

As Passed by the House

133rd General Assembly

Regular Session

2019-2020

Am. H. B. No. 8

Representatives Manchester, Galonski

Cosponsors: Representatives Lipps, Riedel, Smith, T., Seitz, Kick, Carfagna, Ginter, Russo, O'Brien, Crossman, Stein, Strahorn, Arndt, Baldrige, Blair, Blessing, Boggs, Boyd, Brent, Brown, Butler, Carruthers, Clites, Crawley, Cross, Dean, Denson, DeVitis, Edwards, Ghanbari, Green, Greenspan, Grendell, Hambley, Hicks-Hudson, Holmes, A., Hoops, Howse, Ingram, Jones, Jordan, Kelly, Koehler, Lanese, LaRe, Leland, Lepore-Hagan, Lightbody, Liston, Manning, D., Manning, G., McClain, Merrin, Miller, A., Miller, J., Miranda, Oelslager, Patterson, Patton, Perales, Plummer, Reineke, Richardson, Robinson, Roemer, Rogers, Romanchuk, Ryan, Smith, K., Sobecki, Stoltzfus, Sweeney, Sykes, Upchurch, Vitale, Weinstein, West, Wiggam, Wilkin, Zeltwanger

A BILL

To amend sections 2151.353, 5103.031, 5103.032,	1
5103.033, 5103.035, 5103.038, 5103.0313,	2
5103.0314, 5103.0316, 5103.0317, and 5103.31 and	3
to repeal sections 5103.039 and 5103.0311 of the	4
Revised Code regarding foster caregiver	5
training.	6

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

Section 1. That sections 2151.353, 5103.031, 5103.032,	7
5103.033, 5103.035, 5103.038, 5103.0313, 5103.0314, 5103.0316,	8
5103.0317, and 5103.31 of the Revised Code be amended to read as	9
follows:	10

Sec. 2151.353. (A) If a child is adjudicated an abused,	11
neglected, or dependent child, the court may make any of the	12

following orders of disposition:	13
(1) Place the child in protective supervision;	14
(2) Commit the child to the temporary custody of any of	15
the following:	16
(a) A public children services agency;	17
(b) A private child placing agency;	18
(c) Either parent;	19
(d) A relative residing within or outside the state;	20
(e) A probation officer for placement in a certified	21
foster home;	22
(f) Any other person approved by the court.	23
(3) Award legal custody of the child to either parent or	24
to any other person who, prior to the dispositional hearing,	25
files a motion requesting legal custody of the child or is	26
identified as a proposed legal custodian in a complaint or	27
motion filed prior to the dispositional hearing by any party to	28
the proceedings. A person identified in a complaint or motion	29
filed by a party to the proceedings as a proposed legal	30
custodian shall be awarded legal custody of the child only if	31
the person identified signs a statement of understanding for	32
legal custody that contains at least the following provisions:	33
(a) That it is the intent of the person to become the	34
legal custodian of the child and the person is able to assume	35
legal responsibility for the care and supervision of the child;	36
(b) That the person understands that legal custody of the	37
child in question is intended to be permanent in nature and that	38
the person will be responsible as the custodian for the child	39

until the child reaches the age of majority. Responsibility as 40
custodian for the child shall continue beyond the age of 41
majority if, at the time the child reaches the age of majority, 42
the child is pursuing a diploma granted by the board of 43
education or other governing authority, successful completion of 44
the curriculum of any high school, successful completion of an 45
individualized education program developed for the student by 46
any high school, or an age and schooling certificate. 47
Responsibility beyond the age of majority shall terminate when 48
the child ceases to continuously pursue such an education, 49
completes such an education, or is excused from such an 50
education under standards adopted by the state board of 51
education, whichever occurs first. 52

(c) That the parents of the child have residual parental 53
rights, privileges, and responsibilities, including, but not 54
limited to, the privilege of reasonable visitation, consent to 55
adoption, the privilege to determine the child's religious 56
affiliation, and the responsibility for support; 57

(d) That the person understands that the person must be 58
present in court for the dispositional hearing in order to 59
affirm the person's intention to become legal custodian, to 60
affirm that the person understands the effect of the 61
custodianship before the court, and to answer any questions that 62
the court or any parties to the case may have. 63

(4) Commit the child to the permanent custody of a public 64
children services agency or private child placing agency, if the 65
court determines in accordance with division (E) of section 66
2151.414 of the Revised Code that the child cannot be placed 67
with one of the child's parents within a reasonable time or 68
should not be placed with either parent and determines in 69

accordance with division (D) (1) of section 2151.414 of the 70
Revised Code that the permanent commitment is in the best 71
interest of the child. If the court grants permanent custody 72
under this division, the court, upon the request of any party, 73
shall file a written opinion setting forth its findings of fact 74
and conclusions of law in relation to the proceeding. 75

(5) Place the child in a planned permanent living 76
arrangement with a public children services agency or private 77
child placing agency, if a public children services agency or 78
private child placing agency requests the court to place the 79
child in a planned permanent living arrangement and if the court 80
finds, by clear and convincing evidence, that a planned 81
permanent living arrangement is in the best interest of the 82
child, that the child is sixteen years of age or older, and that 83
one of the following exists: 84

(a) The child, because of physical, mental, or 85
psychological problems or needs, is unable to function in a 86
family-like setting and must remain in residential or 87
institutional care now and for the foreseeable future beyond the 88
date of the dispositional hearing held pursuant to section 89
2151.35 of the Revised Code. 90

(b) The parents of the child have significant physical, 91
mental, or psychological problems and are unable to care for the 92
child because of those problems, adoption is not in the best 93
interest of the child, as determined in accordance with division 94
(D) (1) of section 2151.414 of the Revised Code, and the child 95
retains a significant and positive relationship with a parent or 96
relative. 97

(c) The child has been counseled on the permanent 98
placement options available to the child, and is unwilling to 99

accept or unable to adapt to a permanent placement. 100

(6) Order the removal from the child's home until further 101
order of the court of the person who committed abuse as 102
described in section 2151.031 of the Revised Code against the 103
child, who caused or allowed the child to suffer neglect as 104
described in section 2151.03 of the Revised Code, or who is the 105
parent, guardian, or custodian of a child who is adjudicated a 106
dependent child and order any person not to have contact with 107
the child or the child's siblings. 108

(B) (1) When making a determination on whether to place a 109
child in a planned permanent living arrangement pursuant to 110
division (A) (5) (b) or (c) of this section, the court shall 111
consider all relevant information that has been presented to the 112
court, including information gathered from the child, the 113
child's guardian ad litem, and the public children services 114
agency or private child placing agency. 115

(2) A child who is placed in a planned permanent living 116
arrangement pursuant to division (A) (5) (b) or (c) of this 117
section shall be placed in an independent living setting or in a 118
family setting in which the caregiver has been provided by the 119
agency that has custody of the child with a notice that 120
addresses the following: 121

(a) The caregiver understands that the planned permanent 122
living arrangement is intended to be permanent in nature and 123
that the caregiver will provide a stable placement for the child 124
through the child's emancipation or until the court releases the 125
child from the custody of the agency, whichever occurs first. 126

(b) The caregiver is expected to actively participate in 127
the youth's independent living case plan, attend agency team 128

meetings and court hearings as appropriate, complete training, 129
as ~~provided in division (B) of~~ developed and implemented under 130
section 5103.035 of the Revised Code, related to providing the 131
child independent living services, and assist in the child's 132
transition into adulthood. 133

(3) The department of job and family services shall 134
develop a model notice to be provided by an agency that has 135
custody of a child to a caregiver under division (B) (2) of this 136
section. The agency may modify the model notice to apply to the 137
needs of the agency. 138

(C) No order for permanent custody or temporary custody of 139
a child or the placement of a child in a planned permanent 140
living arrangement shall be made pursuant to this section unless 141
the complaint alleging the abuse, neglect, or dependency 142
contains a prayer requesting permanent custody, temporary 143
custody, or the placement of the child in a planned permanent 144
living arrangement as desired, the summons served on the parents 145
of the child contains as is appropriate a full explanation that 146
the granting of an order for permanent custody permanently 147
divests them of their parental rights, a full explanation that 148
an adjudication that the child is an abused, neglected, or 149
dependent child may result in an order of temporary custody that 150
will cause the removal of the child from their legal custody 151
until the court terminates the order of temporary custody or 152
permanently divests the parents of their parental rights, or a 153
full explanation that the granting of an order for a planned 154
permanent living arrangement will result in the removal of the 155
child from their legal custody if any of the conditions listed 156
in divisions (A) (5) (a) to (c) of this section are found to 157
exist, and the summons served on the parents contains a full 158
explanation of their right to be represented by counsel and to 159

have counsel appointed pursuant to Chapter 120. of the Revised 160
Code if they are indigent. 161

If after making disposition as authorized by division (A) 162
(2) of this section, a motion is filed that requests permanent 163
custody of the child, the court may grant permanent custody of 164
the child to the movant in accordance with section 2151.414 of 165
the Revised Code. 166

(D) If the court issues an order for protective 167
supervision pursuant to division (A)(1) of this section, the 168
court may place any reasonable restrictions upon the child, the 169
child's parents, guardian, or custodian, or any other person, 170
including, but not limited to, any of the following: 171

(1) Order a party, within forty-eight hours after the 172
issuance of the order, to vacate the child's home indefinitely 173
or for a specified period of time; 174

(2) Order a party, a parent of the child, or a physical 175
custodian of the child to prevent any particular person from 176
having contact with the child; 177

(3) Issue an order restraining or otherwise controlling 178
the conduct of any person which conduct would not be in the best 179
interest of the child. 180

(E) As part of its dispositional order, the court shall 181
journalize a case plan for the child. The journalized case plan 182
shall not be changed except as provided in section 2151.412 of 183
the Revised Code. 184

(F)(1) The court shall retain jurisdiction over any child 185
for whom the court issues an order of disposition pursuant to 186
division (A) of this section or pursuant to section 2151.414 or 187
2151.415 of the Revised Code until the child attains the age of 188

eighteen years if the child is not mentally retarded, 189
developmentally disabled, or physically impaired, the child 190
attains the age of twenty-one years if the child is mentally 191
retarded, developmentally disabled, or physically impaired, or 192
the child is adopted and a final decree of adoption is issued, 193
except that the court may retain jurisdiction over the child and 194
continue any order of disposition under division (A) of this 195
section or under section 2151.414 or 2151.415 of the Revised 196
Code for a specified period of time to enable the child to 197
graduate from high school or vocational school. The court shall 198
retain jurisdiction over a person who meets the requirements 199
described in division (A) (1) of section 5101.1411 of the Revised 200
Code and who is subject to a voluntary participation agreement 201
that is in effect. The court shall make an entry continuing its 202
jurisdiction under this division in the journal. 203

(2) Any public children services agency, any private child 204
placing agency, the department of job and family services, or 205
any party, other than any parent whose parental rights with 206
respect to the child have been terminated pursuant to an order 207
issued under division (A) (4) of this section, by filing a motion 208
with the court, may at any time request the court to modify or 209
terminate any order of disposition issued pursuant to division 210
(A) of this section or section 2151.414 or 2151.415 of the 211
Revised Code. The court shall hold a hearing upon the motion as 212
if the hearing were the original dispositional hearing and shall 213
give all parties to the action and the guardian ad litem notice 214
of the hearing pursuant to the Juvenile Rules. If applicable, 215
the court shall comply with section 2151.42 of the Revised Code. 216

(G) Any temporary custody order issued pursuant to 217
division (A) of this section shall terminate one year after the 218
earlier of the date on which the complaint in the case was filed 219

or the child was first placed into shelter care, except that, 220
upon the filing of a motion pursuant to section 2151.415 of the 221
Revised Code, the temporary custody order shall continue and not 222
terminate until the court issues a dispositional order under 223
that section. In resolving the motion, the court shall not order 224
an existing temporary custody order to continue beyond two years 225
after the date on which the complaint was filed or the child was 226
first placed into shelter care, whichever date is earlier, 227
regardless of whether any extensions have been previously 228
ordered pursuant to division (D) of section 2151.415 of the 229
Revised Code. 230

(H) (1) No later than one year after the earlier of the 231
date the complaint in the case was filed or the child was first 232
placed in shelter care, a party may ask the court to extend an 233
order for protective supervision for six months or to terminate 234
the order. A party requesting extension or termination of the 235
order shall file a written request for the extension or 236
termination with the court and give notice of the proposed 237
extension or termination in writing before the end of the day 238
after the day of filing it to all parties and the child's 239
guardian ad litem. If a public children services agency or 240
private child placing agency requests termination of the order, 241
the agency shall file a written status report setting out the 242
facts supporting termination of the order at the time it files 243
the request with the court. If no party requests extension or 244
termination of the order, the court shall notify the parties 245
that the court will extend the order for six months or terminate 246
it and that it may do so without a hearing unless one of the 247
parties requests a hearing. All parties and the guardian ad 248
litem shall have seven days from the date a notice is sent 249
pursuant to this division to object to and request a hearing on 250

the proposed extension or termination. 251

(a) If it receives a timely request for a hearing, the 252
court shall schedule a hearing to be held no later than thirty 253
days after the request is received by the court. The court shall 254
give notice of the date, time, and location of the hearing to 255
all parties and the guardian ad litem. At the hearing, the court 256
shall determine whether extension or termination of the order is 257
in the child's best interest. If termination is in the child's 258
best interest, the court shall terminate the order. If extension 259
is in the child's best interest, the court shall extend the 260
order for six months. 261

(b) If it does not receive a timely request for a hearing, 262
the court may extend the order for six months or terminate it 263
without a hearing and shall journalize the order of extension or 264
termination not later than fourteen days after receiving the 265
request for extension or termination or after the date the court 266
notifies the parties that it will extend or terminate the order. 267
If the court does not extend or terminate the order, it shall 268
schedule a hearing to be held no later than thirty days after 269
the expiration of the applicable fourteen-day time period and 270
give notice of the date, time, and location of the hearing to 271
all parties and the child's guardian ad litem. At the hearing, 272
the court shall determine whether extension or termination of 273
the order is in the child's best interest. If termination is in 274
the child's best interest, the court shall terminate the order. 275
If extension is in the child's best interest, the court shall 276
issue an order extending the order for protective supervision 277
six months. 278

(2) If the court grants an extension of the order for 279
protective supervision pursuant to division (H) (1) of this 280

section, a party may, prior to termination of the extension, 281
file with the court a request for an additional extension of six 282
months or for termination of the order. The court and the 283
parties shall comply with division (H) (1) of this section with 284
respect to extending or terminating the order. 285

(3) If a court grants an extension pursuant to division 286
(H) (2) of this section, the court shall terminate the order for 287
protective supervision at the end of the extension. 288

(I) The court shall not issue a dispositional order 289
pursuant to division (A) of this section that removes a child 290
from the child's home unless the court complies with section 291
2151.419 of the Revised Code and includes in the dispositional 292
order the findings of fact required by that section. 293

(J) If a motion or application for an order described in 294
division (A) (6) of this section is made, the court shall not 295
issue the order unless, prior to the issuance of the order, it 296
provides to the person all of the following: 297

(1) Notice and a copy of the motion or application; 298

(2) The grounds for the motion or application; 299

(3) An opportunity to present evidence and witnesses at a 300
hearing regarding the motion or application; 301

(4) An opportunity to be represented by counsel at the 302
hearing. 303

(K) The jurisdiction of the court shall terminate one year 304
after the date of the award or, if the court takes any further 305
action in the matter subsequent to the award, the date of the 306
latest further action subsequent to the award, if the court 307
awards legal custody of a child to either of the following: 308

(1) A legal custodian who, at the time of the award of 309
legal custody, resides in a county of this state other than the 310
county in which the court is located; 311

(2) A legal custodian who resides in the county in which 312
the court is located at the time of the award of legal custody, 313
but moves to a different county of this state prior to one year 314
after the date of the award or, if the court takes any further 315
action in the matter subsequent to the award, one year after the 316
date of the latest further action subsequent to the award. 317

The court in the county in which the legal custodian 318
resides then shall have jurisdiction in the matter. 319

Sec. 5103.031. Except as provided in section 5103.033 of 320
the Revised Code, the department of job and family services may 321
not issue a certificate under section 5103.03 of the Revised 322
Code to a foster home unless the prospective foster caregiver 323
successfully completes ~~the following amount of~~ preplacement 324
training through a preplacement training program approved by the 325
department of job and family services under section 5103.038 of 326
the Revised Code or preplacement training provided under 327
division (B) of section 5103.30 of the Revised Code~~;~~ 328

~~(A) If the foster home is a family foster home, at least 329
thirty six hours;~~ 330

~~(B) If the foster home is a specialized foster home, at 331
least thirty six hours. Up to twenty per cent of the required 332
preplacement training may be provided online.~~ 333

Sec. 5103.032. (A) Except as provided in ~~divisions (C), 334
(D), and (E)~~ division (B) of this section and in section 335
5103.033 of the Revised Code ~~and subject to division (B) of this 336
section,~~ the department of job and family services may not renew 337

a foster home certificate under section 5103.03 of the Revised 338
Code unless the foster caregiver successfully completes ~~the~~ 339
~~following amount of~~ continuing training in accordance with the 340
foster caregiver's needs assessment and continuing training plan 341
developed and implemented under section 5103.035 of the Revised 342
Code. 343

~~(1) If the foster home is a family foster home, at least~~ 344
~~forty hours in the preceding two year period.~~ 345

~~(2) If the foster home is a specialized foster home, at~~ 346
~~least sixty hours in the preceding two-year period.~~ 347

~~The continuing training required by this section shall~~ 348
~~comply with rules the department adopts pursuant to section~~ 349
~~5103.0316 of the Revised Code.~~ 350

~~(B) A foster caregiver may fulfill up to twenty per cent~~ 351
~~of the required amount of continuing training described in~~ 352
~~division (A) of this section by teaching one or more training~~ 353
~~classes for other foster caregivers or by providing mentorship~~ 354
~~services to other foster caregivers. The department of job and~~ 355
~~family services shall adopt rules in accordance with Chapter~~ 356
~~119. of the Revised Code as necessary for the qualification of~~ 357
~~foster caregivers to provide training or mentorship services to~~ 358
~~other foster caregivers.~~ 359

~~(C) At the beginning of a foster caregiver's two-year~~ 360
~~certification period, a public children services agency, private~~ 361
~~child placing agency, or private noncustodial agency acting as a~~ 362
~~recommending agency for a foster caregiver holding a certificate~~ 363
~~issued under section 5103.03 of the Revised Code for a family~~ 364
~~foster home or specialized foster home may waive up to eight~~ 365
~~hours of continuing training the foster caregiver is otherwise~~ 366

~~required by division (A) of this section to complete in that~~ 367
~~two-year certification period if all of the following apply:~~ 368

~~(1) The foster caregiver has held a certificate issued~~ 369
~~under section 5103.03 of the Revised Code for a family foster~~ 370
~~home or specialized foster home for at least two years;~~ 371

~~(2) The foster caregiver has provided foster care for at~~ 372
~~least ninety days of the twelve months preceding the date the~~ 373
~~agency issues the waiver;~~ 374

~~(3) The foster caregiver has not violated any requirements~~ 375
~~governing certification of foster homes during the twelve months~~ 376
~~preceding the date the agency issues the waiver;~~ 377

~~(4) The foster caregiver has complied in full with the~~ 378
~~needs assessment and continuing training plan developed for the~~ 379
~~foster caregiver under section 5103.035 of the Revised Code for~~ 380
~~the preceding certification period.~~ 381

~~(D) Each recommending agency shall establish and implement~~ 382
~~a policy regarding good cause for a foster caregiver's failure~~ 383
~~to complete the continuing training in accordance with division~~ 384
~~(A) of this section. If the foster caregiver complies with the~~ 385
~~policy, as determined by the agency, the department may renew~~ 386
~~the foster caregiver's foster home certificate. The agency shall~~ 387
~~submit the policy to the department and provide a copy to each~~ 388
~~foster home the agency recommends for certification or renewal.~~ 389
~~The policy shall include the following:~~ 390

~~(1) What constitutes good cause, including documented~~ 391
~~illness, critical emergencies, and lack of accessible training~~ 392
~~programs;~~ 393

~~(2) Procedures for developing a scheduled corrective~~ 394
~~action plan that provides for prompt completion of the~~ 395

~~continuing training,~~ 396

~~(3) Procedures for recommending revocation of the foster~~ 397
~~home certificate if the foster caregiver fails to comply with~~ 398
~~the corrective action plan.~~ 399

~~(E)~~ A foster caregiver shall be given an additional amount 400
of time within which the foster caregiver must complete the 401
continuing training required under division (A) of this section 402
in accordance with rules adopted by the department of job and 403
family services if either of the following applies: 404

(1) The foster caregiver has served in active duty outside 405
this state with a branch of the armed forces of the United 406
States for more than thirty days in the preceding two-year 407
period. 408

(2) The foster caregiver has served in active duty as a 409
member of the Ohio organized militia, as defined in section 410
5923.01 of the Revised Code, for more than thirty days in the 411
preceding two-year period and that active duty relates to either 412
an emergency in or outside of this state or to military duty in 413
or outside of this state. 414

Sec. 5103.033. (A) The department of job and family 415
services may issue or renew a certificate under section 5103.03 416
of the Revised Code to a foster home for the care of a child who 417
is in the custody of a public children services agency or 418
private child placing agency pursuant to an agreement entered 419
into under section 5103.15 of the Revised Code regarding a child 420
who was less than six months of age on the date the agreement 421
was executed if the prospective foster caregiver or foster 422
caregiver successfully completes the following ~~amount of~~ 423
~~training:~~ 424

(1) ~~For an initial certificate, at least twelve hours of~~ 425
~~preplacement training through a~~ A preplacement training program 426
~~approved by the department of job and family services under~~ 427
section 5103.038 of the Revised Code or ~~preplacement training a~~ 428
program provided under division (B) of section 5103.30 of the 429
Revised Code; 430

(2) ~~For renewal of a certificate, at least twenty-four~~ 431
~~hours of continuing training in the preceding two year period in~~ 432
~~accordance with the foster caregiver's needs assessment and~~ 433
~~continuing training plan developed and implemented under section~~ 434
~~5103.035 of the Revised Code~~ Continuing training in accordance 435
with the foster caregiver's needs assessment and continuing 436
training plan developed and implemented under section 5103.035 437
of the Revised Code. 438

(B) A foster caregiver to whom either division (B) (1) or 439
(2) of this section applies shall be given an additional amount 440
of time within which to complete the continuing training 441
required under division (A) (2) of this section in accordance 442
with rules adopted by the department of job and family services: 443

(1) The foster caregiver has served in active duty outside 444
this state with a branch of the armed forces of the United 445
States for more than thirty days in the preceding two-year 446
period. 447

(2) The foster caregiver has served in active duty as a 448
member of the Ohio organized militia, as defined in section 449
5923.01 of the Revised Code, for more than thirty days in the 450
preceding two-year period and that active duty relates to either 451
an emergency in or outside of this state or to military duty in 452
or outside of this state. 453

Sec. 5103.035. A public children services agency, private 454
child placing agency, or private noncustodial agency acting as a 455
recommending agency for a foster caregiver shall develop and 456
implement a written needs assessment and continuing training 457
plan for the foster caregiver in accordance with rules adopted 458
under section 5103.0316 of the Revised Code. ~~Each needs-~~ 459
~~assessment and continuing training plan shall satisfy all of the~~ 460
~~following requirements:-~~ 461

~~(A) Be effective for the two year period the foster-~~ 462
~~caregiver's certificate is in effect;~~ 463

~~(B) Be appropriate for the type of foster home the foster-~~ 464
~~caregiver operates, and include training for the caregiver that-~~ 465
~~relates to providing independent living services, as defined in-~~ 466
~~section 2151.81 of the Revised Code, to a child placed as-~~ 467
~~provided in division (B) (2) of section 2151.353 of the Revised~~ 468
~~Code;~~ 469

~~(C) Require the foster caregiver to successfully complete-~~ 470
~~the training required by the department in rules adopted-~~ 471
~~pursuant to section 5103.0316 of the Revised Code and any other-~~ 472
~~courses the agency considers appropriate;~~ 473

~~(D) Include criteria the agency is to use to determine~~ 474
~~whether the foster caregiver has successfully completed the~~ 475
~~courses;~~ 476

~~(E) Guarantee that the courses the foster caregiver is-~~ 477
~~required to complete are available to the foster caregiver at-~~ 478
~~reasonable times and places;~~ 479

~~(F) Specify the number of hours of continuing training, if-~~ 480
~~any, the foster caregiver may complete by teaching one or more-~~ 481
~~training classes to other foster caregivers or by providing~~ 482

~~mentoring services to other foster caregivers pursuant to~~ 483
~~division (B) of section 5103.032 of the Revised Code;~~ 484

~~(G) Specify the number of hours of continuing training, if~~ 485
~~any, the agency will waive pursuant to division (C) of section~~ 486
~~5103.032 of the Revised Code.~~ 487

Sec. 5103.038. (A) Every other year by a date specified in 488
rules adopted under section 5103.0316 of the Revised Code, each 489
private child placing agency and private noncustodial agency 490
that seeks to operate a preplacement training program or 491
continuing training program under section 5103.034 of the 492
Revised Code shall submit to the department of job and family 493
services a proposal outlining the program. The proposal may be 494
the same as, a modification of, or different from, a model 495
design developed by the department. 496

(B) Not later than thirty days after receiving a proposal 497
under division (A) of this section, the department shall either 498
approve or disapprove the proposed program. The department shall 499
approve a proposed preplacement training program if it complies 500
with ~~section 5103.039 or 5103.0311~~ rules adopted under section 501
5103.0316 of the Revised Code, as appropriate, and, in the case 502
of a proposal submitted by an agency operating a preplacement 503
training program at the time the proposal is submitted, the 504
department is satisfied with the agency's operation of the 505
program. The department shall approve a proposed continuing 506
training program if it complies with rules adopted ~~pursuant to~~ 507
~~division (C) of~~ under section 5103.0316 of the Revised Code and, 508
in the case of a proposal submitted by an agency operating a 509
continuing training program at the time the proposal is 510
submitted, the department is satisfied with the agency's 511
operation of the program. If the department disapproves a 512

proposal, it shall provide the reason for disapproval to the 513
agency that submitted the proposal and advise the agency of how 514
to revise the proposal so that the department can approve it. 515

(C) The department's approval under division (B) of this 516
section of a proposed preplacement training program or 517
continuing training program is valid only for two years 518
following the year the proposal for the program is submitted to 519
the department under division (A) of this section. 520

Sec. 5103.0313. Except as provided in section 5103.303 of 521
the Revised Code, the department of job and family services 522
shall compensate a private child placing agency or private 523
noncustodial agency for the cost of procuring or operating 524
preplacement and continuing training programs approved by the 525
department of job and family services under section 5103.038 of 526
the Revised Code for prospective foster caregivers and foster 527
caregivers who are recommended for initial certification or 528
recertification by the agency. 529

The compensation shall be paid to the agency in the form 530
of an allowance to reimburse the agency for the ~~minimum required~~ 531
~~amount of preplacement and continuing cost of training provided~~ 532
~~or received under section 5103.031 or 5103.032 of the Revised~~ 533
~~Code pursuant to the rules adopted by the department of job and~~ 534
~~family services in accordance with section 5103.0316 of the~~ 535
Revised Code. 536

Sec. 5103.0314. The department of job and family services 537
shall not compensate a recommending agency for any training the 538
agency requires a foster caregiver to undergo as a condition of 539
the agency recommending the department certify ~~or recertify~~ the 540
foster caregiver's foster home under section 5103.03 of the 541
Revised Code if the training is in ~~addition to the minimum~~ 542

excess of the training required by under section 5103.031 or 543
5103.032 of the Revised Code. 544

The department of job and family services shall not 545
compensate a recommending agency for any training the agency 546
requires a foster caregiver to undergo as a condition of the 547
agency recommending the department recertify the foster 548
caregiver's foster home under section 5103.03 of the Revised 549
Code if the training is in addition to the minimum training 550
required under section 5103.032 of the Revised Code. 551

Sec. 5103.0316. The department of job and family services 552
shall adopt rules in accordance with Chapter 119. of the Revised 553
Code as necessary for the efficient administration of sections 554
5103.031 to 5103.0316 of the Revised Code. The rules shall 555
provide for all of the following: 556

(A) For the purpose of section 5103.038 of the Revised 557
Code, the date by which a private child placing agency or 558
private noncustodial agency that seeks to operate a preplacement 559
training program or continuing training program under section 560
5103.034 of the Revised Code must submit to the department a 561
proposal outlining the program; 562

(B) Requirements governing the department's compensation 563
of private child placing agencies and private noncustodial 564
agencies under sections 5103.0312 and 5103.0313 of the Revised 565
Code, including the allowance to reimburse the agencies for the 566
cost of providing the training under sections 5103.031, 567
5103.032, and 5103.033 of the Revised Code; 568

(C) Requirements governing the continuing training 569
required by sections 5103.032 and 5103.033 of the Revised Code; 570

(D) The amount of training hours necessary for 571

preplacement training and continuing training for purposes of 572
sections 5103.031, 5103.032, and 5103.033 of the Revised Code; 573

(E) Courses necessary to meet the preplacement and 574
continuing training requirements for foster homes under sections 575
5103.031, 5103.032, and 5103.033 of the Revised Code; 576

(F) Criteria used to create a written needs assessment and 577
continuing training plan for each foster caregiver as required 578
by section 5103.035 of the Revised Code; 579

(G) Any other matter the department considers appropriate. 580

Sec. 5103.0317. ~~A foster home may not receive more than~~ 581
~~five children apart from their parents, guardian, or custodian,~~ 582
~~except in any of the following circumstances:~~ 583

~~(A) To accommodate a sibling group or the remaining~~ 584
~~members of a sibling group;~~ 585

~~(B) When the additional child or children are related to~~ 586
~~the foster caregiver by blood or marriage;~~ 587

~~(C) When the additional child or children are foster~~ 588
~~children who previously resided in the foster home;~~ 589

~~(D) When the additional child or children are the children~~ 590
~~of a foster child who resides in the foster home~~ The Director of 591
Job and Family Services shall adopt rules concerning the maximum 592
number of children a foster home may receive and any exceptions 593
to the maximum number. 594

Sec. 5103.31. Training provided under section 5103.30 of 595
the Revised Code shall provide the knowledge, skill, and ability 596
needed to do the jobs that the training is for. The Ohio child 597
welfare training program coordinator shall identify the 598
competencies needed to do the jobs that the training is for so 599

that the training helps the development of those competencies. 600

In addition, the training shall do all of the following: 601

(A) In the case of the training provided under division 602

(A) of section 5103.30 of the Revised Code, comply with the 603

rules adopted under section 3107.015 of the Revised Code; 604

(B) In the case of the preplacement training provided 605

under division (B) of section 5103.30 of the Revised Code, 606

comply with ~~section 5103.039 of the Revised Code and division~~ 607

~~(A) of the rules adopted under section 5103.0311 5103.0316 of~~ 608

the Revised Code; 609

(C) In the case of the continuing training provided under 610

division (C) of section 5103.30 of the Revised Code, comply with 611

rules adopted under ~~division (C) of~~ section 5103.0316 of the 612

Revised Code; 613

(D) In the case of the training provided under divisions 614

(D) and (E) of section 5103.30 of the Revised Code, comply with 615

rules adopted under section 5153.124 of the Revised Code. 616

Section 2. That existing sections 2151.353, 5103.031, 617

5103.032, 5103.033, 5103.035, 5103.038, 5103.0313, 5103.0314, 618

5103.0316, 5103.0317, and 5103.31 and sections 5103.039 and 619

5103.0311 of the Revised Code are hereby repealed. 620