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A B I L L

To amend sections 121.37, 2151.152, 2151.27, and 1
2151.354 of the Revised Code, effective January 1, 2
2002, to require counties to develop a service 3
coordination process to deal with children alleged 4
to be or at risk of becoming unruly children, to 5
provide an additional disposition for children 6
adjudicated unruly, to require the Ohio Family and 7
Children First Cabinet Council to collect 8
information regarding resources serving these 9
children, and to expand the opportunities juvenile 10
courts have to obtain federal funds under an 11
agreement with the Ohio Department of Job and 12
Family Services. 13

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

Section 1. That sections 121.37, 2151.152, 2151.27, and 14
2151.354 of the Revised Code be amended to read as follows: 15

Sec. 121.37. (A)(1) There is hereby created the Ohio family and children first cabinet council. The council shall be composed of the superintendent of public instruction and the directors of youth services, job and family services, mental health, health, alcohol and drug addiction services, mental retardation and developmental disabilities, and budget and management. The chairperson of the council shall be the governor or the governor's designee and shall establish procedures for the council's internal control and management.

(2) The purpose of the cabinet council is to help families seeking government services. This section shall not be interpreted or applied to usurp the role of parents, but solely to streamline and coordinate existing government services for families seeking assistance for their children.

In seeking to fulfill its purpose, the council may do any of the following:

(a) Advise and make recommendations to the governor and general assembly regarding the provision of services to children;

(b) Advise and assess local governments on the coordination of service delivery to children;

(c) Hold meetings at such times and places as may be prescribed by the council's procedures and maintain records of the meetings, except that records identifying individual children are confidential and shall be disclosed only as provided by law;

(d) Develop programs and projects, including pilot projects, to encourage coordinated efforts at the state and local level to improve the state's social service delivery system;

(e) Enter into contracts with and administer grants to county family and children first councils, as well as other county or multicounty organizations to plan and coordinate service delivery

between state agencies and local service providers for families
and children;

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(f) Enter into contracts with and apply for grants from
federal agencies or private organizations;

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(g) Enter into interagency agreements to encourage
coordinated efforts at the state and local level to improve the
state's social service delivery system. The agreements may include
provisions regarding the receipt, transfer, and expenditure of
funds;

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(h) Identify public and private funding sources for services
provided to alleged or adjudicated unruly children and children
who are at risk of being alleged or adjudicated unruly children,
including regulations governing access to and use of the services;

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(i) Collect information provided by local communities
regarding successful programs for prevention, intervention, and
treatment of unruly behavior, including evaluations of the
programs;

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(j) Identify and disseminate publications regarding alleged
or adjudicated unruly children and children who are at risk of
being alleged or adjudicated unruly children and regarding
programs serving those types of children;

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(k) Maintain an inventory of strategic planning facilitators
for use by government or nonprofit entities that serve alleged or
adjudicated unruly children or children who are at risk of being
alleged or adjudicated unruly children.

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(3) The cabinet council shall provide for the following:

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(a) Reviews of service and treatment plans for children for
which such reviews are requested;

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(b) Assistance as the council determines to be necessary to
meet the needs of children referred by county family and children

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first councils; 76

(c) Monitoring and supervision of a statewide, comprehensive, 77
coordinated, multi-disciplinary, interagency system for infants 78
and toddlers with developmental disabilities or delays and their 79
families, as established pursuant to federal grants received and 80
administered by the department of health for early intervention 81
services under the "Education of the Handicapped Act Amendments of 82
1986," 100 Stat. 1145 (1986), 20 U.S.C.A. 1471, as amended. 83

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(B)(1) Each board of county commissioners shall establish a 85
county family and children first council. The board may invite any 86
local public or private agency or group that funds, advocates, or 87
provides services to children and families to have a 88
representative become a permanent or temporary member of its 89
county council. Each county council must include the following 90
individuals: 91

(a) At least three individuals whose families are or have 92
received services from an agency represented on the council or 93
another county's council. Where possible, the number of members 94
representing families shall be equal to twenty per cent of the 95
council's membership. 96

(b) The director of the board of alcohol, drug addiction, and 97
mental health services that serves the county, or, in the case of 98
a county that has a board of alcohol and drug addiction services 99
and a community mental health board, the directors of both boards. 100
If a board of alcohol, drug addiction, and mental health services 101
covers more than one county, the director may designate a person 102
to participate on the county's council. 103

(c) The health commissioner, or the commissioner's designee, 104
of the board of health of each city and general health district in 105
the county. If the county has two or more health districts, the 106

health commissioner membership may be limited to the commissioners	107
of the two districts with the largest populations.	108
(d) The director of the county department of job and family services;	109 110
(e) The executive director of the county agency responsible for the administration of children services pursuant to section 5153.15 of the Revised Code;	111 112 113
(f) The superintendent of the county board of mental retardation and developmental disabilities;	114 115
(g) The county's juvenile court judge senior in service or another judge of the juvenile court designated by the administrative judge or, where there is no administrative judge, by the judge senior in service;	116 117 118 119
(h) The superintendent of the city, exempted village, or local school district with the largest number of pupils residing in the county, as determined by the department of education, which shall notify each board of county commissioners of its determination at least biennially;	120 121 122 123 124
(i) A school superintendent representing all other school districts with territory in the county, as designated at a biennial meeting of the superintendents of those districts;	125 126 127
(j) A representative of the municipal corporation with the largest population in the county;	128 129
(k) The president of the board of county commissioners, or an individual designated by the board;	130 131
(l) A representative of the regional office of the department of youth services;	132 133
(m) A representative of the county's head start agencies, as defined in section 3301.31 of the Revised Code;	134 135

(n) A representative of the county's early intervention collaborative established pursuant to the federal early intervention program operated under the "Education of the Handicapped Act Amendments of 1986";

(o) A representative of a local nonprofit entity that funds, advocates, or provides services to children and families.

Notwithstanding any other provision of law, the public members of a county council are not prohibited from serving on the council and making decisions regarding the duties of the council, including those involving the funding of joint projects and those outlined in the county's service coordination mechanism implemented pursuant to division (C) of this section.

The cabinet council shall establish a state appeals process to resolve disputes among the members of a county council concerning whether reasonable responsibilities as members are being shared. The appeals process may be accessed only by a majority vote of the council members who are required to serve on the council. Upon appeal, the cabinet council may order that state funds for services to children and families be redirected to a county's board of county commissioners.

(2) A county council shall provide for the following:

(a) Referrals to the cabinet council of those children for whom the county council cannot provide adequate services;

(b) Development and implementation of a process that annually evaluates and prioritizes services, fills service gaps where possible, and invents new approaches to achieve better results for families and children;

(c) Participation in the development of a countywide, comprehensive, coordinated, multi-disciplinary, interagency system for infants and toddlers with developmental disabilities or delays and their families, as established pursuant to federal grants

received and administered by the department of health for early 167
intervention services under the "Education of the Handicapped Act 168
Amendments of 1986"; 169

(d) Maintenance of an accountability system to monitor the 170
county council's progress in achieving results for families and 171
children; 172

(e) Establishment of a mechanism to ensure ongoing input from 173
a broad representation of families who are receiving services 174
within the county system. 175

(3)(a) Except as provided in division (B)(3)(b) of this 176
section, a county council shall comply with the policies, 177
procedures, and activities prescribed by the rules or interagency 178
agreements of a state department participating on the cabinet 179
council whenever the county council performs a function subject to 180
those rules or agreements. 181

(b) On application of a county council, the cabinet council 182
may grant an exemption from any rules or interagency agreements of 183
a state department participating on the council if an exemption is 184
necessary for the council to implement an alternative program or 185
approach for service delivery to families and children. The 186
application shall describe the proposed program or approach and 187
specify the rules or interagency agreements from which an 188
exemption is necessary. The cabinet council shall approve or 189
disapprove the application in accordance with standards and 190
procedures it shall adopt. If an application is approved, the 191
exemption is effective only while the program or approach is being 192
implemented, including a reasonable period during which the 193
program or approach is being evaluated for effectiveness. 194

(4)(a) Each county council shall designate an administrative 195
agent for the council from among the following public entities: 196
the board of alcohol, drug addiction, and mental health services, 197

including a board of alcohol and drug addiction or a community 198
mental health board if the county is served by separate boards; 199
the board of county commissioners; any board of health of the 200
county's city and general health districts; the county department 201
of job and family services; the county agency responsible for the 202
administration of children services pursuant to section 5153.15 of 203
the Revised Code; the county board of mental retardation and 204
developmental disabilities; any of the county's boards of 205
education or governing boards of educational service centers; or 206
the county's juvenile court. Any of the foregoing public entities, 207
other than the board of county commissioners, may decline to serve 208
as the council's administrative agent. 209

A county council's administrative agent shall serve as the 210
council's appointing authority for any employees of the council. 211
The council shall file an annual budget with its administrative 212
agent, with copies filed with the county auditor and with the 213
board of county commissioners, unless the board is serving as the 214
council's administrative agent. The council's administrative agent 215
shall ensure that all expenditures are handled in accordance with 216
policies, procedures, and activities prescribed by state 217
departments in rules or interagency agreements that are applicable 218
to the council's functions. 219

The administrative agent for a county council may do any of 220
the following on behalf of the council: 221

(i) Enter into agreements or administer contracts with public 222
or private entities to fulfill specific council business. Such 223
agreements and contracts are exempt from the competitive bidding 224
requirements of section 307.86 of the Revised Code if they have 225
been approved by the county council and they are for the purchase 226
of family and child welfare or child protection services or other 227
social or job and family services for families and children. The 228
approval of the county council is not required to exempt 229

agreements or contracts entered into under section 5139.34, 230
5139.41, or 5139.43 of the Revised Code from the competitive 231
bidding requirements of section 307.86 of the Revised Code. 232

(ii) As determined by the council, provide financial 233
stipends, reimbursements, or both, to family representatives for 234
expenses related to council activity; 235

(iii) Receive by gift, grant, devise, or bequest any moneys, 236
lands, or other property for the purposes for which the council is 237
established. The agent shall hold, apply, and dispose of the 238
moneys, lands, or other property according to the terms of the 239
gift, grant, devise, or bequest. Any interest or earnings shall be 240
treated in the same manner and are subject to the same terms as 241
the gift, grant, devise, or bequest from which it accrues. 242

(b)(i) If the county council designates the board of county 243
commissioners as its administrative agent, the board may, by 244
resolution, delegate any of its powers and duties as 245
administrative agent to an executive committee the board 246
establishes from the membership of the county council. The board 247
shall name to the executive committee at least the individuals 248
described in divisions (B)(1)(b) through (h) of this section and 249
may appoint the president of the board or another individual as 250
the chair of the executive committee. 251

(ii) The executive committee may, with the approval of the 252
board, hire an executive director to assist the county council in 253
administering its powers and duties. The executive director shall 254
serve in the unclassified civil service at the pleasure of the 255
executive committee. The executive director may, with the approval 256
of the executive committee, hire other employees as necessary to 257
properly conduct the county council's business. 258

(iii) The board may require the executive committee to submit 259
an annual budget to the board for approval and may amend or repeal 260

the resolution that delegated to the executive committee its 261
authority as the county council's administrative agent. 262

(5) Two or more county councils may enter into an agreement 263
to administer their county councils jointly by creating a regional 264
family and children first council. A regional council possesses 265
the same duties and authority possessed by a county council, 266
except that the duties and authority apply regionally rather than 267
to individual counties. Prior to entering into an agreement to 268
create a regional council, the members of each county council to 269
be part of the regional council shall meet to determine whether 270
all or part of the members of each county council will serve as 271
members of the regional council. 272

(6) A board of county commissioners may approve a resolution 273
by a majority vote of the board's members that requires the county 274
council to submit a statement to the board each time the council 275
proposes to enter into an agreement, adopt a plan, or make a 276
decision, other than a decision pursuant to section 121.38 of the 277
Revised Code, that requires the expenditure of funds for two or 278
more families. The statement shall describe the proposed 279
agreement, plan, or decision. 280

Not later than fifteen days after the board receives the 281
statement, it shall, by resolution approved by a majority of its 282
members, approve or disapprove the agreement, plan, or decision. 283
Failure of the board to pass a resolution during that time period 284
shall be considered approval of the agreement, plan, or decision. 285

An agreement, plan, or decision for which a statement is 286
required to be submitted to the board shall be implemented only if 287
it is approved by the board. 288

(C) Each county shall develop a county service coordination 289
mechanism. The mechanism shall be developed and approved with the 290
participation of the county entities representing child welfare; 291

mental retardation and developmental disabilities; alcohol, drug 292
addiction, and mental health services; health; juvenile judges; 293
education; the county family and children first council; and the 294
county early intervention collaborative established pursuant to 295
the federal early intervention program operated under the 296
"Education of the Handicapped Act Amendments of 1986." The county 297
shall establish an implementation schedule for the mechanism. The 298
cabinet council may monitor the implementation and administration 299
of each county's service coordination mechanism. 300

Each mechanism shall include all of the following: 301

(1) A procedure for assessing the needs of any child, 302
including a child who is an abused, neglected, dependent, unruly, 303
or delinquent child and under the jurisdiction of the juvenile 304
court or a child whose parent or custodian is voluntarily seeking 305
services; 306

(2) A procedure for assessing the service needs of the family 307
of any child, including a child who is an abused, neglected, 308
dependent, unruly, or delinquent child and under the jurisdiction 309
of the juvenile court or a child whose parent or custodian is 310
voluntarily seeking services; 311

(3) A procedure for development of a comprehensive joint 312
service plan ~~designating service responsibilities among the~~ 313
~~various state and local agencies that provide services to children~~ 314
~~and their families, including children who are abused, neglected,~~ 315
~~dependent, unruly, or delinquent children and under the~~ 316
~~jurisdiction of the juvenile court and children whose parents or~~ 317
~~custodians are voluntarily seeking services~~ described in division 318
(D) of this section; 319

(4) A local dispute resolution process to serve as the 320
process that must be used first to resolve disputes among the 321
agencies represented on the county council concerning the 322

provision of services to children, including children who are
abused, neglected, dependent, unruly, alleged unruly, or
delinquent children and under the jurisdiction of the juvenile
court and children whose parents or custodians are voluntarily
seeking services. The local dispute resolution process shall
comply with section 121.38 of the Revised Code. The cabinet
council shall adopt rules in accordance with Chapter 119. of the
Revised Code establishing an administrative review process to
address problems that arise concerning the operation of a local
dispute resolution process.

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(D) Each county shall develop a comprehensive joint service
plan that does both of the following:

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(1) Designates service responsibilities among the various
state and local agencies that provide services to children and
their families, including children who are abused, neglected,
dependent, unruly, or delinquent children and under the
jurisdiction of the juvenile court and children whose parents or
custodians are voluntarily seeking services;

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(2) Includes a service coordination process for dealing with
a child who is alleged to be an unruly child. The service
coordination process shall include methods to divert the child
from the juvenile court system.

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(E)(1) The service coordination process provided for under
division (D)(2) of this section may include, but is not limited
to, the following:

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(a) An assessment of the needs and strengths of the child and
the child's family and the services the child and the child's
family need;

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(b) Designation of the person or agency to conduct the
assessment of the child and the child's family as described in
division (E)(1)(a) of this section and designation of the

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<u>instrument or instruments to be used to conduct the assessment;</u>	354
<u>(c) Designation of the agency to provide case management services to the child and to the child's family;</u>	355
<u>(d) An emphasis on the personal responsibilities of the child and the parental responsibilities of the parents, guardian, or custodian of the child;</u>	357
<u>(e) Involvement of local law enforcement agencies and officials.</u>	360
<u>(2) The method to divert a child from the juvenile court system that must be included in the service coordination process may include, but is not limited to, the following:</u>	362
<u>(a) The preparation of a complaint under section 2151.27 of the Revised Code alleging that the child is an unruly child and notifying the child and the parents, guardian, or custodian that the complaint has been prepared to encourage the child and the parents, guardian, or custodian to comply with other methods to divert the child from the juvenile court system;</u>	365
<u>(b) Conducting a meeting with the child, the parents, guardian, or custodian, and other interested parties to determine the appropriate methods to divert the child from the juvenile court system;</u>	371
<u>(c) A method for dealing with short-term crisis situations involving a confrontation between the child and the parents, guardian, or custodian;</u>	375
<u>(d) A method to provide to the child and the child's family a short-term respite from a short-term crisis situation involving a confrontation between the child and the parents, guardian, or custodian;</u>	378
<u>(e) A program to provide a mentor to the child or the parents, guardian, or custodian;</u>	382

(f) A program to provide parenting education to the parents, guardian, or custodian; 384
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(g) An alternative school program for children who are truant from school, repeatedly disruptive in school, or suspended or expelled from school; 386
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(h) Other appropriate measures, including, but not limited to, any alternative methods to divert a child from the juvenile court system that are identified by the Ohio family and children first cabinet council. 389
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(F) Each county may review and revise the service coordination process described in division (D)(2) of this section based on the availability of funds under Title IV-A of the "Social Security Act," 110 Stat. 2113 (1996), 42 U.S.C.A. 601, as amended, or to the extent resources are available from any other federal, state, or local funds. 393
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Sec. 2151.152. The juvenile judge may enter into an agreement 399
with the department of job and family services pursuant to section 400
5101.11 of the Revised Code for the purpose of reimbursing the 401
court for foster care maintenance costs and associated 402
administrative and training costs incurred on behalf of a child in 403
~~the temporary or permanent custody of the court~~ and eligible for 404
payments under Title IV-E of the "Social Security Act," 94 Stat. 405
501, 42 U.S.C.A. 670 (1980) and who is in the temporary or 406
permanent custody of the court or subject to a disposition issued 407
under division (A)(5) of section 2151.354 or division 408
(A)(6)(a)(ii) or (A)(7) of section 2152.19 of the Revised Code. 409
The agreement shall govern the responsibilities and duties the 410
court shall perform in providing services to the child. 411

Sec. 2151.27. (A)(1) Subject to division (A)(2) of this 412

section, any person having knowledge of a child who appears to 413
have violated section 2151.87 of the Revised Code or to be a 414
juvenile traffic offender or to be an unruly, abused, neglected, 415
or dependent child may file a sworn complaint with respect to that 416
child in the juvenile court of the county in which the child has a 417
residence or legal settlement or in which the violation, 418
unruliness, abuse, neglect, or dependency allegedly occurred. If 419
an alleged abused, neglected, or dependent child is taken into 420
custody pursuant to division (D) of section 2151.31 of the Revised 421
Code or is taken into custody pursuant to division (A) of section 422
2151.31 of the Revised Code without the filing of a complaint and 423
placed into shelter care pursuant to division (C) of that section, 424
a sworn complaint shall be filed with respect to the child before 425
the end of the next day after the day on which the child was taken 426
into custody. The sworn complaint may be upon information and 427
belief, and, in addition to the allegation that the child 428
committed the violation or is an unruly, abused, neglected, or 429
dependent child, the complaint shall allege the particular facts 430
upon which the allegation that the child committed the violation 431
or is an unruly, abused, neglected, or dependent child is based. 432

(2) Any person having knowledge of a child who appears to be 433
an unruly child for being an habitual truant may file a sworn 434
complaint with respect to that child and the parent, guardian, or 435
other person having care of the child in the juvenile court of the 436
county in which the child has a residence or legal settlement or 437
in which the child is supposed to attend public school. The sworn 438
complaint may be upon information and belief and shall contain the 439
following allegations: 440

(a) That the child is an unruly child for being an habitual 441
truant and, in addition, the particular facts upon which that 442
allegation is based; 443

(b) That the parent, guardian, or other person having care of 444

the child has failed to cause the child's attendance at school in violation of section 3321.38 of the Revised Code and, in addition, the particular facts upon which that allegation is based.

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(B) If a child, before arriving at the age of eighteen years, allegedly commits an act for which the child may be adjudicated an unruly child and if the specific complaint alleging the act is not filed or a hearing on that specific complaint is not held until after the child arrives at the age of eighteen years, the court has jurisdiction to hear and dispose of the complaint as if the complaint were filed and the hearing held before the child arrived at the age of eighteen years.

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(C) If the complainant in a case in which a child is alleged to be an abused, neglected, or dependent child desires permanent custody of the child or children, temporary custody of the child or children, whether as the preferred or an alternative disposition, or the placement of the child in a planned permanent living arrangement, the complaint shall contain a prayer specifically requesting permanent custody, temporary custody, or the placement of the child in a planned permanent living arrangement.

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(D) Any person with standing under applicable law may file a complaint for the determination of any other matter over which the juvenile court is given jurisdiction by section 2151.23 of the Revised Code. The complaint shall be filed in the county in which the child who is the subject of the complaint is found or was last known to be found.

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(E) A public children services agency, acting pursuant to a complaint or an action on a complaint filed under this section, is not subject to the requirements of section 3109.27 of the Revised Code.

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(F) Upon the filing of a complaint alleging that a child is

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an unruly child, the court may hold the complaint in abeyance
pending the child's successful completion of actions that
constitute a method to divert the child from the juvenile court
system. The method may be adopted by a county pursuant to
divisions (D) and (E) of section 121.37 of the Revised Code or it
may be another method that the court considers satisfactory. If
the child completes the actions to the court's satisfaction, the
court may dismiss the complaint. If the child fails to complete
the actions to the court's satisfaction, the court may consider
the complaint.

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Sec. 2151.354. (A) If the child is adjudicated an unruly
child, the court may:

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(1) Make any of the dispositions authorized under section
2151.353 of the Revised Code;

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(2) Place the child on community control under any sanctions,
services, and conditions that the court prescribes, as described
in division (A)(3) of section 2152.19 of the Revised Code;

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(3) Suspend or revoke the driver's license, probationary
driver's license, or temporary instruction permit issued to the
child and suspend or revoke the registration of all motor vehicles
registered in the name of the child. A child whose license or
permit is so suspended or revoked is ineligible for issuance of a
license or permit during the period of suspension or revocation.
At the end of the period of suspension or revocation, the child
shall not be reissued a license or permit until the child has paid
any applicable reinstatement fee and complied with all
requirements governing license reinstatement.

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(4) Commit the child to the temporary or permanent custody of
the court;

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(5) Make any further disposition the court finds proper that is consistent with sections 2151.312 and 2151.56 to 2151.61 of the Revised Code; 507
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(6) If, after making a disposition under division (A)(1), 510
(2), or (3) of this section, the court finds upon further hearing 511
that the child is not amenable to treatment or rehabilitation 512
under that disposition, make a disposition otherwise authorized 513
under divisions (A)(1), (3), (4), and (7) of section 2152.19 of 514
the Revised Code, ~~except that the child may not be committed to or~~ 515
~~placed in a secure correctional facility, and commitment to or~~ 516
~~placement in a detention facility may not exceed twenty-four hours~~ 517
~~unless authorized by division (B)(3) of section that is consistent~~ 518
with sections 2151.312 or sections and 2151.56 to 2151.61 of the 519
Revised Code. 520

(B) If a child is adjudicated an unruly child for committing 521
any act that, if committed by an adult, would be a drug abuse 522
offense, as defined in section 2925.01 of the Revised Code, or a 523
violation of division (B) of section 2917.11 of the Revised Code, 524
then, in addition to imposing, in its discretion, any other order 525
of disposition authorized by this section, the court shall do both 526
of the following: 527

(1) Require the child to participate in a drug abuse or 528
alcohol abuse counseling program; 529

(2) Suspend or revoke the temporary instruction permit, 530
probationary driver's license, or driver's license issued to the 531
child for a period of time prescribed by the court or, at the 532
discretion of the court, until the child attends and 533
satisfactorily completes a drug abuse or alcohol abuse education, 534
intervention, or treatment program specified by the court. During 535
the time the child is attending the program, the court shall 536
retain any temporary instruction permit, probationary driver's 537
license, or driver's license issued to the child and shall return 538

the permit or license when the child satisfactorily completes the program. 539
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(C)(1) If a child is adjudicated an unruly child for being an habitual truant, in addition to or in lieu of imposing any other order of disposition authorized by this section, the court may do any of the following: 541
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(a) Order the board of education of the child's school district or the governing board of the educational service center in the child's school district to require the child to attend an alternative school if an alternative school has been established pursuant to section 3313.533 of the Revised Code in the school district in which the child is entitled to attend school; 545
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(b) Require the child to participate in any academic program or community service program; 551
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(c) Require the child to participate in a drug abuse or alcohol abuse counseling program; 553
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(d) Require that the child receive appropriate medical or psychological treatment or counseling; 555
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(e) Make any other order that the court finds proper to address the child's habitual truancy, including an order requiring the child to not be absent without legitimate excuse from the public school the child is supposed to attend for five or more consecutive days, seven or more school days in one school month, or twelve or more school days in a school year and including an order requiring the child to participate in a truancy prevention mediation program. 557
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(2) If a child is adjudicated an unruly child for being an habitual truant and the court determines that the parent, guardian, or other person having care of the child has failed to cause the child's attendance at school in violation of section 3321.38 of the Revised Code, in addition to any order of 565
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disposition authorized by this section, all of the following
apply: 570
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(a) The court may require the parent, guardian, or other 572
person having care of the child to participate in any community 573
service program, preferably a community service program that 574
requires the involvement of the parent, guardian, or other person 575
having care of the child in the school attended by the child. 576

(b) The court may require the parent, guardian, or other 577
person having care of the child to participate in a truancy 578
prevention mediation program. 579

(c) The court shall warn the parent, guardian, or other 580
person having care of the child that any subsequent adjudication 581
of the child as an unruly or delinquent child for being an 582
habitual or chronic truant may result in a criminal charge against 583
the parent, guardian, or other person having care of the child for 584
a violation of division (C) of section 2919.21 or section 2919.24 585
of the Revised Code. 586

Section 2. That existing sections 121.37, 2151.152, 2151.27, 587
and 2151.354 of the Revised Code are hereby repealed. 588

Section 3. Sections 1 and 2 of this act shall take effect 589
January 1, 2002. 590

Section 4. Not later than thirty days after the effective 591
date of this section, the Ohio Family and Children First Cabinet 592
Council shall develop and distribute advisory guidance to each 593
county family and children first council and to any other key 594
relevant constituency that the Cabinet Council identifies. The 595
Cabinet Council shall design the advisory guidance to assist a 596
county council in developing under divisions (C), (D), (E), and 597
(F) of section 121.37 of the Revised Code its local service 598

coordination process for diversion of unruly children and children 599
who have committed acts that would be misdemeanors if committed by 600
an adult from the juvenile court system. The Cabinet Council shall 601
include in the advisory guidance suggestions on how to effectively 602
utilize TANF Youth Diversion Program funds, authorized in Section 603
63.09 of Am. Sub. H.B. 94 of the 124th General Assembly, as 604
amended by Am. Sub. H.B. 299 of the 124th General Assembly, and 605
suggestions on how to effectively utilize other available federal, 606
state, local, or private funds. 607

This section does not authorize the Cabinet Council to adopt 608
rules setting forth the above-described advisory guidance. 609

Section 5. Not later than November 1, 2002, the Ohio Family 610
and Children First Cabinet Council shall appoint a committee to 611
evaluate the implementation of Section 63.09, TANF Youth Diversion 612
Programs, of Am. Sub. H.B. 94 of the 124th General Assembly, as 613
amended by Am. Sub. H.B. 299 of the 124th General Assembly, and 614
divisions (C), (D), (E), and (F) of section 121.37 of the Revised 615
Code. The members of the committee shall represent key relevant 616
constituencies affected by that section and those divisions, and 617
the members shall serve without compensation. The Ohio Family and 618
Children First Cabinet Council shall provide any clerical support 619
the committee requires. The committee shall provide an interim 620
report of its findings and recommendations to the Ohio Family and 621
Children First Cabinet Council, the President of the Senate, and 622
the Speaker of the House of Representatives not later than March 623
1, 2003. The committee shall submit its final report of its 624
findings and recommendations, including identified best practices, 625
to the Ohio Family and Children First Cabinet Council, the 626
President of the Senate, and the Speaker of the House of 627
Representatives not later than December 31, 2003. 628

Section 6. Section 2151.27 of the Revised Code is presented 629

in this act as a composite of the section as amended by both Am. 630
Sub. S.B. 179 and Sub. S.B. 218 of the 123rd General Assembly. The 631
General Assembly, applying the principle stated in division (B) of 632
section 1.52 of the Revised Code that amendments are to be 633
harmonized if reasonably capable of simultaneous operation, finds 634
that the composite is the resulting version of the section in 635
effect on January 1, 2002. 636