment services, such as job search | 3510 |
| assistance services, available under any state or federal law; | 3511 |
| (3) Collects follow-up information relating to the | 3512 |
| services received by such claimants and the employment outcomes | 3513 |
| for such claimant's subsequent to receiving such services and | 3514 |
| utilizes such information in making identifications pursuant to | 3515 |
| division (K) (1) of this section; and | 3516 |
| (4) Meets such other requirements as the United States | 3517 |
| secretary of labor determines are appropriate. | 3518 |
| (L) Except as otherwise provided in division (A) (6) of | 3519 |
| this section, ineligibility pursuant to division (A) of this | 3520 |

section shall begin on the first day of the week in which the 3521
claimant becomes ineligible for benefits and shall end on the 3522
last day of the week preceding the week in which the claimant 3523
satisfies the eligibility requirements. 3524

(M) The director may adopt rules that the director 3525
considers necessary for the administration of division (A) of 3526
this section. 3527

Sec. 4141.43. (A) The director of job and family services 3528
may cooperate with the industrial commission, the bureau of 3529
workers' compensation, the United States internal revenue 3530
service, the United States employment service, and other similar 3531
departments and agencies, as determined by the director, in the 3532
exchange or disclosure of information as to wages, employment, 3533
payrolls, unemployment, and other information. The director may 3534
employ, jointly with one or more of such agencies or 3535
departments, auditors, examiners, inspectors, and other 3536
employees necessary for the administration of this chapter and 3537
employment and training services for workers in the state. 3538

(B) The director may make the state's record relating to 3539
the administration of this chapter available to the railroad 3540
retirement board and may furnish the board at the board's 3541
expense such copies thereof as the board deems necessary for its 3542
purposes. 3543

(C) The director may afford reasonable cooperation with 3544
every agency of the United States charged with the 3545
administration of any unemployment compensation law. 3546

(D) The director may enter into arrangements with the 3547
appropriate agencies of other states or of the United States or 3548
Canada whereby individuals performing services in this and other 3549

states for a single employer under circumstances not 3550
specifically provided for in division (B) of section 4141.01 of 3551
the Revised Code or in similar provisions in the unemployment 3552
compensation laws of such other states shall be deemed to be 3553
engaged in employment performed entirely within this state or 3554
within one of such other states or within Canada, and whereby 3555
potential rights to benefits accumulated under the unemployment 3556
compensation laws of several states or under such a law of the 3557
United States, or both, or of Canada may constitute the basis 3558
for the payment of benefits through a single appropriate agency 3559
under terms that the director finds will be fair and reasonable 3560
as to all affected interests and will not result in any 3561
substantial loss to the unemployment compensation fund. 3562

(E) The director may enter into agreements with the 3563
appropriate agencies of other states or of the United States or 3564
Canada: 3565

(1) Whereby services or wages upon the basis of which an 3566
individual may become entitled to benefits under the 3567
unemployment compensation law of another state or of the United 3568
States or Canada shall be deemed to be employment or wages for 3569
employment by employers for the purposes of qualifying claimants 3570
for benefits under this chapter, and the director may estimate 3571
the number of weeks of employment represented by the wages 3572
reported to the director for such claimants by such other 3573
agency, provided such other state agency or agency of the United 3574
States or Canada has agreed to reimburse the unemployment 3575
compensation fund for such portion of benefits paid under this 3576
chapter upon the basis of such services or wages as the director 3577
finds will be fair and reasonable as to all affected interests; 3578

(2) Whereby the director will reimburse other state or 3579

federal or Canadian agencies charged with the administration of 3580
unemployment compensation laws with such reasonable portion of 3581
benefits, paid under the law of such other states or of the 3582
United States or of Canada upon the basis of employment or wages 3583
for employment by employers, as the director finds will be fair 3584
and reasonable as to all affected interests. Reimbursements so 3585
payable shall be deemed to be benefits for the purpose of 3586
section 4141.09 and division (A) of section 4141.30 of the 3587
Revised Code. However, no reimbursement so payable shall be 3588
charged against any employer's account for the purposes of 3589
section 4141.24 of the Revised Code if the employer's account, 3590
under the same or similar circumstances, with respect to 3591
benefits charged under the provisions of this chapter, other 3592
than this section, would not be charged or, if the claimant at 3593
the time the claimant files the combined wage claim cannot 3594
establish benefit rights under this chapter. This noncharging 3595
shall not be applicable to a nonprofit organization that has 3596
elected to make payments in lieu of contributions under section 3597
4141.241 of the Revised Code, except as provided in division (D) 3598
(2) of section 4141.24 of the Revised Code. The director may 3599
make to other state or federal or Canadian agencies and receive 3600
from such other state or federal or Canadian agencies 3601
reimbursements from or to the unemployment compensation fund, in 3602
accordance with arrangements pursuant to this section. 3603

(3) Notwithstanding division (B) (2) (f) of section 4141.01 3604
of the Revised Code, the director may enter into agreements with 3605
other states whereby services performed for a crew leader, as 3606
defined in division (BB) of section 4141.01 of the Revised Code, 3607
may be covered in the state in which the crew leader either: 3608

(a) Has the crew leader's place of business or from which 3609
the crew leader's business is operated or controlled; 3610

(b) Resides if the crew leader has no place of business in 3611
any state. 3612

(F) The director may apply for an advance to the 3613
unemployment compensation fund and do all things necessary or 3614
required to obtain such advance and arrange for the repayment of 3615
such advance in accordance with Title XII of the "Social 3616
Security Act" as amended. 3617

(G) The director may enter into reciprocal agreements or 3618
arrangements with the appropriate agencies of other states in 3619
regard to services on vessels engaged in interstate or foreign 3620
commerce whereby such services for a single employer, wherever 3621
performed, shall be deemed performed within this state or within 3622
such other states. 3623

(H) The director shall participate in any arrangements for 3624
the payment of compensation on the basis of combining an 3625
individual's wages and employment, covered under this chapter, 3626
with the individual's wages and employment covered under the 3627
unemployment compensation laws of other states which are 3628
approved by the United States secretary of labor in consultation 3629
with the state unemployment compensation agencies as reasonably 3630
calculated to assure the prompt and full payment of compensation 3631
in such situations and which include provisions for: 3632

(1) Applying the base period of a single state law to a 3633
claim involving the combining of an individual's wages and 3634
employment covered under two or more state unemployment 3635
compensation laws, and 3636

(2) Avoiding the duplicate use of wages and employment by 3637
reason of such combining. 3638

(I) The director shall cooperate with the United States 3639

department of labor to the fullest extent consistent with this 3640
chapter, and shall take such action, through the adoption of 3641
appropriate rules, regulations, and administrative methods and 3642
standards, as may be necessary to secure to this state and its 3643
citizens all advantages available under the provisions of the 3644
"Social Security Act" that relate to unemployment compensation, 3645
the "Federal Unemployment Tax Act," (1970) 84 Stat. 713, 26 3646
U.S.C.A. 3301 to 3311, the "Wagner-Peyser Act," (1933) 48 Stat. 3647
113, 29 U.S.C.A. 49, ~~and the "Federal-State Extended~~ 3648
Unemployment Compensation Act of 1970," 84 Stat. 596, 26 3649
U.S.C.A. 3306, and the ~~"Workforce Investment Act of 1998," 112-~~ 3650
~~Stat. 936, 29 U.S.C.A. 2801 et seq.~~ "Workforce Innovation and 3651
Opportunity Act," 29 U.S.C.A. 3101 et seq. 3652

(J) The director may disclose wage information furnished 3653
to or maintained by the director under Chapter 4141. of the 3654
Revised Code to a consumer reporting agency as defined by the 3655
"Fair Credit Reporting Act," 84 Stat. 1128, 15 U.S.C.A. 1681a, 3656
as amended, for the purpose of verifying an individual's income 3657
under a written agreement that requires all of the following: 3658

(1) A written statement of informed consent from the 3659
individual whose information is to be disclosed; 3660

(2) A written statement confirming that the consumer 3661
reporting agency and any other entity to which the information 3662
is disclosed or released will safeguard the information from 3663
illegal or unauthorized disclosure; 3664

(3) A written statement confirming that the consumer 3665
reporting agency will pay to the bureau all costs associated 3666
with the disclosure. 3667

The director shall prescribe a manner and format in which 3668

this information may be provided. 3669

(K) The director shall adopt rules defining the 3670
requirements of the release of individual income verification 3671
information specified in division (J) of this section, which 3672
shall include all terms and conditions necessary to meet the 3673
requirements of federal law as interpreted by the United States 3674
department of labor or considered necessary by the director for 3675
the proper administration of this division. 3676

(L) The director shall disclose information furnished to 3677
or maintained by the director under this chapter upon request 3678
and on a reimbursable basis as required by section 303 of the 3679
"Social Security Act," 42 U.S.C.A. 503, and section 3304 of the 3680
"Internal Revenue Code," 26 U.S.C.A. 3304. 3681

Sec. 4141.51. (A) An employer who wishes to participate in 3682
the SharedWork Ohio program shall submit a plan to the director 3683
of job and family services in which the employer does all of the 3684
following: 3685

(1) Identifies the participating employees by name, social 3686
security number, affected unit, and normal weekly hours of work; 3687

(2) Describes the manner in which the employer will 3688
implement the requirements of the SharedWork Ohio program, 3689
including the proposed reduction percentage, which shall be 3690
between ten per cent and fifty per cent, and any temporary 3691
closure of the participating employer's business for equipment 3692
maintenance or other similar circumstances that the employer 3693
knows may occur during the effective period of an approved plan; 3694

(3) Includes a plan for giving advance notice, if 3695
feasible, to an employee whose normal weekly hours of work are 3696
to be reduced and, if advance notice is not feasible, an 3697

explanation of why that notice is not feasible; 3698

(4) Includes a certification by the employer that the 3699
aggregate reduction in the number of hours worked by the 3700
employees of the employer is in lieu of layoffs and includes an 3701
estimate of the number of layoffs that would have occurred 3702
absent the ability to participate in the SharedWork Ohio 3703
program; 3704

(5) Includes a certification by the employer that if the 3705
employer provides health benefits and retirement benefits under 3706
a defined benefit plan, as defined in 26 U.S.C. 414(j), as 3707
amended, or contributions under a defined contribution plan as 3708
defined in 26 U.S.C. 414(i), as amended, to any employee whose 3709
normal weekly hours of work are reduced under the program that 3710
such benefits will continue to be provided to an employee 3711
participating in the SharedWork Ohio program under the same 3712
terms and conditions as though the normal weekly hours of work 3713
of the employee had not been reduced or to the same extent as 3714
other employees not participating in the program; 3715

(6) Permits eligible employees to participate, as 3716
appropriate, in training to enhance job skills approved by the 3717
director, including employer-sponsored training or worker 3718
training funded under the federal ~~"Workforce Investment Act of~~ 3719
~~1998," 112 Stat. 936, 29 U.S.C. 2801 et seq., as amended~~ 3720
"Workforce Innovation and Opportunity Act," 29 U.S.C. 3101 et 3721
seq.; 3722

(7) Includes any other information as required by the 3723
United States secretary of labor or the director under the rules 3724
the director adopts under section 4141.50 of the Revised Code; 3725

(8) Includes an attestation by the employer that the terms 3726

of the written plan submitted by the employer and implementation 3727
of that plan are consistent with obligations of the employer 3728
under the applicable federal and state laws; 3729

(9) Includes a certification by the employer that the 3730
employer will promptly notify the director of any change in the 3731
business that includes the sale or transfer of all or part of 3732
the business, and that the employer will notify any successor in 3733
interest to the employer's business prior to the transfer of all 3734
or part of the business, of the existence of any approved shared 3735
work plan; 3736

(10) Includes a certification by the employer that, as of 3737
the date the employer submits the plan, the employer is current 3738
on all reports and has paid all contributions, reimbursements, 3739
interest, and penalties due under this chapter; 3740

(11) Includes an assurance from the employer that the 3741
employer will remain current on all employer reporting and 3742
payments of contributions, reimbursements, interest, and 3743
penalties as required by this chapter; 3744

(12) Includes a certification by the employer that none of 3745
the participating employees are employed on a seasonal, 3746
temporary, or intermittent basis; 3747

(13) Includes an assurance from the employer that the 3748
employer will not reduce a participating employee's normal 3749
weekly hours of work by more than the reduction percentage, 3750
except in the event of a temporary closure of the employer's 3751
business for equipment maintenance, or when the employee takes 3752
approved time off during the week with pay, and the combined 3753
work hours and paid leave hours equal the number of hours the 3754
employee would have worked under the plan. 3755

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

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

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

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

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

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

(b) The rule concerns a program administered by the department of job and family services, unless the statute authorizing the rule requires that it be adopted in accordance with section 111.15 of the Revised Code;

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

(2) Section 111.15 of the Revised Code, excluding division 3785
(D) of that section, if either of the following apply: 3786

(a) The rule concerns the day-to-day staff procedures and 3787
operations of the department or financial and operational 3788
matters between the department and another government entity or 3789
a private entity receiving a grant from the department, unless 3790
the statute authorizing the rule requires that it be adopted in 3791
accordance with Chapter 119. of the Revised Code; 3792

(b) The statute authorizing the rule requires that the 3793
rule be adopted in accordance with section 111.15 of the Revised 3794
Code and, by the terms of division (D) of that section, division 3795
(D) of that section does not apply to the rule. 3796

(3) Section 111.15 of the Revised Code, including division 3797
(D) of that section, if the statute authorizing the rule 3798
requires that the rule be adopted in accordance with that 3799
section and the rule is not exempt from the application of 3800
division (D) of that section. 3801

(B) Except as otherwise required by the Revised Code, the 3802
adoption of a rule in accordance with Chapter 119. of the 3803
Revised Code does not make the department of job and family 3804
services, a county family services agency, or a ~~workforce-~~ 3805
~~development agency~~ local board subject to the notice, hearing, 3806
or other requirements of sections 119.06 to 119.13 of the 3807
Revised Code. As used in this division, "~~workforce development-~~ 3808
~~agency~~ local board" has the same meaning as in section 6301.01 of 3809
the Revised Code. 3810

Sec. 5101.20. (A) As used in this section of the Revised 3811
Code: 3812

(1) "Local area" has the same meaning as in section ~~101 of~~ 3813

the ~~"Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C. 2801, as amended, and division (A) of section 6301.01 of the Revised Code.~~ 3814
3815
3816

(2) "Chief elected official" has the same meaning as ~~in~~ 3817
~~section 101 of the "Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C. 2801, as amended, and division (F) of "chief~~ 3818
elected official or officials" as defined in section 6301.01 of 3819
the Revised Code. 3820
3821

(3) "Grantee" means the chief elected officials of a local 3822
area. 3823

(4) "Local board" has the same meaning as in section 3824
6301.01 of the Revised Code. 3825

(5) "Planning region" has the same meaning as in section 3826
6301.01 of the Revised Code. 3827

(B) The director of job and family services shall enter 3828
into one or more written grant agreements with each local area 3829
under which ~~financial assistance is~~ allocated funds are awarded 3830
for workforce development activities included in the agreements. 3831
A grant agreement shall establish the terms and conditions 3832
governing the accountability for and use of grants provided by 3833
the department of job and family services to the grantee for the 3834
administration of workforce development activities funded under 3835
the ~~"Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C. 2801, as amended~~ "Workforce Innovation and Opportunity Act," 29 3836
U.S.C. 3101 et seq. 3837
3838

(C) Effective September 1, 2017, the director may award 3839
grants to local areas only through grant agreements entered into 3840
under this section. 3841

(D) In the case of a local area comprised of multiple 3842

political subdivisions, nothing in this section shall preclude 3843
the chief elected officials of a local area from entering into 3844
an agreement among themselves to distribute any liability for 3845
activities of the local area, but such an agreement shall not be 3846
binding on the department of job and family services. 3847

~~(D)~~ (E) The written grant agreement entered into under 3848
division (B) of this section shall comply with all applicable 3849
federal and state laws governing workforce development 3850
activities and related funding. ~~All~~ Each local area is subject 3851
to all federal conditions and restrictions that apply to the use 3852
of ~~grants received by~~ funds allotted to the department of job 3853
and family services ~~shall apply to the use of the grants~~ 3854
~~received by the and allocated to~~ local areas ~~from the department~~ 3855
for workforce development activities. 3856

~~(E)~~ (F) A written grant agreement entered into under 3857
division (B) of this section shall: 3858

(1) Identify as parties to the agreement the ~~chief elected~~ 3859
~~officials representatives~~ for the local area, including the 3860
chief elected official or officials, the local board, and the 3861
fiscal agent; 3862

(2) Provide for the incorporation of the planning region 3863
and local workforce development plan; 3864

(3) Include the chief elected official's or officials' 3865
assurance that the local area and any subgrantee or contractor 3866
of the local area will do all of the following: 3867

(a) Ensure that the ~~financial assistance awarded~~ funds 3868
allocated under the grant agreement ~~is~~ are used, and the 3869
workforce development duties included in the agreement are 3870
performed, in accordance with ~~requirements established by the~~ 3871

~~department or any of the following: federal or and state law,~~ 3872
the state plan for receipt of federal financial participation, 3873
grant agreements between the department and a federal agency, ~~or~~ 3874
~~executive orders-, and policies and guidance issued by the~~ 3875
department; 3876

(b) ~~Ensure that the chief elected officials and any~~ 3877
~~subgrantee or contractor of the local area utilize that the~~ 3878
implementation and use of a financial management system and 3879
other accountability mechanisms ~~that meet the requirements of~~ 3880
federal and state law and are in accordance with the policies 3881
and procedures that the department establishes; 3882

(c) Require the chief elected officials and any subgrantee 3883
or contractor of the local area to do both of the following: 3884

(i) Monitor all private and government entities that 3885
receive a ~~payment from financial assistance awarded funds~~ 3886
allocated under the grant agreement to ensure that ~~each entity~~ 3887
~~uses the payment funds are utilized in accordance with~~ 3888
~~requirements for the workforce development duties included in~~ 3889
~~the all applicable federal and state laws, policies, and~~ 3890
guidance, and with the terms and conditions of the grant 3891
agreement; 3892

(ii) Take action to recover ~~payments that are not used in~~ 3893
~~accordance with the requirements for the workforce development~~ 3894
~~duties that are included in the funds for expenditures that are~~ 3895
unallowable under federal or state law or under the terms of the 3896
grant agreement. 3897

(d) ~~Require the chief elected officials of a local area to~~ 3898
~~promptly reimburse the department the amount that represents the~~ 3899
~~amount a local area is responsible for of funds the department~~ 3900

~~pays to any entity~~ Promptly remit funds to the department that 3901
are payable to the state or federal government because of an 3902
adverse audit finding, adverse quality control finding, final 3903
disallowance of federal financial participation, or other 3904
sanction or penalty; 3905

~~(e) Require chief elected officials of a local area to~~ 3906
~~take~~ Take prompt corrective action if the department, auditor of 3907
state, ~~federal agency,~~ or other ~~entity authorized by federal or~~ 3908
~~state law to determine compliance with requirements for a~~ 3909
~~workforce development duty included in the agreement~~ state or 3910
federal agency determines ~~compliance has not been achieved,~~ 3911
noncompliance with state or federal law. 3912

(4) Provide that the ~~award of financial assistance~~ 3913
allocation is subject to the availability of federal funds and 3914
appropriations made by the general assembly; 3915

(5) Provide for annual financial, administrative, or other 3916
incentive awards, if any, to be provided in accordance with 3917
section 5101.23 of the Revised Code. 3918

(6) Establish the ~~method of~~ terms and conditions for 3919
amending or terminating the grant agreement and an expedited 3920
process for correcting terms or conditions of the agreement that 3921
the director and the chief elected officials agree are 3922
erroneous. 3923

(7) ~~Provide for~~ Permit the department of job and family 3924
services to ~~award financial assistance~~ allocate funds for the 3925
workforce development duties included in the agreement in 3926
accordance with a methodology for determining the amount of the 3927
award established by rules adopted under division ~~(F)~~ (G) of 3928
this section. 3929

(8) Determine the dates that the grant agreement begins 3930
and ends. 3931

~~(F)~~(G)(1) The director shall adopt rules in accordance 3932
with section 111.15 of the Revised Code governing grant 3933
agreements. The director shall adopt the rules as if they were 3934
internal management rules. The rules shall establish 3935
methodologies to be used to determine the amount of ~~financial-~~ 3936
~~assistance funds~~ to be awarded under the agreements and may do 3937
any of the following: 3938

(a) Govern the establishment of consolidated funding 3939
allocations and other allocations; 3940

(b) Specify allowable uses of ~~financial assistance awarded-~~ 3941
funds allocated under the agreements; 3942

(c) Establish reporting, cash management, audit, and other 3943
requirements the director determines are necessary to provide 3944
accountability for the use of ~~financial assistance awarded funds~~ 3945
allocated under the agreements and determine compliance with 3946
requirements established by the department or any of the 3947
following: a federal or state law, state plan for receipt of 3948
federal financial participation, grant agreement between the 3949
department and a federal entity, or executive order. 3950

(2) A requirement of a grant agreement established by a 3951
rule adopted under this division is applicable to a grant 3952
agreement without having to be restated in the grant agreement. 3953

Sec. 5101.201. ~~The~~As the director of the state agency for 3954
the implementation of several workforce programs, the director 3955
of job and family services may enter into agreements with ~~one-~~ 3956
~~stop operators~~local boards, as defined in section 6301.01 of 3957
the Revised Code, and one stop other OhioMeansJobs center 3958

partners for the purpose of implementing the requirements of 3959
section 121 of the ~~"Workforce Investment Act of 1998," 112 Stat.~~ 3960
~~936, 29 U.S.C. 2801~~ "Workforce Innovation and Opportunity Act," 3961
29 U.S.C. 3151. 3962

Sec. 5101.214. The director of job and family services may 3963
enter into a written agreement with one or more state agencies, 3964
as defined in section 117.01 of the Revised Code, and state 3965
universities and colleges to assist in the coordination, 3966
provision, or enhancement of the family services duties of a 3967
county family services agency or the workforce development 3968
activities of a ~~workforce development agency~~ local board, as 3969
defined in section 6301.01 of the Revised Code. The director 3970
also may enter into written agreements or contracts with, or 3971
issue grants to, private and government entities under which 3972
funds are provided for the enhancement or innovation of family 3973
services duties or workforce development activities on the state 3974
or local level. 3975

The director may adopt internal management rules in 3976
accordance with section 111.15 of the Revised Code to implement 3977
this section. 3978

Sec. 5101.23. Subject to the availability of funds, the 3979
department of job and family services may provide annual 3980
financial, administrative, or other incentive awards to county 3981
family services agencies and ~~workforce development agencies~~ 3982
local areas as defined in section 6301.01 of the Revised Code. A 3983
county family services agency or ~~workforce development agency~~ 3984
local area may spend ~~funds provided as a financial~~ an incentive 3985
award awarded under this section only for the purpose for which 3986
the funds are appropriated. The department may adopt internal 3987
management rules in accordance with section 111.15 of the 3988

Revised Code to establish the amounts of awards, methodology for 3989
distributing the awards, types of awards, and standards for 3990
administration ~~by the department.~~ 3991

There is hereby created in the state treasury the social 3992
services incentive fund. The director of job and family services 3993
may request that the director of budget and management transfer 3994
funds in the Title IV-A reserve fund created under section 3995
5101.82 of the Revised Code and other funds appropriated for 3996
family services duties or workforce investment activities into 3997
the fund. If the director of budget and management determines 3998
that the funds identified by the director of job and family 3999
services are available and appropriate for transfer, the 4000
director of budget and management shall make the transfer. Money 4001
in the fund shall be used to provide incentive awards under this 4002
section. 4003

Sec. 5101.241. (A) As used in this section: 4004

(1) "Local area" and "chief elected official" have the 4005
same meaning as in section 5101.20 of the Revised Code. 4006

(2) "Responsible entity" means the chief elected officials 4007
of a local area. 4008

(B) The department of job and family services may take 4009
action under division (C) of this section against the 4010
responsible entity, regardless of who performs the workforce 4011
development activity, if the department determines any of the 4012
following are the case: 4013

(1) ~~A requirement~~ An entity has failed to comply with the 4014
terms and conditions of a grant agreement entered into 4015
executed between the department and a local area under section 5101.20 of 4016
the Revised Code ~~that includes the workforce development~~ 4017

~~activity, including a requirement for grant agreements— 4018
established by rules adopted under that section, is not complied— 4019
with. 4020~~

(2) A performance standard for the workforce development 4021
activity established by the federal government or the department 4022
is not met. 4023

(3) ~~A~~ An entity has failed to comply with a workforce 4024
development activity requirement for the workforce development 4025
~~activity~~ established by the department or any of the following 4026
~~is not complied with.~~ a federal or state law, a state plan for 4027
receipt of federal financial participation, a grant agreement 4028
between the department and a federal agency, or an executive 4029
order. 4030

(4) The responsible entity is solely or partially 4031
responsible, as determined by the director of job and family 4032
services, for an adverse audit finding, adverse quality control 4033
finding, final disallowance of federal financial participation, 4034
or other sanction or penalty regarding the workforce development 4035
activity. 4036

(C) The department may take one or more of the following 4037
actions against the responsible entity when authorized by 4038
division (B) (1), (2), (3), or (4) of this section: 4039

(1) Require the responsible entity to submit to and comply 4040
with a corrective action plan, established or approved by the 4041
department, pursuant to a time schedule specified by the 4042
department; 4043

(2) Require the responsible entity to do one of the 4044
following: 4045

(a) Share with the department a final disallowance of 4046

federal financial participation or other sanction or penalty; 4047

(b) Reimburse the department the amount the department 4048
pays to the federal government or another entity that represents 4049
the amount the responsible entity is responsible for of an 4050
adverse audit finding, adverse quality control finding, final 4051
disallowance of federal financial participation, or other 4052
sanction or penalty issued by the federal government, auditor of 4053
state, or other entity; 4054

(c) Pay the federal government or another entity the 4055
amount that represents the amount the responsible entity is 4056
responsible for of an adverse audit finding, adverse quality 4057
control finding, final disallowance of federal financial 4058
participation, or other sanction or penalty issued by the 4059
federal government, auditor of state, or other entity; 4060

(d) Pay the department the amount that represents the 4061
amount the responsible entity is responsible for of an adverse 4062
audit finding, adverse quality control finding, or other 4063
sanction or penalty issued by the department. 4064

(3) Impose a financial or administrative sanction or 4065
adverse audit finding issued by the department against the 4066
responsible entity, which may be increased with each subsequent 4067
action taken against the responsible entity; 4068

(4) Perform or contract with a government or private 4069
entity for the entity to perform the workforce development 4070
activity until the department is satisfied that the responsible 4071
entity ensures that the activity will be performed to the 4072
department's satisfaction. If the department performs or 4073
contracts with an entity to perform the workforce development 4074
activity under division (C) (4) of this section, the department 4075

may withhold funds allocated to or reimbursements due to the 4076
responsible entity for the activity and use those funds to 4077
implement division (C) (4) of this section. 4078

(5) Request the attorney general to bring mandamus 4079
proceedings to compel the responsible entity to take or cease 4080
the actions listed in division (B) of this section. The attorney 4081
general shall bring any mandamus proceedings in the Franklin 4082
county court of appeals at the department's request. 4083

(6) If the department takes action under this division 4084
because of division (B) (3) of this section, withhold funds 4085
allocated or reimbursement due to the responsible entity until 4086
the department determines that the responsible entity is in 4087
compliance with the requirement. The department shall release 4088
the funds when the department determines that compliance has 4089
been achieved. 4090

(7) Issue a notice of intent to revoke approval of all or 4091
part of the local plan effected that conflicts with state or 4092
federal law and effectuate the revocation. 4093

(D) The department shall notify the responsible entity and 4094
the appropriate county auditor ~~when the department proposes to~~ 4095
~~take before taking~~ action under division (C) of this section. 4096
The notice shall be in writing and specify the proposed action 4097
~~the department proposes to take~~. The department shall send the 4098
notice by regular United States mail. Except as provided in 4099
division (E) of this section, the responsible entity may request 4100
an administrative review of a proposed action in accordance with 4101
administrative review procedures the department shall establish. 4102
The administrative review procedures shall comply with all of 4103
the following: 4104

(1) A request for an administrative review shall state 4105
specifically all of the following: 4106

(a) The proposed action specified in the notice from the 4107
department for which the review is requested; 4108

(b) The reason why the responsible entity believes the 4109
proposed action is inappropriate; 4110

(c) All facts and legal arguments that the responsible 4111
entity wants the department to consider; 4112

(d) The name of the person who will serve as the 4113
responsible entity's representative in the review. 4114

(2) If the department's notice specifies more than one 4115
proposed action and the responsible entity does not specify all 4116
of the proposed actions in its request pursuant to division (D) 4117
(1) (a) of this section, the proposed actions not specified in 4118
the request shall not be subject to administrative review and 4119
the parts of the notice regarding those proposed actions shall 4120
be final and binding on the responsible entity. 4121

(3) The responsible entity shall have fifteen calendar 4122
days after the department mails the notice to the responsible 4123
entity to send a written request to the department for an 4124
administrative review. The responsible entity and the department 4125
shall attempt to resolve informally any dispute and may develop 4126
a written resolution to the dispute at any time prior to 4127
submitting the written report described in division (D) (7) of 4128
this section to the director. 4129

(4) In the case of a proposed action under division (C) (2) 4130
of this section, the responsible entity may not include in its 4131
request disputes over a finding, final disallowance of federal 4132
financial participation, or other sanction or penalty issued by 4133

the federal government, auditor of state, or other entity other than the department. 4134
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(5) If the responsible entity fails to request an administrative review within the required time, the responsible entity loses the right to request an administrative review of the proposed actions specified in the notice and the notice becomes final and binding on the responsible entity. 4136
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(6) The director of job and family services shall appoint an administrative review panel to conduct the administrative review. The review panel shall consist of department employees who are not involved in the department's proposal to take action against the responsible entity. The review panel shall review the responsible entity's request. The review panel may require that the department or responsible entity submit additional information and schedule and conduct an informal hearing to obtain testimony or additional evidence. A review of a proposal to take action under division (C) (2) of this section shall be limited solely to the issue of the amount the responsible entity shall share with the department, reimburse the department, or pay to the federal government, department, or other entity under division (C) (2) of this section. The review panel is not required to make a stenographic record of its hearing or other proceedings. 4141
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(7) After finishing an administrative review, an administrative review panel appointed under division (D) (6) of this section shall submit a written report to the director setting forth its findings of fact, conclusions of law, and recommendations for action. The director may approve, modify, or disapprove the recommendations. 4157
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(8) The director's approval, modification, or disapproval 4163

under division (D) (7) of this section shall be final and binding 4164
on the responsible entity and shall not be subject to further 4165
review. 4166

(E) The responsible entity is not entitled to an 4167
administrative review under division (D) of this section for any 4168
of the following: 4169

(1) An action taken under division (C) (5) or (6) of this 4170
section; 4171

(2) An action taken under section 5101.242 of the Revised 4172
Code; 4173

(3) An action taken under division (C) (2) of this section 4174
if the federal government, auditor of state, or entity other 4175
than the department has identified the responsible entity as 4176
being solely or partially responsible for an adverse audit 4177
finding, adverse quality control finding, final disallowance of 4178
federal financial participation, or other sanction or penalty; 4179

(4) An adjustment to an allocation, cash draw, advance, or 4180
reimbursement to the responsible entity's local area that the 4181
department determines necessary for budgetary reasons; 4182

(5) Withholding of a cash draw or reimbursement due to 4183
noncompliance with a reporting requirement established in rules 4184
adopted under section 5101.243 of the Revised Code. 4185

(F) This section does not apply to other actions the 4186
department takes against the responsible entity pursuant to 4187
authority granted by another state law unless the other state 4188
law requires the department to take the action in accordance 4189
with this section. 4190

(G) The director of job and family services may adopt 4191

rules in accordance with Chapter 119. of the Revised Code as 4192
necessary to implement this section. 4193

(H) The governor may decertify a local ~~workforce-~~ 4194
~~development~~ board for any of the following reasons in accordance 4195
with subsection ~~(e)~~ of section 117 of the "~~Workforce Investment-~~ 4196
~~Act of 1998~~" 112 Stat. 936, 29 U.S.C. 2801, as amended (c) (3) of 4197
section 107 of the "Workforce Innovation and Opportunity Act," 4198
29 U.S.C. 3122: 4199

(1) Fraud or abuse; 4200

(2) Failure to carry out the requirements of the federal 4201
~~"Workforce Investment Act," 112 Stat. 936, 29 U.S.C. 2801, as-~~ 4202
~~amended, including failure to meet performance standards-~~ 4203
~~established by the federal government for two consecutive years-~~ 4204
"Workforce Innovation and Opportunity Act," 29 U.S.C. 3101 et 4205
seq.; 4206

(3) Failure to meet local performance accountability 4207
measures for the local area for two consecutive program years, 4208
as specified in subsection (c) (3) (B) of section 107 of the 4209
"Workforce Innovation and Opportunity Act," 29 U.S.C. 3122. 4210

(I) (1) If the governor finds that access to basic- 4211
~~"Workforce Investment Act" services is not being provided in a~~ 4212
~~local area, the governor may declare an emergency and, in-~~ 4213
~~consultation with the chief elected officials of the local area-~~ 4214
~~affected, arrange for provision of these services through an-~~ 4215
~~alternative entity during the time period in which resolution of~~ 4216
~~the problem preventing service delivery in the local area is~~ 4217
~~pending determines that there has been a substantial violation~~ 4218
of a specific provision of the "Workforce Innovation and 4219
Opportunity Act," 29 U.S.C. 3101 et seq., and that corrective 4220

action has not been taken, the governor shall take one of the 4221
following actions: 4222

(a) Issue a notice of intent to revoke approval of all or 4223
part of a local plan affected by the violation; 4224

(b) Impose a reorganization plan. 4225

(2) A reorganization plan imposed under division (I) (1) of 4226
this section may include any of the following: 4227

(a) Decertifying the local board involved in the 4228
violation; 4229

(b) Prohibiting the use of eligible providers; 4230

(c) Selecting an alternate entity to administer the 4231
program for the local area involved in the violation; 4232

(d) Merging the local area with one or more other local 4233
areas; 4234

(e) Making other changes that the governor determines to 4235
be necessary to secure compliance with the specific provision. 4236

~~An~~ 4237

An action taken by the governor pursuant to this section 4238
is not subject to appeal under this section may be appealed and 4239
shall not become effective until the time for appeal has expired 4240
or a final decision has been issued on the appeal. 4241

Sec. 5108.01. As used in this chapter: 4242

(A) "County family services planning committee" means the 4243
county family services planning committee established under 4244
section 329.06 of the Revised Code ~~or the board created by~~ 4245
~~consolidation under division (C) of section 6301.06 of the~~ 4246
~~Revised Code.~~ 4247

(B) "Prevention, retention, and contingency program" means 4248
the program established by this chapter and funded in part with 4249
federal funds provided under Title IV-A. 4250

(C) "Title IV-A" means Title IV-A of the "Social Security 4251
Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended. 4252

Sec. 5123.60. (A) As used in this section and section 4253
5123.601 of the Revised Code, "Ohio protection and advocacy 4254
system" means the nonprofit entity designated by the governor in 4255
accordance with Am. Sub. H.B. 153 of the 129th general assembly 4256
to serve as the state's protection and advocacy system and 4257
client assistance program. 4258

(B) The Ohio protection and advocacy system shall provide 4259
both of the following: 4260

(1) Advocacy services for people with disabilities, as 4261
provided under section 101 of the "Developmental Disabilities 4262
Assistance and Bill of Rights Act of 2000," 114 Stat. 1678 4263
(2000), 42 U.S.C. 15001; 4264

(2) A client assistance program, as provided under section 4265
112 of the ~~"Workforce Investment Act of 1998," 112 Stat. 1163-~~ 4266
~~(1998), 29 U.S.C. 732, as amended~~ "Rehabilitation Act of 1973," 4267
29 U.S.C. 732. 4268

(C) The Ohio protection and advocacy system may establish 4269
any guidelines necessary for its operation. 4270

Sec. 5166.40. (A) As used in sections 5166.40 to 5166.409 4271
of the Revised Code: 4272

(1) "Adult" means an individual who is at least eighteen 4273
years of age. 4274

(2) "Buckeye account" means a modified health savings 4275

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|--|------|
| account established under section 5166.402 of the Revised Code. | 4276 |
| (3) "Contribution" means the amounts that an individual | 4277 |
| contributes to the individual's buckeye account and are | 4278 |
| contributed to the account on the individual's behalf under | 4279 |
| divisions (C) and (D) of section 5166.402 of the Revised Code. | 4280 |
| "Contribution" does not mean the portion of an individual's | 4281 |
| buckeye account that consists of medicaid funds deposited under | 4282 |
| division (B) of section 5166.402 of the Revised Code or section | 4283 |
| 5166.404 of the Revised Code. | 4284 |
| (4) "Core portion" means the portion of a healthy Ohio | 4285 |
| program participant's buckeye account that consists of the | 4286 |
| following: | 4287 |
| (a) The amount of contributions to the account; | 4288 |
| (b) The amounts awarded to the account under divisions (C) | 4289 |
| and (D) of section 5166.404 of the Revised Code. | 4290 |
| (5) "Eligible employer-sponsored health plan" has the same | 4291 |
| meaning as in section 5000A(f) (2) of the "Internal Revenue Code | 4292 |
| of 1986," 26 U.S.C. 5000A(f) (2) . | 4293 |
| (6) "Healthy Ohio program" means the medicaid waiver | 4294 |
| component established under sections 5166.40 to 5166.409 of the | 4295 |
| Revised Code under which medicaid recipients specified in | 4296 |
| division (B) of this section enroll in comprehensive health | 4297 |
| plans and contribute to buckeye accounts. | 4298 |
| (7) "Healthy Ohio program debit swipe card" means a debit | 4299 |
| swipe card issued by a managed care organization to a healthy | 4300 |
| Ohio program participant under section 5166.403 of the Revised | 4301 |
| Code. | 4302 |
| (8) "Not-for-profit organization" means an organization | 4303 |

that is exempt from federal income taxation under section 501(a) 4304
and (c) (3) of the "Internal Revenue Code of 1986," 26 U.S.C. 4305
501(a) and (c) (3). 4306

(9) "Ward of the state" means ~~both of the following:~~ an 4307
individual who is a ward, as defined in section 2111.01 of the 4308
Revised Code. 4309

(10) "Workforce development activity" and "~~workforce-~~ 4310
~~development agency~~local board" have the same meanings as in 4311
section 6301.01 of the Revised Code. 4312

(B) The medicaid director shall establish a medicaid 4313
waiver component to be known as the healthy Ohio program. Each 4314
adult medicaid recipient, other than a ward of the state, 4315
determined to be eligible for medicaid on the basis of either of 4316
the following shall participate in the healthy Ohio program: 4317

(1) On the basis of being included in the category 4318
identified by the department of medicaid as covered families and 4319
children; 4320

(2) On the basis of being included in the eligibility 4321
group described in section 1902(a) (10) (A) (i) (VIII) of the 4322
"Social Security Act," 42 U.S.C. 1396a(a) (10) (A) (i) (VIII). 4323

(C) Except as provided in section 5166.406 of the Revised 4324
Code, a healthy Ohio program participant shall not receive 4325
medicaid services under the fee-for-service component of 4326
medicaid or participate in the care management system. 4327

Sec. 5166.408. Each county department of job and family 4328
services shall offer to refer to a ~~workforce development agency-~~ 4329
local board each healthy Ohio program participant who resides in 4330
the county served by the county department and is either 4331
unemployed or employed for less than an average of twenty hours 4332

per week. The referral shall include information about the 4333
workforce development activities available from the ~~workforce~~ 4334
~~development agency~~ local board. A participant may refuse to 4335
accept the referral and to participate in the workforce 4336
development activities without any affect on the participant's 4337
eligibility for, or participation in, the healthy Ohio program. 4338

Sec. 5709.64. (A) If an enterprise has been granted an 4339
incentive for the current calendar year under an agreement 4340
entered pursuant to section 5709.62, 5709.63, or 5709.632 of the 4341
Revised Code, it may apply, on or before the thirtieth day of 4342
April of that year, to the director of development, on a form 4343
prescribed by the director, for a tax incentive qualification 4344
certificate. The enterprise qualifies for an initial certificate 4345
if, on or before the last day of the calendar year immediately 4346
preceding that in which application is made, it satisfies all of 4347
the following requirements: 4348

(1) The enterprise has established, expanded, renovated, 4349
or occupied a facility pursuant to the agreement under section 4350
5709.62, 5709.63, or 5709.632 of the Revised Code. 4351

(2) The enterprise has hired new employees to fill 4352
nonretail positions at the facility, at least twenty-five per 4353
cent of whom at the time they were employed were at least one of 4354
the following: 4355

(a) Unemployed persons who had resided at least six months 4356
in the county in which the enterprise's project site is located; 4357

(b) JPTA eligible employees who had resided at least six 4358
months in the county in which the enterprise's project site is 4359
located; 4360

(c) Participants of the Ohio works first program under 4361

Chapter 5107. of the Revised Code or the prevention, retention, 4362
and contingency program under Chapter 5108. of the Revised Code 4363
or recipients of general assistance under former Chapter 5113. 4364
of the Revised Code, financial assistance under Chapter 5115. of 4365
the Revised Code, or unemployment compensation benefits who had 4366
resided at least six months in the county in which the 4367
enterprise's project site is located; 4368

(d) ~~Handicapped persons~~ Eligible individuals with 4369
disabilities, as defined under division (A) of section 3304.11 4370
of the Revised Code, who had resided at least six months in the 4371
county in which the enterprise's project site is located; 4372

(e) Residents for at least one year of a zone located in 4373
the county in which the enterprise's project site is located. 4374

The director of development shall, by rule, establish 4375
criteria for determining what constitutes a nonretail position 4376
at a facility. 4377

(3) The average number of positions attributable to the 4378
enterprise in the municipal corporation during the calendar year 4379
immediately preceding the calendar year in which application is 4380
made exceeds the maximum number of positions attributable to the 4381
enterprise in the municipal corporation during the calendar year 4382
immediately preceding the first year the enterprise satisfies 4383
the requirements set forth in divisions (A) (1) and (2) of this 4384
section. If the enterprise is engaged in a business which, 4385
because of its seasonal nature, customarily enables the 4386
enterprise to operate at full capacity only during regularly 4387
recurring periods of the year, the average number of positions 4388
attributable to the enterprise in the municipal corporation 4389
during each period of the calendar year immediately preceding 4390
the calendar year in which application is made must exceed only 4391

the maximum number of positions attributable to the enterprise 4392
in each corresponding period of the calendar year immediately 4393
preceding the first year the enterprise satisfies the 4394
requirements of divisions (A) (1) and (2) of this section. The 4395
director of development shall, by rule, prescribe methods for 4396
determining whether an enterprise is engaged in a seasonal 4397
business and for determining the length of the corresponding 4398
periods to be compared. 4399

(4) The enterprise has not closed or reduced employment at 4400
any place of business in the state for the primary purpose of 4401
establishing, expanding, renovating, or occupying a facility. 4402
The legislative authority of any municipal corporation or the 4403
board of county commissioners of any county that concludes that 4404
an enterprise has closed or reduced employment at a place of 4405
business in that municipal corporation or county for the primary 4406
purpose of establishing, expanding, renovating, or occupying a 4407
facility in a zone may appeal to the director to determine 4408
whether the enterprise has done so. Upon receiving such an 4409
appeal, the director shall investigate the allegations and make 4410
such a determination before issuing an initial or renewal tax 4411
incentive qualification certificate under this section. 4412

Within sixty days after receiving an application under 4413
this division, the director shall review, investigate, and 4414
verify the application and determine whether the enterprise 4415
qualifies for a certificate. The application shall include an 4416
affidavit executed by the applicant verifying that the 4417
enterprise satisfies the requirements of division (A) (2) of this 4418
section, and shall contain such information and documents as the 4419
director requires, by rule, to ascertain whether the enterprise 4420
qualifies for a certificate. If the director finds the 4421
enterprise qualified, the director shall issue a tax incentive 4422

qualification certificate, which shall bear as its date of 4423
issuance the thirtieth day of June of the year of application, 4424
and shall state that the applicant is entitled to receive, for 4425
the taxable year that includes the certificate's date of 4426
issuance, the tax incentives provided under section 5709.65 of 4427
the Revised Code with regard to the facility to which the 4428
certificate applies. If an enterprise is issued an initial 4429
certificate, it may apply, on or before the thirtieth day of 4430
April of each succeeding calendar year for which it has been 4431
granted an incentive under an agreement entered pursuant to 4432
section 5709.62, 5709.63, or 5709.632 of the Revised Code, for a 4433
renewal certificate. Subsequent to its initial certification, 4434
the enterprise qualifies for up to three successive renewal 4435
certificates if, on or before the last day of the calendar year 4436
immediately preceding that in which the application is made, it 4437
satisfies all the requirements of divisions (A) (1) to (4) of 4438
this section, and neither the zone's designation nor the zone's 4439
certification has been revoked prior to the fifteenth day of 4440
June of the year in which the application is made. The 4441
application shall include an affidavit executed by the applicant 4442
verifying that the enterprise satisfies the requirements of 4443
division (A) (2) of this section. An enterprise with ten or more 4444
supervisory personnel at the facility to which a certificate 4445
applies qualifies for any subsequent renewal certificates only 4446
if it meets all of the foregoing requirements and, in addition, 4447
at least ten per cent of those supervisory personnel are 4448
employees who, when first hired by the enterprise, satisfied at 4449
least one of the criteria specified in divisions (A) (2) (a) to 4450
(e) of this section. If the enterprise qualifies, a renewal 4451
certificate shall be issued bearing as its date of issuance the 4452
thirtieth day of June of the year of application. The director 4453
shall send copies of the initial certificate, and each renewal 4454

certificate, by certified mail, to the enterprise, the tax 4455
commissioner, the board of county commissioners, and the chief 4456
executive of the municipal corporation in which the facility to 4457
which the certificate applies is located. 4458

(B) If the director determines that an enterprise is not 4459
qualified for an initial or renewal tax incentive qualification 4460
certificate, the director shall send notice of this 4461
determination, specifying the reasons for it, by certified mail, 4462
to the applicant, the tax commissioner, the board of county 4463
commissioners, and the chief executive of the municipal 4464
corporation in which the facility to which the certificate would 4465
have applied is located. Within thirty days after receiving such 4466
a notice, an enterprise may request, in writing, a hearing 4467
before the director for the purpose of reviewing the application 4468
and the reasons for the determination. Within sixty days after 4469
receiving a request for a hearing, the director shall afford one 4470
and, within thirty days after the hearing, shall issue a 4471
redetermination of the enterprise's qualification for a 4472
certificate. If the enterprise is found to be qualified, the 4473
director shall proceed in the manner provided under division (A) 4474
of this section. If the enterprise is found to be unqualified, 4475
the director shall send notice of this finding, by certified 4476
mail, to the applicant, the tax commissioner, the board of 4477
county commissioners, and the chief executive of the municipal 4478
corporation in which the facility to which the certificate would 4479
have applied is located. The director's redetermination that an 4480
enterprise is unqualified may be appealed to the board of tax 4481
appeals in the manner provided under section 5717.02 of the 4482
Revised Code. 4483

Sec. 5903.11. (A) Any federally funded employment and 4484
training program administered by any state agency including, but 4485

not limited to, the ~~"Workforce Investment Act of 1998," 112-~~ 4486
~~Stat. 936, codified in scattered sections of 29 U.S.C., as~~ 4487
~~amended "Workforce Innovation and Opportunity Act," 29 U.S.C.~~ 4488
3101 et seq., shall include a veteran priority system to provide 4489
maximum employment and training opportunities to veterans and 4490
eligible persons within each targeted group as established by 4491
federal law and state and federal policy in the service area. 4492
Disabled veterans, veterans of the Vietnam era, other veterans, 4493
and eligible persons shall receive preference over nonveterans 4494
within each targeted group in the provision of employment and 4495
training services available through these programs as required 4496
by this section. 4497

(B) Each state agency shall refer qualified applicants to 4498
job openings and training opportunities in programs described in 4499
division (A) of this section in the following order of priority: 4500

- (1) Special disabled veterans; 4501
- (2) Veterans of the Vietnam era; 4502
- (3) Disabled veterans; 4503
- (4) All other veterans; 4504
- (5) Other eligible persons; 4505
- (6) Nonveterans. 4506

(C) Each state agency providing employment and training 4507
services to veterans and eligible persons under programs 4508
described in division (A) of this section shall submit an annual 4509
written report to the speaker of the house of representatives 4510
and the president of the senate on the services that it provides 4511
to veterans and eligible persons. Each such agency shall report 4512
separately on all entitlement programs, employment or training 4513

programs, and any other programs that it provides to each class 4514
of persons described in divisions (B)(1) to (6) of this section. 4515
Each such agency shall also report on action taken to ensure 4516
compliance with statutory requirements. Compliance and reporting 4517
procedures shall be in accordance with the reporting procedures 4518
then in effect for all employment and training programs 4519
described in division (A) of this section, with the addition of 4520
veterans as a separate reporting module. 4521

(D) All state agencies that administer federally funded 4522
employment and training programs described in division (A) of 4523
this section for veterans and eligible persons shall do all of 4524
the following: 4525

(1) Ensure that veterans are treated with courtesy and 4526
respect at all state governmental facilities; 4527

(2) Give priority in referral to jobs to qualified 4528
veterans and other eligible persons; 4529

(3) Give priority in referral to and enrollment in 4530
training programs to qualified veterans and other eligible 4531
persons; 4532

(4) Give preferential treatment to special disabled 4533
veterans in the provision of all needed state services; 4534

(5) Provide information and effective referral assistance 4535
to veterans and other eligible persons regarding needed benefits 4536
and services that may be obtained through other agencies. 4537

(E) As used in this section: 4538

(1) "Special disabled veteran" means a veteran who is 4539
entitled to, or who but for the receipt of military pay would be 4540
entitled to, compensation under any law administered by the 4541

department of veterans affairs for a disability rated at thirty 4542
per cent or more or a person who was discharged or released from 4543
active duty because of a service-connected disability. 4544

(2) "Veteran of the Vietnam era" means an eligible veteran 4545
who served on active duty for a period of more than one hundred 4546
eighty days, any part of which occurred from August 5, 1964, 4547
through May 7, 1975, and was discharged or released therefrom 4548
with other than a dishonorable discharge or a person who was 4549
discharged or released from active duty for a service-connected 4550
disability if any part of the active duty was performed from 4551
August 5, 1964, through May 7, 1975. 4552

(3) "Disabled veteran" means a veteran who is entitled to, 4553
or who but for the receipt of military retirement pay would be 4554
entitled to compensation, under any law administered by the 4555
department of veterans affairs and who is not a special disabled 4556
veteran. 4557

(4) "Eligible veteran" means a person who served on active 4558
duty for more than one hundred eighty days and was discharged or 4559
released from active duty with other than a dishonorable 4560
discharge or a person who was discharged or released from active 4561
duty because of a service-connected disability. 4562

(5) "Other eligible person" means one of the following: 4563

(a) The spouse of any person who died of a service- 4564
connected disability; 4565

(b) The spouse of any member of the armed forces serving 4566
on active duty who at the time of the spouse's application for 4567
assistance under any program described in division (A) of this 4568
section is listed pursuant to the "Act of September 6, 1966," 80 4569
Stat. 629, 37 U.S.C.A. 556, and the regulations issued pursuant 4570

thereto, as having been in one or more of the following 4571
categories for a total of ninety or more days: 4572

(i) Missing in action; 4573

(ii) Captured in line of duty by a hostile force; 4574

(iii) Forcibly detained or interned in line of duty by a 4575
foreign government or power. 4576

(c) The spouse of any person who has a total disability 4577
permanent in nature resulting from a service-connected 4578
disability or the spouse of a veteran who died while such a 4579
disability was in existence. 4580

(6) "Veteran" means a veteran as defined in section 4581
5903.01 of the Revised Code who was a member of the armed forces 4582
of the United States for a period of one hundred eighty days or 4583
more; a person who was discharged or released from active duty 4584
because of a service-connected disability; or a person who 4585
served as a member of the United States merchant marine and to 4586
whom either of the following applies: 4587

(a) The person has an honorable report of separation from 4588
active duty military service, form DD214 or DD215; or 4589

(b) The person served in the United States merchant marine 4590
between December 7, 1941, and December 31, 1946, and died on 4591
active duty while serving in a war zone during that period of 4592
service. 4593

(7) "Employment program" means a program which provides 4594
referral of individuals to employer job openings in the federal, 4595
state, or private sector. 4596

(8) "Training program" means any program that upgrades the 4597
employability of qualified applicants. 4598

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

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

Sec. 6301.01. As used in this chapter:

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

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

~~(2) A single county;~~

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

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

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

~~(c) One or more counties with or without one municipal corporation in the state and one or more counties with or without one municipal corporation in another state, on the condition that those in another state share a labor market area with those in the state.~~

~~"Local area" does not mean a region for purposes of~~

~~determinations concerning administrative incentives.~~ 4626

~~(B) "Municipal corporation" means a municipal corporation that is eligible for automatic or temporary designation as a local workforce investment area pursuant to section 116(a)(2) or (3) of the "Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.A. 2831(a)(2) or (3), but that does not request that the governor grant such automatic or temporary designation, and that instead elects to administer and enforce workforce development activities pursuant to this chapter.~~ 4627
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~~(C) "County" means a county that is eligible to be designated as a local workforce investment area pursuant to the "Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.A. 2801, as amended, but that does not request such designation, and instead elects to administer and enforce workforce development activities pursuant to this chapter.~~ 4635
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~~(D) "Workforce development agency" means the entity given responsibility for workforce development activities that is designated by the board of county commissioners in accordance with section 330.04 of the Revised Code, the chief elected official of a municipal corporation in accordance with section 763.05 of the Revised Code, or the chief elected officials of a local area defined in division (A)(3) of this section a local workforce development area designated under section 106 of the Workforce Innovation and Opportunity Act, 29 U.S.C. 3121, pursuant to this chapter.~~ 4641
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~~(E) (B) "Workforce development activity" means a program, grant, or other function, the primary goal of which is to do one or more of the following:~~ 4651
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~~(1) Help individuals maximize their employment~~ 4654

~~opportunities;~~ 4655

~~(2) Help employers gain access to skilled workers;~~ 4656

~~(3) Help employers retain skilled workers;~~ 4657

~~(4) Help develop or enhance the skills of incumbent workers;~~ 4658
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~~(5) Improve the quality of the state's workforce;~~ 4660

~~(6) Enhance the productivity and competitiveness of the state's economy an activity carried out through a workforce development system.~~ 4661
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~~(F)-(C) "Chief elected official or officials," when used in reference to a local area, means the board of county commissioners of the county or of each county in the local area or, if the county has adopted a charter under Section 3 of Article X, Ohio Constitution, the chief governing body of that county, and the chief elected official of the municipal corporation, if the local area includes a municipal corporation, except that when the local area is the type defined in division (A)(1) of this section, "chief elected officials" means the chief elected official of the municipal corporation chief elected executive officer of a unit of general local government in the local area or, in the case of a local area that includes more than one unit of general local government, the individual or individuals designated under an agreement described in section 107 of the Workforce Innovation and Opportunity Act, 29 U.S.C. 3122.~~ 4664
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~~(G)-(D) "State board" means the governor's executive workforce board established by required under section 101 of the Workforce Innovation and Opportunity Act, 29 U.S.C. 3111, and established pursuant to section 6301.04 of the Revised Code.~~ 4680
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~~(H)~~ (E) "Local board" means a local workforce investment 4684
development board established in each local area of the state 4685
and certified by the governor to set policy for the portion of 4686
the statewide workforce investment system within the local area 4687
and implement the "Workforce Investment Act of 1998," 112 Stat. 4688
936, 29 U.S.C. 2801 under section 107 of the Workforce 4689
Innovation and Opportunity Act, 29 U.S.C. 3122. 4690

~~(I)~~ (F) "OhioMeansJobs web site" means the statewide 4691
electronic system for labor exchange and job placement activity 4692
operated by the state. 4693

(G) "OhioMeansJobs center" means a physical one-stop 4694
center described in section 121(e)(2) of the Workforce 4695
Innovation and Opportunity Act, 29 U.S.C. 3151(e)(2). 4696

(H) "OhioMeansJobs center operator" means an entity or a 4697
consortium of entities designated or certified through a 4698
competitive process to operate a one-stop center under section 4699
121(d) of the Workforce Innovation and Opportunity Act, 29 4700
U.S.C. 3151(d). 4701

(I) "Planning region" means an area consisting of two or 4702
more local areas that are collectively aligned to engage in the 4703
regional planning process outlined in section 106(c)(1) of the 4704
Workforce Innovation and Opportunity Act, 29 U.S.C. 3121(c)(1). 4705

(J) "Workforce Innovation and Opportunity Act" means the 4706
"Workforce Innovation and Opportunity Act," 29 U.S.C. 3101 et 4707
seq., or other citation as specifically provided. 4708

Sec. 6301.02. The director of job and family services 4709
shall administer the Workforce Innovation and Opportunity Act, 4710
the former "Workforce Investment Act of 1998," 112 Stat. 936, ~~29~~ 4711
~~U.S.C.A. 2801~~ Pub. L. No. 105-220, as amended, and the "Wagner- 4712

Peyser Act," 48 Stat. 113 (1933), 29 U.S.C.A. 49, as amended, 4713
and the funds received pursuant to those acts. In administering 4714
those acts and funds received pursuant to those acts, the 4715
director shall assist the state board in establishing and 4716
administering a workforce development system that is designed to 4717
provide leadership, support, and oversight to locally designed 4718
workforce development systems. The director shall conduct 4719
investigations and hold hearings as necessary for the 4720
administration of this chapter. 4721

To the extent permitted by state and federal law, the 4722
director may adopt rules pursuant to Chapter 119. of the Revised 4723
Code to establish any program or pilot program for the purposes 4724
of providing workforce development activities or ~~family services~~ 4725
~~to individuals who do not meet eligibility criteria for those~~ 4726
~~activities or services~~ under applicable federal law. Prior to 4727
the initiation of any program of that nature, the director of 4728
budget and management shall certify to the governor that 4729
sufficient funds are available to administer a program of that 4730
nature. The director of job and family services shall advise the 4731
state board ~~shall have final approval of~~ any such program. 4732

Unless otherwise prohibited by state or federal law, every 4733
state agency, board, or commission shall provide to the state 4734
board and the director all information and assistance requested 4735
by the state board and the director in furtherance of workforce 4736
development activities. 4737

Sec. 6301.03. (A) In administering the Workforce 4738
Innovation and Opportunity Act, the former "Workforce Investment 4739
Act of 1998," 112 Stat. 936, ~~29 U.S.C.A. 2801~~ Pub. L. No. 105- 4740
220, as amended, and the "Wagner-Peyser Act," 48 Stat. 113 4741
(1933), 29 U.S.C.A. 49, as amended, the funds received pursuant 4742

to those acts, and the workforce development system, the 4743
director of job and family services may, ~~at the direction of~~ in 4744
consultation with the state board, make allocations and payment 4745
of funds for the local administration of the workforce 4746
development activities established under this chapter. 4747

(B) The director shall allocate to local areas all funds 4748
required to be allocated to local areas pursuant to the 4749
Workforce Innovation and Opportunity Act and the former 4750
"Workforce Investment Act of 1998," 112 Stat. 936, ~~29 U.S.C.A.~~ 4751
~~2801~~ Pub. L. No. 105-220, as amended. The director shall make 4752
allocations only with funds available. Local areas, as defined 4753
by either section 101 of the former "Workforce Investment Act of 4754
1998," 112 Stat. 936, ~~29 U.S.C.A. 2801~~ Pub. L. No. 105-220, as 4755
amended, or section 6301.01 of the Revised Code, and 4756
subrecipients of a local area shall establish a workforce 4757
development fund and the entity receiving funds shall deposit 4758
all funds received under this section into the workforce 4759
development fund. All expenditures for activities funded under 4760
this section shall be made from the workforce development fund, 4761
including reimbursements to a county public assistance fund for 4762
expenditures made for activities funded under this section. 4763

(C) The use of funds, reporting requirements, and other 4764
administrative and operational requirements governing the use of 4765
funds received by the director pursuant to this section shall be 4766
governed by internal management rules adopted by ~~and approved by~~ 4767
the ~~state board~~ director pursuant to section 111.15 of the 4768
Revised Code. 4769

(1) A local area described in division (B) of this section 4770
shall use the OhioMeansJobs web site as the labor exchange and 4771
job placement system for the area. 4772

(2) No additional federal or state workforce funds shall 4773
be used to build or maintain any labor exchange and job 4774
placement system that is duplicative to the OhioMeansJobs web 4775
site. 4776

(D) To the extent permitted by state or federal law, the 4777
director, and local areas, ~~counties, and municipal corporations~~ 4778
authorized to administer workforce development activities may 4779
assess a fee for specialized services requested by an employer. 4780
The director shall adopt rules pursuant to Chapter 119. of the 4781
Revised Code governing the nature and amount of those types of 4782
fees. 4783

Sec. 6301.04. (A) The governor shall establish a state 4784
board ~~and~~. The state board shall consist of the following 4785
members: 4786

(1) The governor; 4787

(2) Two members of the house of representatives, appointed 4788
by the speaker of the house of representatives; 4789

(3) Two members of the senate, appointed by the president 4790
of the senate; 4791

(4) Members required under section 101(b)(1)(C) of the 4792
Workforce Innovation and Opportunity Act, 29 U.S.C. 3111(b)(1) 4793
(C); 4794

(5) Any additional members appointed by the governor. 4795

(B) The governor shall appoint members to the board, who 4796
serve at the governor's pleasure, to perform duties under the 4797
~~"Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.A.~~ 4798
~~2801, as amended~~ Workforce Innovation and Opportunity Act, as 4799
authorized by the governor. ~~The~~ 4800

- (C) The board is not subject to sections 101.82 to 101.87 of the Revised Code. ~~All~~ 4801
4802
- (D) All state agencies engaged in workforce development activities shall assist the board in the performance of its duties. 4803
4804
4805
- (E) The board shall have the power and authority to do all of the following: 4806
4807
- ~~(A) Provide oversight and policy direction to ensure that the state workforce development activities are aligned and serving the needs of the state's employers, incumbent workers, and job seekers;~~ 4808
4809
4810
4811
- ~~(B) Adopt rules necessary to administer state workforce development activities;~~ 4812
4813
- ~~(C) Adopt rules necessary for the auditing and monitoring of subrecipients of the workforce development system grant funds;~~ 4814
4815
4816
- ~~(D) Designate local workforce investment areas in accordance with 29 U.S.C. 2831;~~ 4817
4818
- ~~(E) Develop a unified budget for all state and federal workforce funds;~~ 4819
4820
- ~~(F) Establish a statewide employment and data collection system;~~ 4821
4822
- ~~(G) Develop statewide performance measures for workforce development and investment;~~ 4823
4824
- ~~(H)~~ (1) Develop a, implement, and modify the state workforce development plan; 4825
4826
- ~~(I) Prepare the annual report to the United States~~ 4827

~~secretary of labor, pursuant to section 136(d) of the "Workforce-
Investment Act of 1998," 112 Stat. 936, 29 U.S.C. 2871, as
amended;~~ 4828
4829
4830

~~(J) Carry out any additional functions, duties, or
responsibilities assigned to the board by the governor~~ 4831
4832

(2) Review statewide workforce policies and programs and
recommendations on actions to be taken by the state to align
workforce development programs to support a comprehensive and
streamlined workforce development system; 4833
4834
4835
4836

(3) Recommend measures for the development and continuous
improvement of the workforce development system in the state,
including updating comprehensive state performance
accountability measures, also known as workforce success
measures; 4837
4838
4839
4840
4841

(4) Continue to identify and disseminate information on
promising practices in the area of workforce development; 4842
4843

(5) Perform other related work that is required of the
board by the Workforce Innovation and Opportunity Act or
requested by the governor. 4844
4845
4846

Sec. 6301.05. The chief elected official of a local area 4847
shall enter into a written grant agreement with the director of 4848
job and family services in accordance with section 5101.20 of 4849
the Revised Code. 4850

A grant agreement entered into pursuant to this section 4851
shall include the responsibility of ~~municipal corporations and~~ 4852
~~the board of county commissioners~~ the chief elected official or 4853
officials to be accountable to the department of job and family 4854
services for the use of funds provided through the ~~"Workforce-~~ 4855
~~Investment Act of 1998," 112 Stat. 936, 29 U.S.C. 2801, as~~ 4856

~~amended Workforce Innovation and Opportunity Act, including~~ 4857
~~regulations issued by the United States department of labor~~ 4858
~~pursuant to that act.~~ 4859

Sec. 6301.06. (A) The chief elected official or officials 4860
of a local area shall create a local board, ~~which shall consist-~~ 4861
~~of the following individuals:-~~ 4862

~~(1) The chief elected official from the municipal-~~ 4863
~~corporation with the largest population in the local area,-~~ 4864
~~except that if the municipal corporation is a local area as-~~ 4865
~~defined in division (A) (1) of section 6301.01 of the Revised-~~ 4866
~~Code, the chief elected official of that municipal corporation-~~ 4867
~~may determine whether to be a member of the board.-~~ 4868
~~Notwithstanding division (B) of section 6301.01 of the Revised-~~ 4869
~~Code, as used in division (A) (1) of this section, "municipal-~~ 4870
~~corporation" means any municipal corporation.~~ 4871

~~(2) The following individuals appointed to the board by-~~ 4872
~~the chief elected officials of the local area, who shall make-~~ 4873
~~those appointments according to all of the following-~~ 4874
~~specifications:~~ 4875

~~(a) At least five members of the board shall be-~~ 4876
~~representatives of private sector businesses in the general-~~ 4877
~~labor market area that includes that local area, and shall be-~~ 4878
~~appointed from among individuals nominated by local business-~~ 4879
~~organizations and business trade associations. Among these-~~ 4880
~~members, at least one shall represent small businesses, at least-~~ 4881
~~one shall represent medium-sized businesses, and at least one-~~ 4882
~~shall represent large businesses. When determining what-~~ 4883
~~constitutes small, medium-sized, and large businesses for-~~ 4884
~~purposes of this division, the chief elected officials of the-~~ 4885
~~local area shall define those sizes as those sizes are generally-~~ 4886

~~understood within the labor market area that includes that local- 4887
area. A majority of the members of the board shall be- 4888
representatives of private sector businesses. 4889~~

~~(b) At least two members of the board shall represent- 4890
organized labor and shall be appointed from nominations- 4891
submitted by local federations of labor representing workers- 4892
employed in the local area. 4893~~

~~(c) At least two members of the board shall be- 4894
representatives of local educational entities. For purposes of- 4895
this division, "local educational entities" includes local- 4896
educational agencies, school district boards of education,- 4897
entities providing educational and literacy activities, and- 4898
post-secondary educational institutions. 4899~~

~~(d) At least one member of the board shall be a- 4900
representative of consumers of workforce development activities. 4901~~

~~(e) Any other individuals the chief elected officials of- 4902
the local area determine are necessary to carry out the 4903
functions described in section 107(d) of the Workforce 4904
Innovation and Opportunity Act, 29 U.S.C. 3122(d). The chief 4905
elected official or officials shall appoint members of the local 4906
board in accordance with the requirements of section 107(b)(2) 4907
of the Workforce Innovation and Opportunity Act, 29 U.S.C. 4908
3122(b)(2). 4909~~

(B) Members of the local board serve at the pleasure of 4910
the chief elected official or officials of the local area. 4911
Members shall not be compensated but may be reimbursed for 4912
actual, reasonable, and necessary expenses incurred in the 4913
performance of their duties as board members. Those expenses 4914
shall be paid from funds allocated pursuant to section 6301.03 4915

of the Revised Code. 4916

The chief elected official or officials of a local area 4917
may provide office space, staff, or other administrative support 4918
as needed to the board. For purposes of section 102.02 of the 4919
Revised Code, members of the board are not public officials or 4920
employees. 4921

(C) The chief elected official or officials of a local 4922
~~area other than a local area as defined in division (A) (1) of~~ 4923
~~section 6301.01 of the Revised Code, shall coordinate the~~ 4924
~~workforce development activities of the county family services~~ 4925
~~planning committees and the local boards in the local area in~~ 4926
~~any manner that is efficient and effective to meet the needs of~~ 4927
~~the local area. The chief elected officials of the local area~~ 4928
~~may, but are not required to, consolidate all boards and~~ 4929
~~committees as they determine appropriate into a single board for~~ 4930
~~purposes of workforce development activities. A majority of the~~ 4931
~~members of that consolidated board shall represent private~~ 4932
~~sector businesses. The membership of that consolidated board~~ 4933
~~shall include a representative from each group granted~~ 4934
~~representation as described in division (A) of this section and~~ 4935
~~also a member who represents consumers of family services and a~~ 4936
~~member who represents the county department of job and family~~ 4937
~~services. The membership of that consolidated board may include~~ 4938
~~a representative of one or more groups and entities that may be~~ 4939
~~represented on a county family services planning committee, as~~ 4940
~~specified in section 329.06 of the Revised Code shall adopt a~~ 4941
~~process for appointing members to the local board for the local~~ 4942
~~area.~~ 4943

(D) The chief elected official or officials of a local 4944
area may contract with the local board. The parties shall 4945

specify in the contract the workforce development activities 4946
that the local board is to administer and shall establish in the 4947
contract standards, including performance standards, for the 4948
local board's operation. The contract may include any other 4949
provisions that the chief elected official or officials consider 4950
necessary. 4951

(E) The chief elected official or officials may contract 4952
with any government or private entity to enhance the 4953
administration of local workforce development activities for 4954
which the local board is responsible. The entity with which the 4955
chief elected official or officials contract is not required to 4956
be located in the local area in which the chief elected official 4957
or officials serve as chief elected executive officer. 4958

Sec. 6301.061. A board of county commissioners may appoint 4959
an advisory committee on workforce development. A committee 4960
appointed under this section may do both of the following: 4961

(A) Work to further cooperation between the county and 4962
other workforce development and economic development related 4963
entities including the state, local area ~~one-stop-workforce~~ 4964
~~development~~ systems, and private businesses; 4965

(B) Advise the board and other interested parties on ways 4966
to maintain and improve the workforce development system of the 4967
local area in which the county is a part. 4968

Sec. 6301.07. (A) For purposes of this section, 4969
"performance character" means the career-essential relational 4970
attributes that build trust with others, including respect, 4971
honesty, integrity, task-excellence, responsibility, and 4972
resilience. 4973

(B) Every local board, ~~under the direction and approval of~~ 4974

~~the state board and with the agreement of~~ in partnership with 4975
the chief elected official or officials of the local area, ~~and~~ 4976
~~after holding public hearings that allow public comment and~~ 4977
~~testimony,~~ shall ~~prepare a workforce development~~ develop and 4978
submit to the governor a comprehensive four-year local plan. The 4979
local plan shall accomplish ~~support~~ the strategy described in 4980
the state plan and shall contain descriptions of the activities 4981
of the local board as outlined in section 108 of the Workforce 4982
Innovation and Opportunity Act, 29 U.S.C. 3123, including all of 4983
the following: 4984

(1) ~~Identify the workforce investment needs of businesses~~ 4985
~~in the local area, identify projected employment opportunities,~~ 4986
~~and identify the job skills and performance character necessary~~ 4987
~~to obtain and succeed in those opportunities;~~ Identification of 4988
strategic planning elements, including all of the following: 4989

(a) The strategic vision of the local board; 4990

(b) Goals for preparing an educated and skilled workforce; 4991

(c) The knowledge and skills, including performance 4992
character, needed to meet the employment needs of employers in 4993
the planning region, including in-demand industry sectors and 4994
occupations. 4995

(2) ~~Identify~~ A description of the workforce development 4996
system in the local area and how the local board, working with 4997
education programs and the entities that carry out core 4998
programs, will coordinate activities to expand access to 4999
employment, training, education, and supportive services to 5000
eligible individuals with barriers to employment to improve 5001
service delivery and to avoid duplication; 5002

(3) A determination of the local area's workforce 5003

development needs for ~~youth, dislocated workers, adults,~~ 5004
~~displaced homemakers, incumbent workers, and any other group of~~ 5005
~~workers identified by the local board~~ adult and dislocated 5006
worker employment training activities, including the type and 5007
availability of activities needed; 5008

~~(3) Determine the distribution of workforce development~~ 5009
~~resources and funding to be distributed for each workforce~~ 5010
~~development activity to meet the identified needs, utilizing the~~ 5011
~~funds allocated pursuant to the "Workforce Investment Act of~~ 5012
~~1998," 112 Stat. 936, 29 U.S.C.A. 2801, as amended;~~ 5013

(4) ~~Give priority to~~ An assessment of the type and 5014
availability of youth workforce development activities carried 5015
out in the local area, including activities for youth with 5016
disabilities and youth receiving independent living services 5017
pursuant to sections 2151.81 to 2151.84 of the Revised Code ~~when~~ 5018
~~determining distribution of workforce development resources and~~ 5019
~~workforce development activity funding;~~ 5020

(5) ~~Review the minimum curriculum required by the state~~ 5021
~~board for certifying training providers and identify any~~ 5022
~~additional curriculum requirements to include in contracts~~ 5023
~~between the training providers and the chief elected officials~~ 5024
~~of the local area;~~ 5025

~~(6) Establish performance standards for service providers~~ 5026
~~that reflect local workforce development needs;~~ 5027

~~(7) Describe~~ A description of any other information the 5028
chief elected official or officials of the local area require; 5029

(6) A description of any other information the governor 5030
requires. 5031

(C) (1) The local boards of the local areas within a 5032

planning region and the chief elected officials of those local 5033
areas shall prepare, submit to, and obtain approval from the 5034
state for a single regional plan that includes a description of 5035
the activities described in section 106(c)(1) of the Workforce 5036
Innovation and Opportunity Act, 29 U.S.C. 3121(c)(1), and that 5037
incorporates local plans described in division (B) of this 5038
section for each local area in that region. 5039

(2) The state shall identify regions within the state, and 5040
designate each region it identifies as one of the following 5041
types: 5042

(a) A region consisting of one local area; 5043

(b) A planning region; 5044

(c) An interstate planning region that is contained within 5045
two or more states and consists of labor market areas, economic 5046
development areas, or other appropriate contiguous subareas of 5047
those states. 5048

(D) Before the date on which a local board submits a 5049
regional or local plan for approval, the local board shall make 5050
copies of the proposed plan available to the public through 5051
electronic and other means and allow members of the public to 5052
submit comments on the proposed plan to the local board. For 5053
purposes of this division, public hearings and presentation to 5054
local news media are examples of other means by which a local 5055
board may make a proposed plan available. 5056

(E) A local board may provide policy guidance and 5057
recommendations to the chief elected official or officials of a 5058
local area for any workforce development activities. 5059

~~(D) Nothing in this section prohibits the chief elected~~ 5060
~~officials of a local area from assigning, through a partnership~~ 5061

~~agreement, any duties in addition to the duties under this~~ 5062
~~section to a local board, except that a local board cannot~~ 5063
~~contract with itself for the direct provision of services in its~~ 5064
~~local area. A local board may consult with the chief elected~~ 5065
~~officials of its local area and make recommendations regarding~~ 5066
~~the workforce development activities provided in its local area~~ 5067
~~at any time.~~ 5068

Sec. 6301.08. ~~Every local area shall participate in a one-~~ 5069
~~stop~~ establish and administer a local workforce development 5070
~~system for workforce development activities. Each board of~~ 5071
~~county commissioners and the~~ The chief elected official or 5072
officials of a ~~municipal corporation~~ local area shall ensure 5073
that at least one ~~delivery method~~ comprehensive OhioMeansJobs 5074
center is available in the local area, ~~either through a physical~~ 5075
~~location, or~~. An OhioMeansJobs center may be supported by 5076
electronic means approved by the ~~state board,~~ director of job and 5077
family services for the provision of workforce development 5078
activities. 5079

~~Within six months after the effective date of this~~ 5080
~~amendment, every local area described in division (B) of section-~~ 5081
~~6301.03 of the Revised Code~~ Every OhioMeansJobs center shall 5082
~~name its one stop system as~~ be named "OhioMeansJobs (name of 5083
county) County." 5084

~~A one stop system may~~ Every OhioMeansJobs center shall be 5085
~~operated by a private entity or a public agency, including a~~ 5086
~~workforce development agency, any existing facility or~~ 5087
~~organization that is established to administer workforce~~ 5088
~~development activities in the local area, and a county family~~ 5089
~~services agency~~ an OhioMeansJobs center operator. 5090

~~A one stop~~ The local workforce development system shall 5091

include representatives of all the partners required under the 5092
~~"Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.A.~~ 5093
~~2801, as amended. In addition, a one-stop system shall include~~ 5094
~~at least one representative from a county department of job and~~ 5095
~~family services.~~ Workforce Innovation and Opportunity Act. 5096

Sec. 6301.09. The provision under division (g) of section 5097
~~111 of the "Workforce Investment Act of 1998," 112 Stat. 936, 29~~ 5098
~~U.S.C.A. 2801, as amended~~ 101 of the Workforce Innovation and 5099
Opportunity Act, 29 U.S.C. 3111, applies to the state board 5100
created under ~~section 6301.04 of the Revised Code~~ this chapter. 5101
The provision under division (e) of section ~~117 of the~~ 5102
~~"Workforce Investment Act of 1998"~~ 107 of the Workforce 5103
Innovation and Opportunity Act, 29 U.S.C. 3122 applies to the 5104
local boards established pursuant to ~~section 6301.06 of the~~ 5105
~~Revised Code~~ this chapter. 5106

Sec. 6301.11. (A) As used in this section, "public or 5107
private institution" ~~has the same meaning as in section 3333.93~~ 5108
~~of the Revised Code~~ means any of the following: 5109

(1) A state institution of higher education, as defined in 5110
section 3345.011 of the Revised Code; 5111

(2) A private, nonprofit institution in this state holding 5112
a certificate of authorization pursuant to Chapter 1713. of the 5113
Revised Code; 5114

(3) An Ohio technical center that provides adult technical 5115
education services as recognized by the chancellor of higher 5116
education. 5117

(B) The state board, in connection with the department of 5118
job and family services and public or private institutions, 5119
shall develop a methodology for identifying jobs that are in 5120

demand by employers operating in this state. The methodology for 5121
identifying in-demand jobs shall include an analysis of jobs 5122
that are in demand in each region of the state. The director of 5123
job and family services shall determine the regions. 5124

The department and the public or private institutions, in 5125
consultation with the state board, shall use the methodology to 5126
create a list of such in-demand jobs in the state and a list of 5127
such in-demand jobs in each region of the state. The department 5128
shall publish the lists on the web site of the department. The 5129
department and public or private institutions shall periodically 5130
update the lists to reflect evolving workforce demands in this 5131
state and its regions. 5132

Local boards, ~~workforce development agencies,~~ and other 5133
providers of workforce training shall use the lists of in-demand 5134
jobs to cultivate and prioritize workforce development 5135
activities that correspond to the employment needs of employers 5136
operating in this state and in each of its regions and to assist 5137
individuals in maximizing their employment opportunities. 5138

Sec. 6301.12. (A) The office of workforce development 5139
within the department of job and family services shall 5140
comprehensively review the direct and indirect economic impact 5141
of businesses engaged in the production of horizontal wells in 5142
this state and, based on its findings, prepare an annual Ohio 5143
workforce report. The office shall prepare the report by the 5144
thirtieth day of July of each year. The report shall include at 5145
least all of the following with respect to the industry: 5146

(1) The total number of jobs created or retained during 5147
the previous year; 5148

(2) The total number of Ohio-based contractors that employ 5149

skilled construction trades; 5150

(3) The number of employees who are residents of this 5151
state; 5152

(4) The total economic impact; 5153

(5) A review of the state's regional workforce development 5154
plans required by the ~~"Workforce Investment Act of 1998," 112-~~ 5155
~~Stat. 936, 29 U.S.C.A. 2801, as amended,~~ Workforce Innovation 5156
and Opportunity Act that outline workforce development efforts 5157
including goals and benchmarks toward maximizing job training, 5158
education, and job creation opportunities in the state. 5159

(B) Upon the completion of the office's annual Ohio 5160
workforce report, the office shall provide an electronic copy of 5161
the report to the president and minority leader of the senate 5162
and the speaker and minority leader of the house of 5163
representatives and post it on the office's internet web site. 5164

Sec. 6301.18. (A) ~~Beginning January 1, 2016, each~~ Each 5165
participant in an adult training or education program funded 5166
under the ~~"Workforce Innovation and Opportunity Act," 29 U.S.C.~~ 5167
~~3101,~~ shall create an account with the OhioMeansJobs web site at 5168
the time of enrollment in the program. 5169

(B) Division (A) of this section does not apply to any 5170
individual who is legally prohibited from using a computer, has 5171
a physical or visual impairment that makes the individual unable 5172
to use a computer, or has a limited ability to read, write, 5173
speak, or understand a language in which the OhioMeansJobs web 5174
site is available. 5175

Sec. 6301.20. The department of education, in consultation 5176
with the department of higher education, shall develop a 5177
regional workforce career counseling collaboration model. The 5178

model shall provide guidance on how the JobsOhio regional 5179
network, local school districts, local chambers of commerce, 5180
economic development organizations, businesses, business 5181
associations, secondary and post-secondary education 5182
organizations, and Ohio college tech prep regional centers that 5183
are jointly managed by the department of education and the 5184
chancellor shall collaborate to form a partnership that provides 5185
career services to students. 5186

Career services to students may include, but are not 5187
limited to, job shadowing, internships, co-ops, apprenticeships, 5188
career exploration activities, and problem-based curriculum 5189
developed in alignment with in-demand jobs. 5190

As used in this section, "JobsOhio" has the same meaning 5191
as in section 187.01 of the Revised Code. 5192

Section 2. That existing sections 107.35, 131.33, 307.984, 5193
329.04, 329.06, 763.01, 763.07, 2329.66, 2953.25, 3121.03, 5194
3304.11, 3304.12, 3304.14, 3304.15, 3304.17, 3304.171, 3304.18, 5195
3304.182, 3304.19, 3304.20, 3304.21, 3304.22, 3304.27, 3304.28, 5196
3304.29, 3304.30, 3304.31, 3304.41, 3309.23, 3313.603, 3313.618, 5197
3313.6110, 3313.89, 3314.03, 3326.01, 3326.03, 3326.032, 5198
3326.04, 3326.09, 3326.11, 3333.91, 3333.92, 4141.29, 4141.43, 5199
4141.51, 5101.09, 5101.20, 5101.201, 5101.214, 5101.23, 5200
5101.241, 5108.01, 5123.60, 5166.40, 5166.408, 5709.64, 5903.11, 5201
6301.01, 6301.02, 6301.03, 6301.04, 6301.05, 6301.06, 6301.061, 5202
6301.07, 6301.08, 6301.09, 6301.11, 6301.12, and 6301.18 and 5203
sections 330.01, 330.02, 330.04, 330.05, 330.07, 763.02, and 5204
763.05 of the Revised Code are hereby repealed. 5205

Section 3. That Section 305.190 of Am. Sub. H.B. 64 of the 5206
131st General Assembly be amended to read as follows: 5207

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| Sec. 305.190. COMPREHENSIVE CASE MANAGEMENT AND EMPLOYMENT | 5208 |
| PROGRAM | 5209 |
| (A) As used in this section: | 5210 |
| (1) "Adult" means an individual at least eighteen years of | 5211 |
| age. | 5212 |
| (2) "Equivalent of a high school diploma" has the same | 5213 |
| meaning as in section 5107.30 of the Revised Code. | 5214 |
| (3) "In-school youth" has the same meaning as in section | 5215 |
| 129(a) (1) (C) of the "Workforce Innovation and Opportunity Act," | 5216 |
| 29 U.S.C. 3164(a) (1) (C), except that it does not mean an | 5217 |
| individual younger than sixteen years of age. | 5218 |
| (4) "Local participating agencies" means the county | 5219 |
| department of job and family services and workforce development | 5220 |
| agency that serve a county. | 5221 |
| (5) "Low-income individual" has the same meaning as in | 5222 |
| section 3(36) of the "Workforce Innovation and Opportunity Act," | 5223 |
| 29 U.S.C. 3102(36). | 5224 |
| (6) "Ohio Works First" has the same meaning as in section | 5225 |
| 5107.02 of the Revised Code. | 5226 |
| (7) "Out-of-school youth" has the same meaning as in | 5227 |
| section 129(a) (1) (B) of the "Workforce Innovation and | 5228 |
| Opportunity Act," 29 U.S.C. 3164(a) (1) (B). | 5229 |
| (8) "Prevention, Retention, and Contingency Program" has | 5230 |
| the same meaning as in section 5108.01 of the Revised Code. | 5231 |
| (9) "Subcontractor" means an entity with which a local | 5232 |
| participating agency contracts to perform, on behalf of the | 5233 |
| local participating agency, one or more of the local | 5234 |

participating agency's duties regarding the Comprehensive Case Management and Employment Program. 5235
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(10) "TANF block grant" means the Temporary Assistance for Needy Families block grant established by Title IV-A of the "Social Security Act," 42 U.S.C. 601 et seq. 5237
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(11) "Work-eligible individual" has the same meaning as in 45 C.F.R. 261.2(n). 5240
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(12) "Workforce development activity" has the same meaning as in section 6301.01 of the Revised Code. 5242
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(13) "Workforce development agency" means the public or private entity designated by ~~any of the following~~ the chief elected officials of a local area as defined in section 6301.01 of the Revised Code, as amended by this act, to administer county programs under the "Workforce Investment Act of 1998," 29 U.S.C. 2801, as amended, or the Workforce Innovation and Opportunity Act. 5244
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~~(a) The board of county commissioners in accordance with section 330.04 of the Revised Code;~~ 5251
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~~(b) The chief elected official of a municipal corporation in accordance with section 763.05 of the Revised Code;~~ 5253
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~~(c) The chief elected officials of a local area defined in division (A) (3) of section 6301.01 of the Revised Code.~~ 5255
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(14) "Workforce Innovation and Opportunity Act" means Public Law 113-128, 29 U.S.C. 3101 et seq. 5257
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~~(B) The Director of Job and Family Services shall administer the Workforce Innovation and Opportunity Act during fiscal year 2016 and fiscal year 2017.~~ 5259
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~~(C)~~The Department of Job and Family Services, in 5262
consultation with the Governor's Office of Workforce 5263
Transformation, shall create, coordinate, and supervise the 5264
Comprehensive Case Management and Employment Program during 5265
fiscal year 2016 and fiscal year 2017. 5266

To the extent funds under the TANF block grant and 5267
Workforce Innovation and Opportunity Act are available, the 5268
program shall make employment and training services specified in 5269
division ~~(E)~~(D) of this section available to the program's 5270
participants in accordance with the comprehensive assessments of 5271
the participants' employment and training needs conducted under 5272
that division. As part of the creation of the program, the 5273
Department shall establish the procedures for the comprehensive 5274
assessments. 5275

~~(D)~~(C) Beginning July 1, 2016, individuals who are at 5276
least sixteen but not more than twenty-four years of age are 5277
required to participate or permitted to volunteer to participate 5278
in the Comprehensive Case Management and Employment Program in 5279
accordance with the following: 5280

(1) Each work-eligible individual shall participate in the 5281
Comprehensive Case Management and Employment Program as a 5282
condition of participating in Ohio Works First. 5283

(2) Each Ohio Works First participant who is not a work- 5284
eligible individual may volunteer to participate in the 5285
Comprehensive Case Management and Employment Program. 5286

(3) Each individual receiving benefits and services under 5287
the Prevention, Retention, and Contingency Program may volunteer 5288
to participate in the Comprehensive Case Management and 5289
Employment Program. 5290

(4) Each low-income individual who is an adult, in-school youth, or out-of-school youth and who is considered to have a barrier to employment under the Workforce Innovation and Opportunity Act shall participate in the Comprehensive Case Management and Employment Program as a condition of enrollment in workforce development activities funded by the TANF block grant or Workforce Innovation and Opportunity Act.

~~(E)~~ (D) (1) An individual participating in the Comprehensive Case Management and Employment Program shall undergo a comprehensive assessment of the individual's employment and training needs in accordance with the procedures established under division ~~(C)~~ (B) of this section. As part of the assessment, an individualized employment plan shall be created for the individual. The plan shall be reviewed, revised, and terminated in accordance with the procedures established for the comprehensive assessment. The plan shall specify which of the following services, if any, the individual needs:

(a) Support for the individual to obtain a high school diploma or the equivalent of a high school diploma;

(b) Job placement;

(c) Job retention support;

(d) Other services that aid the individual in achieving the plan's goals.

(2) The services an individual receives in accordance with the individualized employment plan are inalienable by way of assignment, charge, or otherwise and exempt from execution, attachment, garnishment, and other similar processes.

~~(F)~~ (E) (1) Not later than May 15, 2016, each board of county commissioners shall designate one of the local

participating agencies as the lead agency for purposes of the 5320
Comprehensive Case Management and Employment Program. Each board 5321
shall inform the Department of its designation. The lead agency 5322
shall do all of the following: 5323

(a) Submit to the Department a plan that establishes 5324
standard processes for determining and maintaining individuals' 5325
eligibility to participate in the Comprehensive Case Management 5326
and Employment Program; 5327

(b) Administer the program; 5328

(c) In partnership with the other local participating 5329
agency and any subcontractors, both of the following: 5330

(i) Actively coordinate activities regarding the program 5331
with the other local participating agency and any 5332
subcontractors; 5333

(ii) Help both local participating agencies and any 5334
subcontractors to use their expertise in administering the 5335
program. 5336

(2) The lead agency is responsible for all funds that any 5337
of the following determines have been expended or claimed for 5338
the Comprehensive Case Management and Employment Program, by or 5339
on behalf of the county that the lead agency serves, in a manner 5340
that federal or state law or policy does not permit: 5341

(a) The Department; 5342

(b) The Auditor of State; 5343

(c) The United States Department of Health and Human 5344
Services; 5345

(d) The United States Department of Labor; 5346

(e) Any other government entity. 5347

~~(H)~~ (F) In an effort to increase the number of individuals 5348
who participate in the Comprehensive Case Management and 5349
Employment Program and the availability of services under the 5350
program, the Department, in consultation with local 5351
participating agencies, shall review the agencies' existing 5352
functions to discover opportunities to make their administration 5353
of the functions more efficient. 5354

~~(I)~~ (G) (1) Notwithstanding the second sentence of division 5355
(A) (1) (b) of section 307.981 of the Revised Code, the 5356
Comprehensive Case Management and Employment Program is a family 5357
services duty and therefore subject to all statutes applicable 5358
to family services duties, including sections 5101.183, 5101.21, 5359
5101.212, 5101.214, 5101.216, 5101.22, 5101.221, 5101.23, 5360
5101.24, and 5101.243 of the Revised Code. 5361

(2) The Comprehensive Case Management and Employment 5362
Program is a Title IV-A program for the purpose of division (A) 5363
(4) (c) of section 5101.80 of the Revised Code and, therefore, is 5364
subject to all statutes applicable to such a program, including 5365
sections 5101.16, 5101.35, 5101.80, and 5101.801 of the Revised 5366
Code. 5367

(3) The Comprehensive Case Management and Employment 5368
Program is a workforce development activity and therefore 5369
subject to all statutes applicable to workforce development 5370
activities, including sections 5101.20, 5101.214, 5101.241, and 5371
5101.243 of the Revised Code and Chapter 6301. of the Revised 5372
Code. 5373

~~(J)~~ (H) The Director of Job and Family Services shall 5374
adopt rules as necessary to implement this section. The rules 5375

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| may address any of the following issues: | 5376 |
| (1) Eligibility for the Comprehensive Case Management and Employment Program; | 5377 5378 |
| (2) Employment and training services available under the program; | 5379 5380 |
| (3) Partnerships between local participating agencies and subcontractors; | 5381 5382 |
| (4) The plan required by division (F) <u>(E)</u> (1) (a) of this section; | 5383 5384 |
| (5) Internal management concerning day-to-day staff procedures and operations of the Department or financial and operational matters between the Department and another government entity or a private entity receiving a grant from the Department; | 5385 5386 5387 5388 5389 |
| (6) Any other issues that the Director determines should be addressed in rules to implement this section. | 5390 5391 |
| Rules other than those described in division (J) <u>(H)</u> (5) of this section shall be adopted in accordance with Chapter 119. of the Revised Code. Rules described in division (J) <u>(H)</u> (5) of this section shall be adopted in accordance with section 111.15 of the Revised Code. | 5392 5393 5394 5395 5396 |
| Section 4. That existing Section 305.190 of Am. Sub. H.B. 64 of the 131st General Assembly is hereby repealed. | 5397 5398 |
| Section 5. Not later than July 1, 2017, the Department of Education, in consultation with the Department of Higher Education and the Governor's Office of Workforce Transformation, shall develop both of the following: | 5399 5400 5401 5402 |

(A) A plan that permits and encourages school districts 5403
and chartered nonpublic schools to integrate academic content in 5404
subject areas for which the State Board of Education adopts 5405
standards under section 3301.079 of the Revised Code into other 5406
coursework so that students may earn simultaneous credit in 5407
accordance with division (I) of section 3313.603 of the Revised 5408
Code; 5409

(B) Guidance to assist school districts and schools that 5410
choose to implement integrated coursework under division (I) of 5411
section 3313.603 of the Revised Code that includes guidance on 5412
appropriate licensure teachers must have to teach integrated 5413
coursework and guidance on appropriately integrating subject 5414
area content into course curriculum to ensure that students 5415
receive instruction in the academic content necessary to meet 5416
graduation requirements. 5417

Section 6. The General Assembly, applying the principle 5418
stated in division (B) of section 1.52 of the Revised Code that 5419
amendments are to be harmonized if reasonably capable of 5420
simultaneous operation, finds that the following sections, 5421
presented in this act as composites of the sections as amended 5422
by the acts indicated, are the resulting versions of the 5423
sections in effect prior to the effective date of the sections 5424
as presented in this act: 5425

Section 2329.66 of the Revised Code as amended by both 5426
H.B. 155 and Sub. S.B. 11 of the 131st General Assembly. 5427

Section 3314.03 of the Revised Code as amended by Am. Sub. 5428
H.B. 410, Sub. S.B. 3, and Am. Sub. S.B. 252, all of the 131st 5429
General Assembly. 5430

Section 3326.11 of the Revised Code as amended by Am. Sub. 5431

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| H.B. 410, Sub. S.B. 3, and Am. Sub. S.B. 252, all of the 131st | 5432 |
| General Assembly. | 5433 |