

**As Introduced**

**136th General Assembly  
Regular Session  
2025-2026**

**H. B. No. 913**

**Representatives Sigrist, Ray**

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To amend sections 3109.51, 3109.52, 3109.53, 1  
3109.54, 3109.57, 3109.59, 3109.60, 3109.65, 2  
3109.66, 3109.67, 3109.69, 3109.70, 3109.71, 3  
3109.74, 3109.76, 3310.41, 3310.51, 3313.64, 4  
3313.649, and 3313.672 of the Revised Code to 5  
expand a grandparent power of attorney and a 6  
caretaker authorization affidavit to include any 7  
kinship caregiver and to add circumstances that 8  
authorize the execution of a power of attorney. 9

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

**Section 1.** That sections 3109.51, 3109.52, 3109.53, 10  
3109.54, 3109.57, 3109.59, 3109.60, 3109.65, 3109.66, 3109.67, 11  
3109.69, 3109.70, 3109.71, 3109.74, 3109.76, 3310.41, 3310.51, 12  
3313.64, 3313.649, and 3313.672 of the Revised Code be amended 13  
to read as follows: 14

**Sec. 3109.51.** As used in sections 3109.52 to 3109.80 of 15  
the Revised Code: 16

(A) "Child" means a person under eighteen years of age. 17

(B) "Custodian" means an individual with legal custody of 18  
a child. 19

(C) "Guardian" means an individual granted authority by a 20

probate court pursuant to Chapter 2111. of the Revised Code to 21  
exercise parental rights over a child to the extent provided in 22  
the court's order and subject to the residual parental rights, 23  
privileges, and responsibilities of the child's parents. 24

(D) "Kinship caregiver" has the same meaning as in section 25  
5180.50 of the Revised Code. 26

(E) "Legal custody" and "residual parental rights, 27  
privileges, and responsibilities" have the same meanings as in 28  
section 2151.011 of the Revised Code. 29

**Sec. 3109.52.** The parent, guardian, or custodian of a 30  
child may create a power of attorney that grants to a 31  
~~grandparent~~ kinship caregiver of the child with whom the child 32  
is residing any of the parent's, guardian's, or custodian's 33  
rights and responsibilities regarding the care, physical 34  
custody, and control of the child, including the ability to 35  
enroll the child in school, to obtain from the school district 36  
educational and behavioral information about the child, to 37  
consent to all school-related matters regarding the child, and 38  
to consent to medical, psychological, or dental treatment for 39  
the child. The power of attorney may not grant authority to 40  
consent to the marriage or adoption of the child. The power of 41  
attorney does not affect the rights of the parent, guardian, or 42  
custodian of the child in any future proceeding concerning 43  
custody of the child or the allocation of parental rights and 44  
responsibilities for the care of the child and does not grant 45  
legal custody to the attorney in fact. 46

**Sec. 3109.53.** To create a power of attorney under section 47  
3109.52 of the Revised Code, a parent, guardian, or custodian 48  
shall use a form that is identical in form and content to the 49  
following: 50

POWER OF ATTORNEY

I, the undersigned, residing at \_\_\_\_\_, in the county  
of \_\_\_\_\_, state of \_\_\_\_\_, hereby appoint the child's  
~~grandparent~~kinship caregiver, \_\_\_\_\_, residing at  
\_\_\_\_\_, in the county of \_\_\_\_\_, in the state of Ohio,  
with whom the child of whom I am the parent, guardian, or  
custodian is residing, my attorney in fact to exercise any and  
all of my rights and responsibilities regarding the care,  
physical custody, and control of the child, \_\_\_\_\_, born  
\_\_\_\_\_, having social security number (optional) \_\_\_\_\_,  
except my authority to consent to marriage or adoption of the  
child \_\_\_\_\_, and to perform all acts necessary in the  
execution of the rights and responsibilities hereby granted, as  
fully as I might do if personally present. The rights I am  
transferring under this power of attorney include the ability to  
enroll the child in school, to obtain from the school district  
educational and behavioral information about the child, to  
consent to all school-related matters regarding the child, and  
to consent to medical, psychological, or dental treatment for  
the child. This transfer does not affect my rights in any future  
proceedings concerning the custody of the child or the  
allocation of the parental rights and responsibilities for the  
care of the child and does not give the attorney in fact legal  
custody of the child. This transfer does not terminate my right  
to have regular contact with the child.

I hereby certify that I am transferring the rights and  
responsibilities designated in this power of attorney because  
one of the following circumstances exists:

(1) I am: (a) Seriously ill, ~~incarcerated,~~ (b) Incarcerated  
or about to be incarcerated, ~~(c)~~ (c) Detained or about to be

detained for an extended or indefinite amount of time by a 81  
local, state, or federal law enforcement agency, (d) Temporarily 82  
unable to provide financial support or parental guidance to the 83  
child, ~~(e)~~ (e) Temporarily unable to provide adequate care and 84  
supervision of the child because of my physical or mental 85  
condition, ~~(d)~~ (f) Homeless or without a residence because the 86  
current residence is destroyed or otherwise uninhabitable, ~~or~~ 87  
~~(e)~~ (g) In or about to enter a residential treatment program for 88  
substance abuse, or (h) Experiencing or about to experience 89  
another circumstance that temporarily precludes my ability to 90  
fulfill a legal responsibility to provide care for the child; 91

(2) I am a parent of the child, the child's other parent 92  
is deceased, and I have authority to execute the power of 93  
attorney; or 94

(3) I have a well-founded belief that the power of 95  
attorney is in the child's best interest. 96

I hereby certify that I am not transferring my rights and 97  
responsibilities regarding the child for the purpose of 98  
enrolling the child in a school or school district so that the 99  
child may participate in the academic or interscholastic 100  
athletic programs provided by that school or district. 101

If there is a court order naming me the residential parent 102  
and legal custodian of the child who is the subject of this 103  
power of attorney and I am the sole parent signing this 104  
document, I hereby certify that one of the following is the 105  
case: 106

(1) I have made reasonable efforts to locate and provide 107  
notice of the creation of this power of attorney to the other 108  
parent and have been unable to locate that parent; 109

(2) The other parent is prohibited from receiving a notice of relocation; or

(3) The parental rights of the other parent have been terminated by order of a juvenile court.

This POWER OF ATTORNEY is valid until the occurrence of whichever of the following events occurs first: (1) I revoke this POWER OF ATTORNEY in writing and give notice of the revocation to the ~~grandparent~~ kinship caregiver designated as attorney in fact and the juvenile court with which this POWER OF ATTORNEY was filed; (2) the child ceases to reside with the ~~grandparent~~ kinship caregiver designated as attorney in fact; (3) this POWER OF ATTORNEY is terminated by court order; (4) the death of the child who is the subject of the power of attorney; or (5) the death of the ~~grandparent~~ kinship caregiver designated as the attorney in fact.

WARNING: DO NOT EXECUTE THIS POWER OF ATTORNEY IF ANY STATEMENT MADE IN THIS INSTRUMENT IS UNTRUE. FALSIFICATION IS A CRIME UNDER SECTION 2921.13 OF THE REVISED CODE, PUNISHABLE BY THE SANCTIONS UNDER CHAPTER 2929. OF THE REVISED CODE, INCLUDING A TERM OF IMPRISONMENT OF UP TO 6 MONTHS, A FINE OF UP TO \$1,000, OR BOTH.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_

Parent/Custodian/Guardian's signature

\_\_\_\_\_

Parent's signature

\_\_\_\_\_

Grandparent <del>Kinship caregiver</del> designated as	137
attorney in fact	138
State of Ohio )	139
) ss:	140
County of _____)	141
Subscribed, sworn to, and acknowledged before me this _____ day	142
of _____, _____	143
_____	144
Notary Public	145
Notices:	146
1. A power of attorney may be executed only if one of the	147
following circumstances exists: (1) The parent, guardian, or	148
custodian of the child is: (a) Seriously ill, <del>incarcerated</del> ; (b)	149
<u>Incarcerated</u> or about to be incarcerated; <del>(b)</del> (c) <u>Detained or</u>	150
<u>about to be detained for an extended or indefinite amount of</u>	151
<u>time by a local, state, or federal law enforcement agency; (d)</u>	152
Temporarily unable to provide financial support or parental	153
guidance to the child; <del>(e)</del> (e) Temporarily unable to provide	154
adequate care and supervision of the child because of the	155
parent's, guardian's, or custodian's physical or mental	156
condition; <del>(d)</del> (f) Homeless or without a residence because the	157
current residence is destroyed or otherwise uninhabitable; <del>or</del>	158
<del>(e)</del> (g) In or about to enter a residential treatment program for	159
substance abuse; <u>or (h) Experiencing or about to experience any</u>	160
<u>other circumstance that temporarily precludes the ability of the</u>	161
<u>parent, guardian, or custodian to fulfill a legal responsibility</u>	162
<u>to provide care for the child; (2) One of the child's parents is</u>	163
deceased and the other parent, with authority to do so, seeks to	164

execute a power of attorney; or (3) The parent, guardian, or 165  
custodian has a well-founded belief that the power of attorney 166  
is in the child's best interest. 167

2. The signatures of the parent, guardian, or custodian of the 168  
child and the ~~grandparent~~-kinship caregiver designated as the 169  
attorney in fact must be notarized by an Ohio notary public. 170

3. A parent, guardian, or custodian who creates a power of 171  
attorney must notify the parent of the child who is not the 172  
residential parent and legal custodian of the child unless one 173  
of the following circumstances applies: (a) the parent is 174  
prohibited from receiving a notice of relocation in accordance 175  
with section 3109.051 of the Revised Code of the creation of the 176  
power of attorney; (b) the parent's parental rights have been 177  
terminated by order of a juvenile court pursuant to Chapter 178  
2151. of the Revised Code; (c) the parent cannot be located with 179  
reasonable efforts; (d) both parents are executing the power of 180  
attorney. The notice must be sent by certified mail not later 181  
than five days after the power of attorney is created and must 182  
state the name and address of the person designated as the 183  
attorney in fact. 184

4. A parent, guardian, or custodian who creates a power of 185  
attorney must file it with the juvenile court of the county in 186  
which the attorney in fact resides, or any other court that has 187  
jurisdiction over the child under a previously filed motion or 188  
proceeding. The power of attorney must be filed not later than 189  
five days after the date it is created and be accompanied by a 190  
receipt showing that the notice of creation of the power of 191  
attorney was sent to the parent who is not the residential 192  
parent and legal custodian by certified mail. 193

5. This power of attorney does not affect the rights of the 194

child's parents, guardian, or custodian regarding any future 195  
proceedings concerning the custody of the child or the 196  
allocation of the parental rights and responsibilities for the 197  
care of the child and does not give the attorney in fact legal 198  
custody of the child. 199

6. A person or entity that relies on this power of attorney, in 200  
good faith, has no obligation to make any further inquiry or 201  
investigation. 202

7. This power of attorney terminates on the occurrence of 203  
whichever of the following occurs first: (1) the power of 204  
attorney is revoked in writing by the person who created it and 205  
that person gives written notice of the revocation to the 206  
~~grandparent-kinship caregiver~~ who is the attorney in fact and 207  
the juvenile court with which the power of attorney was filed; 208  
(2) the child ceases to live with the ~~grandparent-kinship~~ 209  
caregiver who is the attorney in fact; (3) the power of attorney 210  
is terminated by court order; (4) the death of the child who is 211  
the subject of the power of attorney; or (5) the death of the 212  
~~grandparent-kinship caregiver~~ designated as the attorney in 213  
fact. 214

If this power of attorney terminates other than by the 215  
death of the attorney in fact, the ~~grandparent-kinship caregiver~~ 216  
who served as the attorney in fact shall notify, in writing, all 217  
of the following: 218

(a) Any schools, health care providers, or health 219  
insurance coverage provider with which the child has been 220  
involved through the ~~grandparent-kinship caregiver~~; 221

(b) Any other person or entity that has an ongoing 222  
relationship with the child or ~~grandparent-kinship caregiver~~ 223

such that the other person or entity would reasonably rely on	224
the power of attorney unless notified of the termination;	225
(c) The court in which the power of attorney was filed	226
after its creation;	227
(d) The parent who is not the residential parent and legal	228
custodian of the child who is required to be given notice of its	229
creation. The <del>grandparent</del> - <u>kinship caregiver</u> shall make the	230
notifications not later than one week after the date the power	231
of attorney terminates.	232
8. If this power of attorney is terminated by written	233
revocation of the person who created it, or the revocation is	234
regarding a second or subsequent power of attorney, a copy of	235
the revocation must be filed with the court with which that	236
power of attorney was filed.	237
Additional information:	238
To the <del>grandparent</del> - <u>kinship caregiver</u> designated as attorney in	239
fact:	240
1. If the child stops living with you, you are required to	241
notify, in writing, any school, health care provider, or health	242
care insurance provider to which you have given this power of	243
attorney. You are also required to notify, in writing, any other	244
person or entity that has an ongoing relationship with you or	245
the child such that the person or entity would reasonably rely	246
on the power of attorney unless notified. The notification must	247
be made not later than one week after the child stops living	248
with you.	249
2. You must include with the power of attorney the following	250
information:	251

(a) The child's present address, the addresses of the places where the child has lived within the last five years, and the name and present address of each person with whom the child has lived during that period;	252 253 254 255
(b) Whether you have participated as a party, a witness, or in any other capacity in any other litigation, in this state or any other state, that concerned the allocation, between the parents of the same child, of parental rights and responsibilities for the care of the child and the designation of the residential parent and legal custodian of the child or that otherwise concerned the custody of the same child;	256 257 258 259 260 261 262
(c) Whether you have information of any parenting proceeding concerning the child pending in a court of this or any other state;	263 264 265
(d) Whether you know of any person who has physical custody of the child or claims to be a parent of the child who is designated the residential parent and legal custodian of the child or to have parenting time rights with respect to the child or to be a person other than a parent of the child who has custody or visitation rights with respect to the child;	266 267 268 269 270 271
(e) Whether you previously have been convicted of or pleaded guilty to any criminal offense involving any act that resulted in a child's being an abused child or a neglected child or previously have been determined, in a case in which a child has been adjudicated an abused child or a neglected child, to be the perpetrator of the abusive or neglectful act that was the basis of the adjudication.	272 273 274 275 276 277 278
3. If you receive written notice of revocation of the power of attorney or the parent, custodian, or guardian removes the child	279 280

from your home and if you believe that the revocation or removal 281  
is not in the best interest of the child, you may, within 282  
fourteen days, file a complaint in the juvenile court to seek 283  
custody. You may retain physical custody of the child until the 284  
fourteen-day period elapses or, if you file a complaint, until 285  
the court orders otherwise. 286

To school officials: 287

1. Except as provided in section 3313.649 of the Revised Code, 288  
this power of attorney, properly completed and notarized, 289  
authorizes the child in question to attend school in the 290  
district in which the ~~grandparent~~-kinship caregiver designated 291  
as attorney in fact resides and that ~~grandparent~~-kinship 292  
caregiver is authorized to provide consent in all school-related 293  
matters and to obtain from the school district educational and 294  
behavioral information about the child. This power of attorney 295  
does not preclude the parent, guardian, or custodian of the 296  
child from having access to all school records pertinent to the 297  
child. 298

2. The school district may require additional reasonable 299  
evidence that the ~~grandparent~~-kinship caregiver lives in the 300  
school district. 301

3. A school district or school official that reasonably and in 302  
good faith relies on this power of attorney has no obligation to 303  
make any further inquiry or investigation. 304

To health care providers: 305

1. A person or entity that acts in good faith reliance on a 306  
power of attorney to provide medical, psychological, or dental 307  
treatment, without actual knowledge of facts contrary to those 308  
stated in the power of attorney, is not subject to criminal 309

liability or to civil liability to any person or entity, and is 310  
not subject to professional disciplinary action, solely for such 311  
reliance if the power of attorney is completed and the 312  
signatures of the parent, guardian, or custodian of the child 313  
and the ~~grandparent~~ kinship caregiver designated as attorney in 314  
fact are notarized. 315

2. The decision of a ~~grandparent~~ kinship caregiver designated as 316  
attorney in fact, based on a power of attorney, shall be honored 317  
by a health care facility or practitioner, school district, or 318  
school official. 319

**Sec. 3109.54.** A power of attorney created pursuant to 320  
section 3109.52 of the Revised Code must be signed by the 321  
parent, guardian, or custodian granting it and by the 322  
~~grandparent~~ kinship caregiver designated as the attorney in 323  
fact. For the power of attorney to be effective, the signatures 324  
must be notarized. The child's social security number need not 325  
appear on the power of attorney for the power of attorney to be 326  
effective. 327

**Sec. 3109.57.** (A) Except as provided in division (B) of 328  
this section and subject to sections 3109.56 and 3109.58 of the 329  
Revised Code, a parent, guardian, or custodian may create a 330  
power of attorney under section 3109.52 of the Revised Code only 331  
under the following circumstances: 332

(1) The parent, guardian, or custodian of the child is any 333  
of the following: 334

(a) Seriously ill, ~~incarcerated,~~ 335

(b) Incarcerated or about to be incarcerated; 336

~~(c)~~ (c) Detained or about to be detained for an extended or 337  
indefinite amount of time by a local, state, or federal law 338

<u>enforcement agency;</u>	339
<u>(d)</u> Temporarily unable to provide financial support or parental guidance to the child;	340 341
<del>(e)</del> <u>(e)</u> Temporarily unable to provide adequate care and supervision of the child because of the parent's, guardian's, or custodian's physical or mental condition;	342 343 344
<del>(d)</del> <u>(f)</u> Homeless or without a residence because the current residence is destroyed or otherwise uninhabitable;	345 346
<del>(e)</del> <u>(g)</u> In or about to enter a residential treatment program for substance abuse;	347 348
<u>(h) Experiencing or about to experience any other circumstance that temporarily precludes the ability of the parent, guardian, or custodian to fulfill a legal responsibility to provide care for the child.</u>	349 350 351 352
(2) The parent, guardian, or custodian of the child has a well-founded belief that the power of attorney is in the child's best interest.	353 354 355
(B) In addition to the circumstances described in division (A) of this section and subject to sections 3109.56 and 3109.58 of the Revised Code, a parent may execute a power of attorney if the other parent of the child is deceased.	356 357 358 359
<b>Sec. 3109.59.</b> (A) A power of attorney created under section 3109.52 of the Revised Code terminates on the occurrence of whichever of the following events occurs first:	360 361 362
(1) The power of attorney is revoked in writing by the person who created it, and that person gives written notice of the revocation to the <del>grandparent</del> <u>kinship caregiver</u> designated as the attorney in fact and to the juvenile court with which the	363 364 365 366

power of attorney was filed.	367
(2) The child ceases to reside with the <del>grandparent</del>	368
<u>kinship caregiver</u> designated as the attorney in fact.	369
(3) The power of attorney is terminated by court order.	370
(4) The death of the child who is the subject of the power	371
of attorney.	372
(5) The death of the <del>grandparent</del> <u>kinship caregiver</u>	373
designated as the attorney in fact.	374
(B) Not later than five days after a power of attorney is	375
revoked, a copy of the revocation of the power of attorney must	376
be filed with the court with which the power of attorney is	377
filed pursuant to section 3109.74 of the Revised Code.	378
<b>Sec. 3109.60.</b> When a power of attorney created pursuant to	379
section 3109.52 of the Revised Code terminates pursuant to	380
division (A)(1), (2), (3), or (4) of section 3109.59 of the	381
Revised Code, the <del>grandparent</del> <u>kinship caregiver</u> designated as	382
the attorney in fact shall notify, in writing, all of the	383
following:	384
(A) The school district in which the child attends school;	385
(B) The child's health care providers;	386
(C) The child's health insurance coverage provider;	387
(D) The court in which the power of attorney was filed	388
under section 3109.74 of the Revised Code;	389
(E) The parent who is not the residential parent and legal	390
custodian and who is required to be given notice under section	391
3109.55 of the Revised Code;	392
(F) Any other person or entity that has an ongoing	393

relationship with the child or ~~grandparent~~-kinship caregiver 394  
such that the person or entity would reasonably rely on the 395  
power of attorney unless notified of the termination. 396

The ~~grandparent~~-kinship caregiver shall make the 397  
notifications not later than one week after the date the power 398  
of attorney terminates. 399

**Sec. 3109.65.** (A) Except as provided in division (B) of 400  
this section, if a child is living with a ~~grandparent~~-kinship 401  
caregiver who has made reasonable attempts to locate and contact 402  
both of the child's parents, or the child's guardian or 403  
custodian, but has been unable to do so, the ~~grandparent~~-kinship 404  
caregiver may obtain authority to exercise care, physical 405  
custody, and control of the child including authority to enroll 406  
the child in school, to discuss with the school district the 407  
child's educational progress, to consent to all school-related 408  
matters regarding the child, and to consent to medical, 409  
psychological, or dental treatment for the child by executing a 410  
caretaker authorization affidavit in accordance with section 411  
3109.67 of the Revised Code. 412

(B) The ~~grandparent~~-kinship caregiver may execute a 413  
caretaker authorization affidavit without attempting to locate 414  
the following parent: 415

(1) If paternity has not been established with regard to 416  
the child, the child's father. 417

(2) If the child is the subject of a custody order, the 418  
following parent: 419

(a) A parent who is prohibited from receiving a notice of 420  
relocation in accordance with section 3109.051 of the Revised 421  
Code; 422

(b) A parent whose parental rights have been terminated by 423  
order of a juvenile court pursuant to Chapter 2151. of the 424  
Revised Code. 425

**Sec. 3109.66.** The caretaker authorization affidavit that a 426  
~~grandparent~~kinship caregiver described in section 3109.65 of 427  
the Revised Code may execute shall be identical in form and 428  
content to the following: 429

CARETAKER AUTHORIZATION AFFIDAVIT 430

Use of this affidavit is authorized by sections 3109.65 to 431  
3109.73 of the Ohio Revised Code. 432

Completion of items 1-7 and the signing and notarization of this 433  
affidavit is sufficient to authorize the ~~grandparent~~kinship 434  
caregiver signing to exercise care, physical custody, and 435  
control of the child who is its subject, including authority to 436  
enroll the child in school, to discuss with the school district 437  
the child's educational progress, to consent to all school- 438  
related matters regarding the child, and to consent to medical, 439  
psychological, or dental treatment for the child. 440

The child named below lives in my home, I am 18 years of age or 441  
older, and I am the child's ~~grandparent~~kinship caregiver. 442

1. Name of child: 443

2. Child's date and year of birth: 444

3. Child's social security number (optional): 445

4. My name: 446

5. My home address: 447

6. My date and year of birth: 448

7. My Ohio driver's license number or identification card 449

number: 450

8. Despite having made reasonable attempts, I am ~~either~~: 451

(a) Unable to locate or contact the child's parents, or 452  
the child's guardian or custodian; or 453

(b) ~~I am unable~~ Unable to locate or contact one of the 454  
child's parents and I am not required to contact the other 455  
parent because paternity has not been established; or 456

(c) ~~I am unable~~ Unable to locate or contact one of the 457  
child's parents and I am not required to contact the other 458  
parent because there is a custody order regarding the child and 459  
one of the following is the case: 460

(i) The parent has been prohibited from receiving notice 461  
of a relocation; or 462

(ii) The parental rights of the parent have been 463  
terminated. 464

9. I hereby certify that this affidavit is not being executed 465  
for the purpose of enrolling the child in a school or school 466  
district so that the child may participate in the academic or 467  
interscholastic athletic programs provided by that school or 468  
district. 469

WARNING: DO NOT SIGN THIS FORM IF ANY OF THE ABOVE STATEMENTS 470  
ARE INCORRECT. FALSIFICATION IS A CRIME UNDER SECTION 2921.13 OF 471  
THE REVISED CODE, PUNISHABLE BY THE SANCTIONS UNDER CHAPTER 472  
2929. OF THE REVISED CODE, INCLUDING A TERM OF IMPRISONMENT OF 473  
UP TO 6 MONTHS, A FINE OF UP TO \$1,000, OR BOTH. 474

I declare that the foregoing is true and correct: 475

Signed: \_\_\_\_\_ Date: \_\_\_\_\_ 476



parent, guardian, or custodian of the child acts to negate, 504  
reverse, or otherwise disapprove an action or decision of the 505  
~~grandparent~~kinship caregiver who signed this affidavit, and the 506  
~~grandparent~~kinship caregiver either voluntarily returns the 507  
child to the physical custody of the parent, guardian, or 508  
custodian or fails to file a complaint to seek custody within 509  
fourteen days; (3) the affidavit is terminated by court order; 510  
(4) the death of the child who is the subject of the affidavit; 511  
or (5) the death of the ~~grandparent~~kinship caregiver who 512  
executed the affidavit. 513

A parent, guardian, or custodian may negate, reverse, or 514  
disapprove a ~~grandparent's~~kinship caregiver's action or 515  
decision only by delivering written notice of negation, 516  
reversal, or disapproval to the ~~grandparent~~kinship caregiver 517  
and the person acting on the ~~grandparent's~~kinship caregiver's 518  
action or decision in reliance on this affidavit. 519

If this affidavit terminates other than by the death of the 520  
~~grandparent~~kinship caregiver, the ~~grandparent~~kinship caregiver 521  
who signed this affidavit shall notify, in writing, all of the 522  
following: 523

(a) Any schools, health care providers, or health 524  
insurance coverage provider with which the child has been 525  
involved through the ~~grandparent~~kinship caregiver; 526

(b) Any other person or entity that has an ongoing 527  
relationship with the child or ~~grandparent~~kinship caregiver 528  
such that the person or entity would reasonably rely on the 529  
affidavit unless notified of the termination; 530

(c) The court in which the affidavit was filed after its 531  
creation. 532

The <del>grandparent</del> - <u>kinship caregiver</u> shall make the	533
notifications not later than one week after the date the	534
affidavit terminates.	535
6. The decision of a <del>grandparent</del> - <u>kinship caregiver</u> to consent to	536
or to refuse medical treatment or school enrollment for a child	537
is superseded by a contrary decision of a parent, custodian, or	538
guardian of the child, unless the decision of the parent,	539
guardian, or custodian would jeopardize the life, health, or	540
safety of the child.	541
Additional information:	542
To caretakers:	543
1. If the child stops living with you, you are required to	544
notify, in writing, any school, health care provider, or health	545
care insurance provider to which you have given this affidavit.	546
You are also required to notify, in writing, any other person or	547
entity that has an ongoing relationship with you or the child	548
such that the person or entity would reasonably rely on the	549
affidavit unless notified. The notifications must be made not	550
later than one week after the child stops living with you.	551
2. If you do not have the information requested in item 7 (Ohio	552
driver's license or identification card), provide another form	553
of identification such as your social security number or	554
medicaid number.	555
3. You must include with the caretaker authorization affidavit	556
the following information:	557
(a) The child's present address, the addresses of the	558
places where the child has lived within the last five years, and	559
the name and present address of each person with whom the child	560
has lived during that period;	561

(b) Whether you have participated as a party, a witness, 562  
or in any other capacity in any other litigation, in this state 563  
or any other state, that concerned the allocation, between the 564  
parents of the same child, of parental rights and 565  
responsibilities for the care of the child and the designation 566  
of the residential parent and legal custodian of the child or 567  
that otherwise concerned the custody of the same child; 568

(c) Whether you have information of any parenting 569  
proceeding concerning the child pending in a court of this or 570  
any other state; 571

(d) Whether you know of any person who has physical 572  
custody of the child or claims to be a parent of the child who 573  
is designated the residential parent and legal custodian of the 574  
child or to have parenting time rights with respect to the child 575  
or to be a person other than a parent of the child who has 576  
custody or visitation rights with respect to the child; 577

(e) Whether you previously have been convicted of or 578  
pleaded guilty to any criminal offense involving any act that 579  
resulted in a child's being an abused child or a neglected child 580  
or previously have been determined, in a case in which a child 581  
has been adjudicated an abused child or a neglected child, to be 582  
the perpetrator of the abusive or neglectful act that was the 583  
basis of the adjudication. 584

4. If the child's parent, guardian, or custodian acts to 585  
terminate the caretaker authorization affidavit by delivering a 586  
written notice of negation, reversal, or disapproval of an 587  
action or decision of yours or removes the child from your home 588  
and if you believe that the termination or removal is not in the 589  
best interest of the child, you may, within fourteen days, file 590  
a complaint in the juvenile court to seek custody. You may 591

retain physical custody of the child until the fourteen-day 592  
period elapses or, if you file a complaint, until the court 593  
orders otherwise. 594

To school officials: 595

1. This affidavit, properly completed and notarized, authorizes 596  
the child in question to attend school in the district in which 597  
the ~~grandparent~~ kinship caregiver who signed this affidavit 598  
resides and the ~~grandparent~~ kinship caregiver is authorized to 599  
provide consent in all school-related matters and to discuss 600  
with the school district the child's educational progress. This 601  
affidavit does not preclude the parent, guardian, or custodian 602  
of the child from having access to all school records pertinent 603  
to the child. 604

2. The school district may require additional reasonable 605  
evidence that the ~~grandparent~~ kinship caregiver lives at the 606  
address provided in item 5 of the affidavit. 607

3. A school district or school official that reasonably and in 608  
good faith relies on this affidavit has no obligation to make 609  
any further inquiry or investigation. 610

4. The act of a parent, guardian, or custodian of the child to 611  
negate, reverse, or otherwise disapprove an action or decision 612  
of the ~~grandparent~~ kinship caregiver who signed this affidavit 613  
constitutes termination of this affidavit. A parent, guardian, 614  
or custodian may negate, reverse, or disapprove a ~~grandparent's~~ 615  
kinship caregiver's action or decision only by delivering 616  
written notice of negation, reversal, or disapproval to the 617  
~~grandparent~~ kinship caregiver and the person acting on the 618  
~~grandparent's~~ kinship caregiver's action or decision in reliance 619  
on this affidavit. 620

To health care providers: 621

1. A person or entity that acts in good faith reliance on a 622  
CARETAKER AUTHORIZATION AFFIDAVIT to provide medical, 623  
psychological, or dental treatment, without actual knowledge of 624  
facts contrary to those stated in the affidavit, is not subject 625  
to criminal liability or to civil liability to any person or 626  
entity, and is not subject to professional disciplinary action, 627  
solely for such reliance if the applicable portions of the form 628  
are completed and the ~~grandparent's~~ kinship caregiver's 629  
signature is notarized. 630

2. The decision of a ~~grandparent~~ kinship caregiver, based on a 631  
CARETAKER AUTHORIZATION AFFIDAVIT, shall be honored by a health 632  
care facility or practitioner, school district, or school 633  
official unless the health care facility or practitioner or 634  
educational facility or official has actual knowledge that a 635  
parent, guardian, or custodian of a child has made a 636  
contravening decision to consent to or to refuse medical 637  
treatment for the child. 638

3. The act of a parent, guardian, or custodian of the child to 639  
negate, reverse, or otherwise disapprove an action or decision 640  
of the ~~grandparent~~ kinship caregiver who signed this affidavit 641  
constitutes termination of this affidavit. A parent, guardian, 642  
or custodian may negate, reverse, or disapprove a ~~grandparent's~~ 643  
kinship caregiver's action or decision only by delivering 644  
written notice of negation, reversal, or disapproval to the 645  
~~grandparent~~ kinship caregiver and the person acting on the 646  
~~grandparent's~~ kinship caregiver's action or decision in reliance 647  
on this affidavit. 648

**Sec. 3109.67.** A caretaker authorization affidavit 649  
described in section 3109.66 of the Revised Code is executed 650

when the affidavit is completed, signed by a ~~grandparent~~kinship caregiver described in section 3109.65 of the Revised Code, and notarized. 651  
652  
653

**Sec. 3109.69.** Once a caretaker authorization affidavit has 654  
been executed under section 3109.67 of the Revised Code, the 655  
~~grandparent~~kinship caregiver may exercise care, physical 656  
custody, and control of the child, including enrolling the child 657  
in school, discussing with the school district the child's 658  
educational progress, consenting to all school-related matters 659  
regarding the child, and consenting to medical, psychological, 660  
or dental treatment for the child. The affidavit does not affect 661  
the rights and responsibilities of the parent, guardian, or 662  
custodian regarding the child, does not grant legal custody to 663  
the ~~grandparent~~kinship caregiver, and does not grant authority 664  
to the ~~grandparent~~kinship caregiver to consent to the marriage 665  
or adoption of the child. 666

**Sec. 3109.70.** An executed caretaker authorization 667  
affidavit shall terminate on the occurrence of whichever of the 668  
following comes first: 669

(A) The child ceases to reside with the ~~grandparent~~kinship caregiver. 670  
671

(B) The parent, guardian, or custodian of the child who is 672  
the subject of the affidavit acts, in accordance with section 673  
3109.72 of the Revised Code, to negate, reverse, or otherwise 674  
disapprove an action or decision of the ~~grandparent~~kinship caregiver 675  
caregiver who signed the affidavit with respect to the child, 676  
and the ~~grandparent~~kinship caregiver either voluntarily returns 677  
the child to the physical custody of the parent, guardian, or 678  
custodian or fails to file a complaint to seek custody within 679  
fourteen days after the delivery of written notice of negation, 680

reversal, or other disapproval. 681

(C) The affidavit is terminated by court order. 682

(D) The death of the child who is the subject of the 683  
affidavit. 684

(E) The death of the ~~grandparent~~ kinship caregiver who 685  
executed the affidavit. 686

**Sec. 3109.71.** When a caretaker authorization affidavit 687  
terminates pursuant to division (A), (B), (C), or (D) of section 688  
3109.70 of the Revised Code, the ~~grandparent~~ kinship caregiver 689  
shall notify, in writing, the school district in which the child 690  
attends school, the child's health care providers, the child's 691  
health insurance coverage provider, the court in which the 692  
affidavit was filed under section 3109.74 of the Revised Code, 693  
and any other person or entity that has an ongoing relationship 694  
with the child or ~~grandparent~~ kinship caregiver such that the 695  
person or entity would reasonably rely on the affidavit unless 696  
notified of the termination. The ~~grandparent~~ kinship caregiver 697  
shall make the notifications not later than one week after the 698  
date the affidavit terminates. 699

**Sec. 3109.74.** (A) A person who creates a power of attorney 700  
under section 3109.52 of the Revised Code or executes a 701  
caretaker authorization affidavit under section 3109.67 of the 702  
Revised Code shall file the power of attorney or affidavit with 703  
the juvenile court of the county in which the ~~grandparent~~ 704  
kinship caregiver designated as attorney in fact or ~~grandparent~~ 705  
who executed the affidavit resides or any other court that has 706  
jurisdiction over the child under a previously filed motion or 707  
proceeding. The power of attorney or affidavit shall be filed 708  
not later than five days after the date it is created or 709

executed and may be sent to the court by certified mail. 710

(B) A power of attorney filed under this section shall be 711  
accompanied by a receipt showing that the notice of creation of 712  
the power of attorney was sent to the parent who is not the 713  
residential parent and legal custodian by certified mail under 714  
section 3109.55 of the Revised Code. 715

(C) (1) The ~~grandparent~~ kinship caregiver designated as 716  
attorney in fact or ~~the grandparent~~ who executed the caretaker  
authorization affidavit shall include with the power of attorney 717  
or ~~the caretaker authorization~~ affidavit the information 718  
described in section 3109.27 of the Revised Code. 719  
720

(2) If the ~~grandparent~~ kinship caregiver provides 721  
information that the ~~grandparent~~ kinship caregiver previously 722  
has been convicted of or pleaded guilty to any criminal offense 723  
involving any act that resulted in a child being an abused child 724  
or a neglected child or previously has been determined, in a 725  
case in which a child has been adjudicated an abused child or a 726  
neglected child, to be the perpetrator of the abusive or 727  
neglectful act that was the basis of the adjudication, the court 728  
may report that information to the public children services 729  
agency pursuant to section 2151.421 of the Revised Code. Upon 730  
the receipt of that information, the public children services 731  
agency shall initiate an investigation pursuant to section 732  
2151.421 of the Revised Code. 733

(3) If the court has reason to believe that a power of 734  
attorney or caretaker authorization affidavit is not in the best 735  
interest of the child, the court may report that information to 736  
the public children services agency pursuant to section 2151.421 737  
of the Revised Code. Upon receipt of that information, the 738  
public children services agency shall initiate an investigation 739

pursuant to section 2151.421 of the Revised Code. The public 740  
children services agency shall submit a report of its 741  
investigation to the court not later than thirty days after the 742  
court reports the information to the public children services 743  
agency or not later than forty-five days after the court reports 744  
the information to the public children services agency when 745  
information that is needed to determine the case disposition 746  
cannot be compiled within thirty days and the reasons are 747  
documented in the case record. 748

(D) The court shall waive any filing fee imposed for the 749  
filing of the power of attorney or caretaker authorization 750  
affidavit. 751

**Sec. 3109.76.** (A) A ~~grandparent~~kinship caregiver who has 752  
physical custody of a child under a power of attorney, within 753  
fourteen days after the child's parent, guardian, or custodian 754  
gives written notice of revocation of the power of attorney to 755  
the ~~grandparent~~kinship caregiver and files a written notice of 756  
revocation of the power of attorney with the juvenile court or 757  
within fourteen days after removal of the child from the 758  
~~grandparent's~~kinship caregiver's home, may file a complaint 759  
under division (A) (2) of section 2151.23 or division (D) of 760  
section 2151.27 of the Revised Code seeking a determination of 761  
custody if the ~~grandparent~~kinship caregiver believes that the 762  
revocation or removal is not in the best interest of the child. 763

(B) A ~~grandparent~~kinship caregiver who has physical 764  
custody of a child under a caretaker authorization affidavit, 765  
within fourteen days after a parent, guardian, or custodian 766  
terminates the affidavit by delivering a written notice of 767  
negation, reversal, or disapproval of an action or decision of 768  
the ~~grandparent~~kinship caregiver or within fourteen days after 769

removal of the child from the ~~grandparent's~~ kinship caregiver's 770  
home, may file a complaint under division (A) (2) of section 771  
2151.23 or division (D) of section 2151.27 of the Revised Code 772  
seeking a determination of custody if the ~~grandparent~~ kinship 773  
caregiver believes that the termination or removal is not in the 774  
best interest of the child. 775

(C) Pending a hearing and decision on a complaint filed 776  
under division (A) or (B) of this section, the juvenile court, 777  
in accordance with section 2151.33 of the Revised Code, may make 778  
any temporary disposition of any child that it considers 779  
necessary to protect the best interest of the child. 780

(D) If a parent, guardian, or custodian revokes a power of 781  
attorney or terminates a caretaker authorization affidavit, the 782  
~~grandparent~~ kinship caregiver may retain custody of the child 783  
until the fourteen-day period for filing a complaint under 784  
division (A) or (B) of this section has expired or, if the 785  
~~grandparent~~ kinship caregiver files a complaint, until the court 786  
orders otherwise. 787

**Sec. 3310.41.** (A) As used in this section: 788

(1) "Alternative public provider" means either of the 789  
following providers that agrees to enroll a child in the 790  
provider's special education program to implement the child's 791  
individualized education program or an education plan developed 792  
by the school district under division (L) of this section and to 793  
which the child's parent owes fees for the services provided to 794  
the child: 795

(a) A school district that is not the school district in 796  
which the child is entitled to attend school; 797

(b) A public entity other than a school district. 798

(2) "Eligible applicant" means any of the following:	799
(a) Either of the natural or adoptive parents of a qualified special education child, except as otherwise specified in this division.	800 801 802
When the marriage of the natural or adoptive parents of the child has been terminated by a divorce, dissolution of marriage, or annulment, or when the natural or adoptive parents of the child are living separate and apart under a legal separation decree, and a court has issued an order allocating the parental rights and responsibilities with respect to the child, "eligible applicant" means the residential parent as designated by the court. If the court issues a shared parenting decree, "eligible applicant" means either parent. "Eligible applicant" does not mean a parent whose custodial rights have been terminated.	803 804 805 806 807 808 809 810 811 812 813
(b) The custodian of a qualified special education child, when a court has granted temporary, legal, or permanent custody of the child to an individual other than either of the natural or adoptive parents of the child or to a government agency;	814 815 816 817
(c) The guardian of a qualified special education child, when a court has appointed a guardian for the child;	818 819
(d) The <del>grandparent</del> - <u>kinship caregiver</u> of a qualified special education child, when the <del>grandparent</del> - <u>kinship caregiver</u> is the child's attorney in fact under a power of attorney executed under sections 3109.51 to 3109.62 of the Revised Code or when the <del>grandparent</del> - <u>kinship caregiver</u> has executed a caretaker authorization affidavit under sections 3109.65 to 3109.73 of the Revised Code;	820 821 822 823 824 825 826
(e) The surrogate parent appointed for a qualified special	827

education child pursuant to division (B) of section 3323.05 and 828  
section 3323.051 of the Revised Code; 829

(f) A qualified special education child, if the child does 830  
not have a custodian or guardian and the child is at least 831  
eighteen years of age and less than twenty-two years of age. 832

(3) "Entitled to attend school" means entitled to attend 833  
school in a school district under section 3313.64 or 3313.65 of 834  
the Revised Code. 835

(4) "Formula ADM" has the same meaning as in section 836  
3317.02 of the Revised Code. 837

(5) "Preschool child with a disability" and 838  
"individualized education program" have the same meanings as in 839  
section 3323.01 of the Revised Code. 840

(6) "Qualified special education child" is a child who is 841  
at least three years of age and less than twenty-two years of 842  
age and who either was enrolled in the school district in which 843  
the child is entitled to attend school in any grade from 844  
preschool through twelve in the school year prior to the year in 845  
which a scholarship under this section is sought for the child 846  
or is eligible to enter school in any grade preschool through 847  
twelve or is less than twenty-two years of age in the school 848  
district in which the child is entitled to attend school in the 849  
school year in which a scholarship under this section is sought 850  
for the child and for whom any of the following conditions 851  
apply: 852

(a) The school district in which the child is entitled to 853  
attend school has identified the child as autistic. A child who 854  
has been identified as having a "pervasive developmental 855  
disorder - not otherwise specified (PPD-NOS)" shall be 856

considered to be an autistic child for purposes of this section. 857

(b) The school district in which the child is entitled to 858  
attend school has developed an individualized education program 859  
under Chapter 3323. of the Revised Code for the child that 860  
includes services related to autism. 861

(c) The child has been diagnosed as autistic by a 862  
physician or psychologist. 863

(d) All of the following apply: 864

(i) The child is enrolled in a chartered or nonchartered 865  
nonpublic school, is home educated in accordance with section 866  
3321.042 of the Revised Code, or is a student older than 867  
compulsory school age and less than twenty-two years of age and 868  
received a home education in accordance with section 3321.042 of 869  
the Revised Code and has not received a diploma under section 870  
3313.6110 of the Revised Code. 871

(ii) The child has an individualized education program 872  
developed under Chapter 3323. of the Revised Code that includes 873  
services related to autism. 874

(iii) The child is still eligible to receive transition 875  
services under the child's individualized education program. 876

(7) "Registered private provider" means a nonpublic school 877  
or other nonpublic entity that has been approved by the 878  
department of education and workforce to participate in the 879  
program established under this section. 880

(8) "Special education program" means a school or facility 881  
that provides special education and related services to children 882  
with disabilities. 883

(B) There is hereby established the autism scholarship 884

program. Under the program, the department shall pay a 885  
scholarship under section 3317.022 of the Revised Code to an 886  
eligible applicant upon application of that eligible applicant 887  
pursuant to procedures and deadlines established by rule of the 888  
department. Each scholarship shall be used only to pay tuition 889  
for the child on whose behalf the scholarship is awarded to 890  
attend a special education program or programs that implements 891  
the child's individualized education program or education plan 892  
and that is operated by an alternative public provider or by a 893  
registered private provider, and to pay for other services 894  
agreed to by the provider and the eligible applicant that are 895  
not included in the individualized education program or 896  
education plan but are associated with educating the child. Upon 897  
agreement with the eligible applicant, the alternative public 898  
provider or the registered private provider may modify the 899  
services provided to the child. The purpose of the scholarship 900  
is to permit the eligible applicant the choice to send the child 901  
to a special education program or programs, instead of the one 902  
operated by or for the school district in which the child is 903  
entitled to attend school, to receive the services prescribed in 904  
the child's individualized education program or education plan 905  
once the individualized education program or education plan is 906  
finalized and any other services agreed to by the provider and 907  
the eligible applicant. The services provided under the 908  
scholarship shall include an educational component or services 909  
designed to assist the child to benefit from the child's 910  
education. 911

At the discretion of the eligible applicant, multiple 912  
alternative public providers or registered private providers may 913  
be contracted to provide services to implement an individualized 914  
education program or education plan as the eligible applicant 915

and providers determine are necessary and associated with 916  
educating the qualified special education child. A qualified 917  
special education child shall not be limited to receiving 918  
services from a single provider for any services as identified 919  
in the individualized education program or education plan, 920  
including a single type of service. 921

(C) Services, including intervention services, educational 922  
services, academic services, tutoring services, aide services, 923  
and other related special education services, provided through 924  
the program established under this section may be provided 925  
virtually by any of the following: 926

(1) An educational aide or assistant who holds a valid 927  
permit issued under section 3319.088 of the Revised Code; 928

(2) An instructional assistant who holds a valid permit 929  
issued under section 3310.43 of the Revised Code; 930

(3) A qualified, credentialed provider in accordance with 931  
standards established by the department; 932

(4) A teacher or substitute teacher licensed by the state 933  
board of education. 934

(D) A scholarship under this section shall not be awarded 935  
to an eligible applicant while the child's individualized 936  
education program is being developed by the school district in 937  
which the child is entitled to attend school, or while any 938  
administrative or judicial mediation or proceedings with respect 939  
to the content of the child's individualized education program 940  
are pending. A scholarship under this section shall not be used 941  
for a child to attend a public special education program that 942  
operates under a contract, compact, or other bilateral agreement 943  
between the school district in which the child is entitled to 944

attend school and another school district or other public 945  
provider, or for a child to attend a community school 946  
established under Chapter 3314. of the Revised Code. However, 947  
nothing in this section or in any rule adopted by the department 948  
shall prohibit an eligible applicant whose child attends a 949  
public special education program under a contract, compact, or 950  
other bilateral agreement, or an eligible applicant whose child 951  
attends a community school, from applying for and accepting a 952  
scholarship under this section so that the eligible applicant 953  
may withdraw the child from that program or community school and 954  
use the scholarship for the child to attend a special education 955  
program for which the eligible applicant is required to pay for 956  
services for the child. 957

(E) Except for development of the child's individualized 958  
education program or education plan, the school district in 959  
which a qualified special education child is entitled to attend 960  
school and the child's school district of residence, as defined 961  
in section 3323.01 of the Revised Code, if different, are not 962  
obligated to provide the child with a free appropriate public 963  
education under Chapter 3323. of the Revised Code for as long as 964  
the child continues to attend the special education program 965  
operated by either an alternative public provider or a 966  
registered private provider for which a scholarship is awarded 967  
under the autism scholarship program. If at any time, the 968  
eligible applicant for the child decides no longer to accept 969  
scholarship payments and enrolls the child in the special 970  
education program of the school district in which the child is 971  
entitled to attend school, that district shall provide the child 972  
with a free appropriate public education under Chapter 3323. of 973  
the Revised Code. 974

(F) A child attending a special education program with a 975

scholarship under this section shall continue to be entitled to 976  
transportation to and from that program in the manner prescribed 977  
by law. 978

(G) As prescribed in division (A) (2) (h) of section 3317.03 979  
of the Revised Code, a child who is not a preschool child with a 980  
disability for whom a scholarship is awarded under this section 981  
shall be counted in the formula ADM of the district in which the 982  
child is entitled to attend school and not in the formula ADM of 983  
any other school district. 984

(H) A scholarship shall not be paid under section 3317.022 985  
of the Revised Code to an eligible applicant for payment of 986  
tuition owed to a nonpublic entity unless that entity is a 987  
registered private provider. The department shall approve 988  
entities that meet the standards established by rule of the 989  
department for the program established under this section. 990

(I) The department shall adopt rules under Chapter 119. of 991  
the Revised Code prescribing procedures necessary to implement 992  
this section, including, but not limited to, procedures and 993  
deadlines for eligible applicants to apply for scholarships, 994  
standards for registered private providers, and procedures for 995  
approval of entities as registered private providers. 996

The rules also shall specify that intervention services, 997  
including virtual services, under the autism scholarship program 998  
may be provided by a qualified, credentialed provider, including 999  
an educator or substitute teacher licensed by the state board of 1000  
education, and shall additionally include, but not be limited 1001  
to, all of the following: 1002

(1) A behavior analyst certified by a nationally 1003  
recognized organization that certifies behavior analysts; 1004

(2) A psychologist licensed to practice in this state	1005
under Chapter 4732. of the Revised Code;	1006
(3) An independent school psychologist or school	1007
psychologist licensed to practice in this state under Chapter	1008
4732. of the Revised Code;	1009
(4) Any person employed by a licensed psychologist,	1010
licensed independent school psychologist, or licensed school	1011
psychologist, while carrying out specific tasks, under the	1012
licensee's supervision, as an extension of the licensee's legal	1013
and ethical authority as specified under Chapter 4732. of the	1014
Revised Code who is ascribed as "psychology trainee,"	1015
"psychology assistant," "psychology intern," or other	1016
appropriate term that clearly implies their supervised or	1017
training status;	1018
(5) Unlicensed persons holding a doctoral degree in	1019
psychology or special education from a program approved by the	1020
department;	1021
(6) A "registered behavior technician" as described under	1022
rule 5123-9-41 of the Administrative Code working under the	1023
supervision and following the intervention plan of a certified	1024
Ohio behavior analyst or a behavior analyst certified by a	1025
nationally recognized organization that certifies behavior	1026
analysts;	1027
(7) A "certified Ohio behavior analyst" under Chapter	1028
4783. of the Revised Code;	1029
(8) An occupational therapist or physical therapist	1030
licensed to practice in this state under Chapter 4755. of the	1031
Revised Code;	1032
(9) A speech-language pathologist licensed to practice in	1033

this state under Chapter 4753. of the Revised Code;	1034
(10) An intervention specialist who holds a valid license issued by the state board;	1035 1036
(11) A literacy intervention specialist certified through pathways recognized by the Ohio dyslexia committee established by section 3323.25 of the Revised Code. To the extent that certification for any of the following positions is approved by the Ohio dyslexia committee under section 3323.25 of the Revised Code, literary intervention specialists may include:	1037 1038 1039 1040 1041 1042
(a) A structured literacy dyslexia interventionist;	1043
(b) A structured literacy dyslexia specialist;	1044
(c) A certified academic language practitioner;	1045
(d) A certified academic language therapist.	1046
(12) An educational aide or assistant with a valid permit issued under section 3319.088 of the Revised Code;	1047 1048
(13) An instructional assistant with a valid permit issued in accordance with section 3310.43 of the Revised Code;	1049 1050
(14) Any other qualified individual as determined by the department.	1051 1052
Supervision of a qualified, credentialed provider may be conducted virtually.	1053 1054
(J) For billing purposes under the autism scholarship program, services provided by a teacher or substitute teacher licensed by the state board of education shall be classified as academic services and shall not be classified as aide services. The department shall use this differentiation to simplify monthly audit procedures.	1055 1056 1057 1058 1059 1060

(K) The department shall provide reasonable notice to all 1061  
eligible applicants receiving a scholarship under the autism 1062  
scholarship program, alternative public providers, and 1063  
registered private providers of any amendment to a rule 1064  
governing, or change in the administration of, the autism 1065  
scholarship program. 1066

(L) If a child qualifies for the autism scholarship 1067  
program pursuant to a diagnosis under division (A) (6) (c) of this 1068  
section and does not have an individualized education program 1069  
that includes services related to autism, the school district in 1070  
which the child is entitled to attend school shall develop an 1071  
education plan for the child. 1072

(M) Not later than the thirtieth day of June each year, 1073  
each alternative public provider and registered private provider 1074  
enrolling students receiving autism scholarships shall submit to 1075  
the department, in a form and manner prescribed by the 1076  
department, the tuition rates charged by the provider for the 1077  
following school year. 1078

(N) The department shall not require an eligible applicant 1079  
who applies for or receives a scholarship under this section to 1080  
complete any kind of income verification regarding the student's 1081  
family income. 1082

(O) The department shall maintain a list of each 1083  
registered private provider and the location of that provider on 1084  
its publicly accessible web site. 1085

**Sec. 3310.51.** As used in sections 3310.51 to 3310.64 of 1086  
the Revised Code: 1087

(A) "Alternative public provider" means either of the 1088  
following providers that agrees to enroll a child in the 1089

provider's special education program to implement the child's 1090  
individualized education program and to which the eligible 1091  
applicant owes fees for the services provided to the child: 1092

(1) A school district that is not the school district in 1093  
which the child is entitled to attend school or the child's 1094  
school district of residence, if different; 1095

(2) A public entity other than a school district. 1096

(B) "Child with a disability" and "individualized 1097  
education program" have the same meanings as in section 3323.01 1098  
of the Revised Code. 1099

(C) "Eligible applicant" means any of the following: 1100

(1) Either of the natural or adoptive parents of a 1101  
qualified special education child, except as otherwise specified 1102  
in this division. When the marriage of the natural or adoptive 1103  
parents of the student has been terminated by a divorce, 1104  
dissolution of marriage, or annulment, or when the natural or 1105  
adoptive parents of the student are living separate and apart 1106  
under a legal separation decree, and a court has issued an order 1107  
allocating the parental rights and responsibilities with respect 1108  
to the child, "eligible applicant" means the residential parent 1109  
as designated by the court. If the court issues a shared 1110  
parenting decree, "eligible applicant" means either parent. 1111  
"Eligible applicant" does not mean a parent whose custodial 1112  
rights have been terminated. 1113

(2) The custodian of a qualified special education child, 1114  
when a court has granted temporary, legal, or permanent custody 1115  
of the child to an individual other than either of the natural 1116  
or adoptive parents of the child or to a government agency; 1117

(3) The guardian of a qualified special education child, 1118

when a court has appointed a guardian for the child; 1119

(4) The ~~grandparent-kinship caregiver~~ of a qualified 1120  
special education child, when the ~~grandparent-kinship caregiver~~ 1121  
is the child's attorney in fact under a power of attorney 1122  
executed under sections 3109.51 to 3109.62 of the Revised Code 1123  
or ~~when the grandparent~~ has executed a caretaker authorization 1124  
affidavit under sections 3109.65 to 3109.73 of the Revised Code; 1125

(5) The surrogate parent appointed for a qualified special 1126  
education child pursuant to division (B) of section 3323.05 and 1127  
section 3323.051 of the Revised Code; 1128

(6) A qualified special education child, if the child does 1129  
not have a custodian or guardian and the child is at least 1130  
eighteen years of age and less than twenty-two years of age. 1131

(D) "Entitled to attend school" means entitled to attend 1132  
school in a school district under sections 3313.64 and 3313.65 1133  
of the Revised Code. 1134

(E) "Formula ADM" has the same meaning as in section 1135  
3317.02 of the Revised Code. 1136

(F) "Qualified special education child" is a child for 1137  
whom all of the following conditions apply: 1138

(1) The child is at least three years of age and less than 1139  
twenty-two years of age. 1140

(2) The school district in which the child is entitled to 1141  
attend school, or the child's school district of residence if 1142  
different, has identified the child as a child with a 1143  
disability. 1144

(3) The school district in which the child is entitled to 1145  
attend school, or the child's school district of residence if 1146

different, has developed an individualized education program 1147  
under Chapter 3323. of the Revised Code for the child. 1148

(4) The child meets one of the following conditions: 1149

(a) Was enrolled in the schools of the school district in 1150  
which the child is entitled to attend school in any grade from 1151  
preschool through twelve in the school year prior to the school 1152  
year in which a scholarship is sought for the child; 1153

(b) Is eligible to enter school in any grade preschool 1154  
through twelve in the school district in which the child is 1155  
entitled to attend school in the school year in which a 1156  
scholarship is sought for the child; 1157

(c) All of the following apply: 1158

(i) The child is at least eighteen years of age and less 1159  
than twenty-two years of age. 1160

(ii) The child is enrolled in a chartered or nonchartered 1161  
nonpublic school, is home educated in accordance with section 1162  
3321.042 of the Revised Code, or is a student older than 1163  
compulsory school age and less than twenty-two years of age and 1164  
received a home education in accordance with section 3321.042 of 1165  
the Revised Code and has not received a diploma under section 1166  
3313.6110 of the Revised Code. 1167

(iii) The child is still eligible to receive transition 1168  
services under the child's individualized education program. 1169

(5) The department of education and workforce has not 1170  
approved a scholarship for the child under the educational 1171  
choice scholarship pilot program, under sections 3310.01 to 1172  
3310.17 of the Revised Code, the autism scholarship program, 1173  
under section 3310.41 of the Revised Code, or the pilot project 1174

scholarship program, under sections 3313.974 to 3313.979 of the 1175  
Revised Code for the same school year in which a scholarship 1176  
under the Jon Peterson special needs scholarship program is 1177  
sought. 1178

(6) The child and the child's parents are in compliance 1179  
with the state compulsory attendance law under Chapter 3321. of 1180  
the Revised Code. 1181

(G) "Registered private provider" means a nonpublic school 1182  
or other nonpublic entity that has been registered by the 1183  
superintendent of public instruction under section 3310.58 of 1184  
the Revised Code prior to October 3, 2023, or the department of 1185  
education and workforce on or after that date. 1186

(H) "Scholarship" means a scholarship awarded under the 1187  
Jon Peterson special needs scholarship program pursuant to 1188  
sections 3310.51 to 3310.64 of the Revised Code. 1189

(I) "School district of residence" has the same meaning as 1190  
in section 3323.01 of the Revised Code. A community school 1191  
established under Chapter 3314. of the Revised Code is not a 1192  
"school district of residence" for purposes of sections 3310.51 1193  
to 3310.64 of the Revised Code. 1194

(J) "School year" has the same meaning as in section 1195  
3313.62 of the Revised Code. 1196

(K) "Special education program" means a school or facility 1197  
that provides special education and related services to children 1198  
with disabilities. 1199

**Sec. 3313.64.** (A) As used in this section and in section 1200  
3313.65 of the Revised Code: 1201

(1) (a) Except as provided in division (A) (1) (b) of this 1202

section, "parent" means either parent, unless the parents are 1203  
separated or divorced or their marriage has been dissolved or 1204  
annulled, in which case "parent" means the parent who is the 1205  
residential parent and legal custodian of the child. When a 1206  
child is in the legal custody of a government agency or a person 1207  
other than the child's natural or adoptive parent, "parent" 1208  
means the parent with residual parental rights, privileges, and 1209  
responsibilities. When a child is in the permanent custody of a 1210  
government agency or a person other than the child's natural or 1211  
adoptive parent, "parent" means the parent who was divested of 1212  
parental rights and responsibilities for the care of the child 1213  
and the right to have the child live with the parent and be the 1214  
legal custodian of the child and all residual parental rights, 1215  
privileges, and responsibilities. 1216

~~(b) When a child is the subject of a power of attorney~~ 1217  
~~executed under sections 3109.51 to 3109.62 of the Revised Code,~~ 1218  
~~"parent"~~ "Parent" means the grandparent designated as a child's 1219  
kinship caregiver when the kinship caregiver is the attorney in 1220  
fact under the a power of attorney. When a child is the subject 1221  
of executed under sections 3109.51 to 3109.62 of the Revised 1222  
Code or has executed a caretaker authorization affidavit 1223  
~~executed under sections 3109.64 3109.65 to 3109.73 of the~~ 1224  
~~Revised Code, "parent" means the grandparent that executed the~~ 1225  
~~affidavit.~~ 1226

(2) "Legal custody," "permanent custody," and "residual 1227  
parental rights, privileges, and responsibilities" have the same 1228  
meanings as in section 2151.011 of the Revised Code. 1229

(3) "School district" or "district" means a city, local, 1230  
or exempted village school district and excludes any school 1231  
operated in an institution maintained by the department of youth 1232

services.	1233
(4) Except as used in division (C) (2) of this section,	1234
"home" means a home, institution, foster home, group home, or	1235
other residential facility in this state that receives and cares	1236
for children, to which any of the following applies:	1237
(a) The home is licensed, certified, or approved for such	1238
purpose by the state or is maintained by the department of youth	1239
services.	1240
(b) The home is operated by a person who is licensed,	1241
certified, or approved by the state to operate the home for such	1242
purpose.	1243
(c) The home accepted the child through a placement by a	1244
person licensed, certified, or approved to place a child in such	1245
a home by the state.	1246
(d) The home is a children's home created under section	1247
5153.21 or 5153.36 of the Revised Code.	1248
(5) "Agency" means all of the following:	1249
(a) A public children services agency;	1250
(b) An organization that holds a certificate issued by the	1251
department of children and youth in accordance with the	1252
requirements of section 5103.03 of the Revised Code and assumes	1253
temporary or permanent custody of children through commitment,	1254
agreement, or surrender, and places children in family homes for	1255
the purpose of adoption;	1256
(c) Comparable agencies of other states or countries that	1257
have complied with applicable requirements of section 2151.39 of	1258
the Revised Code or as applicable, sections 5103.20 to 5103.22	1259
or 5103.23 to 5103.237 of the Revised Code.	1260

(6) A child is placed for adoption if either of the	1261
following occurs:	1262
(a) An agency to which the child has been permanently	1263
committed or surrendered enters into an agreement with a person	1264
pursuant to section 5103.16 of the Revised Code for the care and	1265
adoption of the child.	1266
(b) The child's natural parent places the child pursuant	1267
to section 5103.16 of the Revised Code with a person who will	1268
care for and adopt the child.	1269
(7) "Preschool child with a disability" has the same	1270
meaning as in section 3323.01 of the Revised Code.	1271
(8) "Child," unless otherwise indicated, includes	1272
preschool children with disabilities.	1273
(9) "Active duty" means active duty pursuant to an	1274
executive order of the president of the United States, an act of	1275
the congress of the United States, or section 5919.29 or 5923.21	1276
of the Revised Code.	1277
(B) Except as otherwise provided in section 3321.01 of the	1278
Revised Code for admittance to kindergarten and first grade, a	1279
child who is at least five but under twenty-two years of age and	1280
any preschool child with a disability shall be admitted to	1281
school as provided in this division.	1282
(1) A child shall be admitted to the schools of the school	1283
district in which the child's parent resides.	1284
(2) Except as provided in division (B) (4) of this section	1285
or division (B) of section 2151.362 and section 3317.30 of the	1286
Revised Code, a child who does not reside in the district where	1287
the child's parent resides shall be admitted to the schools of	1288

the district in which the child resides if any of the following 1289  
applies: 1290

(a) The child is in the legal or permanent custody of a 1291  
government agency or a person other than the child's natural or 1292  
adoptive parent. 1293

(b) The child resides in a home. 1294

(c) The child requires special education. 1295

(3) A child who is not entitled under division (B) (2) of 1296  
this section to be admitted to the schools of the district where 1297  
the child resides and who is residing with a resident of this 1298  
state with whom the child has been placed for adoption shall be 1299  
admitted to the schools of the district where the child resides 1300  
unless either of the following applies: 1301

(a) The placement for adoption has been terminated. 1302

(b) Another school district is required to admit the child 1303  
under division (B) (1) of this section. 1304

(4) (a) A child who does not reside in the district where 1305  
the child's parent resides is not required to be admitted to the 1306  
schools of the district in which the child resides if both of 1307  
the following apply: 1308

(i) The child resides in a home, or in a facility 1309  
similarly licensed in another state, and the child was placed in 1310  
the home or facility by the child's parent in consultation with, 1311  
and upon the recommendation of, the Ohio resilience through 1312  
integrated systems and excellence program for children and youth 1313  
involved in multiple state systems. 1314

(ii) The home provides education services that meet the 1315  
minimum education standards under division (D) (2) of section 1316

3301.07 of the Revised Code or, in the case of a facility 1317  
located in another state, meets substantially similar 1318  
requirements of the jurisdiction where the facility is located, 1319  
except that the home or facility may provide the child with less 1320  
than the minimum number of instructional hours required only as 1321  
necessary to accommodate the child's treatment program. 1322

(b) Upon a child's admission to a home pursuant to 1323  
division (B) (4) (a) of this section, the home shall notify the 1324  
district where the child's parent resides and the district where 1325  
the home is located that the home is providing educational 1326  
services to the child until the child is discharged. Upon a 1327  
child's admission to a facility located in another state 1328  
pursuant to division (B) (4) (a) of this section, the facility 1329  
shall notify the district where the child's parent resides that 1330  
the facility is providing educational services to the child 1331  
until the child is discharged. In either case, the district 1332  
where the child's parent resides shall continue to enroll the 1333  
student as provided in division (C) (5) of this section and shall 1334  
excuse the child from attendance until the child is discharged 1335  
from the home or facility. 1336

(c) Upon a child's discharge from a home or facility, the 1337  
home or facility shall notify the district where the child's 1338  
parent resides. The home or facility and the district shall 1339  
collaborate on a supportive reentry plan into school for the 1340  
child. 1341

Division (B) of this section does not prohibit the board 1342  
of education of a school district from placing a child with a 1343  
disability who resides in the district in a special education 1344  
program outside of the district or its schools in compliance 1345  
with Chapter 3323. of the Revised Code. 1346

(C) A district shall not charge tuition for children 1347  
admitted under division (B) (1) or (3) of this section. If the 1348  
district admits a child under division (B) (2) of this section, 1349  
tuition shall be paid to the district that admits the child as 1350  
provided in divisions (C) (1) to (3) of this section, unless 1351  
division (C) (4) of this section applies to the child: 1352

(1) If the child receives special education in accordance 1353  
with Chapter 3323. of the Revised Code, the school district of 1354  
residence, as defined in section 3323.01 of the Revised Code, 1355  
shall pay tuition for the child in accordance with section 1356  
3323.091, 3323.13, 3323.14, or 3323.141 of the Revised Code 1357  
regardless of who has custody of the child or whether the child 1358  
resides in a home. 1359

(2) For a child that does not receive special education in 1360  
accordance with Chapter 3323. of the Revised Code, except as 1361  
otherwise provided in division (C) (2) (d) of this section, if the 1362  
child is in the permanent or legal custody of a government 1363  
agency or person other than the child's parent, tuition shall be 1364  
paid by: 1365

(a) The district in which the child's parent resided at 1366  
the time the court removed the child from home or at the time 1367  
the court vested legal or permanent custody of the child in the 1368  
person or government agency, whichever occurred first; 1369

(b) If the parent's residence at the time the court 1370  
removed the child from home or placed the child in the legal or 1371  
permanent custody of the person or government agency is unknown, 1372  
tuition shall be paid by the district in which the child resided 1373  
at the time the child was removed from home or placed in legal 1374  
or permanent custody, whichever occurred first; 1375

(c) If a school district cannot be established under 1376  
division (C) (2) (a) or (b) of this section, tuition shall be paid 1377  
by the district determined as required by section 2151.362 of 1378  
the Revised Code by the court at the time it vests custody of 1379  
the child in the person or government agency; 1380

(d) If at the time the court removed the child from home 1381  
or vested legal or permanent custody of the child in the person 1382  
or government agency, whichever occurred first, one parent was 1383  
in a residential or correctional facility or a juvenile 1384  
residential placement and the other parent, if living and not in 1385  
such a facility or placement, was not known to reside in this 1386  
state, tuition shall be paid by the district determined under 1387  
division (D) of section 3313.65 of the Revised Code as the 1388  
district required to pay any tuition while the parent was in 1389  
such facility or placement; 1390

(e) If the department of education and workforce has 1391  
determined, pursuant to division (A) (2) of section 2151.362 of 1392  
the Revised Code, that a school district other than the one 1393  
named in the court's initial order, or in a prior determination 1394  
of the department, is responsible to bear the cost of educating 1395  
the child, the district so determined shall be responsible for 1396  
that cost. 1397

(3) If the child is not in the permanent or legal custody 1398  
of a government agency or person other than the child's parent 1399  
and the child resides in a home, tuition shall be paid by one of 1400  
the following: 1401

(a) The school district in which the child's parent 1402  
resides; 1403

(b) If the child's parent is not a resident of this state, 1404

the home in which the child resides. 1405

(4) Division (C) (4) of this section applies to any child 1406  
who is admitted to a school district under division (B) (2) of 1407  
this section, resides in a home that is not a foster home, a 1408  
home maintained by the department of youth services, a detention 1409  
facility established under section 2152.41 of the Revised Code, 1410  
or a juvenile facility established under section 2151.65 of the 1411  
Revised Code, and receives educational services at the home or 1412  
facility in which the child resides pursuant to a contract 1413  
between the home or facility and the school district providing 1414  
those services. 1415

If a child to whom division (C) (4) of this section applies 1416  
is a special education student, a district may choose whether to 1417  
receive a tuition payment for that child under division (C) (4) 1418  
of this section or to receive a payment for that child under 1419  
section 3323.14 of the Revised Code. If a district chooses to 1420  
receive a payment for that child under section 3323.14 of the 1421  
Revised Code, it shall not receive a tuition payment for that 1422  
child under division (C) (4) of this section. 1423

If a child to whom division (C) (4) of this section applies 1424  
is not a special education student, a district shall receive a 1425  
tuition payment for that child under division (C) (4) of this 1426  
section. 1427

In the case of a child to which division (C) (4) of this 1428  
section applies, the total educational cost to be paid for the 1429  
child shall be determined by a formula approved by the 1430  
department of education and workforce, which formula shall be 1431  
designed to calculate a per diem cost for the educational 1432  
services provided to the child for each day the child is served 1433  
and shall reflect the total actual cost incurred in providing 1434

those services. The department shall certify the total 1435  
educational cost to be paid for the child to both the school 1436  
district providing the educational services and, if different, 1437  
the school district that is responsible to pay tuition for the 1438  
child. The department shall deduct the certified amount from the 1439  
state basic aid funds payable under Chapter 3317. of the Revised 1440  
Code to the district responsible to pay tuition and shall pay 1441  
that amount to the district providing the educational services 1442  
to the child. 1443

(5) In the case of a child to whom division (B) (4) of this 1444  
section applies, and except as otherwise provided in division 1445  
(C) (5) (f) of this section, tuition shall be paid to the home or 1446  
facility for educational services provided to the child by the 1447  
school district in which the child's parent resides according to 1448  
the following: 1449

(a) The total educational cost to be paid for the child 1450  
shall be determined by a formula approved by the department of 1451  
education and workforce. The department shall design the formula 1452  
to calculate a per diem cost for the educational services 1453  
provided to the child for each day the child is served and shall 1454  
reflect the total actual cost incurred in providing those 1455  
services. The department shall certify the total educational 1456  
cost to be paid for the child to both the home or facility 1457  
providing the educational services and the district that is 1458  
responsible to pay the tuition for the child. The department 1459  
shall deduct the certified amount from the state basic aid funds 1460  
payable under Chapter 3317. of the Revised Code to the district 1461  
responsible to pay tuition and shall pay that amount to the home 1462  
or facility providing the educational services to the child. 1463

(b) The district responsible to pay tuition shall continue 1464

to report the child in its enrollment for purposes of section 1465  
3317.03 of the Revised Code. 1466

(c) If the parent's residence changes to a different 1467  
school district while the child resides in the home or facility, 1468  
the department of education and workforce may re-determine the 1469  
school district responsible for tuition based on evidence 1470  
provided by the district currently responsible for tuition. 1471

(d) Upon a child's discharge from the home or facility, 1472  
the home or facility shall immediately notify the district where 1473  
the child's parent resides and the department of education and 1474  
workforce. The notification shall include a certified transcript 1475  
of all coursework completed by the child while residing in the 1476  
home or facility. The district where the child's parent resides 1477  
shall accept all coursework completed by the child while in the 1478  
home or facility and shall award credit for that coursework in 1479  
accordance with district policy. 1480

(e) Following discharge from the home or facility and 1481  
return to the parent's residence, high school students shall 1482  
meet requirements under section 3313.618 of the Revised Code in 1483  
order to qualify for a high school diploma that are no more 1484  
stringent than those that apply to students who enroll into an 1485  
Ohio public or chartered nonpublic high school after receiving a 1486  
home education under section 3321.042 of the Revised Code. 1487

(f) If the child is provided educational services by a 1488  
chartered nonpublic school while residing in a home and the 1489  
child has been awarded a scholarship under a state scholarship 1490  
program, as defined in section 3301.0711 of the Revised Code, no 1491  
school district shall be responsible for paying tuition under 1492  
division (C) (5) of this section. 1493

(D) Tuition required to be paid under divisions (C) (2) and 1494  
(3) (a) of this section shall be computed in accordance with 1495  
section 3317.08 of the Revised Code. Tuition required to be paid 1496  
under division (C) (3) (b) of this section shall be computed in 1497  
accordance with section 3317.081 of the Revised Code. If a home 1498  
fails to pay the tuition required by division (C) (3) (b) of this 1499  
section, the board of education providing the education may 1500  
recover in a civil action the tuition and the expenses incurred 1501  
in prosecuting the action, including court costs and reasonable 1502  
attorney's fees. If the prosecuting attorney or city director of 1503  
law represents the board in such action, costs and reasonable 1504  
attorney's fees awarded by the court, based upon the prosecuting 1505  
attorney's, director's, or one of their designee's time spent 1506  
preparing and presenting the case, shall be deposited in the 1507  
county or city general fund. 1508

(E) A board of education may enroll a child free of any 1509  
tuition obligation for a period not to exceed sixty days, on the 1510  
sworn statement of an adult resident of the district that the 1511  
resident has initiated legal proceedings for custody of the 1512  
child. 1513

(F) In the case of any individual entitled to attend 1514  
school under this division, no tuition shall be charged by the 1515  
school district of attendance and no other school district shall 1516  
be required to pay tuition for the individual's attendance. 1517  
Notwithstanding division (B), (C), or (E) of this section: 1518

(1) All persons at least eighteen but under twenty-two 1519  
years of age who live apart from their parents, support 1520  
themselves by their own labor, and have not successfully 1521  
completed the high school curriculum or the individualized 1522  
education program developed for the person by the high school 1523

pursuant to section 3323.08 of the Revised Code, are entitled to 1524  
attend school in the district in which they reside. 1525

(2) Any child under eighteen years of age who is married 1526  
is entitled to attend school in the child's district of 1527  
residence. 1528

(3) A child is entitled to attend school in the district 1529  
in which either of the child's parents is employed if the child 1530  
has a medical condition that may require emergency medical 1531  
attention. The parent of a child entitled to attend school under 1532  
division (F)(3) of this section shall submit to the board of 1533  
education of the district in which the parent is employed a 1534  
statement from the child's physician, certified nurse-midwife, 1535  
clinical nurse specialist, or certified nurse practitioner 1536  
certifying that the child's medical condition may require 1537  
emergency medical attention. The statement shall be supported by 1538  
such other evidence as the board may require. 1539

(4) Any child residing with a person other than the 1540  
child's parent is entitled, for a period not to exceed twelve 1541  
months, to attend school in the district in which that person 1542  
resides if the child's parent files an affidavit with the 1543  
superintendent of the district in which the person with whom the 1544  
child is living resides stating all of the following: 1545

(a) That the parent is serving outside of the state in the 1546  
armed services of the United States; 1547

(b) That the parent intends to reside in the district upon 1548  
returning to this state; 1549

(c) The name and address of the person with whom the child 1550  
is living while the parent is outside the state. 1551

(5) Any child under the age of twenty-two years who, after 1552

the death of a parent, resides in a school district other than 1553  
the district in which the child attended school at the time of 1554  
the parent's death is entitled to continue to attend school in 1555  
the district in which the child attended school at the time of 1556  
the parent's death for the remainder of the school year, subject 1557  
to approval of that district board. 1558

(6) A child under the age of twenty-two years who resides 1559  
with a parent who is having a new house built in a school 1560  
district outside the district where the parent is residing is 1561  
entitled to attend school for a period of time in the district 1562  
where the new house is being built. In order to be entitled to 1563  
such attendance, the parent shall provide the district 1564  
superintendent with the following: 1565

(a) A sworn statement explaining the situation, revealing 1566  
the location of the house being built, and stating the parent's 1567  
intention to reside there upon its completion; 1568

(b) A statement from the builder confirming that a new 1569  
house is being built for the parent and that the house is at the 1570  
location indicated in the parent's statement. 1571

(7) A child under the age of twenty-two years residing 1572  
with a parent who has a contract to purchase a house in a school 1573  
district outside the district where the parent is residing and 1574  
who is waiting upon the date of closing of the mortgage loan for 1575  
the purchase of such house is entitled to attend school for a 1576  
period of time in the district where the house is being 1577  
purchased. In order to be entitled to such attendance, the 1578  
parent shall provide the district superintendent with the 1579  
following: 1580

(a) A sworn statement explaining the situation, revealing 1581

the location of the house being purchased, and stating the 1582  
parent's intent to reside there; 1583

(b) A statement from a real estate broker or bank officer 1584  
confirming that the parent has a contract to purchase the house, 1585  
that the parent is waiting upon the date of closing of the 1586  
mortgage loan, and that the house is at the location indicated 1587  
in the parent's statement. 1588

The district superintendent shall establish a period of 1589  
time not to exceed ninety days during which the child entitled 1590  
to attend school under division (F) (6) or (7) of this section 1591  
may attend without tuition obligation. A student attending a 1592  
school under division (F) (6) or (7) of this section shall be 1593  
eligible to participate in interscholastic athletics under the 1594  
auspices of that school, provided the board of education of the 1595  
school district where the student's parent resides, by a formal 1596  
action, releases the student to participate in interscholastic 1597  
athletics at the school where the student is attending, and 1598  
provided the student receives any authorization required by a 1599  
public agency or private organization of which the school 1600  
district is a member exercising authority over interscholastic 1601  
sports. 1602

(8) A child whose parent is a full-time employee of a 1603  
city, local, or exempted village school district, or of an 1604  
educational service center, may be admitted to the schools of 1605  
the district where the child's parent is employed, or in the 1606  
case of a child whose parent is employed by an educational 1607  
service center, in the district that serves the location where 1608  
the parent's job is primarily located, provided the district 1609  
board of education establishes such an admission policy by 1610  
resolution adopted by a majority of its members. Any such policy 1611

shall take effect on the first day of the school year and the 1612  
effective date of any amendment or repeal may not be prior to 1613  
the first day of the subsequent school year. The policy shall be 1614  
uniformly applied to all such children and shall provide for the 1615  
admission of any such child upon request of the parent. No child 1616  
may be admitted under this policy after the first day of classes 1617  
of any school year. 1618

(9) A child who is with the child's parent under the care 1619  
of a shelter for victims of domestic violence, as defined in 1620  
section 3113.33 of the Revised Code, is entitled to attend 1621  
school free in the district in which the child is with the 1622  
child's parent, and no other school district shall be required 1623  
to pay tuition for the child's attendance in that school 1624  
district. 1625

The enrollment of a child in a school district under this 1626  
division shall not be denied due to a delay in the school 1627  
district's receipt of any records required under section 1628  
3313.672 of the Revised Code or any other records required for 1629  
enrollment. Any days of attendance and any credits earned by a 1630  
child while enrolled in a school district under this division 1631  
shall be transferred to and accepted by any school district in 1632  
which the child subsequently enrolls. The department of 1633  
education and workforce shall adopt rules to ensure compliance 1634  
with this division. 1635

(10) Any child under the age of twenty-two years whose 1636  
parent has moved out of the school district after the 1637  
commencement of classes in the child's senior year of high 1638  
school is entitled, subject to the approval of that district 1639  
board, to attend school in the district in which the child 1640  
attended school at the time of the parental move for the 1641

remainder of the school year and for one additional semester or 1642  
equivalent term. A district board may also adopt a policy 1643  
specifying extenuating circumstances under which a student may 1644  
continue to attend school under division (F)(10) of this section 1645  
for an additional period of time in order to successfully 1646  
complete the high school curriculum for the individualized 1647  
education program developed for the student by the high school 1648  
pursuant to section 3323.08 of the Revised Code. 1649

(11) As used in this division, "grandparent" means a 1650  
parent of a parent of a child. A child under the age of twenty- 1651  
two years who is in the custody of the child's parent, resides 1652  
with a grandparent, and does not require special education is 1653  
entitled to attend the schools of the district in which the 1654  
child's grandparent resides, provided that, prior to such 1655  
attendance in any school year, the board of education of the 1656  
school district in which the child's grandparent resides and the 1657  
board of education of the school district in which the child's 1658  
parent resides enter into a written agreement specifying that 1659  
good cause exists for such attendance, describing the nature of 1660  
this good cause, and consenting to such attendance. 1661

In lieu of a consent form signed by a parent, a board of 1662  
education may request the grandparent of a child attending 1663  
school in the district in which the grandparent resides pursuant 1664  
to division (F)(11) of this section to complete any consent form 1665  
required by the district, including any authorization required 1666  
by sections 3313.712, 3313.713, 3313.716, and 3313.718 of the 1667  
Revised Code. Upon request, the grandparent shall complete any 1668  
consent form required by the district. A school district shall 1669  
not incur any liability solely because of its receipt of a 1670  
consent form from a grandparent in lieu of a parent. 1671

Division (F) (11) of this section does not create, and 1672  
shall not be construed as creating, a new cause of action or 1673  
substantive legal right against a school district, a member of a 1674  
board of education, or an employee of a school district. This 1675  
section does not affect, and shall not be construed as 1676  
affecting, any immunities from defenses to tort liability 1677  
created or recognized by Chapter 2744. of the Revised Code for a 1678  
school district, member, or employee. 1679

(12) A child under the age of twenty-two years is entitled 1680  
to attend school in a school district other than the district in 1681  
which the child is entitled to attend school under division (B), 1682  
(C), or (E) of this section provided that, prior to such 1683  
attendance in any school year, both of the following occur: 1684

(a) The superintendent of the district in which the child 1685  
is entitled to attend school under division (B), (C), or (E) of 1686  
this section contacts the superintendent of another district for 1687  
purposes of this division; 1688

(b) The superintendents of both districts enter into a 1689  
written agreement that consents to the attendance and specifies 1690  
that the purpose of such attendance is to protect the student's 1691  
physical or mental well-being or to deal with other extenuating 1692  
circumstances deemed appropriate by the superintendents. 1693

While an agreement is in effect under this division for a 1694  
student who is not receiving special education under Chapter 1695  
3323. of the Revised Code and notwithstanding Chapter 3327. of 1696  
the Revised Code, the board of education of neither school 1697  
district involved in the agreement is required to provide 1698  
transportation for the student to and from the school where the 1699  
student attends. 1700

A student attending a school of a district pursuant to 1701  
this division shall be allowed to participate in all student 1702  
activities, including interscholastic athletics, at the school 1703  
where the student is attending on the same basis as any student 1704  
who has always attended the schools of that district while of 1705  
compulsory school age. 1706

(13) All school districts shall comply with the "McKinney- 1707  
Vento Homeless Assistance Act," 42 U.S.C.A. 11431 et seq., for 1708  
the education of homeless children. Each city, local, and 1709  
exempted village school district shall comply with the 1710  
requirements of that act governing the provision of a free, 1711  
appropriate public education, including public preschool, to 1712  
each homeless child. 1713

When a child loses permanent housing and becomes a 1714  
homeless person, as defined in 42 U.S.C.A. 11481(5), or when a 1715  
child who is such a homeless person changes temporary living 1716  
arrangements, the child's parent or guardian shall have the 1717  
option of enrolling the child in either of the following: 1718

(a) The child's school of origin, as defined in 42 1719  
U.S.C.A. 11432(g) (3) (C); 1720

(b) The school that is operated by the school district in 1721  
which the shelter where the child currently resides is located 1722  
and that serves the geographic area in which the shelter is 1723  
located. 1724

(14) A child under the age of twenty-two years who resides 1725  
with a person other than the child's parent is entitled to 1726  
attend school in the school district in which that person 1727  
resides if both of the following apply: 1728

(a) That person has been appointed, through a military 1729

power of attorney executed under section 574(a) of the "National 1730  
Defense Authorization Act for Fiscal Year 1994," 107 Stat. 1674 1731  
(1993), 10 U.S.C. 1044b, or through a comparable document 1732  
necessary to complete a family care plan, as the parent's agent 1733  
for the care, custody, and control of the child while the parent 1734  
is on active duty as a member of the national guard or a reserve 1735  
unit of the armed forces of the United States or because the 1736  
parent is a member of the armed forces of the United States and 1737  
is on a duty assignment away from the parent's residence. 1738

(b) The military power of attorney or comparable document 1739  
includes at least the authority to enroll the child in school. 1740

The entitlement to attend school in the district in which 1741  
the parent's agent under the military power of attorney or 1742  
comparable document resides applies until the end of the school 1743  
year in which the military power of attorney or comparable 1744  
document expires. 1745

(G) A board of education, after approving admission, may 1746  
waive tuition for students who will temporarily reside in the 1747  
district and who are either of the following: 1748

(1) Residents or domiciliaries of a foreign nation who 1749  
request admission as foreign exchange students; 1750

(2) Residents or domiciliaries of the United States but 1751  
not of Ohio who request admission as participants in an exchange 1752  
program operated by a student exchange organization. 1753

(H) Pursuant to sections 3311.211, 3313.90, 3319.01, 1754  
3323.04, 3327.04, and 3327.06 of the Revised Code, a child may 1755  
attend school or participate in a special education program in a 1756  
school district other than in the district where the child is 1757  
entitled to attend school under division (B) of this section. 1758

(I) (1) Notwithstanding anything to the contrary in this 1759  
section or section 3313.65 of the Revised Code, a child under 1760  
twenty-two years of age may attend school in the school district 1761  
in which the child, at the end of the first full week of October 1762  
of the school year, was entitled to attend school as otherwise 1763  
provided under this section or section 3313.65 of the Revised 1764  
Code, if at that time the child was enrolled in the schools of 1765  
the district but since that time the child or the child's parent 1766  
has relocated to a new address located outside of that school 1767  
district and within the same county as the child's or parent's 1768  
address immediately prior to the relocation. The child may 1769  
continue to attend school in the district, and at the school to 1770  
which the child was assigned at the end of the first full week 1771  
of October of the current school year, for the balance of the 1772  
school year. Division (I) (1) of this section applies only if 1773  
both of the following conditions are satisfied: 1774

(a) The board of education of the school district in which 1775  
the child was entitled to attend school at the end of the first 1776  
full week in October and of the district to which the child or 1777  
child's parent has relocated each has adopted a policy to enroll 1778  
children described in division (I) (1) of this section. 1779

(b) The child's parent provides written notification of 1780  
the relocation outside of the school district to the 1781  
superintendent of each of the two school districts. 1782

(2) At the beginning of the school year following the 1783  
school year in which the child or the child's parent relocated 1784  
outside of the school district as described in division (I) (1) 1785  
of this section, the child is not entitled to attend school in 1786  
the school district under that division. 1787

(3) Any person or entity owing tuition to the school 1788

district on behalf of the child at the end of the first full 1789  
week in October, as provided in division (C) of this section, 1790  
shall continue to owe such tuition to the district for the 1791  
child's attendance under division (I) (1) of this section for the 1792  
lesser of the balance of the school year or the balance of the 1793  
time that the child attends school in the district under 1794  
division (I) (1) of this section. 1795

(4) A pupil who may attend school in the district under 1796  
division (I) (1) of this section shall be entitled to 1797  
transportation services pursuant to an agreement between the 1798  
district and the district in which the child or child's parent 1799  
has relocated unless the districts have not entered into such 1800  
agreement, in which case the child shall be entitled to 1801  
transportation services in the same manner as a pupil attending 1802  
school in the district under interdistrict open enrollment as 1803  
described in division (E) of section 3313.981 of the Revised 1804  
Code, regardless of whether the district has adopted an open 1805  
enrollment policy as described in division (B) (1) (b) or (c) of 1806  
section 3313.98 of the Revised Code. 1807

(J) This division does not apply to a child receiving 1808  
special education. 1809

A school district required to pay tuition pursuant to 1810  
division (C) (2) or (3) of this section or section 3313.65 of the 1811  
Revised Code shall have an amount deducted under division (C) of 1812  
section 3317.023 of the Revised Code equal to its own tuition 1813  
rate for the same period of attendance. A school district 1814  
entitled to receive tuition pursuant to division (C) (2) or (3) 1815  
of this section or section 3313.65 of the Revised Code shall 1816  
have an amount credited under division (C) of section 3317.023 1817  
of the Revised Code equal to its own tuition rate for the same 1818

period of attendance. If the tuition rate credited to the 1819  
district of attendance exceeds the rate deducted from the 1820  
district required to pay tuition, the department of education 1821  
and workforce shall pay the district of attendance the 1822  
difference from amounts deducted from all districts' payments 1823  
under division (C) of section 3317.023 of the Revised Code but 1824  
not credited to other school districts under such division and 1825  
from appropriations made for such purpose. The treasurer of each 1826  
school district shall, by the fifteenth day of January and July, 1827  
furnish the director of education and workforce a report of the 1828  
names of each child who attended the district's schools under 1829  
divisions (C) (2) and (3) of this section or section 3313.65 of 1830  
the Revised Code during the preceding six calendar months, the 1831  
duration of the attendance of those children, the school 1832  
district responsible for tuition on behalf of the child, and any 1833  
other information that the director requires. 1834

Upon receipt of the report the director, pursuant to 1835  
division (C) of section 3317.023 of the Revised Code, shall 1836  
deduct each district's tuition obligations under divisions (C) 1837  
(2) and (3) of this section or section 3313.65 of the Revised 1838  
Code and pay to the district of attendance that amount plus any 1839  
amount required to be paid by the state. 1840

(K) In the event of a disagreement, the director of 1841  
education and workforce shall determine the school district in 1842  
which the parent resides. 1843

(L) Nothing in this section requires or authorizes, or 1844  
shall be construed to require or authorize, the admission to a 1845  
public school in this state of a pupil who has been permanently 1846  
excluded from public school attendance by the director pursuant 1847  
to sections 3301.121 and 3313.662 of the Revised Code. 1848

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

**Sec. 3313.649.** (A) As used in this section:

(1) "Power of attorney" means a power of attorney created  
under section 3109.52 of the Revised Code.

(2) "Caretaker authorization affidavit" means an affidavit  
executed under section 3109.67 of the Revised Code.

(B) The ~~grandparent~~ kinship caregiver who is the attorney  
in fact under a power of attorney or ~~the grandparent that who~~  
executed a caretaker authorization affidavit may enroll the  
child who is the subject of the power of attorney or affidavit  
in a school in the school district in which the ~~grandparent~~  
kinship caregiver resides. Unless another reason exists under  
the Revised Code to exclude the child, the child may attend the  
schools of the school district in which the ~~grandparent~~ kinship  
caregiver resides.

**Sec. 3313.672.** (A) (1) At the time of initial entry to a 1879  
public or nonpublic school, a pupil shall present to the person 1880  
in charge of admission any records given the pupil by the public 1881  
or nonpublic elementary or secondary school the pupil most 1882  
recently attended; a certified copy of an order or decree, or 1883  
modification of such an order or decree allocating parental 1884  
rights and responsibilities for the care of a child and 1885  
designating a residential parent and legal custodian of the 1886  
child, as provided in division (B) of this section, if that type 1887  
of order or decree has been issued; a copy of a power of 1888  
attorney or caretaker authorization affidavit, if either has 1889  
been executed with respect to the child pursuant to sections 1890  
3109.51 to 3109.80 of the Revised Code; and a certification of 1891  
birth issued pursuant to Chapter 3705. of the Revised Code, a 1892  
comparable certificate or certification issued pursuant to the 1893  
statutes of another state, territory, possession, or nation, or 1894  
a document in lieu of a certificate or certification as 1895  
described in divisions (A) (1) (a) to (e) of this section. Any of 1896  
the following shall be accepted in lieu of a certificate or 1897  
certification of birth by the person in charge of admission: 1898

(a) A passport or attested transcript of a passport filed 1899  
with a registrar of passports at a point of entry of the United 1900  
States showing the date and place of birth of the child; 1901

(b) An attested transcript of the certificate of birth; 1902

(c) An attested transcript of the certificate of baptism 1903  
or other religious record showing the date and place of birth of 1904  
the child; 1905

(d) An attested transcript of a hospital record showing 1906  
the date and place of birth of the child; 1907

(e) A birth affidavit. 1908

(2) If a pupil requesting admission to a school of the 1909  
school district in which the pupil is entitled to attend school 1910  
under section 3313.64 or 3313.65 of the Revised Code has been 1911  
discharged or released from the custody of the department of 1912  
youth services under section 5139.51 of the Revised Code just 1913  
prior to requesting admission to the school, no school official 1914  
shall admit that pupil until the records described in divisions 1915  
(D) (4) (a) to (d) of section 2152.18 of the Revised Code have 1916  
been received by the superintendent of the school district. 1917

(3) No public or nonpublic school official shall deny a 1918  
protected child admission to the school solely because the child 1919  
does not present a birth certificate described in division (A) 1920  
(1) of this section, a comparable certificate or certification 1921  
from another state, territory, possession, or nation, or another 1922  
document specified in divisions (A) (1) (a) to (e) of this section 1923  
upon registration for entry into the school. However, the 1924  
protected child, or the parent, custodian, or guardian of that 1925  
child, shall present a birth certificate or other document 1926  
specified in divisions (A) (1) (a) to (e) of this section to the 1927  
person in charge of admission of the school within ninety days 1928  
after the child's initial entry into the school. 1929

(4) Except as otherwise provided in division (A) (2) or (3) 1930  
of this section, within twenty-four hours of the entry into the 1931  
school of a pupil described in division (A) (1) of this section, 1932  
a school official shall request the pupil's official records 1933  
from the public or nonpublic elementary or secondary school the 1934  
pupil most recently attended. If the public or nonpublic school 1935  
the pupil claims to have most recently attended indicates that 1936  
it has no record of the pupil's attendance or the records are 1937

not received within fourteen days of the date of request, or if 1938  
the pupil does not present a certification of birth described in 1939  
division (A)(1) of this section, a comparable certificate or 1940  
certification from another state, territory, possession, or 1941  
nation, or another document specified in divisions (A)(1)(a) to 1942  
(e) of this section, the principal or chief administrative 1943  
officer of the school shall notify the law enforcement agency 1944  
having jurisdiction in the area where the pupil resides of this 1945  
fact and of the possibility that the pupil may be a missing 1946  
child, as defined in section 2901.30 of the Revised Code. 1947

(B)(1) Whenever an order or decree allocating parental 1948  
rights and responsibilities for the care of a child and 1949  
designating a residential parent and legal custodian of the 1950  
child, including a temporary order, is issued resulting from an 1951  
action of divorce, alimony, annulment, or dissolution of 1952  
marriage, and the order or decree pertains to a child who is a 1953  
pupil in a public or nonpublic school, the residential parent of 1954  
the child shall notify the school of those allocations and 1955  
designations by providing the person in charge of admission at 1956  
the pupil's school with a certified copy of the order or decree 1957  
that made the allocation and designation. Whenever there is a 1958  
modification of any order or decree allocating parental rights 1959  
and responsibilities for the care of a child and designating a 1960  
residential parent and legal custodian of the child that has 1961  
been submitted to a school, the residential parent shall provide 1962  
the person in charge of admission at the pupil's school with a 1963  
certified copy of the order or decree that makes the 1964  
modification. 1965

(2) Whenever a power of attorney is executed under 1966  
sections 3109.51 to 3109.62 of the Revised Code that pertains to 1967  
a child who is a pupil in a public or nonpublic school, the 1968

attorney in fact shall notify the school of the power of 1969  
attorney by providing the person in charge of admission with a 1970  
copy of the power of attorney. Whenever a caretaker 1971  
authorization affidavit is executed under sections ~~3109.64~~ 1972  
3109.65 to 3109.73 of the Revised Code that pertains to a child 1973  
who is in a public or nonpublic school, the ~~grandparent~~-kinship 1974  
caregiver who executed the affidavit shall notify the school of 1975  
the affidavit by providing the person in charge of admission 1976  
with a copy of the affidavit. 1977

(C) If, at the time of a pupil's initial entry to a public 1978  
or nonpublic school, the pupil is under the care of a shelter 1979  
for victims of domestic violence, as defined in section 3113.33 1980  
of the Revised Code, the pupil or the pupil's parent shall 1981  
notify the school of that fact. Upon being so informed, the 1982  
school shall inform the elementary or secondary school from 1983  
which it requests the pupil's records of that fact. 1984

(D) Whenever a public or nonpublic school is notified by a 1985  
law enforcement agency pursuant to division (D) of section 1986  
2901.30 of the Revised Code that a missing child report has been 1987  
filed regarding a pupil who is currently or was previously 1988  
enrolled in the school, the person in charge of admission at the 1989  
school shall mark that pupil's records in such a manner that 1990  
whenever a copy of or information regarding the records is 1991  
requested, any school official responding to the request is 1992  
alerted to the fact that the records are those of a missing 1993  
child. Upon any request for a copy of or information regarding a 1994  
pupil's records that have been so marked, the person in charge 1995  
of admission immediately shall report the request to the law 1996  
enforcement agency that notified the school that the pupil is a 1997  
missing child. When forwarding a copy of or information from the 1998  
pupil's records in response to a request, the person in charge 1999

of admission shall do so in such a way that the receiving 2000  
district or school would be unable to discern that the pupil's 2001  
records are marked pursuant to this division but shall retain 2002  
the mark in the pupil's records until notified that the pupil is 2003  
no longer a missing child. Upon notification by a law 2004  
enforcement agency that a pupil is no longer a missing child, 2005  
the person in charge of admission shall remove the mark from the 2006  
pupil's records in such a way that if the records were forwarded 2007  
to another district or school, the receiving district or school 2008  
would be unable to discern that the records were ever marked. 2009

(E) As used in this section: 2010

(1) "Protected child" means a child placed in a foster 2011  
home, as that term is defined in section 5103.02 of the Revised 2012  
Code, or in a residential facility. 2013

(2) "Residential facility" means a group home for 2014  
children, children's crisis care facility, children's 2015  
residential center, residential parenting facility that provides 2016  
twenty-four-hour child care, county children's home, or district 2017  
children's home. 2018

**Section 2.** That existing sections 3109.51, 3109.52, 2019  
3109.53, 3109.54, 3109.57, 3109.59, 3109.60, 3109.65, 3109.66, 2020  
3109.67, 3109.69, 3109.70, 3109.71, 3109.74, 3109.76, 3310.41, 2021  
3310.51, 3313.64, 3313.649, and 3313.672 of the Revised Code are 2022  
hereby repealed. 2023