

As Introduced

132nd General Assembly

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H. B. No. 166

Representatives Reineke, Cupp

Cosponsors: Representatives Arndt, Barnes, Becker, Blessing, Carfagna, Craig, Dever, DeVitis, Fedor, Green, Hambley, Henne, Huffman, McColley, Miller, Reece, Rezabek, Riedel, Romanchuk, Ryan, Scherer, Seitz, Smith, R., Sprague

A BILL

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

fiscal years. 107

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(d) Other issues the committee considers appropriate. 267

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

deferred compensation board, a government unit, or a municipal 422
corporation, or the person's other accrued or accruing rights or 423
interests, as exempted by section 143.11, 145.56, 146.13, 424
148.09, 742.47, 3307.41, 3309.66, or 5505.22 of the Revised 425
Code, and the person's rights to or interests in benefits from 426
the Ohio public safety officers death benefit fund; 427

(b) Except as provided in sections 3119.80, 3119.81, 428
3121.02, 3121.03, and 3123.06 of the Revised Code, the person's 429
rights to receive or interests in receiving a payment or other 430
benefits under any pension, annuity, or similar plan or 431
contract, not including a payment or benefit from a stock bonus 432
or profit-sharing plan or a payment included in division (A)(6) 433
(b) or (10)(a) of this section, on account of illness, 434
disability, death, age, or length of service, to the extent 435
reasonably necessary for the support of the person and any of 436
the person's dependents, except if all the following apply: 437

(i) The plan or contract was established by or under the 438
auspices of an insider that employed the person at the time the 439
person's rights or interests under the plan or contract arose. 440

(ii) The payment is on account of age or length of 441
service. 442

(iii) The plan or contract is not qualified under the 443
"Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as 444
amended. 445

(c) Except for any portion of the assets that were 446
deposited for the purpose of evading the payment of any debt and 447
except as provided in sections 3119.80, 3119.81, 3121.02, 448
3121.03, and 3123.06 of the Revised Code, the person's rights or 449
interests in the assets held in, or to directly or indirectly 450

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(H) A certificate of qualification for employment issued 1007

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

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

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

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

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

~~the application process.~~ 1070

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

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

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

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

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

enforcement agency. 1099

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

order regardless of whether the obligee to whom the obligor owes 1218
support is a recipient of assistance under Title IV-A of the 1219
"Social Security Act." The court shall issue the order as part 1220
of a court support order or, if a court support order has 1221
previously been issued, as a separate order. If a child support 1222
enforcement agency is required to issue a withholding or 1223
deduction notice under this section with respect to a court 1224
support order but determines that no withholding or deduction 1225
notice would be appropriate, the agency may request that the 1226
court issue a court order under division (D)(1) of this section, 1227
and, on the request, the court may issue the order. 1228

(2) If the obligor under an administrative child support 1229
order is unemployed, has no income, and does not have an account 1230
at any financial institution, the agency shall issue an 1231
administrative order requiring the obligor, if able to engage in 1232
employment, to seek employment or participate in a work activity 1233
to which a recipient of assistance under Title IV-A of the 1234
"Social Security Act," 49 Stat. 620 (1935), 42 U.S.C.A. 301, as 1235
amended, may be assigned as specified in section 407(d) of the 1236
"Social Security Act," 42 U.S.C.A. 607(d), as amended. The 1237
agency shall include in the order requirements that the obligor 1238
register with the OhioMeansJobs web site and to notify the 1239
agency on obtaining employment or income, or ownership of any 1240
asset with a value of five hundred dollars or more. The agency 1241
may issue the order regardless of whether the obligee to whom 1242
the obligor owes support is a recipient of assistance under 1243
Title IV-A of the "Social Security Act." If an obligor fails to 1244
comply with an administrative order issued pursuant to division 1245
(D)(2) of this section, the agency shall submit a request to a 1246
court for the court to issue an order under division (D)(1) of 1247
this section. 1248

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) Purchase insurance; 1428

(c) Accept computers. 1429

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) All other individuals who become members. 1659

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

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

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

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

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

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

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

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

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

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

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

(1) English language arts, four units; 1700

(2) Health, one-half unit; 1701

(3) Mathematics, three units; 1702

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

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

(a) Biological sciences, one unit; 1707

(b) Physical sciences, one unit. 1708

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

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

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

(7) Social studies, two units. 1714

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

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

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

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

(1) English language arts, four units; 1732

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(I) Probability and statistics; 1884

(II) Computer programming; 1885

(III) Applied mathematics or quantitative reasoning; 1886

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

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

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

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

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

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

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

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

Code, division (B) (2) of that section. 1947

(4) The program develops a student success plan for the 1948
student in the manner described in division (C) (1) of section 1949
3313.6020 of the Revised Code that specifies the student's 1950
matriculating to a two-year degree program, acquiring a business 1951
and industry-recognized credential, or entering an 1952
apprenticeship. 1953

(5) The program provides counseling and support for the 1954
student related to the plan developed under division (F) (4) of 1955
this section during the remainder of the student's high school 1956
experience. 1957

(6) The program requires the student and the student's 1958
parent, guardian, or custodian to sign and file, in accordance 1959
with procedural requirements stipulated by the program, a 1960
written statement asserting the parent's, guardian's, or 1961
custodian's consent to the student's graduating without 1962
completing the requirements for graduation prescribed in 1963
division (C) of this section and acknowledging that one 1964
consequence of not completing those requirements is 1965
ineligibility to enroll in most state universities in Ohio 1966
without further coursework. 1967

(7) Prior to receiving the waiver, the program has 1968
submitted to the department an instructional plan that 1969
demonstrates how the academic content standards adopted by the 1970
state board under section 3301.079 of the Revised Code will be 1971
taught and assessed. 1972

(8) Prior to receiving the waiver, the program has 1973
submitted to the department a policy on career advising that 1974
satisfies the requirements of section 3313.6020 of the Revised 1975

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

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

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

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

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

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

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

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

accordance with the plan. 2066

(3) Not later than December 31, 2017, the department shall 2067
develop a framework for school districts and community schools 2068
to use in granting units of high school credit to students who 2069
demonstrate subject area competency through work-based learning 2070
experiences, internships, or cooperative education. Beginning 2071
with the 2018-2019 school year, each district and community 2072
school shall comply with the framework. Each district and 2073
community school also shall review any policy it has adopted 2074
regarding the demonstration of subject area competency to 2075
identify ways to incorporate work-based learning experiences, 2076
internships, and cooperative education into the policy in order 2077
to increase student engagement and opportunities to earn units 2078
of high school credit. 2079

(K) This division does not apply to students who qualify 2080
for graduation from high school under division (D) or (F) of 2081
this section, or to students pursuing a career-technical 2082
instructional track as determined by the school district board 2083
of education or the chartered nonpublic school's governing 2084
authority. Nevertheless, the general assembly encourages such 2085
students to consider enrolling in a fine arts course as an 2086
elective. 2087

Beginning with students who enter ninth grade for the 2088
first time on or after July 1, 2010, each student enrolled in a 2089
public or chartered nonpublic high school shall complete two 2090
semesters or the equivalent of fine arts to graduate from high 2091
school. The coursework may be completed in any of grades seven 2092
to twelve. Each student who completes a fine arts course in 2093
grade seven or eight may elect to count that course toward the 2094
five units of electives required for graduation under division 2095

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

(L) Notwithstanding anything to the contrary in this 2106
section, the board of education of each school district and the 2107
governing authority of each chartered nonpublic school may adopt 2108
a policy to excuse from the high school physical education 2109
requirement each student who, during high school, has 2110
participated in interscholastic athletics, marching band, or 2111
cheerleading for at least two full seasons or in the junior 2112
reserve officer training corps for at least two full school 2113
years. If the board or authority adopts such a policy, the board 2114
or authority shall not require the student to complete any 2115
physical education course as a condition to graduate. However, 2116
the student shall be required to complete one-half unit, 2117
consisting of at least sixty hours of instruction, in another 2118
course of study. In the case of a student who has participated 2119
in the junior reserve officer training corps for at least two 2120
full school years, credit received for that participation may be 2121
used to satisfy the requirement to complete one-half unit in 2122
another course of study. 2123

(M) It is important that high school students learn and 2124
understand United States history and the governments of both the 2125
United States and the state of Ohio. Therefore, beginning with 2126

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

(1) The Declaration of Independence; 2132

(2) The Northwest Ordinance; 2133

(3) The Constitution of the United States with emphasis on 2134
the Bill of Rights; 2135

(4) The Ohio Constitution. 2136

The study of each of the documents prescribed in divisions 2137
(M) (1) to (4) of this section shall include study of that 2138
document in its original context. 2139

The study of American history and government required by 2140
divisions (B) (6) and (C) (6) of this section shall include the 2141
historical evidence of the role of documents such as the 2142
Federalist Papers and the Anti-Federalist Papers to firmly 2143
establish the historical background leading to the establishment 2144
of the provisions of the Constitution and Bill of Rights. 2145

Sec. 3313.618. (A) In addition to the applicable 2146
curriculum requirements, each student entering ninth grade for 2147
the first time on or after July 1, 2014, shall satisfy at least 2148
one of the following conditions in order to qualify for a high 2149
school diploma: 2150

(1) Be remediation-free, in accordance with standards 2151
adopted under division (F) of section 3345.061 of the Revised 2152
Code, on each of the nationally standardized assessments in 2153
English, mathematics, and reading; 2154

(2) Attain a score specified under division (B) (5) (c) of 2155
section 3301.0712 of the Revised Code on the end-of-course 2156
examinations prescribed under division (B) of section 3301.0712 2157
of the Revised Code. 2158

(3) Attain a score that demonstrates workforce readiness 2159
and employability on a nationally recognized job skills 2160
assessment selected by the state board of education under 2161
division (G) of section 3301.0712 of the Revised Code and obtain 2162
either an industry-recognized credential, as described under 2163
division (B) (2) (d) of section 3302.03 of the Revised Code, or a 2164
license issued by a state agency or board for practice in a 2165
vocation that requires an examination for issuance of that 2166
license. 2167

The state board shall approve the industry-recognized 2168
credentials and licenses that may qualify a student for a high 2169
school diploma under division (A) (3) of this section. 2170

A student may choose to qualify for a high school diploma 2171
by satisfying any of the separate requirements prescribed by 2172
divisions (A) (1) to (3) of this section. If the student's school 2173
district or school does not administer the examination 2174
prescribed by one of those divisions that the student chooses to 2175
take to satisfy the requirements of this section, the school 2176
district or school may require that student to arrange for the 2177
applicable scores to be sent directly to the district or school 2178
by the company or organization that administers the examination. 2179

(B) The state board of education shall not create or 2180
require any additional assessment for the granting of any type 2181
of high school diploma other than as prescribed by this section. 2182
Except as provided in ~~section~~ sections 3313.6111 and 3313.6112 2183
of the Revised Code, the state board or the superintendent of 2184

public instruction shall not create any endorsement or 2185
designation that may be affiliated with a high school diploma. 2186

Sec. 3313.6110. (A) A person who has completed the final 2187
year of instruction at home, as authorized under section 3321.04 2188
of the Revised Code, and has successfully fulfilled the high 2189
school curriculum applicable to that person may be granted a 2190
high school diploma by the person's parent, guardian, or other 2191
person having charge or care of a child, as defined in division 2192
(A) (1) of section 3321.01 of the Revised Code. 2193

(B) Beginning with diplomas issued on or after July 1, 2194
2015, each diploma granted under division (A) of this section 2195
shall be accompanied by the official letter of excuse issued by 2196
the district superintendent for the student's final year of home 2197
education. 2198

(C) A person who has graduated from a nonchartered 2199
nonpublic school in Ohio and who has successfully fulfilled that 2200
school's high school curriculum may be granted a high school 2201
diploma by the governing authority of that school. 2202

(D) Notwithstanding anything in the Revised Code to the 2203
contrary, a diploma granted under this section shall serve as 2204
proof of the successful completion of that person's applicable 2205
high school curriculum and satisfactory to fulfill any legal 2206
requirement to show such proof. 2207

(E) For the purposes of an application for employment, a 2208
diploma granted under this section shall be considered proof of 2209
completion of a high school education, regardless of whether the 2210
person to which the diploma was granted participated in the 2211
assessments prescribed by division (A) (1) or (B) (1) or (2) of 2212
section 3301.0710 and section 3301.0712 of the Revised Code. 2213

(F) A diploma granted under division (A) of this section 2214
may include a state seal of biliteracy or an OhioMeansJobs- 2215
readiness seal that may be assigned to the student's diploma, by 2216
the parent, guardian, or other person having charge or care of 2217
the student, in the same manner as prescribed for transcripts 2218
issued by school districts and chartered nonpublic schools under 2219
~~section~~ sections 3313.6111 and 3113.6112 of the Revised Code. 2220

Sec. 3313.6112. (A) The superintendent of public 2221
instruction, in consultation with the chancellor of higher 2222
education and the governor's office of workforce transformation, 2223
shall establish the OhioMeansJobs-readiness seal, which may be 2224
attached or affixed to the high school diploma and transcript of 2225
a student enrolled in a public or chartered nonpublic school. 2226

(B) A school district, community school established under 2227
Chapter 3314. of the Revised Code, STEM school established under 2228
Chapter 3326. of the Revised Code, college-preparatory boarding 2229
school established under Chapter 3328. of the Revised Code, or 2230
chartered nonpublic school shall attach or affix the 2231
OhioMeansJobs-readiness seal to the diploma and transcript of a 2232
student enrolled in the school who meets the requirements 2233
prescribed under division (C)(1) of this section. 2234

(C) The state superintendent, in consultation with the 2235
chancellor and the governor's office of workforce 2236
transformation, shall do all of the following: 2237

(1) Establish the requirements and criteria for earning an 2238
OhioMeansJobs-readiness seal, including demonstration of work- 2239
readiness and work ethic competencies such as teamwork, problem- 2240
solving, reliability, punctuality, and computer technology 2241
competency; 2242

(2) Develop a standardized form for students to complete 2243
and have validated prior to graduation by at least three 2244
individuals, each of whom must be an employer, teacher, business 2245
mentor, community leader, faith-based leader, school leader, or 2246
coach of the student; 2247

(3) Prepare and deliver to all school districts, community 2248
schools, STEM schools, college-preparatory boarding schools, and 2249
chartered nonpublic schools an appropriate mechanism for 2250
assigning an OhioMeansJobs-readiness seal on a student's diploma 2251
and transcript indicating that the student has been assigned the 2252
seal; 2253

(4) Provide any other information the state superintendent 2254
considers necessary for school districts, community schools, 2255
STEM schools, college-preparatory boarding schools, and 2256
chartered nonpublic schools to assign an OhioMeansJobs-readiness 2257
seal. 2258

(D) A student shall not be charged a fee to be assigned an 2259
OhioMeansJobs-readiness seal on the student's diploma and 2260
transcript. 2261

Sec. 3313.89. Beginning with the 2014-2015 school year, 2262
each public high school shall publish or provide, not later than 2263
the first day of April of each year, in its newsletter, high 2264
school planning guide, regular publication provided to parents 2265
and students, or in a prominent location on the school web site, 2266
information regarding the online education and career planning 2267
tool developed under section 6301.15 of the Revised Code. The 2268
information shall include the internet web site address for the 2269
planning tool and a link to that web site. The information also 2270
shall include a link to the OhioMeansJobs web site. 2271

As used in this section, "OhioMeansJobs web site" has the 2272
same meaning as in section 6301.01 of the Revised Code. 2273

Sec. 3313.904. The department of education and the 2274
department of job and family services, in consultation with the 2275
governor's office of workforce transformation, shall establish 2276
an option for career-technical education students to participate 2277
in pre-apprenticeship training programs that impart the skills 2278
and knowledge needed for successful participation in a 2279
registered apprenticeship occupation course. 2280

Sec. 3314.03. A copy of every contract entered into under 2281
this section shall be filed with the superintendent of public 2282
instruction. The department of education shall make available on 2283
its web site a copy of every approved, executed contract filed 2284
with the superintendent under this section. 2285

(A) Each contract entered into between a sponsor and the 2286
governing authority of a community school shall specify the 2287
following: 2288

(1) That the school shall be established as either of the 2289
following: 2290

(a) A nonprofit corporation established under Chapter 2291
1702. of the Revised Code, if established prior to April 8, 2292
2003; 2293

(b) A public benefit corporation established under Chapter 2294
1702. of the Revised Code, if established after April 8, 2003. 2295

(2) The education program of the school, including the 2296
school's mission, the characteristics of the students the school 2297
is expected to attract, the ages and grades of students, and the 2298
focus of the curriculum; 2299

- (3) The academic goals to be achieved and the method of measurement that will be used to determine progress toward those goals, which shall include the statewide achievement assessments; 2300
2301
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- (4) Performance standards, including but not limited to all applicable report card measures set forth in section 3302.03 or 3314.017 of the Revised Code, by which the success of the school will be evaluated by the sponsor; 2304
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- (5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code; 2308
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- (6) (a) Dismissal procedures; 2311
- (b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in one hundred five consecutive hours of the learning opportunities offered to the student. 2312
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- (7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves; 2318
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- (8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code. 2320
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- (9) An addendum to the contract outlining the facilities to be used that contains at least the following information: 2326
2327

(a) A detailed description of each facility used for instructional purposes;	2328 2329
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	2330 2331
(c) The annual mortgage principal and interest payments that are paid by the school;	2332 2333
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	2334 2335 2336
(10) Qualifications of teachers, including a requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours per week pursuant to section 3319.301 of the Revised Code.	2337 2338 2339 2340 2341 2342
(11) That the school will comply with the following requirements:	2343 2344
(a) The school will provide learning opportunities to a minimum of twenty-five students for a minimum of nine hundred twenty hours per school year.	2345 2346 2347
(b) The governing authority will purchase liability insurance, or otherwise provide for the potential liability of the school.	2348 2349 2350
(c) The school will be nonsectarian in its programs, admission policies, employment practices, and all other operations, and will not be operated by a sectarian school or religious institution.	2351 2352 2353 2354
(d) The school will comply with sections 9.90, 9.91,	2355

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

(e) The school shall comply with Chapter 102. and section 2372
2921.42 of the Revised Code. 2373

(f) The school will comply with sections 3313.61, 2374
3313.611, and 3313.614 of the Revised Code, except that for 2375
students who enter ninth grade for the first time before July 1, 2376
2010, the requirement in sections 3313.61 and 3313.611 of the 2377
Revised Code that a person must successfully complete the 2378
curriculum in any high school prior to receiving a high school 2379
diploma may be met by completing the curriculum adopted by the 2380
governing authority of the community school rather than the 2381
curriculum specified in Title XXXIII of the Revised Code or any 2382
rules of the state board of education. Beginning with students 2383
who enter ninth grade for the first time on or after July 1, 2384
2010, the requirement in sections 3313.61 and 3313.611 of the 2385
Revised Code that a person must successfully complete the 2386

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

(g) The school governing authority will submit within four 2404
months after the end of each school year a report of its 2405
activities and progress in meeting the goals and standards of 2406
divisions (A) (3) and (4) of this section and its financial 2407
status to the sponsor and the parents of all students enrolled 2408
in the school. 2409

(h) The school, unless it is an internet- or computer- 2410
based community school, will comply with section 3313.801 of the 2411
Revised Code as if it were a school district. 2412

(i) If the school is the recipient of moneys from a grant 2413
awarded under the federal race to the top program, Division (A), 2414
Title XIV, Sections 14005 and 14006 of the "American Recovery 2415
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 2416

the school will pay teachers based upon performance in 2417
accordance with section 3317.141 and will comply with section 2418
3319.111 of the Revised Code as if it were a school district. 2419

(j) If the school operates a preschool program that is 2420
licensed by the department of education under sections 3301.52 2421
to 3301.59 of the Revised Code, the school shall comply with 2422
sections 3301.50 to 3301.59 of the Revised Code and the minimum 2423
standards for preschool programs prescribed in rules adopted by 2424
the state board under section 3301.53 of the Revised Code. 2425

(k) The school will comply with sections 3313.6021 and 2426
3313.6023 of the Revised Code as if it were a school district 2427
unless it is either of the following: 2428

(i) An internet- or computer-based community school; 2429

(ii) A community school in which a majority of the 2430
enrolled students are children with disabilities as described in 2431
division (A) (4) (b) of section 3314.35 of the Revised Code. 2432

(12) Arrangements for providing health and other benefits 2433
to employees; 2434

(13) The length of the contract, which shall begin at the 2435
beginning of an academic year. No contract shall exceed five 2436
years unless such contract has been renewed pursuant to division 2437
(E) of this section. 2438

(14) The governing authority of the school, which shall be 2439
responsible for carrying out the provisions of the contract; 2440

(15) A financial plan detailing an estimated school budget 2441
for each year of the period of the contract and specifying the 2442
total estimated per pupil expenditure amount for each such year. 2443

(16) Requirements and procedures regarding the disposition 2444

of employees of the school in the event the contract is 2445
terminated or not renewed pursuant to section 3314.07 of the 2446
Revised Code; 2447

(17) Whether the school is to be created by converting all 2448
or part of an existing public school or educational service 2449
center building or is to be a new start-up school, and if it is 2450
a converted public school or service center building, 2451
specification of any duties or responsibilities of an employer 2452
that the board of education or service center governing board 2453
that operated the school or building before conversion is 2454
delegating to the governing authority of the community school 2455
with respect to all or any specified group of employees provided 2456
the delegation is not prohibited by a collective bargaining 2457
agreement applicable to such employees; 2458

(18) Provisions establishing procedures for resolving 2459
disputes or differences of opinion between the sponsor and the 2460
governing authority of the community school; 2461

(19) A provision requiring the governing authority to 2462
adopt a policy regarding the admission of students who reside 2463
outside the district in which the school is located. That policy 2464
shall comply with the admissions procedures specified in 2465
sections 3314.06 and 3314.061 of the Revised Code and, at the 2466
sole discretion of the authority, shall do one of the following: 2467

(a) Prohibit the enrollment of students who reside outside 2468
the district in which the school is located; 2469

(b) Permit the enrollment of students who reside in 2470
districts adjacent to the district in which the school is 2471
located; 2472

(c) Permit the enrollment of students who reside in any 2473

other district in the state. 2474

(20) A provision recognizing the authority of the 2475
department of education to take over the sponsorship of the 2476
school in accordance with the provisions of division (C) of 2477
section 3314.015 of the Revised Code; 2478

(21) A provision recognizing the sponsor's authority to 2479
assume the operation of a school under the conditions specified 2480
in division (B) of section 3314.073 of the Revised Code; 2481

(22) A provision recognizing both of the following: 2482

(a) The authority of public health and safety officials to 2483
inspect the facilities of the school and to order the facilities 2484
closed if those officials find that the facilities are not in 2485
compliance with health and safety laws and regulations; 2486

(b) The authority of the department of education as the 2487
community school oversight body to suspend the operation of the 2488
school under section 3314.072 of the Revised Code if the 2489
department has evidence of conditions or violations of law at 2490
the school that pose an imminent danger to the health and safety 2491
of the school's students and employees and the sponsor refuses 2492
to take such action. 2493

(23) A description of the learning opportunities that will 2494
be offered to students including both classroom-based and non- 2495
classroom-based learning opportunities that is in compliance 2496
with criteria for student participation established by the 2497
department under division (H) (2) of section 3314.08 of the 2498
Revised Code; 2499

(24) The school will comply with sections 3302.04 and 2500
3302.041 of the Revised Code, except that any action required to 2501
be taken by a school district pursuant to those sections shall 2502

be taken by the sponsor of the school. However, the sponsor 2503
shall not be required to take any action described in division 2504
(F) of section 3302.04 of the Revised Code. 2505

(25) Beginning in the 2006-2007 school year, the school 2506
will open for operation not later than the thirtieth day of 2507
September each school year, unless the mission of the school as 2508
specified under division (A) (2) of this section is solely to 2509
serve dropouts. In its initial year of operation, if the school 2510
fails to open by the thirtieth day of September, or within one 2511
year after the adoption of the contract pursuant to division (D) 2512
of section 3314.02 of the Revised Code if the mission of the 2513
school is solely to serve dropouts, the contract shall be void. 2514

(26) Whether the school's governing authority is planning 2515
to seek designation for the school as a STEM school equivalent 2516
under section 3326.032 of the Revised Code; 2517

(27) That the school's attendance and participation 2518
policies will be available for public inspection; 2519

(28) That the school's attendance and participation 2520
records shall be made available to the department of education, 2521
auditor of state, and school's sponsor to the extent permitted 2522
under and in accordance with the "Family Educational Rights and 2523
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, 2524
and any regulations promulgated under that act, and section 2525
3319.321 of the Revised Code; 2526

(29) If a school operates using the blended learning 2527
model, as defined in section 3301.079 of the Revised Code, all 2528
of the following information: 2529

(a) An indication of what blended learning model or models 2530
will be used; 2531

(b) A description of how student instructional needs will be determined and documented;	2532 2533
(c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level;	2534 2535
(d) The school's attendance requirements, including how the school will document participation in learning opportunities;	2536 2537 2538
(e) A statement describing how student progress will be monitored;	2539 2540
(f) A statement describing how private student data will be protected;	2541 2542
(g) A description of the professional development activities that will be offered to teachers.	2543 2544
(30) A provision requiring that all moneys the school's operator loans to the school, including facilities loans or cash flow assistance, must be accounted for, documented, and bear interest at a fair market rate;	2545 2546 2547 2548
(31) A provision requiring that, if the governing authority contracts with an attorney, accountant, or entity specializing in audits, the attorney, accountant, or entity shall be independent from the operator with which the school has contracted.	2549 2550 2551 2552 2553
(B) The community school shall also submit to the sponsor a comprehensive plan for the school. The plan shall specify the following:	2554 2555 2556
(1) The process by which the governing authority of the school will be selected in the future;	2557 2558

(2) The management and administration of the school;	2559
(3) If the community school is a currently existing public school or educational service center building, alternative arrangements for current public school students who choose not to attend the converted school and for teachers who choose not to teach in the school or building after conversion;	2560 2561 2562 2563 2564
(4) The instructional program and educational philosophy of the school;	2565 2566
(5) Internal financial controls.	2567
When submitting the plan under this division, the school shall also submit copies of all policies and procedures regarding internal financial controls adopted by the governing authority of the school.	2568 2569 2570 2571
(C) A contract entered into under section 3314.02 of the Revised Code between a sponsor and the governing authority of a community school may provide for the community school governing authority to make payments to the sponsor, which is hereby authorized to receive such payments as set forth in the contract between the governing authority and the sponsor. The total amount of such payments for monitoring, oversight, and technical assistance of the school shall not exceed three per cent of the total amount of payments for operating expenses that the school receives from the state.	2572 2573 2574 2575 2576 2577 2578 2579 2580 2581
(D) The contract shall specify the duties of the sponsor which shall be in accordance with the written agreement entered into with the department of education under division (B) of section 3314.015 of the Revised Code and shall include the following:	2582 2583 2584 2585 2586
(1) Monitor the community school's compliance with all	2587

laws applicable to the school and with the terms of the 2588
contract; 2589

(2) Monitor and evaluate the academic and fiscal 2590
performance and the organization and operation of the community 2591
school on at least an annual basis; 2592

(3) Report on an annual basis the results of the 2593
evaluation conducted under division (D) (2) of this section to 2594
the department of education and to the parents of students 2595
enrolled in the community school; 2596

(4) Provide technical assistance to the community school 2597
in complying with laws applicable to the school and terms of the 2598
contract; 2599

(5) Take steps to intervene in the school's operation to 2600
correct problems in the school's overall performance, declare 2601
the school to be on probationary status pursuant to section 2602
3314.073 of the Revised Code, suspend the operation of the 2603
school pursuant to section 3314.072 of the Revised Code, or 2604
terminate the contract of the school pursuant to section 3314.07 2605
of the Revised Code as determined necessary by the sponsor; 2606

(6) Have in place a plan of action to be undertaken in the 2607
event the community school experiences financial difficulties or 2608
closes prior to the end of a school year. 2609

(E) Upon the expiration of a contract entered into under 2610
this section, the sponsor of a community school may, with the 2611
approval of the governing authority of the school, renew that 2612
contract for a period of time determined by the sponsor, but not 2613
ending earlier than the end of any school year, if the sponsor 2614
finds that the school's compliance with applicable laws and 2615
terms of the contract and the school's progress in meeting the 2616

academic goals prescribed in the contract have been 2617
satisfactory. Any contract that is renewed under this division 2618
remains subject to the provisions of sections 3314.07, 3314.072, 2619
and 3314.073 of the Revised Code. 2620

(F) If a community school fails to open for operation 2621
within one year after the contract entered into under this 2622
section is adopted pursuant to division (D) of section 3314.02 2623
of the Revised Code or permanently closes prior to the 2624
expiration of the contract, the contract shall be void and the 2625
school shall not enter into a contract with any other sponsor. A 2626
school shall not be considered permanently closed because the 2627
operations of the school have been suspended pursuant to section 2628
3314.072 of the Revised Code. 2629

Sec. 3326.01. (A) As used in this chapter: 2630

(1) "STEM" is an abbreviation of "science, technology, 2631
engineering, and mathematics." 2632

(2) "STEAM" is an abbreviation of "science, technology, 2633
engineering, arts, and mathematics." 2634

(B)(1) A science, technology, engineering, arts, and 2635
mathematics school shall be considered a type of science, 2636
technology, engineering, and mathematics school. 2637

(2) A STEAM school equivalent shall be considered to be a 2638
type of STEM school equivalent. 2639

(3) A STEAM program of excellence shall be considered to 2640
be a type of STEM program of excellence. 2641

(C)(1) Any reference to a STEM school or science, 2642
technology, engineering, and mathematics school in the Revised 2643
Code shall be considered to include a STEAM school, unless the 2644

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

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

(3) Any reference to a STEM program of excellence in the 2656
Revised Code shall be considered to include a STEAM program of 2657
excellence, unless the context specifically indicates a 2658
different meaning or intent. All provisions of the Revised Code 2659
applicable to a STEM program of excellence shall apply to a 2660
STEAM program of excellence in the same manner, except as 2661
otherwise provided in this chapter. 2662

Sec. 3326.03. (A) The STEM committee shall authorize the 2663
establishment of and award grants to science, technology, 2664
engineering, and mathematics schools based on proposals 2665
submitted to the committee. 2666

The committee shall determine the criteria for proposals, 2667
establish procedures for the submission of proposals, accept and 2668
evaluate proposals, and choose which proposals to approve to 2669
become a STEM school. In approving proposals for STEM schools, 2670
the committee shall consider locating the schools in diverse 2671
geographic regions of the state so that all students have access 2672
to a STEM school. 2673

The committee shall seek technical assistance from the 2674
Ohio STEM learning network, or its successor, throughout the 2675
process of accepting and evaluating proposals and choosing which 2676
proposals to approve. In approving proposals for STEM schools, 2677
the committee shall consider the recommendations of the Ohio 2678
STEM learning network, or its successor. 2679

The committee may authorize the establishment of a group 2680
of multiple STEM schools to operate from multiple facilities 2681
located in one or more school districts under the direction of a 2682
single governing body in the manner prescribed by section 2683
3326.031 of the Revised Code. The committee shall consider the 2684
merits of each of the proposed STEM schools within a group and 2685
shall authorize each school separately. Anytime after 2686
authorizing a group of STEM schools to be under the direction of 2687
a single governing body, upon a proposal from the governing 2688
body, the committee may authorize one or more additional schools 2689
to operate as part of that group. 2690

The STEM committee may approve one or more STEM schools to 2691
serve only students identified as gifted under Chapter 3324. of 2692
the Revised Code. 2693

(B) Proposals may be submitted only by a partnership of 2694
public and private entities consisting of at least all of the 2695
following: 2696

(1) A city, exempted village, local, or joint vocational 2697
school district or an educational service center; 2698

(2) Higher education entities; 2699

(3) Business organizations. 2700

A community school established under Chapter 3314. of the 2701
Revised Code, a chartered nonpublic school, or both may be part 2702

of the partnership. 2703

(C) Each proposal shall include at least the following: 2704

(1) Assurances that the STEM school or group of STEM 2705
schools will be under the oversight of a governing body and a 2706
description of the members of that governing body and how they 2707
will be selected; 2708

(2) Assurances that each STEM school will operate in 2709
compliance with this chapter and the provisions of the proposal 2710
as accepted by the committee; 2711

(3) Evidence that each school will offer a rigorous, 2712
diverse, integrated, and project-based curriculum to students in 2713
any of grades kindergarten through twelve, with the goal to 2714
prepare those students for college, the workforce, and 2715
citizenship, and that does all of the following: 2716

(a) Emphasizes the role of science, technology, 2717
engineering, and mathematics in promoting innovation and 2718
economic progress; 2719

(b) Incorporates scientific inquiry and technological 2720
design; 2721

(c) Includes the arts and humanities~~r~~. If the proposal is 2722
for a STEAM school, it also shall include evidence that the 2723
curriculum will integrate arts and design into the study of 2724
science, technology, engineering, and mathematics to foster 2725
creative thinking, problem-solving, and new approaches to 2726
scientific invention. 2727

(d) Emphasizes personalized learning and teamwork skills. 2728

(4) Evidence that each school will attract school leaders 2729
who support the curriculum principles of division (C) (3) of this 2730

section; 2731

(5) A description of how each school's curriculum will be 2732
developed and approved in accordance with section 3326.09 of the 2733
Revised Code; 2734

(6) Evidence that each school will utilize an established 2735
capacity to capture and share knowledge for best practices and 2736
innovative professional development with the Ohio STEM learning 2737
network, or its successor; 2738

(7) Evidence that each school will operate in 2739
collaboration with a partnership that includes institutions of 2740
higher education and businesses~~†~~. If the proposal is for a STEAM 2741
school, it also shall include evidence that this partnership 2742
will include arts organizations. 2743

(8) Assurances that each school has received commitments 2744
of sustained and verifiable fiscal and in-kind support from 2745
regional education and business entities~~†~~. If the proposal is 2746
for a STEAM school, it also shall include assurances that the 2747
school has received commitments of sustained and verifiable 2748
fiscal and in-kind support from arts organizations. 2749

(9) A description of how each school's assets will be 2750
distributed if the school closes for any reason. 2751

(D) If a STEM school wishes to become a STEAM school, it 2752
may change its existing proposal to include the items required 2753
under divisions (C)(3)(c), (7), and (8) of this section and 2754
submit the revised proposal to the STEM committee for approval. 2755

Sec. 3326.032. (A) The STEM committee may grant a 2756
designation of STEM school equivalent to a community school 2757
established under Chapter 3314. of the Revised Code or to a 2758
chartered nonpublic school. In order to be eligible for this 2759

designation, a community school or chartered nonpublic school 2760
shall submit a proposal that satisfies the requirements of this 2761
section. 2762

The committee shall determine the criteria for proposals, 2763
establish procedures for the submission of proposals, accept and 2764
evaluate proposals, and choose which proposals warrant a 2765
community school or chartered nonpublic school to be designated 2766
as a STEM school equivalent. 2767

(B) A proposal for designation as a STEM school equivalent 2768
shall include at least the following: 2769

(1) Assurances that the community school or chartered 2770
nonpublic school submitting the proposal has a working 2771
partnership with both public and private entities, including 2772
higher education entities and business organizations~~+~~. If the 2773
proposal is for a STEAM school equivalent, it also shall include 2774
evidence that this partnership includes arts organizations. 2775

(2) Assurances that the school submitting the proposal 2776
will operate in compliance with this section and the provisions 2777
of the proposal as accepted by the committee; 2778

(3) Evidence that the school submitting the proposal will 2779
offer a rigorous, diverse, integrated, and project-based 2780
curriculum to students in any of grades kindergarten through 2781
twelve, with the goal to prepare those students for college, the 2782
workforce, and citizenship, and that does all of the following: 2783

(a) Emphasizes the role of science, technology, 2784
engineering, and mathematics in promoting innovation and 2785
economic progress; 2786

(b) Incorporates scientific inquiry and technological 2787
design; 2788

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

(d) Emphasizes personalized learning and teamwork skills.

(4) Evidence that the school submitting the proposal will attract school leaders who support the curriculum principles of division (B) (3) of this section;

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

(6) Evidence that the school submitting the proposal will utilize an established capacity to capture and share knowledge for best practices and innovative professional development;

(7) Assurances that the school submitting the proposal has received commitments of sustained and verifiable fiscal and in-kind support from regional education and business entities. If the proposal is for a STEAM school equivalent, it also shall include assurances that the school has received commitments of sustained and verifiable fiscal and in-kind support from arts organizations.

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

Nothing in this section, however, shall relieve a 2818
community school of the applicable requirements of Chapter 3314. 2819
of the Revised Code. Nor shall anything in this section relieve 2820
a chartered nonpublic school of any provisions of law outside of 2821
this chapter that are applicable to chartered nonpublic schools. 2822

(2) A community school or chartered nonpublic school that 2823
is designated as a STEM school equivalent under this section 2824
shall not be eligible for operating funding under sections 2825
3326.31 to 3326.37, 3326.39 to 3326.40, and 3326.51 of the 2826
Revised Code. 2827

(3) A community school or chartered nonpublic school that 2828
is designated as a STEM school equivalent under this section may 2829
apply for any of the grants and additional funds described in 2830
section 3326.38 of the Revised Code for which the school is 2831
eligible. 2832

(D) If a community school or chartered nonpublic school 2833
that is designated as a STEM school equivalent under this 2834
section intends to close or intends to no longer be designated 2835
as a STEM school equivalent, it shall notify the STEM committee 2836
of that fact. 2837

(E) If a community school or chartered nonpublic school 2838
that is designated as a STEM school equivalent wishes to be 2839
designated as a STEAM school equivalent, it may change its 2840
existing proposal to include the items required under divisions 2841
(B) (1), (3) (c), and (7) of this section and submit the revised 2842
proposal to the STEM committee for approval. 2843

Sec. 3326.04. (A) The STEM committee shall award grants to 2844
support the operation of STEM programs of excellence to serve 2845
students in any of grades kindergarten through ~~eight~~ twelve 2846

through a request for proposals. 2847

(B) Proposals may be submitted by any of the following: 2848

(1) The board of education of a city, exempted village, or 2849
local school district; 2850

(2) The governing authority of a community school 2851
established under Chapter 3314. of the Revised Code; 2852

(3) The governing authority of a chartered nonpublic 2853
school. 2854

(C) Each proposal shall demonstrate to the satisfaction of 2855
the STEM committee that the program meets at least the following 2856
standards: 2857

(1) Unless the program is designed to serve only students 2858
identified as gifted under Chapter 3324. of the Revised Code, 2859
the program will serve all students enrolled in the district or 2860
school in the grades for which the program is designed. 2861

(2) The program will offer a rigorous and diverse 2862
curriculum that is based on scientific inquiry and technological 2863
design, that emphasizes personalized learning and teamwork 2864
skills, and that will expose students to advanced scientific 2865
concepts within and outside the classroom. If the proposal is 2866
for a STEAM program of excellence, it also shall include 2867
evidence that the curriculum will integrate arts and design into 2868
the curriculum to foster creative thinking, problem-solving, and 2869
new approaches to scientific invention. 2870

(3) Unless the program is designed to serve only students 2871
identified as gifted under Chapter 3324. of the Revised Code, 2872
the program will not limit participation of students on the 2873
basis of intellectual ability, measures of achievement, or 2874

aptitude. 2875

(4) The program will utilize an established capacity to 2876
capture and share knowledge for best practices and innovative 2877
professional development. 2878

(5) The program will operate in collaboration with a 2879
partnership that includes institutions of higher education and 2880
businesses. If the proposal is for a STEAM program of 2881
excellence, it also shall include evidence that this partnership 2882
includes arts organizations. 2883

(6) The program will include teacher professional 2884
development strategies that are augmented by community and 2885
business partners. 2886

(D) The STEM committee shall give priority to proposals 2887
for new or expanding innovative programs. 2888

(E) If a STEM program of excellence wishes to become a 2889
STEAM program of excellence, it may change its existing proposal 2890
to include the items required under divisions (C) (2) and (5) of 2891
this section and submit the revised proposal to the STEM 2892
committee for approval. 2893

Sec. 3326.09. Subject to approval by its governing body or 2894
governing authority, the curriculum of each science, technology, 2895
engineering, and mathematics school and of each community school 2896
or chartered nonpublic school that is designated as a STEM 2897
school equivalent under section 3326.032 of the Revised Code 2898
shall be developed by a team that consists of at least the 2899
school's chief administrative officer, a teacher, a 2900
representative of the higher education institution that is a 2901
collaborating partner in the STEM school or school designated as 2902
a STEM school equivalent, and a member of the public with 2903

expertise in the application of science, technology, 2904
engineering, or mathematics. In the case of a STEAM school or a 2905
STEAM school equivalent, the team also shall include an expert 2906
in the integration of arts and design into the STEM fields. 2907

Sec. 3326.11. Each science, technology, engineering, and 2908
mathematics school established under this chapter and its 2909
governing body shall comply with sections 9.90, 9.91, 109.65, 2910
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 2911
3301.0714, 3301.0715, 3301.0729, 3301.948, 3313.14, 3313.15, 2912
3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 2913
3313.481, 3313.482, 3313.50, 3313.536, 3313.539, 3313.5310, 2914
3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 2915
3313.6021, 3313.61, 3313.611, 3313.614, 3313.615, 3313.643, 2916
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 2917
3313.667, 3313.668, 3313.67, 3313.671, 3313.672, 3313.673, 2918
3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 2919
3313.721, 3313.80, 3313.801, 3313.814, 3313.816, 3313.817, 2920
3313.86, 3313.89, 3313.96, 3319.073, 3319.21, 3319.32, 3319.321, 2921
3319.35, 3319.39, 3319.391, 3319.41, 3319.45, 3319.46, 3321.01, 2922
3321.041, 3321.05, 3321.13, 3321.14, 3321.17, 3321.18, 3321.19, 2923
3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 2924
102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 2925
4123., 4141., and 4167. of the Revised Code as if it were a 2926
school district. 2927

Sec. 3333.91. ~~Not later than December 31, 2014, the~~ The 2928
governor's office of workforce transformation, in collaboration 2929
with the chancellor of higher education, the superintendent of 2930
public instruction, and the department of job and family 2931
services, shall develop and submit to the appropriate federal 2932
agency a single, state unified plan required under the 2933
"Workforce Innovation and Opportunity Act," 29 U.S.C. 3101 et 2934

seq., which shall include the information required for the adult 2935
basic and literacy education program administered by the United 2936
States secretary of education, and the "Carl D. Perkins 2937
Vocational and Technical Education Act," 20 U.S.C. 2301, et 2938
seq., as amended, ~~and the "Workforce Investment Act of 1998," 29~~ 2939
~~U.S.C. 2801, et seq., as amended.~~ Following the plan's initial 2940
submission to the appropriate federal agency, the governor's 2941
office of workforce transformation may update it as necessary. 2942
If the plan is updated, the governor's office of workforce 2943
transformation shall submit the updated plan to the appropriate 2944
federal agency. 2945

Sec. 3333.92. (A) As used in this section, "OhioMeansJobs 2946
web site" has the same meaning as in section 6301.01 of the 2947
Revised Code. 2948

(B) (1) ~~Beginning January 1, 2016, each~~ Each participant in 2949
an adult basic and literacy education funded training or 2950
education program shall create an account with the OhioMeansJobs 2951
web site at the twelfth week of the program. 2952

(2) ~~Beginning January 1, 2016, each~~ Each participant in an 2953
Ohio technical center funded training or education program shall 2954
create an account with the OhioMeansJobs web site at the time of 2955
enrollment in the program. 2956

(C) Division (B) of this section does not apply to any 2957
individual who is legally prohibited from using a computer, has 2958
a physical or visual impairment that makes the individual unable 2959
to use a computer, or has a limited ability to read, write, 2960
speak, or understand a language in which the OhioMeansJobs web 2961
site is available. 2962

Sec. 4141.29. Each eligible individual shall receive 2963

benefits as compensation for loss of remuneration due to 2964
involuntary total or partial unemployment in the amounts and 2965
subject to the conditions stipulated in this chapter. 2966

(A) No individual is entitled to a waiting period or 2967
benefits for any week unless the individual: 2968

(1) Has filed a valid application for determination of 2969
benefit rights in accordance with section 4141.28 of the Revised 2970
Code; 2971

(2) Has made a claim for benefits in accordance with 2972
section 4141.28 of the Revised Code; 2973

(3) (a) Has registered for work and thereafter continues to 2974
report to an employment office or other registration place 2975
maintained or designated by the director of job and family 2976
services. Registration shall be made in accordance with the time 2977
limits, frequency, and manner prescribed by the director. 2978

(b) For purposes of division (A) (3) of this section, an 2979
individual has "registered" upon doing any of the following: 2980

(i) Filing an application for benefit rights; 2981

(ii) Making a weekly claim for benefits; 2982

(iii) Reopening an existing claim following a period of 2983
employment or nonreporting. 2984

(c) After an applicant is registered, that registration 2985
continues for a period of three calendar weeks, including the 2986
week during which the applicant registered. However, an 2987
individual is not registered for purposes of division (A) (3) of 2988
this section during any period in which the individual fails to 2989
report, as instructed by the director, or fails to reopen an 2990
existing claim following a period of employment. 2991

(d) The director may, for good cause, extend the period of registration. 2992
2993

(e) For purposes of this section, "report" means contact 2994
by phone, access electronically, or be present for an in-person 2995
appointment, as designated by the director. 2996

(4) (a) (i) Is able to work and available for suitable work 2997
and, except as provided in division (A) (4) (a) (ii) or (iii) of 2998
this section, is actively seeking suitable work either in a 2999
locality in which the individual has earned wages subject to 3000
this chapter during the individual's base period, or if the 3001
individual leaves that locality, then in a locality where 3002
suitable work normally is performed. 3003

(ii) The director may waive the requirement that a 3004
claimant be actively seeking work when the director finds that 3005
the individual has been laid off and the employer who laid the 3006
individual off has notified the director within ten days after 3007
the layoff, that work is expected to be available for the 3008
individual within a specified number of days not to exceed 3009
forty-five calendar days following the last day the individual 3010
worked. In the event the individual is not recalled within the 3011
specified period, this waiver shall cease to be operative with 3012
respect to that layoff. 3013

(iii) The director may waive the requirement that a 3014
claimant be actively seeking work if the director determines 3015
that the individual has been laid off and the employer who laid 3016
the individual off has notified the director in accordance with 3017
division (C) of section 4141.28 of the Revised Code that the 3018
employer has closed the employer's entire plant or part of the 3019
employer's plant for a purpose other than inventory or vacation 3020
that will cause unemployment for a definite period not exceeding 3021

twenty-six weeks beginning on the date the employer notifies the 3022
director, for the period of the specific shutdown, if all of the 3023
following apply: 3024

(I) The employer and the individuals affected by the 3025
layoff who are claiming benefits under this chapter jointly 3026
request the exemption. 3027

(II) The employer provides that the affected individuals 3028
shall return to work for the employer within twenty-six weeks 3029
after the date the employer notifies the director. 3030

(III) The director determines that the waiver of the 3031
active search for work requirement will promote productivity and 3032
economic stability within the state. 3033

(iv) Division (A) (4) (a) (iii) of this section does not 3034
exempt an individual from meeting the other requirements 3035
specified in division (A) (4) (a) (i) of this section to be able to 3036
work and otherwise fully be available for work. An exemption 3037
granted under division (A) (4) (a) (iii) of this section may be 3038
granted only with respect to a specific plant closing. 3039

(b) (i) The individual shall be instructed as to the 3040
efforts that the individual must make in the search for suitable 3041
work, including that, within six months after October 11, 2013, 3042
the individual shall register with the OhioMeansJobs web site, 3043
except in any of the following circumstances: 3044

(I) The individual is an individual described in division 3045
(A) (4) (b) (iii) of this section; 3046

(II) Where the active search for work requirement has been 3047
waived under division (A) (4) (a) of this section; 3048

(III) Where the active search for work requirement is 3049

considered to be met under division (A) (4) (c), (d), or (e) of 3050
this section. 3051

(ii) An individual who is registered with the 3052
OhioMeansJobs web site shall receive a weekly listing of 3053
available jobs based on information provided by the individual 3054
at the time of registration. For each week that the individual 3055
claims benefits, the individual shall keep a record of the 3056
individual's work search efforts and shall produce that record 3057
in the manner and means prescribed by the director. 3058

(iii) No individual shall be required to register with the 3059
OhioMeansJobs web site if the individual is legally prohibited 3060
from using a computer, has a physical or visual impairment that 3061
makes the individual unable to use a computer, or has a limited 3062
ability to read, write, speak, or understand a language in which 3063
the OhioMeansJobs web site is available. 3064

(iv) As used in division (A) (4) (b) of this section: 3065

(I) "OhioMeansJobs web site" ~~means the electronic job~~ 3066
~~placement system operated by the state~~ has the same meaning as 3067
in section 6301.01 of the Revised Code. 3068

(II) "Registration" includes the creation, electronic 3069
posting, and maintenance of an active, searchable resume. 3070

(c) An individual who is attending a training course 3071
approved by the director meets the requirement of this division, 3072
if attendance was recommended by the director and the individual 3073
is regularly attending the course and is making satisfactory 3074
progress. An individual also meets the requirements of this 3075
division if the individual is participating and advancing in a 3076
training program, as defined in division (P) of section 5709.61 3077
of the Revised Code, and if an enterprise, defined in division 3078

(B) of section 5709.61 of the Revised Code, is paying all or 3079
part of the cost of the individual's participation in the 3080
training program with the intention of hiring the individual for 3081
employment as a new employee, as defined in division (L) of 3082
section 5709.61 of the Revised Code, for at least ninety days 3083
after the individual's completion of the training program. 3084

(d) An individual who becomes unemployed while attending a 3085
regularly established school and whose base period qualifying 3086
weeks were earned in whole or in part while attending that 3087
school, meets the availability and active search for work 3088
requirements of division (A) (4) (a) of this section if the 3089
individual regularly attends the school during weeks with 3090
respect to which the individual claims unemployment benefits and 3091
makes self available on any shift of hours for suitable 3092
employment with the individual's most recent employer or any 3093
other employer in the individual's base period, or for any other 3094
suitable employment to which the individual is directed, under 3095
this chapter. 3096

(e) An individual who is a member in good standing with a 3097
labor organization that refers individuals to jobs meets the 3098
active search for work requirement specified in division (A) (4) 3099
(a) of this section if the individual provides documentation 3100
that the individual is eligible for a referral or placement upon 3101
request and in a manner prescribed by the director. 3102

(f) Notwithstanding any other provisions of this section, 3103
no otherwise eligible individual shall be denied benefits for 3104
any week because the individual is in training approved under 3105
section 236(a) (1) of the "Trade Act of 1974," 88 Stat. 1978, 19 3106
U.S.C.A. 2296, nor shall that individual be denied benefits by 3107
reason of leaving work to enter such training, provided the work 3108

left is not suitable employment, or because of the application 3109
to any week in training of provisions in this chapter, or any 3110
applicable federal unemployment compensation law, relating to 3111
availability for work, active search for work, or refusal to 3112
accept work. 3113

For the purposes of division (A) (4) (f) of this section, 3114
"suitable employment" means with respect to an individual, work 3115
of a substantially equal or higher skill level than the 3116
individual's past adversely affected employment, as defined for 3117
the purposes of the "Trade Act of 1974," 88 Stat. 1978, 19 3118
U.S.C.A. 2101, and wages for such work at not less than eighty 3119
per cent of the individual's average weekly wage as determined 3120
for the purposes of that federal act. 3121

(5) Is unable to obtain suitable work. An individual who 3122
is provided temporary work assignments by the individual's 3123
employer under agreed terms and conditions of employment, and 3124
who is required pursuant to those terms and conditions to 3125
inquire with the individual's employer for available work 3126
assignments upon the conclusion of each work assignment, is not 3127
considered unable to obtain suitable employment if suitable work 3128
assignments are available with the employer but the individual 3129
fails to contact the employer to inquire about work assignments. 3130

(6) Participates in reemployment services, such as job 3131
search assistance services, if the individual has been 3132
determined to be likely to exhaust benefits under this chapter, 3133
including compensation payable pursuant to 5 U.S.C.A. Chapter 3134
85, other than extended compensation, and needs reemployment 3135
services pursuant to the profiling system established by the 3136
director under division (K) of this section, unless the director 3137
determines that: 3138

(a) The individual has completed such services; or 3139

(b) There is justifiable cause for the claimant's failure 3140
to participate in such services. 3141

Ineligibility for failure to participate in reemployment 3142
services as described in division (A)(6) of this section shall 3143
be for the week or weeks in which the claimant was scheduled and 3144
failed to participate without justifiable cause. 3145

(7) Participates in the reemployment and eligibility 3146
assessment program, or other reemployment services, as required 3147
by the director. As used in division (A)(7) of this section, 3148
"reemployment services" includes job search assistance 3149
activities, skills assessments, and the provision of labor 3150
market statistics or analysis. 3151

(a) For purposes of division (A)(7) of this section, 3152
participation is required unless the director determines that 3153
either of the following circumstances applies to the individual: 3154

(i) The individual has completed similar services. 3155

(ii) Justifiable cause exists for the failure of the 3156
individual to participate in those services. 3157

(b) Within six months after October 11, 2013, 3158
notwithstanding any earlier contact an individual may have had 3159
with a local ~~one-stop county office~~ OhioMeansJobs center, 3160
~~including as described~~ defined in section ~~6301.08~~ 6301.01 of the 3161
Revised Code, beginning with the eighth week after the week 3162
during which an individual first files a valid application for 3163
determination of benefit rights in the individual's benefit 3164
year, the individual shall report to a local ~~one-stop county~~
~~office~~ OhioMeansJobs center for reemployment services in the 3165
manner prescribed by the director. 3166
3167

(c) An individual whose active search for work requirement 3168
has been waived under division (A) (4) (a) of this section or is 3169
considered to be satisfied under division (A) (4) (c), (d), or (e) 3170
of this section is exempt from the requirements of division (A) 3171
(7) of this section. 3172

(B) An individual suffering total or partial unemployment 3173
is eligible for benefits for unemployment occurring subsequent 3174
to a waiting period of one week and no benefits shall be payable 3175
during this required waiting period. Not more than one week of 3176
waiting period shall be required of any individual in any 3177
benefit year in order to establish the individual's eligibility 3178
for total or partial unemployment benefits. 3179

(C) The waiting period for total or partial unemployment 3180
shall commence on the first day of the first week with respect 3181
to which the individual first files a claim for benefits at an 3182
employment office or other place of registration maintained or 3183
designated by the director or on the first day of the first week 3184
with respect to which the individual has otherwise filed a claim 3185
for benefits in accordance with the rules of the department of 3186
job and family services, provided such claim is allowed by the 3187
director. 3188

(D) Notwithstanding division (A) of this section, no 3189
individual may serve a waiting period or be paid benefits under 3190
the following conditions: 3191

(1) For any week with respect to which the director finds 3192
that: 3193

(a) The individual's unemployment was due to a labor 3194
dispute other than a lockout at any factory, establishment, or 3195
other premises located in this or any other state and owned or 3196

operated by the employer by which the individual is or was last 3197
employed; and for so long as the individual's unemployment is 3198
due to such labor dispute. No individual shall be disqualified 3199
under this provision if either of the following applies: 3200

(i) The individual's employment was with such employer at 3201
any factory, establishment, or premises located in this state, 3202
owned or operated by such employer, other than the factory, 3203
establishment, or premises at which the labor dispute exists, if 3204
it is shown that the individual is not financing, participating 3205
in, or directly interested in such labor dispute; 3206

(ii) The individual's employment was with an employer not 3207
involved in the labor dispute but whose place of business was 3208
located within the same premises as the employer engaged in the 3209
dispute, unless the individual's employer is a wholly owned 3210
subsidiary of the employer engaged in the dispute, or unless the 3211
individual actively participates in or voluntarily stops work 3212
because of such dispute. If it is established that the claimant 3213
was laid off for an indefinite period and not recalled to work 3214
prior to the dispute, or was separated by the employer prior to 3215
the dispute for reasons other than the labor dispute, or that 3216
the individual obtained a bona fide job with another employer 3217
while the dispute was still in progress, such labor dispute 3218
shall not render the employee ineligible for benefits. 3219

(b) The individual has been given a disciplinary layoff 3220
for misconduct in connection with the individual's work. 3221

(2) For the duration of the individual's unemployment if 3222
the director finds that: 3223

(a) The individual quit work without just cause or has 3224
been discharged for just cause in connection with the 3225

individual's work, provided division (D) (2) of this section does 3226
not apply to the separation of a person under any of the 3227
following circumstances: 3228

(i) Separation from employment for the purpose of entering 3229
the armed forces of the United States if the individual is 3230
inducted into the armed forces within one of the following 3231
periods: 3232

(I) Thirty days after separation; 3233

(II) One hundred eighty days after separation if the 3234
individual's date of induction is delayed solely at the 3235
discretion of the armed forces. 3236

(ii) Separation from employment pursuant to a labor- 3237
management contract or agreement, or pursuant to an established 3238
employer plan, program, or policy, which permits the employee, 3239
because of lack of work, to accept a separation from employment; 3240

(iii) The individual has left employment to accept a 3241
recall from a prior employer or, except as provided in division 3242
(D) (2) (a) (iv) of this section, to accept other employment as 3243
provided under section 4141.291 of the Revised Code, or left or 3244
was separated from employment that was concurrent employment at 3245
the time of the most recent separation or within six weeks prior 3246
to the most recent separation where the remuneration, hours, or 3247
other conditions of such concurrent employment were 3248
substantially less favorable than the individual's most recent 3249
employment and where such employment, if offered as new work, 3250
would be considered not suitable under the provisions of 3251
divisions (E) and (F) of this section. Any benefits that would 3252
otherwise be chargeable to the account of the employer from whom 3253
an individual has left employment or was separated from 3254

employment that was concurrent employment under conditions 3255
described in division (D) (2) (a) (iii) of this section, shall 3256
instead be charged to the mutualized account created by division 3257
(B) of section 4141.25 of the Revised Code, except that any 3258
benefits chargeable to the account of a reimbursing employer 3259
under division (D) (2) (a) (iii) of this section shall be charged 3260
to the account of the reimbursing employer and not to the 3261
mutualized account, except as provided in division (D) (2) of 3262
section 4141.24 of the Revised Code. 3263

(iv) When an individual has been issued a definite layoff 3264
date by the individual's employer and before the layoff date, 3265
the individual quits to accept other employment, the provisions 3266
of division (D) (2) (a) (iii) of this section apply and no 3267
disqualification shall be imposed under division (D) of this 3268
section. However, if the individual fails to meet the employment 3269
and earnings requirements of division (A) (2) of section 4141.291 3270
of the Revised Code, then the individual, pursuant to division 3271
(A) (5) of this section, shall be ineligible for benefits for any 3272
week of unemployment that occurs prior to the layoff date. 3273

(b) The individual has refused without good cause to 3274
accept an offer of suitable work when made by an employer either 3275
in person or to the individual's last known address, or has 3276
refused or failed to investigate a referral to suitable work 3277
when directed to do so by a local employment office of this 3278
state or another state, provided that this division shall not 3279
cause a disqualification for a waiting week or benefits under 3280
the following circumstances: 3281

(i) When work is offered by the individual's employer and 3282
the individual is not required to accept the offer pursuant to 3283
the terms of the labor-management contract or agreement; or 3284

(ii) When the individual is attending a training course 3285
pursuant to division (A) (4) of this section except, in the event 3286
of a refusal to accept an offer of suitable work or a refusal or 3287
failure to investigate a referral, benefits thereafter paid to 3288
such individual shall not be charged to the account of any 3289
employer and, except as provided in division (B) (1) (b) of 3290
section 4141.241 of the Revised Code, shall be charged to the 3291
mutualized account as provided in division (B) of section 3292
4141.25 of the Revised Code. 3293

(c) Such individual quit work to marry or because of 3294
marital, parental, filial, or other domestic obligations. 3295

(d) The individual became unemployed by reason of 3296
commitment to any correctional institution. 3297

(e) The individual became unemployed because of dishonesty 3298
in connection with the individual's most recent or any base 3299
period work. Remuneration earned in such work shall be excluded 3300
from the individual's total base period remuneration and 3301
qualifying weeks that otherwise would be credited to the 3302
individual for such work in the individual's base period shall 3303
not be credited for the purpose of determining the total 3304
benefits to which the individual is eligible and the weekly 3305
benefit amount to be paid under section 4141.30 of the Revised 3306
Code. Such excluded remuneration and noncredited qualifying 3307
weeks shall be excluded from the calculation of the maximum 3308
amount to be charged, under division (D) of section 4141.24 and 3309
section 4141.33 of the Revised Code, against the accounts of the 3310
individual's base period employers. In addition, no benefits 3311
shall thereafter be paid to the individual based upon such 3312
excluded remuneration or noncredited qualifying weeks. 3313

For purposes of division (D) (2) (e) of this section, 3314

"dishonesty" means the commission of substantive theft, fraud, 3315
or deceitful acts. 3316

(E) No individual otherwise qualified to receive benefits 3317
shall lose the right to benefits by reason of a refusal to 3318
accept new work if: 3319

(1) As a condition of being so employed the individual 3320
would be required to join a company union, or to resign from or 3321
refrain from joining any bona fide labor organization, or would 3322
be denied the right to retain membership in and observe the 3323
lawful rules of any such organization. 3324

(2) The position offered is vacant due directly to a 3325
strike, lockout, or other labor dispute. 3326

(3) The work is at an unreasonable distance from the 3327
individual's residence, having regard to the character of the 3328
work the individual has been accustomed to do, and travel to the 3329
place of work involves expenses substantially greater than that 3330
required for the individual's former work, unless the expense is 3331
provided for. 3332

(4) The remuneration, hours, or other conditions of the 3333
work offered are substantially less favorable to the individual 3334
than those prevailing for similar work in the locality. 3335

(F) Subject to the special exceptions contained in 3336
division (A)(4)(f) of this section and section 4141.301 of the 3337
Revised Code, in determining whether any work is suitable for a 3338
claimant in the administration of this chapter, the director, in 3339
addition to the determination required under division (E) of 3340
this section, shall consider the degree of risk to the 3341
claimant's health, safety, and morals, the individual's physical 3342
fitness for the work, the individual's prior training and 3343

experience, the length of the individual's unemployment, the 3344
distance of the available work from the individual's residence, 3345
and the individual's prospects for obtaining local work. 3346

(G) The "duration of unemployment" as used in this section 3347
means the full period of unemployment next ensuing after a 3348
separation from any base period or subsequent work and until an 3349
individual has become reemployed in employment subject to this 3350
chapter, or the unemployment compensation act of another state, 3351
or of the United States, and until such individual has worked 3352
six weeks and for those weeks has earned or been paid 3353
remuneration equal to six times an average weekly wage of not 3354
less than: eighty-five dollars and ten cents per week beginning 3355
on June 26, 1990; and beginning on and after January 1, 1992, 3356
twenty-seven and one-half per cent of the statewide average 3357
weekly wage as computed each first day of January under division 3358
(B) (3) of section 4141.30 of the Revised Code, rounded down to 3359
the nearest dollar, except for purposes of division (D) (2) (c) of 3360
this section, such term means the full period of unemployment 3361
next ensuing after a separation from such work and until such 3362
individual has become reemployed subject to the terms set forth 3363
above, and has earned wages equal to one-half of the 3364
individual's average weekly wage or sixty dollars, whichever is 3365
less. 3366

(H) If a claimant is disqualified under division (D) (2) 3367
(a), (c), or (d) of this section or found to be qualified under 3368
the exceptions provided in division (D) (2) (a) (i), (iii), or (iv) 3369
of this section or division (A) (2) of section 4141.291 of the 3370
Revised Code, then benefits that may become payable to such 3371
claimant, which are chargeable to the account of the employer 3372
from whom the individual was separated under such conditions, 3373
shall be charged to the mutualized account provided in section 3374

4141.25 of the Revised Code, provided that no charge shall be 3375
made to the mutualized account for benefits chargeable to a 3376
reimbursing employer, except as provided in division (D) (2) of 3377
section 4141.24 of the Revised Code. In the case of a 3378
reimbursing employer, the director shall refund or credit to the 3379
account of the reimbursing employer any over-paid benefits that 3380
are recovered under division (B) of section 4141.35 of the 3381
Revised Code. Amounts chargeable to other states, the United 3382
States, or Canada that are subject to agreements and 3383
arrangements that are established pursuant to section 4141.43 of 3384
the Revised Code shall be credited or reimbursed according to 3385
the agreements and arrangements to which the chargeable amounts 3386
are subject. 3387

(I) (1) Benefits based on service in employment as provided 3388
in divisions (B) (2) (a) and (b) of section 4141.01 of the Revised 3389
Code shall be payable in the same amount, on the same terms, and 3390
subject to the same conditions as benefits payable on the basis 3391
of other service subject to this chapter; except that after 3392
December 31, 1977: 3393

(a) Benefits based on service in an instructional, 3394
research, or principal administrative capacity in an institution 3395
of higher education, as defined in division (Y) of section 3396
4141.01 of the Revised Code; or for an educational institution 3397
as defined in division (CC) of section 4141.01 of the Revised 3398
Code, shall not be paid to any individual for any week of 3399
unemployment that begins during the period between two 3400
successive academic years or terms, or during a similar period 3401
between two regular but not successive terms or during a period 3402
of paid sabbatical leave provided for in the individual's 3403
contract, if the individual performs such services in the first 3404
of those academic years or terms and has a contract or a 3405

reasonable assurance that the individual will perform services 3406
in any such capacity for any such institution in the second of 3407
those academic years or terms. 3408

(b) Benefits based on service for an educational 3409
institution or an institution of higher education in other than 3410
an instructional, research, or principal administrative 3411
capacity, shall not be paid to any individual for any week of 3412
unemployment which begins during the period between two 3413
successive academic years or terms of the employing educational 3414
institution or institution of higher education, provided the 3415
individual performed those services for the educational 3416
institution or institution of higher education during the first 3417
such academic year or term and, there is a reasonable assurance 3418
that such individual will perform those services for any 3419
educational institution or institution of higher education in 3420
the second of such academic years or terms. 3421

If compensation is denied to any individual for any week 3422
under division (I)(1)(b) of this section and the individual was 3423
not offered an opportunity to perform those services for an 3424
institution of higher education or for an educational 3425
institution for the second of such academic years or terms, the 3426
individual is entitled to a retroactive payment of compensation 3427
for each week for which the individual timely filed a claim for 3428
compensation and for which compensation was denied solely by 3429
reason of division (I)(1)(b) of this section. An application for 3430
retroactive benefits shall be timely filed if received by the 3431
director or the director's deputy within or prior to the end of 3432
the fourth full calendar week after the end of the period for 3433
which benefits were denied because of reasonable assurance of 3434
employment. The provision for the payment of retroactive 3435
benefits under division (I)(1)(b) of this section is applicable 3436

to weeks of unemployment beginning on and after November 18, 3437
1983. The provisions under division (I) (1) (b) of this section 3438
shall be retroactive to September 5, 1982, only if, as a 3439
condition for full tax credit against the tax imposed by the 3440
"Federal Unemployment Tax Act," 53 Stat. 183 (1939), 26 U.S.C.A. 3441
3301 to 3311, the United States secretary of labor determines 3442
that retroactivity is required by federal law. 3443

(c) With respect to weeks of unemployment beginning after 3444
December 31, 1977, benefits shall be denied to any individual 3445
for any week which commences during an established and customary 3446
vacation period or holiday recess, if the individual performs 3447
any services described in divisions (I) (1) (a) and (b) of this 3448
section in the period immediately before the vacation period or 3449
holiday recess, and there is a reasonable assurance that the 3450
individual will perform any such services in the period 3451
immediately following the vacation period or holiday recess. 3452

(d) With respect to any services described in division (I) 3453
(1) (a), (b), or (c) of this section, benefits payable on the 3454
basis of services in any such capacity shall be denied as 3455
specified in division (I) (1) (a), (b), or (c) of this section to 3456
any individual who performs such services in an educational 3457
institution or institution of higher education while in the 3458
employ of an educational service agency. For this purpose, the 3459
term "educational service agency" means a governmental agency or 3460
governmental entity that is established and operated exclusively 3461
for the purpose of providing services to one or more educational 3462
institutions or one or more institutions of higher education. 3463

(e) Any individual employed by a county board of 3464
developmental disabilities shall be notified by the thirtieth 3465
day of April each year if the individual is not to be reemployed 3466

the following academic year. 3467

(f) Any individual employed by a school district, other 3468
than a municipal school district as defined in section 3311.71 3469
of the Revised Code, shall be notified by the first day of June 3470
each year if the individual is not to be reemployed the 3471
following academic year. 3472

(2) No disqualification will be imposed, between academic 3473
years or terms or during a vacation period or holiday recess 3474
under this division, unless the director or the director's 3475
deputy has received a statement in writing from the educational 3476
institution or institution of higher education that the claimant 3477
has a contract for, or a reasonable assurance of, reemployment 3478
for the ensuing academic year or term. 3479

(3) If an individual has employment with an educational 3480
institution or an institution of higher education and employment 3481
with a noneducational employer, during the base period of the 3482
individual's benefit year, then the individual may become 3483
eligible for benefits during the between-term, or vacation or 3484
holiday recess, disqualification period, based on employment 3485
performed for the noneducational employer, provided that the 3486
employment is sufficient to qualify the individual for benefit 3487
rights separately from the benefit rights based on school 3488
employment. The weekly benefit amount and maximum benefits 3489
payable during a disqualification period shall be computed based 3490
solely on the nonschool employment. 3491

(J) Benefits shall not be paid on the basis of employment 3492
performed by an alien, unless the alien had been lawfully 3493
admitted to the United States for permanent residence at the 3494
time the services were performed, was lawfully present for 3495
purposes of performing the services, or was otherwise 3496

permanently residing in the United States under color of law at 3497
the time the services were performed, under section 212(d) (5) of 3498
the "Immigration and Nationality Act," 66 Stat. 163, 8 U.S.C.A. 3499
1101: 3500

(1) Any data or information required of individuals 3501
applying for benefits to determine whether benefits are not 3502
payable to them because of their alien status shall be uniformly 3503
required from all applicants for benefits. 3504

(2) In the case of an individual whose application for 3505
benefits would otherwise be approved, no determination that 3506
benefits to the individual are not payable because of the 3507
individual's alien status shall be made except upon a 3508
preponderance of the evidence that the individual had not, in 3509
fact, been lawfully admitted to the United States. 3510

(K) The director shall establish and utilize a system of 3511
profiling all new claimants under this chapter that: 3512

(1) Identifies which claimants will be likely to exhaust 3513
regular compensation and will need job search assistance 3514
services to make a successful transition to new employment; 3515

(2) Refers claimants identified pursuant to division (K) 3516
(1) of this section to reemployment services, such as job search 3517
assistance services, available under any state or federal law; 3518

(3) Collects follow-up information relating to the 3519
services received by such claimants and the employment outcomes 3520
for such claimant's subsequent to receiving such services and 3521
utilizes such information in making identifications pursuant to 3522
division (K) (1) of this section; and 3523

(4) Meets such other requirements as the United States 3524
secretary of labor determines are appropriate. 3525

(L) Except as otherwise provided in division (A) (6) of 3526
this section, ineligibility pursuant to division (A) of this 3527
section shall begin on the first day of the week in which the 3528
claimant becomes ineligible for benefits and shall end on the 3529
last day of the week preceding the week in which the claimant 3530
satisfies the eligibility requirements. 3531

(M) The director may adopt rules that the director 3532
considers necessary for the administration of division (A) of 3533
this section. 3534

Sec. 4141.43. (A) The director of job and family services 3535
may cooperate with the industrial commission, the bureau of 3536
workers' compensation, the United States internal revenue 3537
service, the United States employment service, and other similar 3538
departments and agencies, as determined by the director, in the 3539
exchange or disclosure of information as to wages, employment, 3540
payrolls, unemployment, and other information. The director may 3541
employ, jointly with one or more of such agencies or 3542
departments, auditors, examiners, inspectors, and other 3543
employees necessary for the administration of this chapter and 3544
employment and training services for workers in the state. 3545

(B) The director may make the state's record relating to 3546
the administration of this chapter available to the railroad 3547
retirement board and may furnish the board at the board's 3548
expense such copies thereof as the board deems necessary for its 3549
purposes. 3550

(C) The director may afford reasonable cooperation with 3551
every agency of the United States charged with the 3552
administration of any unemployment compensation law. 3553

(D) The director may enter into arrangements with the 3554

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

(E) The director may enter into agreements with the 3570
appropriate agencies of other states or of the United States or 3571
Canada: 3572

(1) Whereby services or wages upon the basis of which an 3573
individual may become entitled to benefits under the 3574
unemployment compensation law of another state or of the United 3575
States or Canada shall be deemed to be employment or wages for 3576
employment by employers for the purposes of qualifying claimants 3577
for benefits under this chapter, and the director may estimate 3578
the number of weeks of employment represented by the wages 3579
reported to the director for such claimants by such other 3580
agency, provided such other state agency or agency of the United 3581
States or Canada has agreed to reimburse the unemployment 3582
compensation fund for such portion of benefits paid under this 3583
chapter upon the basis of such services or wages as the director 3584
finds will be fair and reasonable as to all affected interests; 3585

(2) Whereby the director will reimburse other state or 3586
federal or Canadian agencies charged with the administration of 3587
unemployment compensation laws with such reasonable portion of 3588
benefits, paid under the law of such other states or of the 3589
United States or of Canada upon the basis of employment or wages 3590
for employment by employers, as the director finds will be fair 3591
and reasonable as to all affected interests. Reimbursements so 3592
payable shall be deemed to be benefits for the purpose of 3593
section 4141.09 and division (A) of section 4141.30 of the 3594
Revised Code. However, no reimbursement so payable shall be 3595
charged against any employer's account for the purposes of 3596
section 4141.24 of the Revised Code if the employer's account, 3597
under the same or similar circumstances, with respect to 3598
benefits charged under the provisions of this chapter, other 3599
than this section, would not be charged or, if the claimant at 3600
the time the claimant files the combined wage claim cannot 3601
establish benefit rights under this chapter. This noncharging 3602
shall not be applicable to a nonprofit organization that has 3603
elected to make payments in lieu of contributions under section 3604
4141.241 of the Revised Code, except as provided in division (D) 3605
(2) of section 4141.24 of the Revised Code. The director may 3606
make to other state or federal or Canadian agencies and receive 3607
from such other state or federal or Canadian agencies 3608
reimbursements from or to the unemployment compensation fund, in 3609
accordance with arrangements pursuant to this section. 3610

(3) Notwithstanding division (B) (2) (f) of section 4141.01 3611
of the Revised Code, the director may enter into agreements with 3612
other states whereby services performed for a crew leader, as 3613
defined in division (BB) of section 4141.01 of the Revised Code, 3614
may be covered in the state in which the crew leader either: 3615

(a) Has the crew leader's place of business or from which 3616

the crew leader's business is operated or controlled; 3617

(b) Resides if the crew leader has no place of business in 3618
any state. 3619

(F) The director may apply for an advance to the 3620
unemployment compensation fund and do all things necessary or 3621
required to obtain such advance and arrange for the repayment of 3622
such advance in accordance with Title XII of the "Social 3623
Security Act" as amended. 3624

(G) The director may enter into reciprocal agreements or 3625
arrangements with the appropriate agencies of other states in 3626
regard to services on vessels engaged in interstate or foreign 3627
commerce whereby such services for a single employer, wherever 3628
performed, shall be deemed performed within this state or within 3629
such other states. 3630

(H) The director shall participate in any arrangements for 3631
the payment of compensation on the basis of combining an 3632
individual's wages and employment, covered under this chapter, 3633
with the individual's wages and employment covered under the 3634
unemployment compensation laws of other states which are 3635
approved by the United States secretary of labor in consultation 3636
with the state unemployment compensation agencies as reasonably 3637
calculated to assure the prompt and full payment of compensation 3638
in such situations and which include provisions for: 3639

(1) Applying the base period of a single state law to a 3640
claim involving the combining of an individual's wages and 3641
employment covered under two or more state unemployment 3642
compensation laws, and 3643

(2) Avoiding the duplicate use of wages and employment by 3644
reason of such combining. 3645

(I) The director shall cooperate with the United States 3646
department of labor to the fullest extent consistent with this 3647
chapter, and shall take such action, through the adoption of 3648
appropriate rules, regulations, and administrative methods and 3649
standards, as may be necessary to secure to this state and its 3650
citizens all advantages available under the provisions of the 3651
"Social Security Act" that relate to unemployment compensation, 3652
the "Federal Unemployment Tax Act," (1970) 84 Stat. 713, 26 3653
U.S.C.A. 3301 to 3311, the "Wagner-Peyser Act," (1933) 48 Stat. 3654
113, 29 U.S.C.A. 49, ~~and the "Federal-State Extended~~ 3655
Unemployment Compensation Act of 1970," 84 Stat. 596, 26 3656
U.S.C.A. 3306, and the ~~"Workforce Investment Act of 1998," 112-~~ 3657
~~Stat. 936, 29 U.S.C.A. 2801 et seq.~~ "Workforce Innovation and 3658
Opportunity Act," 29 U.S.C.A. 3101 et seq. 3659

(J) The director may disclose wage information furnished 3660
to or maintained by the director under Chapter 4141. of the 3661
Revised Code to a consumer reporting agency as defined by the 3662
"Fair Credit Reporting Act," 84 Stat. 1128, 15 U.S.C.A. 1681a, 3663
as amended, for the purpose of verifying an individual's income 3664
under a written agreement that requires all of the following: 3665

(1) A written statement of informed consent from the 3666
individual whose information is to be disclosed; 3667

(2) A written statement confirming that the consumer 3668
reporting agency and any other entity to which the information 3669
is disclosed or released will safeguard the information from 3670
illegal or unauthorized disclosure; 3671

(3) A written statement confirming that the consumer 3672
reporting agency will pay to the bureau all costs associated 3673
with the disclosure. 3674

The director shall prescribe a manner and format in which 3675
this information may be provided. 3676

(K) The director shall adopt rules defining the 3677
requirements of the release of individual income verification 3678
information specified in division (J) of this section, which 3679
shall include all terms and conditions necessary to meet the 3680
requirements of federal law as interpreted by the United States 3681
department of labor or considered necessary by the director for 3682
the proper administration of this division. 3683

(L) The director shall disclose information furnished to 3684
or maintained by the director under this chapter upon request 3685
and on a reimbursable basis as required by section 303 of the 3686
"Social Security Act," 42 U.S.C.A. 503, and section 3304 of the 3687
"Internal Revenue Code," 26 U.S.C.A. 3304. 3688

Sec. 4141.51. (A) An employer who wishes to participate in 3689
the SharedWork Ohio program shall submit a plan to the director 3690
of job and family services in which the employer does all of the 3691
following: 3692

(1) Identifies the participating employees by name, social 3693
security number, affected unit, and normal weekly hours of work; 3694

(2) Describes the manner in which the employer will 3695
implement the requirements of the SharedWork Ohio program, 3696
including the proposed reduction percentage, which shall be 3697
between ten per cent and fifty per cent, and any temporary 3698
closure of the participating employer's business for equipment 3699
maintenance or other similar circumstances that the employer 3700
knows may occur during the effective period of an approved plan; 3701

(3) Includes a plan for giving advance notice, if 3702
feasible, to an employee whose normal weekly hours of work are 3703

to be reduced and, if advance notice is not feasible, an 3704
explanation of why that notice is not feasible; 3705

(4) Includes a certification by the employer that the 3706
aggregate reduction in the number of hours worked by the 3707
employees of the employer is in lieu of layoffs and includes an 3708
estimate of the number of layoffs that would have occurred 3709
absent the ability to participate in the SharedWork Ohio 3710
program; 3711

(5) Includes a certification by the employer that if the 3712
employer provides health benefits and retirement benefits under 3713
a defined benefit plan, as defined in 26 U.S.C. 414(j), as 3714
amended, or contributions under a defined contribution plan as 3715
defined in 26 U.S.C. 414(i), as amended, to any employee whose 3716
normal weekly hours of work are reduced under the program that 3717
such benefits will continue to be provided to an employee 3718
participating in the SharedWork Ohio program under the same 3719
terms and conditions as though the normal weekly hours of work 3720
of the employee had not been reduced or to the same extent as 3721
other employees not participating in the program; 3722

(6) Permits eligible employees to participate, as 3723
appropriate, in training to enhance job skills approved by the 3724
director, including employer-sponsored training or worker 3725
training funded under the federal ~~"Workforce Investment Act of~~ 3726
~~1998," 112 Stat. 936, 29 U.S.C. 2801 et seq., as amended~~ 3727
"Workforce Innovation and Opportunity Act," 29 U.S.C. 3101 et 3728
seq.; 3729

(7) Includes any other information as required by the 3730
United States secretary of labor or the director under the rules 3731
the director adopts under section 4141.50 of the Revised Code; 3732

- (8) Includes an attestation by the employer that the terms of the written plan submitted by the employer and implementation of that plan are consistent with obligations of the employer under the applicable federal and state laws; 3733
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- (9) Includes a certification by the employer that the employer will promptly notify the director of any change in the business that includes the sale or transfer of all or part of the business, and that the employer will notify any successor in interest to the employer's business prior to the transfer of all or part of the business, of the existence of any approved shared work plan; 3737
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- (10) Includes a certification by the employer that, as of the date the employer submits the plan, the employer is current on all reports and has paid all contributions, reimbursements, interest, and penalties due under this chapter; 3744
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- (11) Includes an assurance from the employer that the employer will remain current on all employer reporting and payments of contributions, reimbursements, interest, and penalties as required by this chapter; 3748
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- (12) Includes a certification by the employer that none of the participating employees are employed on a seasonal, temporary, or intermittent basis; 3752
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- (13) Includes an assurance from the employer that the employer will not reduce a participating employee's normal weekly hours of work by more than the reduction percentage, except in the event of a temporary closure of the employer's business for equipment maintenance, or when the employee takes approved time off during the week with pay, and the combined work hours and paid leave hours equal the number of hours the 3755
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employee would have worked under the plan. 3762

(B) The director shall approve a shared work plan if an 3763
employer includes in the plan all of the information, 3764
certifications, and assurances required under division (A) of 3765
this section. 3766

(C) The director shall approve or deny a shared work plan 3767
and shall send a written notice to the employer stating whether 3768
the director approved or denied the plan not later than thirty 3769
days after the director receives the plan. If the director 3770
denies approval of a shared work plan, the director shall state 3771
the reasons for denying approval in the written notice sent to 3772
the employer. 3773

(D) The director shall enforce the requirements of the 3774
SharedWork Ohio program in the same manner as the director 3775
enforces the requirements of this chapter, including under 3776
section 4141.40 of the Revised Code. 3777

Sec. 5101.09. (A) When the director of job and family 3778
services is authorized by the Revised Code to adopt a rule, the 3779
director shall adopt the rule in accordance with the following: 3780

(1) Chapter 119. of the Revised Code if any of the 3781
following apply: 3782

(a) The rule concerns the administration or enforcement of 3783
Chapter 4141. of the Revised Code; 3784

(b) The rule concerns a program administered by the 3785
department of job and family services, unless the statute 3786
authorizing the rule requires that it be adopted in accordance 3787
with section 111.15 of the Revised Code; 3788

(c) The statute authorizing the rule requires that the 3789

rule be adopted in accordance with Chapter 119. of the Revised 3790
Code. 3791

(2) Section 111.15 of the Revised Code, excluding division 3792
(D) of that section, if either of the following apply: 3793

(a) The rule concerns the day-to-day staff procedures and 3794
operations of the department or financial and operational 3795
matters between the department and another government entity or 3796
a private entity receiving a grant from the department, unless 3797
the statute authorizing the rule requires that it be adopted in 3798
accordance with Chapter 119. of the Revised Code; 3799

(b) The statute authorizing the rule requires that the 3800
rule be adopted in accordance with section 111.15 of the Revised 3801
Code and, by the terms of division (D) of that section, division 3802
(D) of that section does not apply to the rule. 3803

(3) Section 111.15 of the Revised Code, including division 3804
(D) of that section, if the statute authorizing the rule 3805
requires that the rule be adopted in accordance with that 3806
section and the rule is not exempt from the application of 3807
division (D) of that section. 3808

(B) Except as otherwise required by the Revised Code, the 3809
adoption of a rule in accordance with Chapter 119. of the 3810
Revised Code does not make the department of job and family 3811
services, a county family services agency, or a ~~workforce-~~ 3812
~~development agency-local board~~ subject to the notice, hearing, 3813
or other requirements of sections 119.06 to 119.13 of the 3814
Revised Code. As used in this division, "~~workforce development-~~ 3815
~~agencylocal board~~" has the same meaning as in section 6301.01 of 3816
the Revised Code. 3817

Sec. 5101.20. (A) As used in this section of the Revised 3818

Code: 3819

(1) "Local area" has the same meaning as in section ~~101 of~~ 3820
the ~~"Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.~~ 3821
~~2801, as amended, and division (A) of section 6301.01 of the~~ 3822
Revised Code~~.~~ 3823

(2) "Chief elected official" has the same meaning as ~~in~~ 3824
section ~~101 of the "Workforce Investment Act of 1998," 112 Stat.~~ 3825
~~936, 29 U.S.C. 2801, as amended, and division (F) of "chief~~ 3826
electd official or officials" as defined in section 6301.01 of 3827
the Revised Code~~.~~ 3828

(3) "Grantee" means the chief elected officials of a local 3829
area. 3830

(4) "Local board" has the same meaning as in section 3831
6301.01 of the Revised Code. 3832

(5) "Planning region" has the same meaning as in section 3833
6301.01 of the Revised Code. 3834

(B) The director of job and family services shall enter 3835
into one or more written grant agreements with each local area 3836
under which ~~financial assistance is~~ allocated funds are awarded 3837
for workforce development activities included in the agreements. 3838
A grant agreement shall establish the terms and conditions 3839
governing the accountability for and use of grants provided by 3840
the department of job and family services to the grantee for the 3841
administration of workforce development activities funded under 3842
the ~~"Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.~~ 3843
~~2801, as amended~~ "Workforce Innovation and Opportunity Act," 29 3844
U.S.C. 3101 et seq. 3845

(C) Effective September 1, 2017, the director may award 3846
grants to local areas only through grant agreements entered into 3847

under this section. 3848

(D) In the case of a local area comprised of multiple 3849
political subdivisions, nothing in this section shall preclude 3850
the chief elected officials of a local area from entering into 3851
an agreement among themselves to distribute any liability for 3852
activities of the local area, but such an agreement shall not be 3853
binding on the department of job and family services. 3854

~~(D)~~(E) The written grant agreement entered into under 3855
division (B) of this section shall comply with all applicable 3856
federal and state laws governing workforce development 3857
activities and related funding. All~~Each local area is subject~~ 3858
to all federal conditions and restrictions that apply to the use 3859
of ~~grants received by funds allotted to the~~ department of job 3860
and family services ~~shall apply to the use of the grants~~ 3861
~~received by the and allocated to local areas from the department~~ 3862
for workforce development activities. 3863

~~(E)~~(F) A written grant agreement entered into under 3864
division (B) of this section shall: 3865

(1) Identify as parties to the agreement the chief elected~~officials representatives~~ for the local area, including the 3866
chief elected official or officials, the local board, and the 3867
fiscal agent; 3868
3869

(2) Provide for the incorporation of the planning region 3870
and local workforce development plan; 3871

(3) Include the chief elected official's or officials' 3872
assurance that the local area and any subgrantee or contractor 3873
of the local area will do all of the following: 3874

(a) Ensure that the ~~financial assistance awarded funds~~ 3875
allocated under the grant agreement ~~is~~are used, and the 3876

workforce development duties included in the agreement are 3877
performed, in accordance with ~~requirements established by the~~ 3878
~~department or any of the following: federal or and~~ state law, 3879
the state plan for receipt of federal financial participation, 3880
grant agreements between the department and a federal agency, ~~or~~ 3881
~~executive orders~~, and policies and guidance issued by the 3882
department; 3883

(b) ~~Ensure that the chief elected officials and any~~ 3884
~~subgrantee or contractor of the local area utilize that the~~ 3885
implementation and use of a financial management system and 3886
other accountability mechanisms ~~that meet the requirements of~~ 3887
federal and state law and are in accordance with the policies 3888
and procedures that the department establishes; 3889

(c) Require the chief elected officials and any subgrantee 3890
or contractor of the local area to do both of the following: 3891

(i) Monitor all private and government entities that 3892
receive a ~~payment from financial assistance awarded funds~~ 3893
allocated under the grant agreement to ensure that each entity 3894
uses the payment funds are utilized in accordance with 3895
~~requirements for the workforce development duties included in~~ 3896
~~the all applicable federal and state laws, policies, and~~ 3897
guidance, and with the terms and conditions of the grant 3898
agreement; 3899

(ii) Take action to recover ~~payments that are not used in~~ 3900
~~accordance with the requirements for the workforce development~~ 3901
~~duties that are included in the funds for expenditures that are~~ 3902
unallowable under federal or state law or under the terms of the 3903
grant agreement. 3904

(d) ~~Require the chief elected officials of a local area to~~ 3905

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

~~(e) Require chief elected officials of a local area to~~ 3913
~~take. Take prompt corrective action if the department, auditor of~~ 3914
~~state, federal agency, or other entity authorized by federal or~~ 3915
~~state law to determine compliance with requirements for a~~ 3916
~~workforce development duty included in the agreement state or~~ 3917
~~federal agency determines compliance has not been achieved;~~ 3918
~~noncompliance with state or federal law.~~ 3919

~~(4) Provide that the award of financial assistance~~ 3920
~~allocation is subject to the availability of federal funds and~~ 3921
appropriations made by the general assembly; 3922

~~(5) Provide for annual financial, administrative, or other~~ 3923
incentive awards, if any, to be provided in accordance with 3924
section 5101.23 of the Revised Code. 3925

~~(6) Establish the method of terms and conditions for~~ 3926
amending or terminating the grant agreement and an expedited 3927
process for correcting terms or conditions of the agreement that 3928
the director and the chief elected officials agree are 3929
erroneous. 3930

~~(7) Provide for Permit the department of job and family~~ 3931
services to ~~award financial assistance~~ allocate funds for the 3932
workforce development duties included in the agreement in 3933
accordance with a methodology for determining the amount of the 3934

award established by rules adopted under division ~~(F)~~(G) of 3935
this section. 3936

(8) Determine the dates that the grant agreement begins 3937
and ends. 3938

~~(F)~~(G)(1) The director shall adopt rules in accordance 3939
with section 111.15 of the Revised Code governing grant 3940
agreements. The director shall adopt the rules as if they were 3941
internal management rules. The rules shall establish 3942
methodologies to be used to determine the amount of ~~financial-~~ 3943
~~assistance-~~funds to be awarded under the agreements and may do 3944
any of the following: 3945

(a) Govern the establishment of consolidated funding 3946
allocations and other allocations; 3947

(b) Specify allowable uses of ~~financial assistance awarded-~~ 3948
funds allocated under the agreements; 3949

(c) Establish reporting, cash management, audit, and other 3950
requirements the director determines are necessary to provide 3951
accountability for the use of ~~financial assistance awarded-~~funds 3952
allocated under the agreements and determine compliance with 3953
requirements established by the department or any of the 3954
following: a federal or state law, state plan for receipt of 3955
federal financial participation, grant agreement between the 3956
department and a federal entity, or executive order. 3957

(2) A requirement of a grant agreement established by a 3958
rule adopted under this division is applicable to a grant 3959
agreement without having to be restated in the grant agreement. 3960

Sec. 5101.201. ~~The~~ As the director of the state agency for 3961
the implementation of several workforce programs, the director 3962
of job and family services may enter into agreements with ~~one-~~ 3963

~~stop operators~~ local boards, as defined in section 6301.01 of 3964
the Revised Code, and one-stop other OhioMeansJobs center 3965
partners for the purpose of implementing the requirements of 3966
section 121 of the ~~"Workforce Investment Act of 1998," 112 Stat.~~ 3967
~~936, 29 U.S.C. 2801~~ "Workforce Innovation and Opportunity Act," 3968
29 U.S.C. 3151. 3969

Sec. 5101.214. The director of job and family services may 3970
enter into a written agreement with one or more state agencies, 3971
as defined in section 117.01 of the Revised Code, and state 3972
universities and colleges to assist in the coordination, 3973
provision, or enhancement of the family services duties of a 3974
county family services agency or the workforce development 3975
activities of a ~~workforce development agency~~ local board, as 3976
defined in section 6301.01 of the Revised Code. The director 3977
also may enter into written agreements or contracts with, or 3978
issue grants to, private and government entities under which 3979
funds are provided for the enhancement or innovation of family 3980
services duties or workforce development activities on the state 3981
or local level. 3982

The director may adopt internal management rules in 3983
accordance with section 111.15 of the Revised Code to implement 3984
this section. 3985

Sec. 5101.23. Subject to the availability of funds, the 3986
department of job and family services may provide annual 3987
financial, administrative, or other incentive awards to county 3988
family services agencies and ~~workforce development agencies~~ 3989
local areas as defined in section 6301.01 of the Revised Code. A 3990
county family services agency or ~~workforce development agency~~ 3991
local area may spend ~~funds provided as a financial an~~ incentive 3992
award awarded under this section only for the purpose for which 3993

the funds are appropriated. The department may adopt internal 3994
management rules in accordance with section 111.15 of the 3995
Revised Code to establish the amounts of awards, methodology for 3996
distributing the awards, types of awards, and standards for 3997
administration ~~by the department.~~ 3998

There is hereby created in the state treasury the social 3999
services incentive fund. The director of job and family services 4000
may request that the director of budget and management transfer 4001
funds in the Title IV-A reserve fund created under section 4002
5101.82 of the Revised Code and other funds appropriated for 4003
family services duties or workforce investment activities into 4004
the fund. If the director of budget and management determines 4005
that the funds identified by the director of job and family 4006
services are available and appropriate for transfer, the 4007
director of budget and management shall make the transfer. Money 4008
in the fund shall be used to provide incentive awards under this 4009
section. 4010

Sec. 5101.241. (A) As used in this section: 4011

(1) "Local area" and "chief elected official" have the 4012
same meaning as in section 5101.20 of the Revised Code. 4013

(2) "Responsible entity" means the chief elected officials 4014
of a local area. 4015

(B) The department of job and family services may take 4016
action under division (C) of this section against the 4017
responsible entity, regardless of who performs the workforce 4018
development activity, if the department determines any of the 4019
following are the case: 4020

(1) ~~A requirement~~ An entity has failed to comply with the 4021
terms and conditions of a grant agreement ~~entered into~~ executed 4022

~~between the department and a local area under section 5101.20 of 4023
the Revised Code that includes the workforce development 4024
activity, including a requirement for grant agreements 4025
established by rules adopted under that section, is not complied 4026
with.~~ 4027

(2) A performance standard for the workforce development 4028
activity established by the federal government or the department 4029
is not met.

(3) ~~A~~ An entity has failed to comply with a workforce 4031
development activity requirement for the workforce development 4032
activity established by the department or any of the following 4033
is not complied with, a federal or state law, a state plan for 4034
receipt of federal financial participation, a grant agreement 4035
between the department and a federal agency, or an executive 4036
order.

(4) The responsible entity is solely or partially 4038
responsible, as determined by the director of job and family 4039
services, for an adverse audit finding, adverse quality control 4040
finding, final disallowance of federal financial participation, 4041
or other sanction or penalty regarding the workforce development 4042
activity. 4043

(C) The department may take one or more of the following 4044
actions against the responsible entity when authorized by 4045
division (B) (1), (2), (3), or (4) of this section: 4046

(1) Require the responsible entity to submit to and comply 4047
with a corrective action plan, established or approved by the 4048
department, pursuant to a time schedule specified by the 4049
department; 4050

(2) Require the responsible entity to do one of the 4051

following: 4052

(a) Share with the department a final disallowance of 4053
federal financial participation or other sanction or penalty; 4054

(b) Reimburse the department the amount the department 4055
pays to the federal government or another entity that represents 4056
the amount the responsible entity is responsible for of an 4057
adverse audit finding, adverse quality control finding, final 4058
disallowance of federal financial participation, or other 4059
sanction or penalty issued by the federal government, auditor of 4060
state, or other entity; 4061

(c) Pay the federal government or another entity the 4062
amount that represents the amount the responsible entity is 4063
responsible for of an adverse audit finding, adverse quality 4064
control finding, final disallowance of federal financial 4065
participation, or other sanction or penalty issued by the 4066
federal government, auditor of state, or other entity; 4067

(d) Pay the department the amount that represents the 4068
amount the responsible entity is responsible for of an adverse 4069
audit finding, adverse quality control finding, or other 4070
sanction or penalty issued by the department. 4071

(3) Impose a financial or administrative sanction or 4072
adverse audit finding issued by the department against the 4073
responsible entity, which may be increased with each subsequent 4074
action taken against the responsible entity; 4075

(4) Perform or contract with a government or private 4076
entity for the entity to perform the workforce development 4077
activity until the department is satisfied that the responsible 4078
entity ensures that the activity will be performed to the 4079
department's satisfaction. If the department performs or 4080

contracts with an entity to perform the workforce development 4081
activity under division (C) (4) of this section, the department 4082
may withhold funds allocated to or reimbursements due to the 4083
responsible entity for the activity and use those funds to 4084
implement division (C) (4) of this section. 4085

(5) Request the attorney general to bring mandamus 4086
proceedings to compel the responsible entity to take or cease 4087
the actions listed in division (B) of this section. The attorney 4088
general shall bring any mandamus proceedings in the Franklin 4089
county court of appeals at the department's request. 4090

(6) If the department takes action under this division 4091
because of division (B) (3) of this section, withhold funds 4092
allocated or reimbursement due to the responsible entity until 4093
the department determines that the responsible entity is in 4094
compliance with the requirement. The department shall release 4095
the funds when the department determines that compliance has 4096
been achieved. 4097

(7) Issue a notice of intent to revoke approval of all or 4098
part of the local plan effected that conflicts with state or 4099
federal law and effectuate the revocation. 4100

(D) The department shall notify the responsible entity and 4101
the appropriate county auditor ~~when the department proposes to~~ 4102
~~take before taking~~ action under division (C) of this section. 4103
The notice shall be in writing and specify the proposed action 4104
~~the department proposes to take~~. The department shall send the 4105
notice by regular United States mail. Except as provided in 4106
division (E) of this section, the responsible entity may request 4107
an administrative review of a proposed action in accordance with 4108
administrative review procedures the department shall establish. 4109
The administrative review procedures shall comply with all of 4110

the following: 4111

(1) A request for an administrative review shall state 4112
specifically all of the following: 4113

(a) The proposed action specified in the notice from the 4114
department for which the review is requested; 4115

(b) The reason why the responsible entity believes the 4116
proposed action is inappropriate; 4117

(c) All facts and legal arguments that the responsible 4118
entity wants the department to consider; 4119

(d) The name of the person who will serve as the 4120
responsible entity's representative in the review. 4121

(2) If the department's notice specifies more than one 4122
proposed action and the responsible entity does not specify all 4123
of the proposed actions in its request pursuant to division (D) 4124
(1)(a) of this section, the proposed actions not specified in 4125
the request shall not be subject to administrative review and 4126
the parts of the notice regarding those proposed actions shall 4127
be final and binding on the responsible entity. 4128

(3) The responsible entity shall have fifteen calendar 4129
days after the department mails the notice to the responsible 4130
entity to send a written request to the department for an 4131
administrative review. The responsible entity and the department 4132
shall attempt to resolve informally any dispute and may develop 4133
a written resolution to the dispute at any time prior to 4134
submitting the written report described in division (D)(7) of 4135
this section to the director. 4136

(4) In the case of a proposed action under division (C)(2) 4137
of this section, the responsible entity may not include in its 4138

request disputes over a finding, final disallowance of federal 4139
financial participation, or other sanction or penalty issued by 4140
the federal government, auditor of state, or other entity other 4141
than the department. 4142

(5) If the responsible entity fails to request an 4143
administrative review within the required time, the responsible 4144
entity loses the right to request an administrative review of 4145
the proposed actions specified in the notice and the notice 4146
becomes final and binding on the responsible entity. 4147

(6) The director of job and family services shall appoint 4148
an administrative review panel to conduct the administrative 4149
review. The review panel shall consist of department employees 4150
who are not involved in the department's proposal to take action 4151
against the responsible entity. The review panel shall review 4152
the responsible entity's request. The review panel may require 4153
that the department or responsible entity submit additional 4154
information and schedule and conduct an informal hearing to 4155
obtain testimony or additional evidence. A review of a proposal 4156
to take action under division (C) (2) of this section shall be 4157
limited solely to the issue of the amount the responsible entity 4158
shall share with the department, reimburse the department, or 4159
pay to the federal government, department, or other entity under 4160
division (C) (2) of this section. The review panel is not 4161
required to make a stenographic record of its hearing or other 4162
proceedings. 4163

(7) After finishing an administrative review, an 4164
administrative review panel appointed under division (D) (6) of 4165
this section shall submit a written report to the director 4166
setting forth its findings of fact, conclusions of law, and 4167
recommendations for action. The director may approve, modify, or 4168

disapprove the recommendations. 4169

(8) The director's approval, modification, or disapproval 4170
under division (D) (7) of this section shall be final and binding 4171
on the responsible entity and shall not be subject to further 4172
review. 4173

(E) The responsible entity is not entitled to an 4174
administrative review under division (D) of this section for any 4175
of the following: 4176

(1) An action taken under division (C) (5) or (6) of this 4177
section; 4178

(2) An action taken under section 5101.242 of the Revised 4179
Code; 4180

(3) An action taken under division (C) (2) of this section 4181
if the federal government, auditor of state, or entity other 4182
than the department has identified the responsible entity as 4183
being solely or partially responsible for an adverse audit 4184
finding, adverse quality control finding, final disallowance of 4185
federal financial participation, or other sanction or penalty; 4186

(4) An adjustment to an allocation, cash draw, advance, or 4187
reimbursement to the responsible entity's local area that the 4188
department determines necessary for budgetary reasons; 4189

(5) Withholding of a cash draw or reimbursement due to 4190
noncompliance with a reporting requirement established in rules 4191
adopted under section 5101.243 of the Revised Code. 4192

(F) This section does not apply to other actions the 4193
department takes against the responsible entity pursuant to 4194
authority granted by another state law unless the other state 4195
law requires the department to take the action in accordance 4196

with this section. 4197

(G) The director of job and family services may adopt 4198
rules in accordance with Chapter 119. of the Revised Code as 4199
necessary to implement this section. 4200

(H) The governor may decertify a local ~~workforce-~~ 4201
~~development~~ board for any of the following reasons in accordance 4202
with subsection ~~(e)~~ of section 117 of the "~~Workforce Investment-~~ 4203
~~Act of 1998~~" 112 Stat. 936, 29 U.S.C. 2801, as amended (c) (3) of 4204
section 107 of the "Workforce Innovation and Opportunity Act," 4205
29 U.S.C. 3122: 4206

(1) Fraud or abuse; 4207

(2) Failure to carry out the requirements of the federal 4208
"~~Workforce Investment Act,~~" 112 Stat. 936, 29 U.S.C. 2801, as 4209
amended, including failure to meet performance standards 4210
established by the federal government for two consecutive years 4211
"Workforce Innovation and Opportunity Act," 29 U.S.C. 3101 et 4212
seq.; 4213

(3) Failure to meet local performance accountability 4214
measures for the local area for two consecutive program years, 4215
as specified in subsection (c) (3) (B) of section 107 of the 4216
"Workforce Innovation and Opportunity Act," 29 U.S.C. 3122. 4217

(I) (1) If the governor finds that access to basic- 4218
"Workforce Investment Act" services is not being provided in a 4219
local area, the governor may declare an emergency and, in 4220
consultation with the chief elected officials of the local area- 4221
affected, arrange for provision of these services through an 4222
alternative entity during the time period in which resolution of 4223
the problem preventing service delivery in the local area is 4224
pending determines that there has been a substantial violation 4225

of a specific provision of the "Workforce Innovation and Opportunity Act," 29 U.S.C. 3101 et seq., and that corrective action has not been taken, the governor shall take one of the following actions: 4226
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4228
4229

(a) Issue a notice of intent to revoke approval of all or part of a local plan affected by the violation; 4230
4231

(b) Impose a reorganization plan. 4232

(2) A reorganization plan imposed under division (I)(1) of this section may include any of the following: 4233
4234

(a) Decertifying the local board involved in the violation; 4235
4236

(b) Prohibiting the use of eligible providers; 4237

(c) Selecting an alternate entity to administer the program for the local area involved in the violation; 4238
4239

(d) Merging the local area with one or more other local areas; 4240
4241

(e) Making other changes that the governor determines to be necessary to secure compliance with the specific provision. 4242
4243

~~An~~ 4244

An action taken by the governor pursuant to this section is not subject to appeal under this section may be appealed and shall not become effective until the time for appeal has expired or a final decision has been issued on the appeal. 4245
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Sec. 5108.01. As used in this chapter: 4249

(A) "County family services planning committee" means the county family services planning committee established under section 329.06 of the Revised Code ~~or the board created by~~ 4250
4251
4252

~~consolidation under division (C) of section 6301.06 of the~~ 4253
~~Revised Code.~~ 4254

(B) "Prevention, retention, and contingency program" means 4255
the program established by this chapter and funded in part with 4256
federal funds provided under Title IV-A. 4257

(C) "Title IV-A" means Title IV-A of the "Social Security 4258
Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended. 4259

Sec. 5123.60. (A) As used in this section and section 4260
5123.601 of the Revised Code, "Ohio protection and advocacy 4261
system" means the nonprofit entity designated by the governor in 4262
accordance with Am. Sub. H.B. 153 of the 129th general assembly 4263
to serve as the state's protection and advocacy system and 4264
client assistance program. 4265

(B) The Ohio protection and advocacy system shall provide 4266
both of the following: 4267

(1) Advocacy services for people with disabilities, as 4268
provided under section 101 of the "Developmental Disabilities 4269
Assistance and Bill of Rights Act of 2000," 114 Stat. 1678 4270
(2000), 42 U.S.C. 15001; 4271

(2) A client assistance program, as provided under section 4272
112 of the ~~"Workforce Investment Act of 1998," 112 Stat. 1163-~~ 4273
~~(1998), 29 U.S.C. 732, as amended~~ "Rehabilitation Act of 1973," 4274
29 U.S.C. 732. 4275

(C) The Ohio protection and advocacy system may establish 4276
any guidelines necessary for its operation. 4277

Sec. 5166.40. (A) As used in sections 5166.40 to 5166.409 4278
of the Revised Code: 4279

(1) "Adult" means an individual who is at least eighteen 4280

years of age. 4281

(2) "Buckeye account" means a modified health savings 4282
account established under section 5166.402 of the Revised Code. 4283

(3) "Contribution" means the amounts that an individual 4284
contributes to the individual's buckeye account and are 4285
contributed to the account on the individual's behalf under 4286
divisions (C) and (D) of section 5166.402 of the Revised Code. 4287
"Contribution" does not mean the portion of an individual's 4288
buckeye account that consists of medicaid funds deposited under 4289
division (B) of section 5166.402 of the Revised Code or section 4290
5166.404 of the Revised Code. 4291

(4) "Core portion" means the portion of a healthy Ohio 4292
program participant's buckeye account that consists of the 4293
following: 4294

(a) The amount of contributions to the account; 4295

(b) The amounts awarded to the account under divisions (C) 4296
and (D) of section 5166.404 of the Revised Code. 4297

(5) "Eligible employer-sponsored health plan" has the same 4298
meaning as in section 5000A(f) (2) of the "Internal Revenue Code 4299
of 1986," 26 U.S.C. 5000A(f) (2). 4300

(6) "Healthy Ohio program" means the medicaid waiver 4301
component established under sections 5166.40 to 5166.409 of the 4302
Revised Code under which medicaid recipients specified in 4303
division (B) of this section enroll in comprehensive health 4304
plans and contribute to buckeye accounts. 4305

(7) "Healthy Ohio program debit swipe card" means a debit 4306
swipe card issued by a managed care organization to a healthy 4307
Ohio program participant under section 5166.403 of the Revised 4308

Code. 4309

(8) "Not-for-profit organization" means an organization 4310
that is exempt from federal income taxation under section 501(a) 4311
and (c) (3) of the "Internal Revenue Code of 1986," 26 U.S.C. 4312
501(a) and (c) (3). 4313

(9) "Ward of the state" means ~~both of the following:~~ an 4314
individual who is a ward, as defined in section 2111.01 of the 4315
Revised Code. 4316

(10) "Workforce development activity" and "~~workforce-~~ 4317
~~development agency~~local board" have the same meanings as in 4318
section 6301.01 of the Revised Code. 4319

(B) The medicaid director shall establish a medicaid 4320
waiver component to be known as the healthy Ohio program. Each 4321
adult medicaid recipient, other than a ward of the state, 4322
determined to be eligible for medicaid on the basis of either of 4323
the following shall participate in the healthy Ohio program: 4324

(1) On the basis of being included in the category 4325
identified by the department of medicaid as covered families and 4326
children; 4327

(2) On the basis of being included in the eligibility 4328
group described in section 1902(a) (10) (A) (i) (VIII) of the 4329
"Social Security Act," 42 U.S.C. 1396a(a) (10) (A) (i) (VIII). 4330

(C) Except as provided in section 5166.406 of the Revised 4331
Code, a healthy Ohio program participant shall not receive 4332
medicaid services under the fee-for-service component of 4333
medicaid or participate in the care management system. 4334

Sec. 5166.408. Each county department of job and family 4335
services shall offer to refer to a ~~workforce development agency-~~ 4336

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

Sec. 5709.64. (A) If an enterprise has been granted an 4346
incentive for the current calendar year under an agreement 4347
entered pursuant to section 5709.62, 5709.63, or 5709.632 of the 4348
Revised Code, it may apply, on or before the thirtieth day of 4349
April of that year, to the director of development, on a form 4350
prescribed by the director, for a tax incentive qualification 4351
certificate. The enterprise qualifies for an initial certificate 4352
if, on or before the last day of the calendar year immediately 4353
preceding that in which application is made, it satisfies all of 4354
the following requirements: 4355

(1) The enterprise has established, expanded, renovated, 4356
or occupied a facility pursuant to the agreement under section 4357
5709.62, 5709.63, or 5709.632 of the Revised Code. 4358

(2) The enterprise has hired new employees to fill 4359
nonretail positions at the facility, at least twenty-five per 4360
cent of whom at the time they were employed were at least one of 4361
the following: 4362

(a) Unemployed persons who had resided at least six months 4363
in the county in which the enterprise's project site is located; 4364

(b) JPTA eligible employees who had resided at least six 4365

months in the county in which the enterprise's project site is 4366
located; 4367

(c) Participants of the Ohio works first program under 4368
Chapter 5107. of the Revised Code or the prevention, retention, 4369
and contingency program under Chapter 5108. of the Revised Code 4370
or recipients of general assistance under former Chapter 5113. 4371
of the Revised Code, financial assistance under Chapter 5115. of 4372
the Revised Code, or unemployment compensation benefits who had 4373
resided at least six months in the county in which the 4374
enterprise's project site is located; 4375

(d) ~~Handicapped persons~~ Eligible individuals with 4376
disabilities, as defined under division (A) of section 3304.11 4377
of the Revised Code, who had resided at least six months in the 4378
county in which the enterprise's project site is located; 4379

(e) Residents for at least one year of a zone located in 4380
the county in which the enterprise's project site is located. 4381

The director of development shall, by rule, establish 4382
criteria for determining what constitutes a nonretail position 4383
at a facility. 4384

(3) The average number of positions attributable to the 4385
enterprise in the municipal corporation during the calendar year 4386
immediately preceding the calendar year in which application is 4387
made exceeds the maximum number of positions attributable to the 4388
enterprise in the municipal corporation during the calendar year 4389
immediately preceding the first year the enterprise satisfies 4390
the requirements set forth in divisions (A) (1) and (2) of this 4391
section. If the enterprise is engaged in a business which, 4392
because of its seasonal nature, customarily enables the 4393
enterprise to operate at full capacity only during regularly 4394

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

(4) The enterprise has not closed or reduced employment at 4407
any place of business in the state for the primary purpose of 4408
establishing, expanding, renovating, or occupying a facility. 4409
The legislative authority of any municipal corporation or the 4410
board of county commissioners of any county that concludes that 4411
an enterprise has closed or reduced employment at a place of 4412
business in that municipal corporation or county for the primary 4413
purpose of establishing, expanding, renovating, or occupying a 4414
facility in a zone may appeal to the director to determine 4415
whether the enterprise has done so. Upon receiving such an 4416
appeal, the director shall investigate the allegations and make 4417
such a determination before issuing an initial or renewal tax 4418
incentive qualification certificate under this section. 4419

Within sixty days after receiving an application under 4420
this division, the director shall review, investigate, and 4421
verify the application and determine whether the enterprise 4422
qualifies for a certificate. The application shall include an 4423
affidavit executed by the applicant verifying that the 4424
enterprise satisfies the requirements of division (A) (2) of this 4425

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

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

(B) If the director determines that an enterprise is not 4466
qualified for an initial or renewal tax incentive qualification 4467
certificate, the director shall send notice of this 4468
determination, specifying the reasons for it, by certified mail, 4469
to the applicant, the tax commissioner, the board of county 4470
commissioners, and the chief executive of the municipal 4471
corporation in which the facility to which the certificate would 4472
have applied is located. Within thirty days after receiving such 4473
a notice, an enterprise may request, in writing, a hearing 4474
before the director for the purpose of reviewing the application 4475
and the reasons for the determination. Within sixty days after 4476
receiving a request for a hearing, the director shall afford one 4477
and, within thirty days after the hearing, shall issue a 4478
redetermination of the enterprise's qualification for a 4479
certificate. If the enterprise is found to be qualified, the 4480
director shall proceed in the manner provided under division (A) 4481
of this section. If the enterprise is found to be unqualified, 4482
the director shall send notice of this finding, by certified 4483
mail, to the applicant, the tax commissioner, the board of 4484
county commissioners, and the chief executive of the municipal 4485
corporation in which the facility to which the certificate would 4486
have applied is located. The director's redetermination that an 4487
enterprise is unqualified may be appealed to the board of tax 4488

appeals in the manner provided under section 5717.02 of the Revised Code.

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

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

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

(C) Each state agency providing employment and training services to veterans and eligible persons under programs described in division (A) of this section shall submit an annual

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

(D) All state agencies that administer federally funded 4529
employment and training programs described in division (A) of 4530
this section for veterans and eligible persons shall do all of 4531
the following: 4532

(1) Ensure that veterans are treated with courtesy and 4533
respect at all state governmental facilities; 4534

(2) Give priority in referral to jobs to qualified 4535
veterans and other eligible persons; 4536

(3) Give priority in referral to and enrollment in 4537
training programs to qualified veterans and other eligible 4538
persons; 4539

(4) Give preferential treatment to special disabled 4540
veterans in the provision of all needed state services; 4541

(5) Provide information and effective referral assistance 4542
to veterans and other eligible persons regarding needed benefits 4543
and services that may be obtained through other agencies. 4544

(E) As used in this section: 4545

(1) "Special disabled veteran" means a veteran who is 4546
entitled to, or who but for the receipt of military pay would be 4547
entitled to, compensation under any law administered by the 4548
department of veterans affairs for a disability rated at thirty 4549
per cent or more or a person who was discharged or released from 4550
active duty because of a service-connected disability. 4551

(2) "Veteran of the Vietnam era" means an eligible veteran 4552
who served on active duty for a period of more than one hundred 4553
eighty days, any part of which occurred from August 5, 1964, 4554
through May 7, 1975, and was discharged or released therefrom 4555
with other than a dishonorable discharge or a person who was 4556
discharged or released from active duty for a service-connected 4557
disability if any part of the active duty was performed from 4558
August 5, 1964, through May 7, 1975. 4559

(3) "Disabled veteran" means a veteran who is entitled to, 4560
or who but for the receipt of military retirement pay would be 4561
entitled to compensation, under any law administered by the 4562
department of veterans affairs and who is not a special disabled 4563
veteran. 4564

(4) "Eligible veteran" means a person who served on active 4565
duty for more than one hundred eighty days and was discharged or 4566
released from active duty with other than a dishonorable 4567
discharge or a person who was discharged or released from active 4568
duty because of a service-connected disability. 4569

(5) "Other eligible person" means one of the following: 4570

(a) The spouse of any person who died of a service- 4571
connected disability; 4572

(b) The spouse of any member of the armed forces serving 4573
on active duty who at the time of the spouse's application for 4574

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

(i) Missing in action; 4580

(ii) Captured in line of duty by a hostile force; 4581

(iii) Forcibly detained or interned in line of duty by a 4582
foreign government or power. 4583

(c) The spouse of any person who has a total disability 4584
permanent in nature resulting from a service-connected 4585
disability or the spouse of a veteran who died while such a 4586
disability was in existence. 4587

(6) "Veteran" means a veteran as defined in section 4588
5903.01 of the Revised Code who was a member of the armed forces 4589
of the United States for a period of one hundred eighty days or 4590
more; a person who was discharged or released from active duty 4591
because of a service-connected disability; or a person who 4592
served as a member of the United States merchant marine and to 4593
whom either of the following applies: 4594

(a) The person has an honorable report of separation from 4595
active duty military service, form DD214 or DD215; or 4596

(b) The person served in the United States merchant marine 4597
between December 7, 1941, and December 31, 1946, and died on 4598
active duty while serving in a war zone during that period of 4599
service. 4600

(7) "Employment program" means a program which provides 4601
referral of individuals to employer job openings in the federal, 4602

state, or private sector. 4603

(8) "Training program" means any program that upgrades the 4604
employability of qualified applicants. 4605

(9) "Entitlement program" means any program that enlists 4606
specific criteria in determining eligibility, including but not 4607
limited to the existence in special segments of the general 4608
population of specific financial needs. 4609

(10) "Targeted group" means a group of persons designated 4610
by federal law or regulations or by state law to receive special 4611
assistance under an employment and training program described in 4612
division (A) of this section. 4613

Sec. 6301.01. As used in this chapter: 4614

(A) "Local area" means ~~any of the following:~~ 4615

~~(1) A municipal corporation that is authorized to 4616
administer and enforce the "Workforce Investment Act of 1998," 4617
112 Stat. 936, 29 U.S.C.A. 2801, as amended, under this chapter 4618
and is not joining in partnership with any other political 4619
subdivisions in order to do so; 4620~~

~~(2) A single county; 4621~~

~~(3) A consortium of any of the following political 4622
subdivisions: 4623~~

~~(a) A group of two or more counties in the state; 4624~~

~~(b) One or more counties and one municipal corporation in 4625
the state; 4626~~

~~(c) One or more counties with or without one municipal 4627
corporation in the state and one or more counties with or 4628
without one municipal corporation in another state, on the 4629~~

~~condition that those in another state share a labor market area
with those in the state.~~ 4630
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~~"Local area" does not mean a region for purposes of
determinations concerning administrative incentives.~~ 4632
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~~(B) "Municipal corporation" means a municipal corporation
that is eligible for automatic or temporary designation as a
local workforce investment area pursuant to section 116(a) (2) or
(3) of the "Workforce Investment Act of 1998," 112 Stat. 936, 29
U.S.C.A. 2831(a) (2) or (3), but that does not request that the
governor grant such automatic or temporary designation, and that
instead elects to administer and enforce workforce development
activities pursuant to this chapter.~~ 4634
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~~(C) "County" means a county that is eligible to be
designated as a local workforce investment area pursuant to the
"Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.A.
2801, as amended, but that does not request such designation,
and instead elects to administer and enforce workforce
development activities pursuant to this chapter.~~ 4642
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~~(D) "Workforce development agency" means the entity given
responsibility for workforce development activities that is
designated by the board of county commissioners in accordance
with section 330.04 of the Revised Code, the chief elected
official of a municipal corporation in accordance with section
763.05 of the Revised Code, or the chief elected officials of a
local area defined in division (A) (3) of this section a local
workforce development area designated under section 106 of the
Workforce Innovation and Opportunity Act, 29 U.S.C. 3121,
pursuant to this chapter.~~ 4648
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~~(E) (B) "Workforce development activity" means a program,~~ 4658

~~grant, or other function, the primary goal of which is to do one or more of the following:~~ 4659
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~~(1) Help individuals maximize their employment opportunities;~~ 4661
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~~(2) Help employers gain access to skilled workers;~~ 4663

~~(3) Help employers retain skilled workers;~~ 4664

~~(4) Help develop or enhance the skills of incumbent workers;~~ 4665
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~~(5) Improve the quality of the state's workforce;~~ 4667

~~(6) Enhance the productivity and competitiveness of the state's economy an activity carried out through a workforce development system.~~ 4668
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~~(F)(C) "Chief elected official or officials," when used in reference to a local area, means the ~~board of county commissioners of the county or of each county in the local area or, if the county has adopted a charter under Section 3 of Article X, Ohio Constitution, the chief governing body of that county, and the chief elected official of the municipal corporation, if the local area includes a municipal corporation, except that when the local area is the type defined in division (A)(1) of this section, "chief elected officials" means the chief elected official of the municipal corporation~~ chief elected executive officer of a unit of general local government in the local area or, in the case of a local area that includes more than one unit of general local government, the individual or individuals designated under an agreement described in section 107 of the Workforce Innovation and Opportunity Act, 29 U.S.C. 3122.~~ 4671
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~~(G)~~ (D) "State board" means the governor's executive 4687
workforce board established by required under section 101 of the 4688
Workforce Innovation and Opportunity Act, 29 U.S.C. 3111, and 4689
established pursuant to section 6301.04 of the Revised Code. 4690

~~(H)~~ (E) "Local board" means a local workforce investment 4691
development board established in each local area of the state 4692
and certified by the governor to set policy for the portion of 4693
the statewide workforce investment system within the local area 4694
and implement the "Workforce Investment Act of 1998," 112 Stat. 4695
936, 29 U.S.C. 2801 under section 107 of the Workforce 4696
Innovation and Opportunity Act, 29 U.S.C. 3122. 4697

~~(I)~~ (F) "OhioMeansJobs web site" means the statewide 4698
electronic system for labor exchange and job placement activity 4699
operated by the state. 4700

(G) "OhioMeansJobs center" means a physical one-stop 4701
center described in section 121(e)(2) of the Workforce 4702
Innovation and Opportunity Act, 29 U.S.C. 3151(e)(2). 4703

(H) "OhioMeansJobs center operator" means an entity or a 4704
consortium of entities designated or certified through a 4705
competitive process to operate a one-stop center under section 4706
121(d) of the Workforce Innovation and Opportunity Act, 29 4707
U.S.C. 3151(d). 4708

(I) "Planning region" means an area consisting of two or 4709
more local areas that are collectively aligned to engage in the 4710
regional planning process outlined in section 106(c)(1) of the 4711
Workforce Innovation and Opportunity Act, 29 U.S.C. 3121(c)(1). 4712

(J) "Workforce Innovation and Opportunity Act" means the 4713
"Workforce Innovation and Opportunity Act," 29 U.S.C. 3101 et 4714
seq., or other citation as specifically provided. 4715

Sec. 6301.02. The director of job and family services 4716
shall administer the Workforce Innovation and Opportunity Act, 4717
the former "Workforce Investment Act of 1998," 112 Stat. 936, ~~29~~ 4718
~~U.S.C.A. 2801~~ Pub. L. No. 105-220, as amended, and the "Wagner- 4719
Peyser Act," 48 Stat. 113 (1933), 29 U.S.C.A. 49, as amended, 4720
and the funds received pursuant to those acts. In administering 4721
those acts and funds received pursuant to those acts, the 4722
director shall assist the state board in establishing and 4723
administering a workforce development system that is designed to 4724
provide leadership, support, and oversight to locally designed 4725
workforce development systems. The director shall conduct 4726
investigations and hold hearings as necessary for the 4727
administration of this chapter. 4728

To the extent permitted by state and federal law, the 4729
director may adopt rules pursuant to Chapter 119. of the Revised 4730
Code to establish any program or pilot program for the purposes 4731
of providing workforce development activities or ~~family services~~ 4732
~~to individuals who do not meet eligibility criteria for those~~ 4733
~~activities or services~~ under applicable federal law. Prior to 4734
the initiation of any program of that nature, the director of 4735
budget and management shall certify to the governor that 4736
sufficient funds are available to administer a program of that 4737
nature. The director of job and family services shall advise the 4738
state board ~~shall have final approval~~ of any such program. 4739

Unless otherwise prohibited by state or federal law, every 4740
state agency, board, or commission shall provide to the state 4741
board and the director all information and assistance requested 4742
by the state board and the director in furtherance of workforce 4743
development activities. 4744

Sec. 6301.03. (A) In administering the Workforce 4745

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

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

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

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

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

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

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

(1) The governor;

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

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

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

(5) Any additional members appointed by the governor.

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

~~"Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.A. 4805~~
~~2801, as amended Workforce Innovation and Opportunity Act, as 4806~~
authorized by the governor. ~~The~~ 4807

(C) ~~The~~ board is not subject to sections 101.82 to 101.87 4808
of the Revised Code. ~~All~~ 4809

(D) ~~All~~ state agencies engaged in workforce development 4810
activities shall assist the board in the performance of its 4811
duties. 4812

(E) The board shall have the power and authority to do all 4813
of the following: 4814

~~(A) Provide oversight and policy direction to ensure that 4815~~
~~the state workforce development activities are aligned and 4816~~
~~-serving the needs of the state's employers, incumbent workers, 4817~~
~~and job seekers;~~ 4818

~~(B) Adopt rules necessary to administer state workforce 4819~~
~~development activities;~~ 4820

~~(C) Adopt rules necessary for the auditing and monitoring 4821~~
~~of subrecipients of the workforce development system grant 4822~~
~~funds;~~ 4823

~~(D) Designate local workforce investment areas in 4824~~
~~accordance with 29 U.S.C. 2831;~~ 4825

~~(E) Develop a unified budget for all state and federal 4826~~
~~workforce funds;~~ 4827

~~(F) Establish a statewide employment and data collection 4828~~
~~system;~~ 4829

~~(G) Develop statewide performance measures for workforce 4830~~
~~development and investment;~~ 4831

~~(H)~~ (1) Develop a, implement, and modify the state 4832
workforce development plan; 4833

~~(I) Prepare the annual report to the United States~~ 4834
~~secretary of labor, pursuant to section 136(d) of the "Workforce~~ 4835
~~Investment Act of 1998," 112 Stat. 936, 29 U.S.C. 2871, as~~ 4836
~~amended;~~ 4837

~~(J) Carry out any additional functions, duties, or~~ 4838
~~responsibilities assigned to the board by the governor~~ 4839

(2) Review statewide workforce policies and programs and 4840
recommendations on actions to be taken by the state to align 4841
workforce development programs to support a comprehensive and 4842
streamlined workforce development system; 4843

(3) Recommend measures for the development and continuous 4844
improvement of the workforce development system in the state, 4845
including updating comprehensive state performance 4846
accountability measures, also known as workforce success 4847
measures; 4848

(4) Continue to identify and disseminate information on 4849
promising practices in the area of workforce development; 4850

(5) Perform other related work that is required of the 4851
board by the Workforce Innovation and Opportunity Act or 4852
requested by the governor. 4853

Sec. 6301.05. The chief elected official of a local area 4854
shall enter into a written grant agreement with the director of 4855
job and family services in accordance with section 5101.20 of 4856
the Revised Code. 4857

A grant agreement entered into pursuant to this section 4858
shall include the responsibility of ~~municipal corporations and~~ 4859

~~the board of county commissioners the chief elected official or~~ 4860
~~officials~~ to be accountable to the department of job and family 4861
services for the use of funds provided through the ~~"Workforce~~ 4862
~~Investment Act of 1998," 112 Stat. 936, 29 U.S.C. 2801, as~~ 4863
~~amended~~ Workforce Innovation and Opportunity Act, including 4864
regulations issued by the United States department of labor 4865
pursuant to that act. 4866

Sec. 6301.06. (A) The chief elected official or officials 4867
of a local area shall create a local board, ~~which shall consist~~ 4868
~~of the following individuals:~~ 4869

~~(1) The chief elected official from the municipal~~ 4870
~~corporation with the largest population in the local area,~~ 4871
~~except that if the municipal corporation is a local area as~~ 4872
~~defined in division (A) (1) of section 6301.01 of the Revised~~ 4873
~~Code, the chief elected official of that municipal corporation~~ 4874
~~may determine whether to be a member of the board.~~ 4875
~~Notwithstanding division (B) of section 6301.01 of the Revised~~ 4876
~~Code, as used in division (A) (1) of this section, "municipal~~ 4877
~~corporation" means any municipal corporation.~~ 4878

~~(2) The following individuals appointed to the board by~~ 4879
~~the chief elected officials of the local area, who shall make~~ 4880
~~those appointments according to all of the following~~ 4881
~~specifications:~~ 4882

~~(a) At least five members of the board shall be~~ 4883
~~representatives of private sector businesses in the general~~ 4884
~~labor market area that includes that local area, and shall be~~ 4885
~~appointed from among individuals nominated by local business~~ 4886
~~organizations and business trade associations. Among these~~ 4887
~~members, at least one shall represent small businesses, at least~~ 4888
~~one shall represent medium sized businesses, and at least one~~ 4889

~~shall represent large businesses. When determining what
constitutes small, medium-sized, and large businesses for
purposes of this division, the chief elected officials of the
local area shall define those sizes as those sizes are generally
understood within the labor market area that includes that local
area. A majority of the members of the board shall be
representatives of private sector businesses.~~

~~(b) At least two members of the board shall represent
organized labor and shall be appointed from nominations
submitted by local federations of labor representing workers
employed in the local area.~~

~~(c) At least two members of the board shall be
representatives of local educational entities. For purposes of
this division, "local educational entities" includes local
educational agencies, school district boards of education,
entities providing educational and literacy activities, and
post secondary educational institutions.~~

~~(d) At least one member of the board shall be a
representative of consumers of workforce development activities.~~

~~(e) Any other individuals the chief elected officials of
the local area determine are necessary to carry out the
functions described in section 107(d) of the Workforce
Innovation and Opportunity Act, 29 U.S.C. 3122(d). The chief
elected official or officials shall appoint members of the local
board in accordance with the requirements of section 107(b) (2)
of the Workforce Innovation and Opportunity Act, 29 U.S.C.
3122(b) (2).~~

(B) Members of the local board serve at the pleasure of
the chief elected official or officials of the local area.

Members shall not be compensated but may be reimbursed for 4919
actual, reasonable, and necessary expenses incurred in the 4920
performance of their duties as board members. Those expenses 4921
shall be paid from funds allocated pursuant to section 6301.03 4922
of the Revised Code. 4923

The chief elected official or officials of a local area 4924
may provide office space, staff, or other administrative support 4925
as needed to the board. For purposes of section 102.02 of the 4926
Revised Code, members of the board are not public officials or 4927
employees. 4928

(C) The chief elected official or officials of a local 4929
~~area other than a local area as defined in division (A) (1) of~~ 4930
~~section 6301.01 of the Revised Code, shall coordinate the~~ 4931
~~workforce development activities of the county family services~~ 4932
~~planning committees and the local boards in the local area in~~ 4933
~~any manner that is efficient and effective to meet the needs of~~ 4934
~~the local area. The chief elected officials of the local area~~ 4935
~~may, but are not required to, consolidate all boards and~~ 4936
~~committees as they determine appropriate into a single board for~~ 4937
~~purposes of workforce development activities. A majority of the~~ 4938
~~members of that consolidated board shall represent private~~ 4939
~~sector businesses. The membership of that consolidated board~~ 4940
~~shall include a representative from each group granted~~ 4941
~~representation as described in division (A) of this section and~~ 4942
~~also a member who represents consumers of family services and a~~ 4943
~~member who represents the county department of job and family~~ 4944
~~services. The membership of that consolidated board may include~~ 4945
~~a representative of one or more groups and entities that may be~~ 4946
~~represented on a county family services planning committee, as~~ 4947
~~specified in section 329.06 of the Revised Code shall adopt a~~ 4948
~~process for appointing members to the local board for the local~~ 4949

area. 4950

(D) The chief elected official or officials of a local 4951
area may contract with the local board. The parties shall 4952
specify in the contract the workforce development activities 4953
that the local board is to administer and shall establish in the 4954
contract standards, including performance standards, for the 4955
local board's operation. The contract may include any other 4956
provisions that the chief elected official or officials consider 4957
necessary. 4958

(E) The chief elected official or officials may contract 4959
with any government or private entity to enhance the 4960
administration of local workforce development activities for 4961
which the local board is responsible. The entity with which the 4962
chief elected official or officials contract is not required to 4963
be located in the local area in which the chief elected official 4964
or officials serve as chief elected executive officer. 4965

Sec. 6301.061. A board of county commissioners may appoint 4966
an advisory committee on workforce development. A committee 4967
appointed under this section may do both of the following: 4968

(A) Work to further cooperation between the county and 4969
other workforce development and economic development related 4970
entities including the state, local area ~~one-stop workforce~~ 4971
development systems, and private businesses; 4972

(B) Advise the board and other interested parties on ways 4973
to maintain and improve the workforce development system of the 4974
local area in which the county is a part. 4975

Sec. 6301.07. (A) For purposes of this section, 4976
"performance character" means the career-essential relational 4977
attributes that build trust with others, including respect, 4978

honesty, integrity, task-excellence, responsibility, and 4979
resilience. 4980

(B) Every local board, ~~under the direction and approval of~~ 4981
~~the state board and with the agreement of~~ in partnership with 4982
the chief elected official or officials of the local area, ~~and~~ 4983
~~after holding public hearings that allow public comment and~~ 4984
~~testimony,~~ shall ~~prepare a workforce development~~ develop and 4985
submit to the governor a comprehensive four-year local plan. The 4986
local plan shall accomplish ~~support the strategy described in~~ 4987
the state plan and shall contain descriptions of the activities 4988
of the local board as outlined in section 108 of the Workforce 4989
Innovation and Opportunity Act, 29 U.S.C. 3123, including all of 4990
the following: 4991

(1) ~~Identify the workforce investment needs of businesses~~ 4992
~~in the local area, identify projected employment opportunities,~~ 4993
~~and identify the job skills and performance character necessary~~ 4994
~~to obtain and succeed in those opportunities;~~ Identification of 4995
strategic planning elements, including all of the following: 4996

(a) The strategic vision of the local board; 4997

(b) Goals for preparing an educated and skilled workforce; 4998

(c) The knowledge and skills, including performance 4999
character, needed to meet the employment needs of employers in 5000
the planning region, including in-demand industry sectors and 5001
occupations. 5002

(2) ~~Identify~~ A description of the workforce development 5003
system in the local area and how the local board, working with 5004
education programs and the entities that carry out core 5005
programs, will coordinate activities to expand access to 5006
employment, training, education, and supportive services to 5007

eligible individuals with barriers to employment to improve 5008
service delivery and to avoid duplication; 5009

~~(3) A determination of the local area's workforce~~ 5010
~~development needs for youth, dislocated workers, adults,~~ 5011
~~displaced homemakers, incumbent workers, and any other group of~~ 5012
~~workers identified by the local board~~ adult and dislocated 5013
worker employment training activities, including the type and 5014
availability of activities needed; 5015

~~(3) Determine the distribution of workforce development~~ 5016
~~resources and funding to be distributed for each workforce~~ 5017
~~development activity to meet the identified needs, utilizing the~~ 5018
~~funds allocated pursuant to the "Workforce Investment Act of~~ 5019
~~1998," 112 Stat. 936, 29 U.S.C.A. 2801, as amended;~~ 5020

~~(4) Give priority to~~ An assessment of the type and 5021
availability of youth workforce development activities carried 5022
out in the local area, including activities for youth with 5023
disabilities and youth receiving independent living services 5024
pursuant to sections 2151.81 to 2151.84 of the Revised Code ~~when~~ 5025
~~determining distribution of workforce development resources and~~ 5026
~~workforce development activity funding;~~ 5027

~~(5) Review the minimum curriculum required by the state~~ 5028
~~board for certifying training providers and identify any~~ 5029
~~additional curriculum requirements to include in contracts~~ 5030
~~between the training providers and the chief elected officials~~ 5031
~~of the local area;~~ 5032

~~(6) Establish performance standards for service providers~~ 5033
~~that reflect local workforce development needs;~~ 5034

~~(7) Describe~~ A description of any other information the 5035
chief elected official or officials of the local area require; 5036

(6) A description of any other information the governor 5037
requires. 5038

(C) (1) The local boards of the local areas within a 5039
planning region and the chief elected officials of those local 5040
areas shall prepare, submit to, and obtain approval from the 5041
state for a single regional plan that includes a description of 5042
the activities described in section 106(c) (1) of the Workforce 5043
Innovation and Opportunity Act, 29 U.S.C. 3121(c) (1), and that 5044
incorporates local plans described in division (B) of this 5045
section for each local area in that region. 5046

(2) The state shall identify regions within the state, and 5047
designate each region it identifies as one of the following 5048
types: 5049

(a) A region consisting of one local area; 5050

(b) A planning region; 5051

(c) An interstate planning region that is contained within 5052
two or more states and consists of labor market areas, economic 5053
development areas, or other appropriate contiguous subareas of 5054
those states. 5055

(D) Before the date on which a local board submits a 5056
regional or local plan for approval, the local board shall make 5057
copies of the proposed plan available to the public through 5058
electronic and other means and allow members of the public to 5059
submit comments on the proposed plan to the local board. For 5060
purposes of this division, public hearings and presentation to 5061
local news media are examples of other means by which a local 5062
board may make a proposed plan available. 5063

(E) A local board may provide policy guidance and 5064
recommendations to the chief elected official or officials of a 5065

local area for any workforce development activities. 5066

~~(D) Nothing in this section prohibits the chief elected officials of a local area from assigning, through a partnership agreement, any duties in addition to the duties under this section to a local board, except that a local board cannot contract with itself for the direct provision of services in its local area. A local board may consult with the chief elected officials of its local area and make recommendations regarding the workforce development activities provided in its local area at any time.~~ 5067
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Sec. 6301.08. Every local area shall ~~participate in a one-stop~~ establish and administer a local workforce development system for workforce development activities. ~~Each board of county commissioners and the~~ The chief elected official or officials of a municipal corporation ~~local area~~ shall ensure that at least one ~~delivery method~~ comprehensive OhioMeansJobs center is available in the local area, ~~either through a physical location, or~~ . An OhioMeansJobs center may be supported by electronic means approved by the state board, director of job and family services for the provision of workforce development activities. 5076
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~~Within six months after the effective date of this amendment, every local area described in division (B) of section 6301.03 of the Revised Code~~ Every OhioMeansJobs center shall name its one stop system as be named "OhioMeansJobs (name of county) County." 5087
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~~A one-stop system may~~ Every OhioMeansJobs center shall be operated by a private entity or a public agency, including a workforce development agency, any existing facility or organization that is established to administer workforce 5092
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~~development activities in the local area, and a county family- 5096~~
~~services agency an OhioMeansJobs center operator. 5097~~

~~A one-stop~~The local workforce development system shall 5098
include representatives of all the partners required under the 5099
"Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.A.- 5100
2801, as amended. In addition, a one-stop system shall include- 5101
at least one representative from a county department of job and- 5102
family services Workforce Innovation and Opportunity Act. 5103

Sec. 6301.09. The provision under division (g) of section 5104
~~111 of the "Workforce Investment Act of 1998," 112 Stat. 936, 29-~~ 5105
~~U.S.C.A. 2801, as amended~~ 101 of the Workforce Innovation and 5106
Opportunity Act, 29 U.S.C. 3111, applies to the state board 5107
created under ~~section 6301.04 of the Revised Code~~ this chapter. 5108
The provision under division (e) of section ~~117 of the~~ 5109
~~"Workforce Investment Act of 1998"~~ 107 of the Workforce 5110
Innovation and Opportunity Act, 29 U.S.C. 3122 applies to the 5111
local boards established pursuant to ~~section 6301.06 of the~~ 5112
~~Revised Code~~ this chapter. 5113

Sec. 6301.11. (A) As used in this section, "public or 5114
private institution" has the same meaning as in section 3333.93- 5115
of the Revised Code means any of the following: 5116

(1) A state institution of higher education, as defined in 5117
section 3345.011 of the Revised Code; 5118

(2) A private, nonprofit institution in this state holding 5119
a certificate of authorization pursuant to Chapter 1713. of the 5120
Revised Code; 5121

(3) An Ohio technical center that provides adult technical 5122
education services as recognized by the chancellor of higher 5123
education. 5124

(B) The state board, in connection with the department of 5125
job and family services and public or private institutions, 5126
shall develop a methodology for identifying jobs that are in 5127
demand by employers operating in this state. The methodology for 5128
identifying in-demand jobs shall include an analysis of jobs 5129
that are in demand in each region of the state. The director of 5130
job and family services shall determine the regions. 5131

The department and the public or private institutions, in 5132
consultation with the state board, shall use the methodology to 5133
create a list of such in-demand jobs in the state and a list of 5134
such in-demand jobs in each region of the state. The department 5135
shall publish the lists on the web site of the department. The 5136
department and public or private institutions shall periodically 5137
update the lists to reflect evolving workforce demands in this 5138
state and its regions. 5139

Local boards, ~~workforce development agencies,~~ and other 5140
providers of workforce training shall use the lists of in-demand 5141
jobs to cultivate and prioritize workforce development 5142
activities that correspond to the employment needs of employers 5143
operating in this state and in each of its regions and to assist 5144
individuals in maximizing their employment opportunities. 5145

Sec. 6301.12. (A) The office of workforce development 5146
within the department of job and family services shall 5147
comprehensively review the direct and indirect economic impact 5148
of businesses engaged in the production of horizontal wells in 5149
this state and, based on its findings, prepare an annual Ohio 5150
workforce report. The office shall prepare the report by the 5151
thirtieth day of July of each year. The report shall include at 5152
least all of the following with respect to the industry: 5153

(1) The total number of jobs created or retained during 5154

the previous year; 5155

(2) The total number of Ohio-based contractors that employ 5156
skilled construction trades; 5157

(3) The number of employees who are residents of this 5158
state; 5159

(4) The total economic impact; 5160

(5) A review of the state's regional workforce development 5161
plans required by the ~~"Workforce Investment Act of 1998," 112-~~ 5162
~~Stat. 936, 29 U.S.C.A. 2801, as amended,~~ Workforce Innovation 5163
and Opportunity Act that outline workforce development efforts 5164
including goals and benchmarks toward maximizing job training, 5165
education, and job creation opportunities in the state. 5166

(B) Upon the completion of the office's annual Ohio 5167
workforce report, the office shall provide an electronic copy of 5168
the report to the president and minority leader of the senate 5169
and the speaker and minority leader of the house of 5170
representatives and post it on the office's internet web site. 5171

Sec. 6301.18. (A) ~~Beginning January 1, 2016, each~~ Each 5172
participant in an adult training or education program funded 5173
under the ~~"Workforce Innovation and Opportunity Act," 29 U.S.C.~~ 5174
~~3101,~~ shall create an account with the OhioMeansJobs web site at 5175
the time of enrollment in the program. 5176

(B) Division (A) of this section does not apply to any 5177
individual who is legally prohibited from using a computer, has 5178
a physical or visual impairment that makes the individual unable 5179
to use a computer, or has a limited ability to read, write, 5180
speak, or understand a language in which the OhioMeansJobs web 5181
site is available. 5182

Sec. 6301.20. (A) Not later than December 31, 2017, the 5183
governor's office of workforce transformation, the department of 5184
education, and the chancellor of higher education, in 5185
consultation with business and economic development stakeholder 5186
groups, shall develop a regional workforce collaboration model. 5187
The model shall provide guidance on how the JobsOhio regional 5188
network, local chambers of commerce, economic development 5189
organizations, businesses, business associations, secondary and 5190
post-secondary education organizations, and Ohio college tech 5191
prep regional centers, that are jointly managed by the 5192
department of education and the chancellor, shall collaborate to 5193
form a partnership that provides career services to students. 5194

Career services to students may include, but are not 5195
limited to, job shadowing, internships, co-ops, apprenticeships, 5196
career exploration activities, and problem-based curriculum 5197
developed in alignment with in-demand jobs. 5198

(B) The governor's office of workforce transformation 5199
shall oversee the creation of regional workforce collaboration 5200
partnerships based on the model created under division (A) of 5201
this section. The partnerships shall be located in each of the 5202
six different regions of the state, as determined by JobsOhio. 5203

(C) As used in this section, "JobsOhio" has the same 5204
meaning as in section 187.01 of the Revised Code. 5205

Section 2. That existing sections 107.35, 131.33, 307.984, 5206
329.04, 329.06, 763.01, 763.07, 2329.66, 2953.25, 3121.03, 5207
3304.11, 3304.12, 3304.14, 3304.15, 3304.17, 3304.171, 3304.18, 5208
3304.182, 3304.19, 3304.20, 3304.21, 3304.22, 3304.27, 3304.28, 5209
3304.29, 3304.30, 3304.31, 3304.41, 3309.23, 3313.603, 3313.618, 5210
3313.6110, 3313.89, 3314.03, 3326.01, 3326.03, 3326.032, 5211
3326.04, 3326.09, 3326.11, 3333.91, 3333.92, 4141.29, 4141.43, 5212

4141.51, 5101.09, 5101.20, 5101.201, 5101.214, 5101.23, 5213
5101.241, 5108.01, 5123.60, 5166.40, 5166.408, 5709.64, 5903.11, 5214
6301.01, 6301.02, 6301.03, 6301.04, 6301.05, 6301.06, 6301.061, 5215
6301.07, 6301.08, 6301.09, 6301.11, 6301.12, and 6301.18 and 5216
sections 330.01, 330.02, 330.04, 330.05, 330.07, 763.02, and 5217
763.05 of the Revised Code are hereby repealed. 5218

Section 3. That Section 305.190 of Am. Sub. H.B. 64 of the 5219
131st General Assembly be amended to read as follows: 5220

Sec. 305.190. COMPREHENSIVE CASE MANAGEMENT AND EMPLOYMENT 5221
PROGRAM 5222

(A) As used in this section: 5223

(1) "Adult" means an individual at least eighteen years of 5224
age. 5225

(2) "Equivalent of a high school diploma" has the same 5226
meaning as in section 5107.30 of the Revised Code. 5227

(3) "In-school youth" has the same meaning as in section 5228
129(a)(1)(C) of the "Workforce Innovation and Opportunity Act," 5229
29 U.S.C. 3164(a)(1)(C), except that it does not mean an 5230
individual younger than sixteen years of age. 5231

(4) "Local participating agencies" means the county 5232
department of job and family services and workforce development 5233
agency that serve a county. 5234

(5) "Low-income individual" has the same meaning as in 5235
section 3(36) of the "Workforce Innovation and Opportunity Act," 5236
29 U.S.C. 3102(36). 5237

(6) "Ohio Works First" has the same meaning as in section 5238
5107.02 of the Revised Code. 5239

(7) "Out-of-school youth" has the same meaning as in 5240
section 129(a) (1) (B) of the "Workforce Innovation and 5241
Opportunity Act," 29 U.S.C. 3164(a) (1) (B) . 5242

(8) "Prevention, Retention, and Contingency Program" has 5243
the same meaning as in section 5108.01 of the Revised Code. 5244

(9) "Subcontractor" means an entity with which a local 5245
participating agency contracts to perform, on behalf of the 5246
local participating agency, one or more of the local 5247
participating agency's duties regarding the Comprehensive Case 5248
Management and Employment Program. 5249

(10) "TANF block grant" means the Temporary Assistance for 5250
Needy Families block grant established by Title IV-A of the 5251
"Social Security Act," 42 U.S.C. 601 et seq. 5252

(11) "Work-eligible individual" has the same meaning as in 5253
45 C.F.R. 261.2(n) . 5254

(12) "Workforce development activity" has the same meaning 5255
as in section 6301.01 of the Revised Code. 5256

(13) "Workforce development agency" means the public or 5257
private entity designated by ~~any of the following the chief~~ 5258
elected officials of a local area as defined in section 6301.01 5259
of the Revised Code, as amended by this act, to administer 5260
county programs under the "Workforce Investment Act of 1998," 29 5261
U.S.C. 2801, as amended, or the Workforce Innovation and 5262
Opportunity Act:— 5263

~~(a) The board of county commissioners in accordance with~~ 5264
~~section 330.04 of the Revised Code;~~ 5265

~~(b) The chief elected official of a municipal corporation~~ 5266
~~in accordance with section 763.05 of the Revised Code;~~ 5267

~~(c) The chief elected officials of a local area defined in~~ 5268
~~division (A) (3) of section 6301.01 of the Revised Code.~~ 5269

(14) "Workforce Innovation and Opportunity Act" means 5270
Public Law 113-128, 29 U.S.C. 3101 et seq. 5271

~~(B) The Director of Job and Family Services shall~~ 5272
~~administer the Workforce Innovation and Opportunity Act during~~ 5273
~~fiscal year 2016 and fiscal year 2017.~~ 5274

~~(C)~~The Department of Job and Family Services, in 5275
consultation with the Governor's Office of Workforce 5276
Transformation, shall create, coordinate, and supervise the 5277
Comprehensive Case Management and Employment Program during 5278
fiscal year 2016 and fiscal year 2017. 5279

To the extent funds under the TANF block grant and 5280
Workforce Innovation and Opportunity Act are available, the 5281
program shall make employment and training services specified in 5282
division ~~(E)~~(D) of this section available to the program's 5283
participants in accordance with the comprehensive assessments of 5284
the participants' employment and training needs conducted under 5285
that division. As part of the creation of the program, the 5286
Department shall establish the procedures for the comprehensive 5287
assessments. 5288

~~(D)~~(C) Beginning July 1, 2016, individuals who are at 5289
least sixteen but not more than twenty-four years of age are 5290
required to participate or permitted to volunteer to participate 5291
in the Comprehensive Case Management and Employment Program in 5292
accordance with the following: 5293

(1) Each work-eligible individual shall participate in the 5294
Comprehensive Case Management and Employment Program as a 5295
condition of participating in Ohio Works First. 5296

(2) Each Ohio Works First participant who is not a work- 5297
eligible individual may volunteer to participate in the 5298
Comprehensive Case Management and Employment Program. 5299

(3) Each individual receiving benefits and services under 5300
the Prevention, Retention, and Contingency Program may volunteer 5301
to participate in the Comprehensive Case Management and 5302
Employment Program. 5303

(4) Each low-income individual who is an adult, in-school 5304
youth, or out-of-school youth and who is considered to have a 5305
barrier to employment under the Workforce Innovation and 5306
Opportunity Act shall participate in the Comprehensive Case 5307
Management and Employment Program as a condition of enrollment 5308
in workforce development activities funded by the TANF block 5309
grant or Workforce Innovation and Opportunity Act. 5310

~~(E)~~ (D) (1) An individual participating in the Comprehensive 5311
Case Management and Employment Program shall undergo a 5312
comprehensive assessment of the individual's employment and 5313
training needs in accordance with the procedures established 5314
under division ~~(C)~~ (B) of this section. As part of the 5315
assessment, an individualized employment plan shall be created 5316
for the individual. The plan shall be reviewed, revised, and 5317
terminated in accordance with the procedures established for the 5318
comprehensive assessment. The plan shall specify which of the 5319
following services, if any, the individual needs: 5320

(a) Support for the individual to obtain a high school 5321
diploma or the equivalent of a high school diploma; 5322

(b) Job placement; 5323

(c) Job retention support; 5324

(d) Other services that aid the individual in achieving 5325

the plan's goals. 5326

(2) The services an individual receives in accordance with 5327
the individualized employment plan are inalienable by way of 5328
assignment, charge, or otherwise and exempt from execution, 5329
attachment, garnishment, and other similar processes. 5330

~~(F)~~(E)(1) Not later than May 15, 2016, each board of 5331
county commissioners shall designate one of the local 5332
participating agencies as the lead agency for purposes of the 5333
Comprehensive Case Management and Employment Program. Each board 5334
shall inform the Department of its designation. The lead agency 5335
shall do all of the following: 5336

(a) Submit to the Department a plan that establishes 5337
standard processes for determining and maintaining individuals' 5338
eligibility to participate in the Comprehensive Case Management 5339
and Employment Program; 5340

(b) Administer the program; 5341

(c) In partnership with the other local participating 5342
agency and any subcontractors, both of the following: 5343

(i) Actively coordinate activities regarding the program 5344
with the other local participating agency and any 5345
subcontractors; 5346

(ii) Help both local participating agencies and any 5347
subcontractors to use their expertise in administering the 5348
program. 5349

(2) The lead agency is responsible for all funds that any 5350
of the following determines have been expended or claimed for 5351
the Comprehensive Case Management and Employment Program, by or 5352
on behalf of the county that the lead agency serves, in a manner 5353

that federal or state law or policy does not permit: 5354

(a) The Department; 5355

(b) The Auditor of State; 5356

(c) The United States Department of Health and Human 5357
Services; 5358

(d) The United States Department of Labor; 5359

(e) Any other government entity. 5360

~~(H)~~(F) In an effort to increase the number of individuals 5361
who participate in the Comprehensive Case Management and 5362
Employment Program and the availability of services under the 5363
program, the Department, in consultation with local 5364
participating agencies, shall review the agencies' existing 5365
functions to discover opportunities to make their administration 5366
of the functions more efficient. 5367

~~(I)~~(G) (1) Notwithstanding the second sentence of division 5368
(A) (1) (b) of section 307.981 of the Revised Code, the 5369
Comprehensive Case Management and Employment Program is a family 5370
services duty and therefore subject to all statutes applicable 5371
to family services duties, including sections 5101.183, 5101.21, 5372
5101.212, 5101.214, 5101.216, 5101.22, 5101.221, 5101.23, 5373
5101.24, and 5101.243 of the Revised Code. 5374

(2) The Comprehensive Case Management and Employment 5375
Program is a Title IV-A program for the purpose of division (A) 5376
(4) (c) of section 5101.80 of the Revised Code and, therefore, is 5377
subject to all statutes applicable to such a program, including 5378
sections 5101.16, 5101.35, 5101.80, and 5101.801 of the Revised 5379
Code. 5380

(3) The Comprehensive Case Management and Employment 5381

Program is a workforce development activity and therefore 5382
subject to all statutes applicable to workforce development 5383
activities, including sections 5101.20, 5101.214, 5101.241, and 5384
5101.243 of the Revised Code and Chapter 6301. of the Revised 5385
Code. 5386

~~(J)~~(H) The Director of Job and Family Services shall 5387
adopt rules as necessary to implement this section. The rules 5388
may address any of the following issues: 5389

(1) Eligibility for the Comprehensive Case Management and 5390
Employment Program; 5391

(2) Employment and training services available under the 5392
program; 5393

(3) Partnerships between local participating agencies and 5394
subcontractors; 5395

(4) The plan required by division ~~(F)~~(E) (1) (a) of this 5396
section; 5397

(5) Internal management concerning day-to-day staff 5398
procedures and operations of the Department or financial and 5399
operational matters between the Department and another 5400
government entity or a private entity receiving a grant from the 5401
Department; 5402

(6) Any other issues that the Director determines should 5403
be addressed in rules to implement this section. 5404

Rules other than those described in division ~~(J)~~(H) (5) of 5405
this section shall be adopted in accordance with Chapter 119. of 5406
the Revised Code. Rules described in division ~~(J)~~(H) (5) of this 5407
section shall be adopted in accordance with section 111.15 of 5408
the Revised Code. 5409

Section 4. That existing Section 305.190 of Am. Sub. H.B. 5410
64 of the 131st General Assembly is hereby repealed. 5411

Section 5. Not later than July 1, 2018, the Department of 5412
Education, in consultation with the Department of Higher 5413
Education and the Governor's Office of Workforce Transformation, 5414
shall develop both of the following: 5415

(A) A plan that permits and encourages school districts 5416
and chartered nonpublic schools to integrate academic content in 5417
subject areas for which the State Board of Education adopts 5418
standards under section 3301.079 of the Revised Code into other 5419
coursework so that students may earn simultaneous credit in 5420
accordance with division (I) of section 3313.603 of the Revised 5421
Code; 5422

(B) Guidance to assist school districts and schools that 5423
choose to implement integrated coursework under division (I) of 5424
section 3313.603 of the Revised Code that includes guidance on 5425
appropriate licensure teachers must have to teach integrated 5426
coursework and guidance on appropriately integrating subject 5427
area content into course curriculum to ensure that students 5428
receive instruction in the academic content necessary to meet 5429
graduation requirements. 5430

Section 6. The General Assembly, applying the principle 5431
stated in division (B) of section 1.52 of the Revised Code that 5432
amendments are to be harmonized if reasonably capable of 5433
simultaneous operation, finds that the following sections, 5434
presented in this act as composites of the sections as amended 5435
by the acts indicated, are the resulting versions of the 5436
sections in effect prior to the effective date of the sections 5437
as presented in this act: 5438

Section 2329.66 of the Revised Code as amended by both	5439
H.B. 155 and Sub. S.B. 11 of the 131st General Assembly.	5440
Section 3314.03 of the Revised Code as amended by Am. Sub.	5441
H.B. 410, Sub. S.B. 3, and Am. Sub. S.B. 252, all of the 131st	5442
General Assembly.	5443
Section 3326.11 of the Revised Code as amended by Am. Sub.	5444
H.B. 410, Sub. S.B. 3, and Am. Sub. S.B. 252, all of the 131st	5445
General Assembly.	5446