

**As Reported by the Senate Transportation, Commerce and Workforce
Committee**

132nd General Assembly

**Regular Session
2017-2018**

Sub. S. B. No. 3

Senators Beagle, Balderson

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

A BILL

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

under section 5115.03 of the Revised Code; 164

(3) Administer burials insofar as the administration of 165
burials was, prior to September 12, 1947, imposed upon the board 166
of county commissioners and if otherwise required by state law; 167

(4) Cooperate with state and federal authorities in any 168
matter relating to family services and to act as the agent of 169
such authorities; 170

(5) Submit an annual account of its work and expenses to 171
the board of county commissioners and to the state department of 172
job and family services and department of medicaid at the close 173
of each fiscal year; 174

(6) Exercise any powers and duties relating to family 175
services duties or workforce development activities imposed upon 176
the county department of job and family services by law, by 177
resolution of the board of county commissioners, or by order of 178
the governor, when authorized by law, to meet emergencies during 179
war or peace; 180

(7) Enter into a plan of cooperation with the board of 181
county commissioners under section 307.983, consult with the 182
board in the development of the transportation work plan 183
developed under section 307.985, establish with the board 184
procedures under section 307.986 for providing services to 185
children whose families relocate frequently, and comply with the 186
contracts the board enters into under sections 307.981 and 187
307.982 of the Revised Code that affect the county department; 188

(8) For the purpose of complying with a grant agreement 189
the board of county commissioners enters into under sections 190
307.98 and 5101.21 of the Revised Code, exercise the powers and 191
perform the duties the grant agreement assigns to the county 192

department† 193

~~(9) If the county department is designated as the 194~~
~~workforce development agency, provide the workforce development 195~~
~~activities specified in the contract required by section 330.05 196~~
~~of the Revised Code. 197~~

(B) The powers and duties of a county department of job 198
and family services are, and shall be exercised and performed, 199
under the control and direction of the board of county 200
commissioners. The board may assign to the county department any 201
power or duty of the board regarding family services duties and 202
workforce development activities. If the new power or duty 203
necessitates the state department of job and family services or 204
department of medicaid changing its federal cost allocation 205
plan, the county department may not implement the power or duty 206
unless the United States department of health and human services 207
approves the changes. 208

Sec. 329.06. (A) Except as provided in division (C) of 209
this section ~~and section 6301.08 of the Revised Code,~~ the board 210
of county commissioners shall establish a county family services 211
planning committee. The board shall appoint a member to 212
represent the county department of job and family services; an 213
employee in the classified civil service of the county 214
department of job and family services, if there are any such 215
employees; and a member to represent the public. The board shall 216
appoint other individuals to the committee in such a manner that 217
the committee's membership is broadly representative of the 218
groups of individuals and the public and private entities that 219
have an interest in the family services provided in the county. 220
The board shall make appointments in a manner that reflects the 221
ethnic and racial composition of the county. The following 222

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

5101.46 of the Revised Code; 250

(2) At least once a year, review and analyze the county 251
department of job and family services' implementation of the 252
programs established under Chapters 5107. and 5108. of the 253
Revised Code. In its review, the committee shall use information 254
available to it to examine all of the following: 255

(a) Return of assistance groups to participation in either 256
program after ceasing to participate; 257

(b) Teen pregnancy rates among the programs' participants; 258

(c) The other types of assistance the programs' 259
participants receive, including medicaid, publicly funded child 260
care under Chapter 5104. of the Revised Code, supplemental 261
nutrition assistance program benefits under section 5101.54 of 262
the Revised Code, and energy assistance under Chapter 5117. of 263
the Revised Code; 264

(d) Other issues the committee considers appropriate. 265

The committee shall make recommendations to the board of 266
county commissioners and county department of job and family 267
services regarding the committee's findings. 268

(3) Conduct public hearings on proposed county profiles 269
for the provision of social services under section 5101.46 of 270
the Revised Code; 271

(4) At the request of the board, make recommendations and 272
provide assistance regarding the family services provided in the 273
county; 274

(5) At any other time the committee considers appropriate, 275
consult with the board and make recommendations regarding the 276
family services provided in the county. The committee's 277

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

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

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

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

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

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

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

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

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

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

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

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

professional books, or tools of the person's profession, trade,
or business, including agriculture;

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

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

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

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

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

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

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

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

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

(b) Workers' compensation, as exempted by section 4123.67 391
of the Revised Code; 392

(c) Unemployment compensation benefits, as exempted by 393
section 4141.32 of the Revised Code; 394

(d) Cash assistance payments under the Ohio works first 395
program, as exempted by section 5107.75 of the Revised Code; 396

(e) Benefits and services under the prevention, retention, 397
and contingency program, as exempted by section 5108.08 of the 398
Revised Code; 399

(f) Disability financial assistance payments, as exempted 400
by section 5115.06 of the Revised Code; 401

(g) Payments under section 24 or 32 of the "Internal 402
Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended. 403

(10) (a) Except in cases in which the person was convicted 404
of or pleaded guilty to a violation of section 2921.41 of the 405
Revised Code and in which an order for the withholding of 406
restitution from payments was issued under division (C) (2) (b) of 407
that section, in cases in which an order for withholding was 408
issued under section 2907.15 of the Revised Code, in cases in 409
which an order for forfeiture was issued under division (A) or 410
(B) of section 2929.192 of the Revised Code, and in cases in 411
which an order was issued under section 2929.193 or 2929.194 of 412
the Revised Code, and only to the extent provided in the order, 413
and except as provided in sections 3105.171, 3105.63, 3119.80, 414
3119.81, 3121.02, 3121.03, and 3123.06 of the Revised Code, the 415
person's rights to or interests in a pension, benefit, annuity, 416
retirement allowance, or accumulated contributions, the person's 417
rights to or interests in a participant account in any deferred 418
compensation program offered by the Ohio public employees 419

deferred compensation board, a government unit, or a municipal 420
corporation, or the person's other accrued or accruing rights or 421
interests, as exempted by section 143.11, 145.56, 146.13, 422
148.09, 742.47, 3307.41, 3309.66, or 5505.22 of the Revised 423
Code, and the person's rights to or interests in benefits from 424
the Ohio public safety officers death benefit fund; 425

(b) Except as provided in sections 3119.80, 3119.81, 426
3121.02, 3121.03, and 3123.06 of the Revised Code, the person's 427
rights to receive or interests in receiving a payment or other 428
benefits under any pension, annuity, or similar plan or 429
contract, not including a payment or benefit from a stock bonus 430
or profit-sharing plan or a payment included in division (A)(6) 431
(b) or (10)(a) of this section, on account of illness, 432
disability, death, age, or length of service, to the extent 433
reasonably necessary for the support of the person and any of 434
the person's dependents, except if all the following apply: 435

(i) The plan or contract was established by or under the 436
auspices of an insider that employed the person at the time the 437
person's rights or interests under the plan or contract arose. 438

(ii) The payment is on account of age or length of 439
service. 440

(iii) The plan or contract is not qualified under the 441
"Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as 442
amended. 443

(c) Except for any portion of the assets that were 444
deposited for the purpose of evading the payment of any debt and 445
except as provided in sections 3119.80, 3119.81, 3121.02, 446
3121.03, and 3123.06 of the Revised Code, the person's rights or 447
interests in the assets held in, or to directly or indirectly 448

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

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

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

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

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

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

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

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

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

alternate payee under a qualified domestic relations order 509
(QDRO) or other similar court order. 510

(g) A person's interest in any plan, program, instrument, 511
or device described in divisions (A)(10)(a) to (e) of this 512
section shall be considered an exempt interest even if the plan, 513
program, instrument, or device in question, due to an error made 514
in good faith, failed to satisfy any criteria applicable to that 515
plan, program, instrument, or device under the "Internal Revenue 516
Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended. 517

(11) The person's right to receive spousal support, child 518
support, an allowance, or other maintenance to the extent 519
reasonably necessary for the support of the person and any of 520
the person's dependents; 521

(12) The person's right to receive, or moneys received 522
during the preceding twelve calendar months from, any of the 523
following: 524

(a) An award of reparations under sections 2743.51 to 525
2743.72 of the Revised Code, to the extent exempted by division 526
(D) of section 2743.66 of the Revised Code; 527

(b) A payment on account of the wrongful death of an 528
individual of whom the person was a dependent on the date of the 529
individual's death, to the extent reasonably necessary for the 530
support of the person and any of the person's dependents; 531

(c) Except in cases in which the person who receives the 532
payment is an inmate, as defined in section 2969.21 of the 533
Revised Code, and in which the payment resulted from a civil 534
action or appeal against a government entity or employee, as 535
defined in section 2969.21 of the Revised Code, a payment, not 536
to exceed twenty thousand two hundred dollars, on account of 537

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

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

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

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

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

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

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

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

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

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

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

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

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

(C) As used in this section: 597

(1) "Disposable earnings" means net earnings after the 598
garnishee has made deductions required by law, excluding the 599
deductions ordered pursuant to section 3119.80, 3119.81, 600
3121.02, 3121.03, or 3123.06 of the Revised Code. 601

(2) "Insider" means: 602

(a) If the person who claims an exemption is an 603
individual, a relative of the individual, a relative of a 604
general partner of the individual, a partnership in which the 605
individual is a general partner, a general partner of the 606
individual, or a corporation of which the individual is a 607
director, officer, or in control; 608

(b) If the person who claims an exemption is a 609
corporation, a director or officer of the corporation; a person 610
in control of the corporation; a partnership in which the 611
corporation is a general partner; a general partner of the 612
corporation; or a relative of a general partner, director, 613
officer, or person in control of the corporation; 614

(c) If the person who claims an exemption is a 615
partnership, a general partner in the partnership; a general 616
partner of the partnership; a person in control of the 617
partnership; a partnership in which the partnership is a general 618
partner; or a relative in, a general partner of, or a person in 619
control of the partnership; 620

(d) An entity or person to which or whom any of the 621
following applies: 622

(i) The entity directly or indirectly owns, controls, or 623
holds with power to vote, twenty per cent or more of the 624
outstanding voting securities of the person who claims an 625

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) The certificate constitutes a rebuttable presumption 919

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

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

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

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

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

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

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

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

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

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

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

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

~~operative.~~

1039

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

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

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

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

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

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

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

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

notice until further notice from the court or child support enforcement agency. 1099
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To the extent possible, the amount specified to be 1101
withheld shall satisfy the amount ordered for support in the 1102
support order plus any arrearages owed by the obligor under any 1103
prior support order that pertained to the same child or spouse, 1104
notwithstanding any applicable limitations of sections 2329.66, 1105
2329.70, 2716.02, 2716.041, and 2716.05 of the Revised Code. 1106
However, in no case shall the sum of the amount to be withheld 1107
and any fee withheld by the payor as a charge for its services 1108
exceed the maximum amount permitted under section 303(b) of the 1109
"Consumer Credit Protection Act," 15 U.S.C. 1673(b) . 1110

(2) A court or agency that imposes an income withholding 1111
requirement shall, within the applicable time specified in 1112
section 3119.80, 3119.81, 3121.035, 3123.021, or 3123.06 of the 1113
Revised Code, send to the obligor's payor by regular mail or via 1114
secure federally managed data transmission interface a notice 1115
that contains all of the information applicable to withholding 1116
notices set forth in section 3121.037 of the Revised Code. The 1117
notice is final and is enforceable by the court. 1118

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

obligor's funds are on deposit to do all of the following: 1129

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

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

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

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

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

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

final and is enforceable by the court. 1158

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

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

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

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

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

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

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

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

value of five hundred dollars or more. The court may issue the 1218
order regardless of whether the obligee to whom the obligor owes 1219
support is a recipient of assistance under Title IV-A of the 1220
"Social Security Act." The court shall issue the order as part 1221
of a court support order or, if a court support order has 1222
previously been issued, as a separate order. If a child support 1223
enforcement agency is required to issue a withholding or 1224
deduction notice under this section with respect to a court 1225
support order but determines that no withholding or deduction 1226
notice would be appropriate, the agency may request that the 1227
court issue a court order under division (D) (1) of this section, 1228
and, on the request, the court may issue the order. 1229

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

this section. 1249

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

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

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

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

(D) "~~Vocational rehabilitation~~" and "~~vocational~~
~~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
1277

~~vocational counseling, guidance and placement, including follow-~~ 1278
~~up services, rehabilitation training, including books and other~~ 1279
~~training materials, physical restoration, recruitment and~~ 1280
~~training services designed to provide persons with disabilities~~ 1281
~~new employment opportunities, maintenance, occupational tools,~~ 1282
~~equipment, supplies, transportation, services to families of~~ 1283
~~persons with disabilities that contribute substantially to the~~ 1284
~~rehabilitation of these persons, and any other goods or service~~ 1285
~~necessary to render a person with a disability employable~~ has 1286
the same meaning as defined in section 361.5 of Title 34 of the 1287
Code of Federal Regulations, 34 C.F.R. 361.5. 1288

(E) "Establishment of a rehabilitation facility" means the 1289
expansion, remodeling, or alteration of an existing building 1290
that is necessary to adapt or to increase the effectiveness of 1291
that building for rehabilitation facility purposes, the 1292
acquisition of equipment for these purposes, and the initial 1293
staffing. 1294

(F) "Construction" means the construction of new 1295
buildings, acquisition of land or existing buildings and their 1296
expansion, remodeling, alteration and renovation, and the 1297
initial staffing and equipment of any new, newly acquired, 1298
expanded, remodeled, altered, or renovated buildings. 1299

~~(G) "Physical restoration services" means those services~~ 1300
~~that are necessary to correct or substantially modify within a~~ 1301
~~reasonable period of time a physical or mental condition that is~~ 1302
~~stable or slowly progressive.~~ 1303

~~(H) "Occupational license" means any license, permit, or~~ 1304
~~other written authority required by any governmental unit in~~ 1305
~~order to engage in any occupation or business.~~ 1306

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

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

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

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

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

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

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

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

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

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

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

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

executive director may establish procedures for all of the 1397
following: 1398

- (1) The governance of the agency; 1399
- (2) The conduct of agency employees and officers; 1400
- (3) The performance of agency business; 1401
- (4) The custody, use, and preservation of agency records,
papers, books, documents, and property. 1402
1403

(C) The executive director shall have exclusive authority 1404
to administer the daily operation and provision of vocational 1405
rehabilitation services under this chapter. In exercising that 1406
authority, the executive director may do all of the following: 1407

- (1) Adopt rules in accordance with Chapter 119. of the 1408
Revised Code; 1409
- (2) Prepare and submit an annual report to the governor; 1410
- (3) Certify any disbursement of funds available to the 1411
agency for vocational rehabilitation ~~activities~~ services; 1412
- (4) Take appropriate action to guarantee rights of 1413
vocational rehabilitation services to ~~people eligible~~ 1414
individuals with disabilities; 1415
- (5) Consult with and advise other state agencies and 1416
coordinate programs for ~~persons eligible~~ individuals with 1417
disabilities; 1418
- (6) Comply with the requirements for match as part of 1419
budget submission; 1420
- (7) Establish research and demonstration projects; 1421
- (8) Accept, hold, invest, reinvest, or otherwise use gifts 1422

to further vocational rehabilitation services; 1423

(9) For the purposes of the business enterprise program 1424
administered under sections 3304.28 to 3304.35 of the Revised 1425
Code: 1426

(a) Establish and manage small business entities owned or 1427
operated by ~~visually impaired persons~~ individuals who are blind; 1428

(b) Purchase insurance; 1429

(c) Accept computers. 1430

(10) Enter into contracts and other agreements for the 1431
provision of vocational rehabilitation services. 1432

(D) The executive director shall establish a fee schedule 1433
for vocational rehabilitation services in accordance with 34 1434
C.F.R. 361.50. 1435

Sec. 3304.17. The opportunities for Ohioans with 1436
disabilities agency shall provide vocational rehabilitation 1437
services to all eligible ~~persons~~ individuals with disabilities, 1438
including any ~~person~~ eligible individual with a disability who 1439
is eligible under the terms of an agreement or arrangement with 1440
another state or with the federal government. If vocational 1441
rehabilitation services cannot be provided to all eligible 1442
individuals with disabilities in the state who apply for 1443
vocational rehabilitation services, the agency shall implement 1444
an order of selection in accordance with 34 C.F.R. 361.36. 1445

Sec. 3304.171. (A) As used in this section, "OhioMeansJobs 1446
web site" has the same meaning as in section 6301.01 of the 1447
Revised Code. 1448

(B) ~~Beginning January 1, 2016, each recipient of~~ Each 1449
eligible individual receiving vocational rehabilitation services 1450

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

same as service in the public schools. 1659

(3) All other individuals who become members. 1660

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

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

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

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

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

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

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

(b) American government, one-half unit. 1714

(7) Social studies, two units. 1715

Beginning with students who enter ninth grade for the 1716
first time on or after July 1, 2017, the two units of 1717
instruction prescribed by division (B) (7) of this section shall 1718
include at least one-half unit of instruction in the study of 1719
world history and civilizations. 1720

(8) Elective units, seven units until September 15, 2003, 1721
and six units thereafter. 1722

Each student's electives shall include at least one unit, 1723
or two half units, chosen from among the areas of 1724
business/technology, fine arts, and/or foreign language. 1725

(C) Beginning with students who enter ninth grade for the 1726
first time on or after July 1, 2010, except as provided in 1727
divisions (D) to (F) of this section, the requirements for 1728
graduation from every public and chartered nonpublic high school 1729
shall include twenty units that are designed to prepare students 1730
for the workforce and college. The units shall be distributed as 1731
follows: 1732

(1) English language arts, four units; 1733

(2) Health, one-half unit, which shall include instruction 1734
in nutrition and the benefits of nutritious foods and physical 1735
activity for overall health; 1736

(3) Mathematics, four units, which shall include one unit 1737
of algebra II or the equivalent of algebra II. However, students 1738
who enter ninth grade for the first time on or after July 1, 1739
2015, and who are pursuing a career-technical instructional 1740
track shall not be required to take algebra II, and instead may 1741

complete a career-based pathway mathematics course approved by 1742
the department of education as an alternative. 1743

(4) Physical education, one-half unit; 1744

(5) Science, three units with inquiry-based laboratory 1745
experience that engages students in asking valid scientific 1746
questions and gathering and analyzing information, which shall 1747
include the following, or their equivalent: 1748

(a) Physical sciences, one unit; 1749

(b) Life sciences, one unit; 1750

(c) Advanced study in one or more of the following 1751
sciences, one unit: 1752

(i) Chemistry, physics, or other physical science; 1753

(ii) Advanced biology or other life science; 1754

(iii) Astronomy, physical geology, or other earth or space 1755
science. 1756

(6) History and government, one unit, which shall comply 1757
with division (M) of this section and shall include both of the 1758
following: 1759

(a) American history, one-half unit; 1760

(b) American government, one-half unit. 1761

(7) Social studies, two units. 1762

Each school shall integrate the study of economics and 1763
financial literacy, as expressed in the social studies academic 1764
content standards adopted by the state board of education under 1765
division (A)(1) of section 3301.079 of the Revised Code and the 1766
academic content standards for financial literacy and 1767

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(I) Probability and statistics; 1885

(II) Computer programming; 1886

(III) Applied mathematics or quantitative reasoning; 1887

(IV) Any other course approved by the department using 1888
standards established by the superintendent not later than 1889
October 1, 2014. 1890

(ii) Elective units, five units; 1891

(iii) Science, three units as prescribed by division (B) 1892
of this section which shall include inquiry-based laboratory 1893
experience that engages students in asking valid scientific 1894
questions and gathering and analyzing information. 1895

The department, in collaboration with the chancellor, 1896
shall analyze student performance data to determine if there are 1897
mitigating factors that warrant extending the exception 1898
permitted by division (D) of this section to high school classes 1899
beyond those entering ninth grade before July 1, 2016. The 1900
department shall submit its findings and any recommendations not 1901
later than December 1, 2015, to the speaker and minority leader 1902
of the house of representatives, the president and minority 1903
leader of the senate, the chairpersons and ranking minority 1904
members of the standing committees of the house of 1905
representatives and the senate that consider education 1906
legislation, the state board of education, and the 1907
superintendent of public instruction. 1908

(E) Each school district and chartered nonpublic school 1909
retains the authority to require an even more challenging 1910
minimum curriculum for high school graduation than specified in 1911
division (B) or (C) of this section. A school district board of 1912
education, through the adoption of a resolution, or the 1913
governing authority of a chartered nonpublic school may 1914
stipulate any of the following: 1915

(1) A minimum high school curriculum that requires more 1916
than twenty units of academic credit to graduate; 1917

(2) An exception to the district's or school's minimum 1918
high school curriculum that is comparable to the exception 1919
provided in division (D) of this section but with additional 1920
requirements, which may include a requirement that the student 1921
successfully complete more than the minimum curriculum 1922
prescribed in division (B) of this section; 1923

(3) That no exception comparable to that provided in 1924
division (D) of this section is available. 1925

(F) A student enrolled in a dropout prevention and 1926
recovery program, which program has received a waiver from the 1927
department, may qualify for graduation from high school by 1928
successfully completing a competency-based instructional program 1929
administered by the dropout prevention and recovery program in 1930
lieu of completing the requirements for graduation prescribed in 1931
division (C) of this section. The department shall grant a 1932
waiver to a dropout prevention and recovery program, within 1933
sixty days after the program applies for the waiver, if the 1934
program meets all of the following conditions: 1935

(1) The program serves only students not younger than 1936
sixteen years of age and not older than twenty-one years of age. 1937

(2) The program enrolls students who, at the time of their 1938
initial enrollment, either, or both, are at least one grade 1939
level behind their cohort age groups or experience crises that 1940
significantly interfere with their academic progress such that 1941
they are prevented from continuing their traditional programs. 1942

(3) The program requires students to attain at least the 1943
applicable score designated for each of the assessments 1944

prescribed under division (B) (1) of section 3301.0710 of the 1945
Revised Code or, to the extent prescribed by rule of the state 1946
board under division (D) (5) of section 3301.0712 of the Revised 1947
Code, division (B) (2) of that section. 1948

(4) The program develops a student success plan for the 1949
student in the manner described in division (C) (1) of section 1950
3313.6020 of the Revised Code that specifies the student's 1951
matriculating to a two-year degree program, acquiring a business 1952
and industry-recognized credential, or entering an 1953
apprenticeship. 1954

(5) The program provides counseling and support for the 1955
student related to the plan developed under division (F) (4) of 1956
this section during the remainder of the student's high school 1957
experience. 1958

(6) The program requires the student and the student's 1959
parent, guardian, or custodian to sign and file, in accordance 1960
with procedural requirements stipulated by the program, a 1961
written statement asserting the parent's, guardian's, or 1962
custodian's consent to the student's graduating without 1963
completing the requirements for graduation prescribed in 1964
division (C) of this section and acknowledging that one 1965
consequence of not completing those requirements is 1966
ineligibility to enroll in most state universities in Ohio 1967
without further coursework. 1968

(7) Prior to receiving the waiver, the program has 1969
submitted to the department an instructional plan that 1970
demonstrates how the academic content standards adopted by the 1971
state board under section 3301.079 of the Revised Code will be 1972
taught and assessed. 1973

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

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

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

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

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

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

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

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

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

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

(I) A school district or chartered nonpublic school may 2017
integrate academic content in a subject area for which the state 2018
board has adopted standards under section 3301.079 of the 2019
Revised Code into a course in a different subject area, 2020
including a career-technical education course, in accordance 2021
with guidance for integrated coursework developed by the 2022
department. Upon successful completion of an integrated course, 2023
a student may receive credit for both subject areas that were 2024
integrated into the course. ~~Units earned in English language~~ 2025
~~arts, mathematics, science, and social studies that are for~~ 2026
subject area content delivered through integrated academic and 2027
career-technical instruction are eligible to meet the graduation 2028
requirements of division (B) or (C) of this section. 2029

For purposes of meeting graduation requirements, if an 2030
end-of-course examination has been prescribed under section 2031
3301.0712 of the Revised Code for the subject area delivered 2032

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

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

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

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

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

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

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

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

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

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

another course of study. 2124

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

(1) The Declaration of Independence; 2133

(2) The Northwest Ordinance; 2134

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

(4) The Ohio Constitution. 2137

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) Establish the requirements and criteria for earning an 2239
OhioMeansJobs-readiness seal, including demonstration of work- 2240
readiness and work ethic competencies such as teamwork, problem- 2241
solving, reliability, punctuality, and computer technology 2242
competency; 2243

(2) Develop a standardized form for students to complete 2244
and have validated prior to graduation by at least three 2245
individuals, each of whom must be an employer, teacher, business 2246
mentor, community leader, faith-based leader, school leader, or 2247
coach of the student; 2248

(3) Prepare and deliver to all school districts, community 2249
schools, STEM schools, college-preparatory boarding schools, and 2250
chartered nonpublic schools an appropriate mechanism for 2251
assigning an OhioMeansJobs-readiness seal on a student's diploma 2252
and transcript indicating that the student has been assigned the 2253
seal; 2254

(4) Provide any other information the state superintendent 2255
considers necessary for school districts, community schools, 2256
STEM schools, college-preparatory boarding schools, and 2257
chartered nonpublic schools to assign an OhioMeansJobs-readiness 2258
seal. 2259

(D) A student shall not be charged a fee to be assigned an 2260
OhioMeansJobs-readiness seal on the student's diploma and 2261
transcript. 2262

Sec. 3313.89. Beginning with the 2014-2015 school year, 2263
each public high school shall publish or provide, not later than 2264
the first day of April of each year, in its newsletter, high 2265
school planning guide, regular publication provided to parents 2266
and students, or in a prominent location on the school web site, 2267

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

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

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

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

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

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

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

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

(2) The education program of the school, including the 2297
school's mission, the characteristics of the students the school 2298
is expected to attract, the ages and grades of students, and the 2299
focus of the curriculum; 2300

(3) The academic goals to be achieved and the method of 2301
measurement that will be used to determine progress toward those 2302
goals, which shall include the statewide achievement 2303
assessments; 2304

(4) Performance standards, including but not limited to 2305
all applicable report card measures set forth in section 3302.03 2306
or 3314.017 of the Revised Code, by which the success of the 2307
school will be evaluated by the sponsor; 2308

(5) The admission standards of section 3314.06 of the 2309
Revised Code and, if applicable, section 3314.061 of the Revised 2310
Code; 2311

(6) (a) Dismissal procedures; 2312

(b) A requirement that the governing authority adopt an 2313
attendance policy that includes a procedure for automatically 2314
withdrawing a student from the school if the student without a 2315
legitimate excuse fails to participate in one hundred five 2316
consecutive hours of the learning opportunities offered to the 2317
student. 2318

(7) The ways by which the school will achieve racial and 2319
ethnic balance reflective of the community it serves; 2320

(8) Requirements for financial audits by the auditor of 2321
state. The contract shall require financial records of the 2322
school to be maintained in the same manner as are financial 2323
records of school districts, pursuant to rules of the auditor of 2324
state. Audits shall be conducted in accordance with section 2325

117.10 of the Revised Code. 2326

(9) An addendum to the contract outlining the facilities 2327
to be used that contains at least the following information: 2328

(a) A detailed description of each facility used for 2329
instructional purposes; 2330

(b) The annual costs associated with leasing each facility 2331
that are paid by or on behalf of the school; 2332

(c) The annual mortgage principal and interest payments 2333
that are paid by the school; 2334

(d) The name of the lender or landlord, identified as 2335
such, and the lender's or landlord's relationship to the 2336
operator, if any. 2337

(10) Qualifications of teachers, including a requirement 2338
that the school's classroom teachers be licensed in accordance 2339
with sections 3319.22 to 3319.31 of the Revised Code, except 2340
that a community school may engage noncertificated persons to 2341
teach up to twelve hours per week pursuant to section 3319.301 2342
of the Revised Code. 2343

(11) That the school will comply with the following 2344
requirements: 2345

(a) The school will provide learning opportunities to a 2346
minimum of twenty-five students for a minimum of nine hundred 2347
twenty hours per school year. 2348

(b) The governing authority will purchase liability 2349
insurance, or otherwise provide for the potential liability of 2350
the school. 2351

(c) The school will be nonsectarian in its programs, 2352

admission policies, employment practices, and all other 2353
operations, and will not be operated by a sectarian school or 2354
religious institution. 2355

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) Permit the enrollment of students who reside in 2471
districts adjacent to the district in which the school is 2472
located; 2473

(c) Permit the enrollment of students who reside in any 2474
other district in the state. 2475

(20) A provision recognizing the authority of the 2476
department of education to take over the sponsorship of the 2477
school in accordance with the provisions of division (C) of 2478
section 3314.015 of the Revised Code; 2479

(21) A provision recognizing the sponsor's authority to 2480
assume the operation of a school under the conditions specified 2481
in division (B) of section 3314.073 of the Revised Code; 2482

(22) A provision recognizing both of the following: 2483

(a) The authority of public health and safety officials to 2484
inspect the facilities of the school and to order the facilities 2485
closed if those officials find that the facilities are not in 2486
compliance with health and safety laws and regulations; 2487

(b) The authority of the department of education as the 2488
community school oversight body to suspend the operation of the 2489
school under section 3314.072 of the Revised Code if the 2490
department has evidence of conditions or violations of law at 2491
the school that pose an imminent danger to the health and safety 2492
of the school's students and employees and the sponsor refuses 2493
to take such action. 2494

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

Revised Code; 2500

(24) The school will comply with sections 3302.04 and 2501
3302.041 of the Revised Code, except that any action required to 2502
be taken by a school district pursuant to those sections shall 2503
be taken by the sponsor of the school. However, the sponsor 2504
shall not be required to take any action described in division 2505
(F) of section 3302.04 of the Revised Code. 2506

(25) Beginning in the 2006-2007 school year, the school 2507
will open for operation not later than the thirtieth day of 2508
September each school year, unless the mission of the school as 2509
specified under division (A) (2) of this section is solely to 2510
serve dropouts. In its initial year of operation, if the school 2511
fails to open by the thirtieth day of September, or within one 2512
year after the adoption of the contract pursuant to division (D) 2513
of section 3314.02 of the Revised Code if the mission of the 2514
school is solely to serve dropouts, the contract shall be void. 2515

(26) Whether the school's governing authority is planning 2516
to seek designation for the school as a STEM school equivalent 2517
under section 3326.032 of the Revised Code; 2518

(27) That the school's attendance and participation 2519
policies will be available for public inspection; 2520

(28) That the school's attendance and participation 2521
records shall be made available to the department of education, 2522
auditor of state, and school's sponsor to the extent permitted 2523
under and in accordance with the "Family Educational Rights and 2524
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, 2525
and any regulations promulgated under that act, and section 2526
3319.321 of the Revised Code; 2527

(29) If a school operates using the blended learning 2528

model, as defined in section 3301.079 of the Revised Code, all 2529
of the following information: 2530

(a) An indication of what blended learning model or models 2531
will be used; 2532

(b) A description of how student instructional needs will 2533
be determined and documented; 2534

(c) The method to be used for determining competency, 2535
granting credit, and promoting students to a higher grade level; 2536

(d) The school's attendance requirements, including how 2537
the school will document participation in learning 2538
opportunities; 2539

(e) A statement describing how student progress will be 2540
monitored; 2541

(f) A statement describing how private student data will 2542
be protected; 2543

(g) A description of the professional development 2544
activities that will be offered to teachers. 2545

(30) A provision requiring that all moneys the school's 2546
operator loans to the school, including facilities loans or cash 2547
flow assistance, must be accounted for, documented, and bear 2548
interest at a fair market rate; 2549

(31) A provision requiring that, if the governing 2550
authority contracts with an attorney, accountant, or entity 2551
specializing in audits, the attorney, accountant, or entity 2552
shall be independent from the operator with which the school has 2553
contracted. 2554

(B) The community school shall also submit to the sponsor 2555

a comprehensive plan for the school. The plan shall specify the 2556
following: 2557

(1) The process by which the governing authority of the 2558
school will be selected in the future; 2559

(2) The management and administration of the school; 2560

(3) If the community school is a currently existing public 2561
school or educational service center building, alternative 2562
arrangements for current public school students who choose not 2563
to attend the converted school and for teachers who choose not 2564
to teach in the school or building after conversion; 2565

(4) The instructional program and educational philosophy 2566
of the school; 2567

(5) Internal financial controls. 2568

When submitting the plan under this division, the school 2569
shall also submit copies of all policies and procedures 2570
regarding internal financial controls adopted by the governing 2571
authority of the school. 2572

(C) A contract entered into under section 3314.02 of the 2573
Revised Code between a sponsor and the governing authority of a 2574
community school may provide for the community school governing 2575
authority to make payments to the sponsor, which is hereby 2576
authorized to receive such payments as set forth in the contract 2577
between the governing authority and the sponsor. The total 2578
amount of such payments for monitoring, oversight, and technical 2579
assistance of the school shall not exceed three per cent of the 2580
total amount of payments for operating expenses that the school 2581
receives from the state. 2582

(D) The contract shall specify the duties of the sponsor 2583

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

be a type of STEM program of excellence. 2642

(C) (1) Any reference to a STEM school or science, 2643
technology, engineering, and mathematics school in the Revised 2644
Code shall be considered to include a STEAM school, unless the 2645
context specifically indicates a different meaning or intent. 2646
All provisions of the Revised Code applicable to a STEM school 2647
shall apply to a STEAM school in the same manner, except as 2648
otherwise provided in this chapter. 2649

(2) Any reference to a STEM school equivalent in the 2650
Revised Code shall be considered to include a STEAM school 2651
equivalent, unless the context specifically indicates a 2652
different meaning or intent. All provisions of the Revised Code 2653
applicable to a STEM school equivalent shall apply to a STEAM 2654
school equivalent in the same manner, except as otherwise 2655
provided in this chapter. 2656

(3) Any reference to a STEM program of excellence in the 2657
Revised Code shall be considered to include a STEAM program of 2658
excellence, unless the context specifically indicates a 2659
different meaning or intent. All provisions of the Revised Code 2660
applicable to a STEM program of excellence shall apply to a 2661
STEAM program of excellence in the same manner, except as 2662
otherwise provided in this chapter. 2663

Sec. 3326.03. (A) The STEM committee shall authorize the 2664
establishment of and award grants to science, technology, 2665
engineering, and mathematics schools based on proposals 2666
submitted to the committee. 2667

The committee shall determine the criteria for proposals, 2668
establish procedures for the submission of proposals, accept and 2669
evaluate proposals, and choose which proposals to approve to 2670

become a STEM school. In approving proposals for STEM schools, 2671
the committee shall consider locating the schools in diverse 2672
geographic regions of the state so that all students have access 2673
to a STEM school. 2674

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

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

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

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

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

(2) Higher education entities; 2700

(3) Business organizations. 2701

A community school established under Chapter 3314. of the 2702
Revised Code, a chartered nonpublic school, or both may be part 2703
of the partnership. 2704

(C) Each proposal shall include at least the following: 2705

(1) Assurances that the STEM school or group of STEM 2706
schools will be under the oversight of a governing body and a 2707
description of the members of that governing body and how they 2708
will be selected; 2709

(2) Assurances that each STEM school will operate in 2710
compliance with this chapter and the provisions of the proposal 2711
as accepted by the committee; 2712

(3) Evidence that each school will offer a rigorous, 2713
diverse, integrated, and project-based curriculum to students in 2714
any of grades kindergarten through twelve, with the goal to 2715
prepare those students for college, the workforce, and 2716
citizenship, and that does all of the following: 2717

(a) Emphasizes the role of science, technology, 2718
engineering, and mathematics in promoting innovation and 2719
economic progress; 2720

(b) Incorporates scientific inquiry and technological 2721
design; 2722

(c) Includes the arts and humanities⁷. If the proposal is 2723
for a STEAM school, it also shall include evidence that the 2724
curriculum will integrate arts and design into the study of 2725
science, technology, engineering, and mathematics to foster 2726
creative thinking, problem-solving, and new approaches to 2727

scientific invention. 2728

(d) Emphasizes personalized learning and teamwork skills. 2729

(4) Evidence that each school will attract school leaders 2730
who support the curriculum principles of division (C) (3) of this 2731
section; 2732

(5) A description of how each school's curriculum will be 2733
developed and approved in accordance with section 3326.09 of the 2734
Revised Code; 2735

(6) Evidence that each school will utilize an established 2736
capacity to capture and share knowledge for best practices and 2737
innovative professional development with the Ohio STEM learning 2738
network, or its successor; 2739

(7) Evidence that each school will operate in 2740
collaboration with a partnership that includes institutions of 2741
higher education and businesses~~†~~. If the proposal is for a STEAM 2742
school, it also shall include evidence that this partnership 2743
will include arts organizations. 2744

(8) Assurances that each school has received commitments 2745
of sustained and verifiable fiscal and in-kind support from 2746
regional education and business entities~~†~~. If the proposal is 2747
for a STEAM school, it also shall include assurances that the 2748
school has received commitments of sustained and verifiable 2749
fiscal and in-kind support from arts organizations. 2750

(9) A description of how each school's assets will be 2751
distributed if the school closes for any reason. 2752

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

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

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

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

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

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

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

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

- (a) Emphasizes the role of science, technology, engineering, and mathematics in promoting innovation and economic progress;
- (b) Incorporates scientific inquiry and technological design;
- (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 2813
that is designated as a STEM school equivalent under this 2814
section shall not be subject to the requirements of Chapter 2815
3326. of the Revised Code, except that the school shall be 2816
subject to the requirements of this section and to the 2817
curriculum requirements of section 3326.09 of the Revised Code. 2818

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) Filing an application for benefit rights; 2982

(ii) Making a weekly claim for benefits; 2983

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

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

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

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

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

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

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

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

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

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

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

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

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

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

except in any of the following circumstances: 3045

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) The individual has completed similar services. 3156

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

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

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

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

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

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

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

the following conditions: 3192

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

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

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

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

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

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

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

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

(I) Thirty days after separation; 3234

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

purposes. 3551

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

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

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

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

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

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

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

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

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

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

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

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

(1) Applying the base period of a single state law to a 3641
claim involving the combining of an individual's wages and 3642
employment covered under two or more state unemployment 3643
compensation laws, and 3644

(2) Avoiding the duplicate use of wages and employment by 3645
reason of such combining. 3646

(I) The director shall cooperate with the United States 3647
department of labor to the fullest extent consistent with this 3648
chapter, and shall take such action, through the adoption of 3649
appropriate rules, regulations, and administrative methods and 3650
standards, as may be necessary to secure to this state and its 3651
citizens all advantages available under the provisions of the 3652
"Social Security Act" that relate to unemployment compensation, 3653
the "Federal Unemployment Tax Act," (1970) 84 Stat. 713, 26 3654
U.S.C.A. 3301 to 3311, the "Wagner-Peyser Act," (1933) 48 Stat. 3655
113, 29 U.S.C.A. 49, ~~and the "Federal-State Extended~~ 3656
~~Unemployment Compensation Act of 1970," 84 Stat. 596, 26~~ 3657
~~U.S.C.A. 3306, and the "Workforce Investment Act of 1998," 112-~~ 3658
~~Stat. 936, 29 U.S.C.A. 2801 et seq.~~ "Workforce Innovation and 3659
Opportunity Act," 29 U.S.C.A. 3101 et seq. 3660

(J) The director may disclose wage information furnished 3661
to or maintained by the director under Chapter 4141. of the 3662
Revised Code to a consumer reporting agency as defined by the 3663
"Fair Credit Reporting Act," 84 Stat. 1128, 15 U.S.C.A. 1681a, 3664
as amended, for the purpose of verifying an individual's income 3665
under a written agreement that requires all of the following: 3666

(1) A written statement of informed consent from the 3667
individual whose information is to be disclosed; 3668

(2) A written statement confirming that the consumer 3669

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

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

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

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

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

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

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

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

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

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

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

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

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

"Workforce Innovation and Opportunity Act," 29 U.S.C. 3101 et 3729
seq.; 3730

(7) Includes any other information as required by the 3731
United States secretary of labor or the director under the rules 3732
the director adopts under section 4141.50 of the Revised Code; 3733

(8) Includes an attestation by the employer that the terms 3734
of the written plan submitted by the employer and implementation 3735
of that plan are consistent with obligations of the employer 3736
under the applicable federal and state laws; 3737

(9) Includes a certification by the employer that the 3738
employer will promptly notify the director of any change in the 3739
business that includes the sale or transfer of all or part of 3740
the business, and that the employer will notify any successor in 3741
interest to the employer's business prior to the transfer of all 3742
or part of the business, of the existence of any approved shared 3743
work plan; 3744

(10) Includes a certification by the employer that, as of 3745
the date the employer submits the plan, the employer is current 3746
on all reports and has paid all contributions, reimbursements, 3747
interest, and penalties due under this chapter; 3748

(11) Includes an assurance from the employer that the 3749
employer will remain current on all employer reporting and 3750
payments of contributions, reimbursements, interest, and 3751
penalties as required by this chapter; 3752

(12) Includes a certification by the employer that none of 3753
the participating employees are employed on a seasonal, 3754
temporary, or intermittent basis; 3755

(13) Includes an assurance from the employer that the 3756
employer will not reduce a participating employee's normal 3757

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) "Local area" has the same meaning as in section ~~101 of~~
~~the "Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.~~
~~2801, as amended, and division (A) of section 6301.01 of the~~
Revised Code~~7.~~

(2) "Chief elected official" has the same meaning as ~~in~~
~~section 101 of the "Workforce Investment Act of 1998," 112 Stat.~~
~~936, 29 U.S.C. 2801, as amended, and division (F) of "chief~~
elected official or officials" as defined in section 6301.01 of
the Revised Code~~7.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

this section to the director. 4137

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) Fraud or abuse; 4208

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

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

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

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

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

(b) Impose a reorganization plan. 4233

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

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

(b) Prohibiting the use of eligible providers; 4238

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

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

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

~~An—~~ 4245

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

Sec. 5108.01. As used in this chapter: 4250

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

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

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

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

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

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

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

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

Sec. 5166.40. (A) As used in sections 5166.40 to 5166.409 4279
of the Revised Code: 4280

(1) "Adult" means an individual who is at least eighteen 4281
years of age. 4282

(2) "Buckeye account" means a modified health savings 4283
account established under section 5166.402 of the Revised Code. 4284

(3) "Contribution" means the amounts that an individual 4285
contributes to the individual's buckeye account and are 4286
contributed to the account on the individual's behalf under 4287
divisions (C) and (D) of section 5166.402 of the Revised Code. 4288
"Contribution" does not mean the portion of an individual's 4289
buckeye account that consists of medicaid funds deposited under 4290
division (B) of section 5166.402 of the Revised Code or section 4291
5166.404 of the Revised Code. 4292

(4) "Core portion" means the portion of a healthy Ohio 4293
program participant's buckeye account that consists of the 4294
following: 4295

(a) The amount of contributions to the account; 4296

(b) The amounts awarded to the account under divisions (C) 4297
and (D) of section 5166.404 of the Revised Code. 4298

(5) "Eligible employer-sponsored health plan" has the same 4299
meaning as in section 5000A(f)(2) of the "Internal Revenue Code 4300
of 1986," 26 U.S.C. 5000A(f)(2). 4301

(6) "Healthy Ohio program" means the medicaid waiver 4302
component established under sections 5166.40 to 5166.409 of the 4303
Revised Code under which medicaid recipients specified in 4304
division (B) of this section enroll in comprehensive health 4305
plans and contribute to buckeye accounts. 4306

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) JPTA eligible employees who had resided at least six 4366
months in the county in which the enterprise's project site is 4367
located; 4368

(c) Participants of the Ohio works first program under 4369
Chapter 5107. of the Revised Code or the prevention, retention, 4370
and contingency program under Chapter 5108. of the Revised Code 4371
or recipients of general assistance under former Chapter 5113. 4372
of the Revised Code, financial assistance under Chapter 5115. of 4373
the Revised Code, or unemployment compensation benefits who had 4374
resided at least six months in the county in which the 4375
enterprise's project site is located; 4376

(d) ~~Handicapped persons~~ Eligible individuals with 4377
disabilities, as defined under division (A) of section 3304.11 4378
of the Revised Code, who had resided at least six months in the 4379
county in which the enterprise's project site is located; 4380

(e) Residents for at least one year of a zone located in 4381
the county in which the enterprise's project site is located. 4382

The director of development shall, by rule, establish 4383
criteria for determining what constitutes a nonretail position 4384
at a facility. 4385

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(E) As used in this section: 4546

(1) "Special disabled veteran" means a veteran who is 4547
entitled to, or who but for the receipt of military pay would be 4548
entitled to, compensation under any law administered by the 4549
department of veterans affairs for a disability rated at thirty 4550
per cent or more or a person who was discharged or released from 4551
active duty because of a service-connected disability. 4552

(2) "Veteran of the Vietnam era" means an eligible veteran 4553
who served on active duty for a period of more than one hundred 4554
eighty days, any part of which occurred from August 5, 1964, 4555
through May 7, 1975, and was discharged or released therefrom 4556
with other than a dishonorable discharge or a person who was 4557
discharged or released from active duty for a service-connected 4558
disability if any part of the active duty was performed from 4559
August 5, 1964, through May 7, 1975. 4560

(3) "Disabled veteran" means a veteran who is entitled to, 4561
or who but for the receipt of military retirement pay would be 4562
entitled to compensation, under any law administered by the 4563
department of veterans affairs and who is not a special disabled 4564
veteran. 4565

(4) "Eligible veteran" means a person who served on active 4566
duty for more than one hundred eighty days and was discharged or 4567
released from active duty with other than a dishonorable 4568
discharge or a person who was discharged or released from active 4569
duty because of a service-connected disability. 4570

(5) "Other eligible person" means one of the following: 4571

(a) The spouse of any person who died of a service- 4572
connected disability; 4573

(b) The spouse of any member of the armed forces serving 4574

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

(i) Missing in action; 4581

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

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

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

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

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

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

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

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

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

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

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

Sec. 6301.01. As used in this chapter: 4615

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) The governor;

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

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

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

(5) Any additional members appointed by the governor.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~shall represent large businesses. When determining what~~ 4891
~~constitutes small, medium-sized, and large businesses for~~ 4892
~~purposes of this division, the chief elected officials of the~~ 4893
~~local area shall define those sizes as those sizes are generally~~ 4894
~~understood within the labor market area that includes that local~~ 4895
~~area. A majority of the members of the board shall be~~ 4896
~~representatives of private sector businesses.~~ 4897

~~(b) At least two members of the board shall represent~~ 4898
~~organized labor and shall be appointed from nominations~~ 4899
~~submitted by local federations of labor representing workers~~ 4900
~~employed in the local area.~~ 4901

~~(c) At least two members of the board shall be~~ 4902
~~representatives of local educational entities. For purposes of~~ 4903
~~this division, "local educational entities" includes local~~ 4904
~~educational agencies, school district boards of education,~~ 4905
~~entities providing educational and literacy activities, and~~ 4906
~~post secondary educational institutions.~~ 4907

~~(d) At least one member of the board shall be a~~ 4908
~~representative of consumers of workforce development activities.~~ 4909

~~(e) Any other individuals the chief elected officials of~~ 4910
~~the local area determine are necessary to carry out the~~ 4911
~~functions described in section 107(d) of the Workforce~~ 4912
~~Innovation and Opportunity Act, 29 U.S.C. 3122(d). The chief~~ 4913
~~elected official or officials shall appoint members of the local~~ 4914
~~board in accordance with the requirements of section 107(b) (2)~~ 4915
~~of the Workforce Innovation and Opportunity Act, 29 U.S.C.~~ 4916
~~3122(b) (2).~~ 4917

(B) Members of the local board serve at the pleasure of 4918
the chief elected official or officials of the local area. 4919

Members shall not be compensated but may be reimbursed for 4920
actual, reasonable, and necessary expenses incurred in the 4921
performance of their duties as board members. Those expenses 4922
shall be paid from funds allocated pursuant to section 6301.03 4923
of the Revised Code. 4924

The chief elected official or officials of a local area 4925
may provide office space, staff, or other administrative support 4926
as needed to the board. For purposes of section 102.02 of the 4927
Revised Code, members of the board are not public officials or 4928
employees. 4929

(C) The chief elected official or officials of a local 4930
~~area other than a local area as defined in division (A) (1) of~~ 4931
~~section 6301.01 of the Revised Code, shall coordinate the~~ 4932
~~workforce development activities of the county family services~~ 4933
~~planning committees and the local boards in the local area in~~ 4934
~~any manner that is efficient and effective to meet the needs of~~ 4935
~~the local area. The chief elected officials of the local area~~ 4936
~~may, but are not required to, consolidate all boards and~~ 4937
~~committees as they determine appropriate into a single board for~~ 4938
~~purposes of workforce development activities. A majority of the~~ 4939
~~members of that consolidated board shall represent private~~ 4940
~~sector businesses. The membership of that consolidated board~~ 4941
~~shall include a representative from each group granted~~ 4942
~~representation as described in division (A) of this section and~~ 4943
~~also a member who represents consumers of family services and a~~ 4944
~~member who represents the county department of job and family~~ 4945
~~services. The membership of that consolidated board may include~~ 4946
~~a representative of one or more groups and entities that may be~~ 4947
~~represented on a county family services planning committee, as~~ 4948
~~specified in section 329.06 of the Revised Code shall adopt a~~ 4949
process for appointing members to the local board for the local 4950

area. 4951

(D) The chief elected official or officials of a local 4952
area may contract with the local board. The parties shall 4953
specify in the contract the workforce development activities 4954
that the local board is to administer and shall establish in the 4955
contract standards, including performance standards, for the 4956
local board's operation. The contract may include any other 4957
provisions that the chief elected official or officials consider 4958
necessary. 4959

(E) The chief elected official or officials may contract 4960
with any government or private entity to enhance the 4961
administration of local workforce development activities for 4962
which the local board is responsible. The entity with which the 4963
chief elected official or officials contract is not required to 4964
be located in the local area in which the chief elected official 4965
or officials serve as chief elected executive officer. 4966

Sec. 6301.061. A board of county commissioners may appoint 4967
an advisory committee on workforce development. A committee 4968
appointed under this section may do both of the following: 4969

(A) Work to further cooperation between the county and 4970
other workforce development and economic development related 4971
entities including the state, local area ~~one-stop workforce~~ 4972
development systems, and private businesses; 4973

(B) Advise the board and other interested parties on ways 4974
to maintain and improve the workforce development system of the 4975
local area in which the county is a part. 4976

Sec. 6301.07. (A) For purposes of this section, 4977
"performance character" means the career-essential relational 4978
attributes that build trust with others, including respect, 4979

honesty, integrity, task-excellence, responsibility, and 4980
resilience. 4981

(B) Every local board, ~~under the direction and approval of~~ 4982
~~the state board and with the agreement of~~ in partnership with 4983
the chief elected official or officials of the local area, ~~and~~ 4984
~~after holding public hearings that allow public comment and~~ 4985
~~testimony,~~ shall ~~prepare a workforce development~~ develop and 4986
submit to the governor a comprehensive four-year local plan. The 4987
local plan shall accomplish ~~support the strategy described in~~ 4988
the state plan and shall contain descriptions of the activities 4989
of the local board as outlined in section 108 of the Workforce 4990
Innovation and Opportunity Act, 29 U.S.C. 3123, including all of 4991
the following: 4992

(1) ~~Identify the workforce investment needs of businesses~~ 4993
~~in the local area, identify projected employment opportunities,~~ 4994
~~and identify the job skills and performance character necessary~~ 4995
~~to obtain and succeed in those opportunities;~~ Identification of 4996
strategic planning elements, including all of the following: 4997

(a) The strategic vision of the local board; 4998
(b) Goals for preparing an educated and skilled workforce; 4999
(c) The knowledge and skills, including performance 5000
character, needed to meet the employment needs of employers in 5001
the planning region, including in-demand industry sectors and 5002
occupations. 5003

(2) ~~Identify~~ A description of the workforce development 5004
system in the local area and how the local board, working with 5005
education programs and the entities that carry out core 5006
programs, will coordinate activities to expand access to 5007
employment, training, education, and supportive services to 5008

eligible individuals with barriers to employment to improve 5009
service delivery and to avoid duplication; 5010

(3) A determination of the local area's workforce 5011
development needs for youth, dislocated workers, adults, 5012
displaced homemakers, incumbent workers, and any other group of 5013
workers identified by the local board, adult and dislocated 5014
worker employment training activities, including the type and 5015
availability of activities needed; 5016

~~(3) Determine the distribution of workforce development~~ 5017
~~resources and funding to be distributed for each workforce~~ 5018
~~development activity to meet the identified needs, utilizing the~~ 5019
~~funds allocated pursuant to the "Workforce Investment Act of~~ 5020
~~1998," 112 Stat. 936, 29 U.S.C.A. 2801, as amended;~~ 5021

(4) Give priority to An assessment of the type and 5022
availability of youth workforce development activities carried 5023
out in the local area, including activities for youth with 5024
disabilities and youth receiving independent living services 5025
pursuant to sections 2151.81 to 2151.84 of the Revised Code when 5026
determining distribution of workforce development resources and 5027
workforce development activity funding; 5028

~~(5) Review the minimum curriculum required by the state~~ 5029
~~board for certifying training providers and identify any~~ 5030
~~additional curriculum requirements to include in contracts~~ 5031
~~between the training providers and the chief elected officials~~ 5032
~~of the local area;~~ 5033

~~(6) Establish performance standards for service providers~~ 5034
~~that reflect local workforce development needs;~~ 5035

~~(7) Describe A description of any other information the~~ 5036
chief elected official or officials of the local area require; 5037

(6) A description of any other information the governor 5038
requires. 5039

(C) (1) The local boards of the local areas within a 5040
planning region and the chief elected officials of those local 5041
areas shall prepare, submit to, and obtain approval from the 5042
state for a single regional plan that includes a description of 5043
the activities described in section 106(c) (1) of the Workforce 5044
Innovation and Opportunity Act, 29 U.S.C. 3121(c) (1), and that 5045
incorporates local plans described in division (B) of this 5046
section for each local area in that region. 5047

(2) The state shall identify regions within the state, and 5048
designate each region it identifies as one of the following 5049
types: 5050

(a) A region consisting of one local area; 5051

(b) A planning region; 5052

(c) An interstate planning region that is contained within 5053
two or more states and consists of labor market areas, economic 5054
development areas, or other appropriate contiguous subareas of 5055
those states. 5056

(D) Before the date on which a local board submits a 5057
regional or local plan for approval, the local board shall make 5058
copies of the proposed plan available to the public through 5059
electronic and other means and allow members of the public to 5060
submit comments on the proposed plan to the local board. For 5061
purposes of this division, public hearings and presentation to 5062
local news media are examples of other means by which a local 5063
board may make a proposed plan available. 5064

(E) A local board may provide policy guidance and 5065
recommendations to the chief elected official or officials of a 5066

local area for any workforce development activities. 5067

~~(D) Nothing in this section prohibits the chief elected 5068
officials of a local area from assigning, through a partnership 5069
agreement, any duties in addition to the duties under this 5070
section to a local board, except that a local board cannot 5071
contract with itself for the direct provision of services in its 5072
local area. A local board may consult with the chief elected 5073
officials of its local area and make recommendations regarding 5074
the workforce development activities provided in its local area 5075
at any time. 5076~~

Sec. 6301.08. Every local area shall ~~participate in a one-~~ 5077
~~stop~~ establish and administer a local workforce development 5078
system for workforce development activities. ~~Each board of~~ 5079
~~county commissioners and the~~ The chief elected official or 5080
officials of a municipal corporation local area shall ensure 5081
that at least one ~~delivery method~~ comprehensive OhioMeansJobs 5082
center is available in the local area, ~~either through a physical~~ 5083
~~location, or~~ . An OhioMeansJobs center may be supported by 5084
electronic means approved by the ~~state board, director of job and~~ 5085
family services for the provision of workforce development 5086
activities. 5087

~~Within six months after the effective date of this 5088
amendment, every local area described in division (B) of section 5089
6301.03 of the Revised Code~~ Every OhioMeansJobs center shall 5090
~~name its one stop system as~~ be named "OhioMeansJobs (name of 5091
county) County." 5092

~~A one stop system may~~ Every OhioMeansJobs center shall be 5093
~~operated by a private entity or a public agency, including a~~ 5094
~~workforce development agency, any existing facility or~~ 5095
~~organization that is established to administer workforce~~ 5096

~~development activities in the local area, and a county family~~ 5097
~~services agency an OhioMeansJobs center operator.~~ 5098

~~A one-stop~~ The local workforce development system shall 5099
include representatives of all the partners required under the 5100
~~"Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.A.~~ 5101
~~2801, as amended. In addition, a one-stop system shall include~~ 5102
~~at least one representative from a county department of job and~~ 5103
~~family services~~ Workforce Innovation and Opportunity Act. 5104

Sec. 6301.09. The provision under division (g) of section 5105
~~111 of the "Workforce Investment Act of 1998," 112 Stat. 936, 29~~ 5106
~~U.S.C.A. 2801, as amended~~ 101 of the Workforce Innovation and 5107
Opportunity Act, 29 U.S.C. 3111, applies to the state board 5108
created under ~~section 6301.04 of the Revised Code~~ this chapter. 5109
The provision under division (e) of section ~~117 of the~~ 5110
~~"Workforce Investment Act of 1998"~~ 107 of the Workforce 5111
Innovation and Opportunity Act, 29 U.S.C. 3122 applies to the 5112
local boards established pursuant to ~~section 6301.06 of the~~ 5113
~~Revised Code~~ this chapter. 5114

Sec. 6301.11. (A) As used in this section, "public or 5115
private institution" ~~has the same meaning as in section 3333.93~~ 5116
~~of the Revised Code~~ means any of the following: 5117

(1) A state institution of higher education, as defined in 5118
section 3345.011 of the Revised Code; 5119

(2) A private, nonprofit institution in this state holding 5120
a certificate of authorization pursuant to Chapter 1713. of the 5121
Revised Code; 5122

(3) An Ohio technical center that provides adult technical 5123
education services as recognized by the chancellor of higher 5124
education. 5125

(B) The state board, in connection with the department of 5126
job and family services and public or private institutions, 5127
shall develop a methodology for identifying jobs that are in 5128
demand by employers operating in this state. The methodology for 5129
identifying in-demand jobs shall include an analysis of jobs 5130
that are in demand in each region of the state. The director of 5131
job and family services shall determine the regions. 5132

The department and the public or private institutions, in 5133
consultation with the state board, shall use the methodology to 5134
create a list of such in-demand jobs in the state and a list of 5135
such in-demand jobs in each region of the state. The department 5136
shall publish the lists on the web site of the department. The 5137
department and public or private institutions shall periodically 5138
update the lists to reflect evolving workforce demands in this 5139
state and its regions. 5140

Local boards, ~~workforce development agencies,~~ and other 5141
providers of workforce training shall use the lists of in-demand 5142
jobs to cultivate and prioritize workforce development 5143
activities that correspond to the employment needs of employers 5144
operating in this state and in each of its regions and to assist 5145
individuals in maximizing their employment opportunities. 5146

Sec. 6301.12. (A) The office of workforce development 5147
within the department of job and family services shall 5148
comprehensively review the direct and indirect economic impact 5149
of businesses engaged in the production of horizontal wells in 5150
this state and, based on its findings, prepare an annual Ohio 5151
workforce report. The office shall prepare the report by the 5152
thirtieth day of July of each year. The report shall include at 5153
least all of the following with respect to the industry: 5154

(1) The total number of jobs created or retained during 5155

the previous year; 5156

(2) The total number of Ohio-based contractors that employ 5157
skilled construction trades; 5158

(3) The number of employees who are residents of this 5159
state; 5160

(4) The total economic impact; 5161

(5) A review of the state's regional workforce development 5162
plans required by the ~~"Workforce Investment Act of 1998," 112-~~ 5163
~~Stat. 936, 29 U.S.C.A. 2801, as amended,~~ Workforce Innovation 5164
and Opportunity Act that outline workforce development efforts 5165
including goals and benchmarks toward maximizing job training, 5166
education, and job creation opportunities in the state. 5167

(B) Upon the completion of the office's annual Ohio 5168
workforce report, the office shall provide an electronic copy of 5169
the report to the president and minority leader of the senate 5170
and the speaker and minority leader of the house of 5171
representatives and post it on the office's internet web site. 5172

Sec. 6301.18. (A) ~~Beginning January 1, 2016, each~~ Each 5173
participant in an adult training or education program funded 5174
under the ~~"Workforce Innovation and Opportunity Act," 29 U.S.C.~~ 5175
~~3101,~~ shall create an account with the OhioMeansJobs web site at 5176
the time of enrollment in the program. 5177

(B) Division (A) of this section does not apply to any 5178
individual who is legally prohibited from using a computer, has 5179
a physical or visual impairment that makes the individual unable 5180
to use a computer, or has a limited ability to read, write, 5181
speak, or understand a language in which the OhioMeansJobs web 5182
site is available. 5183

Sec. 6301.20. (A) Not later than December 31, 2017, the 5184
governor's office of workforce transformation, the department of 5185
education, and the chancellor of higher education, in 5186
consultation with business and economic development stakeholder 5187
groups, shall develop a regional workforce collaboration model. 5188
The model shall provide guidance on how the JobsOhio regional 5189
network, local chambers of commerce, economic development 5190
organizations, businesses, business associations, secondary and 5191
post-secondary education organizations, and Ohio college tech 5192
prep regional centers, that are jointly managed by the 5193
department of education and the chancellor, shall collaborate to 5194
form a partnership that provides career services to students. 5195

Career services to students may include, but are not 5196
limited to, job shadowing, internships, co-ops, apprenticeships, 5197
career exploration activities, and problem-based curriculum 5198
developed in alignment with in-demand jobs. 5199

(B) The governor's office of workforce transformation 5200
shall oversee the creation of regional workforce collaboration 5201
partnerships based on the model created under division (A) of 5202
this section. The partnerships shall be located in each of the 5203
six different regions of the state, as determined by JobsOhio. 5204

(C) As used in this section, "JobsOhio" has the same 5205
meaning as in section 187.01 of the Revised Code. 5206

Section 2. That existing sections 107.35, 131.33, 307.984, 5207
329.04, 329.06, 763.01, 763.07, 2329.66, 2953.25, 3121.03, 5208
3304.11, 3304.12, 3304.14, 3304.15, 3304.17, 3304.171, 3304.18, 5209
3304.182, 3304.19, 3304.20, 3304.21, 3304.22, 3304.27, 3304.28, 5210
3304.29, 3304.30, 3304.31, 3304.41, 3309.23, 3313.603, 3313.618, 5211
3313.6110, 3313.89, 3314.03, 3326.01, 3326.03, 3326.032, 5212
3326.04, 3326.09, 3326.11, 3333.91, 3333.92, 4141.29, 4141.43, 5213

4141.51, 5101.09, 5101.20, 5101.201, 5101.214, 5101.23, 5214
5101.241, 5108.01, 5123.60, 5166.40, 5166.408, 5709.64, 5903.11, 5215
6301.01, 6301.02, 6301.03, 6301.04, 6301.05, 6301.06, 6301.061, 5216
6301.07, 6301.08, 6301.09, 6301.11, 6301.12, and 6301.18 and 5217
sections 330.01, 330.02, 330.04, 330.05, 330.07, 763.02, and 5218
763.05 of the Revised Code are hereby repealed. 5219

Section 3. Not later than July 1, 2018, the Department of 5220
Education, in consultation with the Department of Higher 5221
Education and the Governor's Office of Workforce Transformation, 5222
shall develop both of the following: 5223

(A) A plan that permits and encourages school districts 5224
and chartered nonpublic schools to integrate academic content in 5225
subject areas for which the State Board of Education adopts 5226
standards under section 3301.079 of the Revised Code into other 5227
coursework so that students may earn simultaneous credit in 5228
accordance with division (I) of section 3313.603 of the Revised 5229
Code; 5230

(B) Guidance to assist school districts and schools that 5231
choose to implement integrated coursework under division (I) of 5232
section 3313.603 of the Revised Code that includes guidance on 5233
appropriate licensure teachers must have to teach integrated 5234
coursework and guidance on appropriately integrating subject 5235
area content into course curriculum to ensure that students 5236
receive instruction in the academic content necessary to meet 5237
graduation requirements. 5238

Section 4. The General Assembly, applying the principle 5239
stated in division (B) of section 1.52 of the Revised Code that 5240
amendments are to be harmonized if reasonable capable of 5241
simultaneous operation, finds that the following sections, 5242
presented in this act as composites of the sections as amended 5243

by the acts indicated, are the resulting versions of the 5244
sections in effect prior to the effective date of the sections 5245
as presented in this act: 5246

Section 2329.66 of the Revised Code as amended by both 5247
H.B. 155 and Sub. S.B. 11 of the 131st General Assembly. 5248

Section 3314.03 of the Revised Code as amended by Am. Sub. 5249
H.B. 410, Sub. S.B. 3, and Am. Sub. S.B. 252, all of the 131st 5250
General Assembly. 5251

Section 3326.11 of the Revised Code as amended by Am. Sub. 5252
H.B. 410, Sub. S.B. 3, and Am. Sub. S.B. 252, all of the 131st 5253
General Assembly. 5254