

**As Reported by the House Criminal Justice Committee**

**124th General Assembly**

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**Sub. H. B. No. 57**

**REPRESENTATIVES Willamowski, Flowers, Core, Jolivette, Evans, Niehaus,  
Hollister, Hoops, DePiero, Womer Benjamin, Seitz, Jones**

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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 childred 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 16  
and children first cabinet council. The council shall be composed 17  
of the superintendent of public instruction and the directors of 18  
youth services, job and family services, mental health, health, 19

alcohol and drug addiction services, mental retardation and 20  
developmental disabilities, and budget and management. The 21  
chairperson of the council shall be the governor or the governor's 22  
designee and shall establish procedures for the council's internal 23  
control and management. 24

(2) The purpose of the cabinet council is to help families 25  
seeking government services. This section shall not be interpreted 26  
or applied to usurp the role of parents, but solely to streamline 27  
and coordinate existing government services for families seeking 28  
assistance for their children. 29

In seeking to fulfill its purpose, the council may do any of 30  
the following: 31

(a) Advise and make recommendations to the governor and 32  
general assembly regarding the provision of services to children; 33

(b) Advise and assess local governments on the coordination 34  
of service delivery to children; 35

(c) Hold meetings at such times and places as may be 36  
prescribed by the council's procedures and maintain records of the 37  
meetings, except that records identifying individual children are 38  
confidential and shall be disclosed only as provided by law; 39

(d) Develop programs and projects, including pilot projects, 40  
to encourage coordinated efforts at the state and local level to 41  
improve the state's social service delivery system; 42

(e) Enter into contracts with and administer grants to county 43  
family and children first councils, as well as other county or 44  
multicounty organizations to plan and coordinate service delivery 45  
between state agencies and local service providers for families 46  
and children; 47

(f) Enter into contracts with and apply for grants from 48  
federal agencies or private organizations; 49

(g) Enter into interagency agreements to encourage 50  
coordinated efforts at the state and local level to improve the 51  
state's social service delivery system. The agreements may include 52  
provisions regarding the receipt, transfer, and expenditure of 53  
funds; 54

(h) Identify public and private funding sources for services 55  
provided to alleged or adjudicated unruly children and children 56  
who are at risk of being alleged or adjudicated unruly children, 57  
including regulations governing access to and use of the services; 58

(i) Collect information provided by local communities 59  
regarding successful programs for prevention, intervention, and 60  
treatment of unruly behavior, including evaluations of the 61  
programs; 62

(j) Identify and disseminate publications regarding alleged 63  
or adjudicated unruly children and children who are at risk of 64  
being alleged or adjudicated unruly children and regarding 65  
programs serving those types of children; 66

(k) Maintain an inventory of strategic planning facilitators 67  
for use by government or nonprofit entities that serve alleged or 68  
adjudicated unruly children or children who are at risk of being 69  
alleged or adjudicated unruly children. 70

(3) The cabinet council shall provide for the following: 71

(a) Reviews of service and treatment plans for children for 72  
which such reviews are requested; 73

(b) Assistance as the council determines to be necessary to 74  
meet the needs of children referred by county family and children 75  
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 administered by the department of health for early intervention services under the "Education of the Handicapped Act Amendments of 1986," 100 Stat. 1145 (1986), 20 U.S.C.A. 1471, as amended.

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

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

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

(c) The health commissioner, or the commissioner's designee, of the board of health of each city and general health district in the county. If the county has two or more health districts, the health commissioner membership may be limited to the commissioners of the two districts with the largest populations.

(d) The director of the county department of job and family services;

(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";	136 137 138 139
(o) A representative of a local nonprofit entity that funds,	140

advocates, or provides services to children and families. 141

Notwithstanding any other provision of law, the public 142  
members of a county council are not prohibited from serving on the 143  
council and making decisions regarding the duties of the council, 144  
including those involving the funding of joint projects and those 145  
outlined in the county's service coordination mechanism 146  
implemented pursuant to division (C) of this section. 147

The cabinet council shall establish a state appeals process 148  
to resolve disputes among the members of a county council 149  
concerning whether reasonable responsibilities as members are 150  
being shared. The appeals process may be accessed only by a 151  
majority vote of the council members who are required to serve on 152  
the council. Upon appeal, the cabinet council may order that state 153  
funds for services to children and families be redirected to a 154  
county's board of county commissioners. 155

(2) A county council shall provide for the following: 156

(a) Referrals to the cabinet council of those children for 157  
whom the county council cannot provide adequate services; 158

(b) Development and implementation of a process that annually 159  
evaluates and prioritizes services, fills service gaps where 160  
possible, and invents new approaches to achieve better results for 161  
families and children; 162

(c) Participation in the development of a countywide, 163  
comprehensive, coordinated, multi-disciplinary, interagency system 164  
for infants and toddlers with developmental disabilities or delays 165  
and their families, as established pursuant to federal grants 166  
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  
create a regional council, the members of each county council to  
be part of the regional council shall meet to determine whether  
all or part of the members of each county council will serve as  
members of the regional council.

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

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

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

(C) Each county shall develop a county service coordination  
mechanism. The mechanism shall be developed and approved with the  
participation of the county entities representing child welfare;  
mental retardation and developmental disabilities; alcohol, drug  
addiction, and mental health services; health; juvenile judges;  
education; the county family and children first council; and the  
county early intervention collaborative established pursuant to  
the federal early intervention program operated under the  
"Education of the Handicapped Act Amendments of 1986." The county  
shall establish an implementation schedule for the mechanism. The  
cabinet council may monitor the implementation and administration

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 323  
abused, neglected, dependent, unruly, alleged unruly, or 324  
delinquent children and under the jurisdiction of the juvenile 325  
court, children who appear to be unruly children but are not under 326  
the jurisdiction of the juvenile court as alleged or adjudicated 327  
unruly children, and children whose parents or custodians are 328  
voluntarily seeking services. The local dispute resolution process 329  
shall comply with section 121.38 of the Revised Code. The cabinet 330

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.

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

(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;

(2) Includes a service coordination process for dealing with a child who is either of the following that includes methods to divert the child from the juvenile court system:

(a) A child alleged to be an unruly child in a complaint filed pursuant to section 2151.27 of the Revised Code;

(b) A child who appears to be an unruly child as that term is defined in section 2151.022 of the Revised Code but is not under the jurisdiction of the juvenile court as an alleged or adjudicated unruly child.

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

(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;

(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 instrument or instruments to be used to conduct the assessment;

<u>(c) Designation of the agency to provide case management services to the child and to the child's family;</u>	362
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<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>	364
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<u>(e) Involvement of local law enforcement agencies and officials.</u>	367
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<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>	369
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<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>	372
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<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>	378
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<u>(c) A method for dealing with short-term crisis situations involving a confrontation between the child and the parents, guardian, or custodian;</u>	382
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<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>	385
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<u>(e) A program to provide a mentor to the child or the parents, guardian, or custodian;</u>	389
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<u>(f) A program to provide parenting education to the parents,</u>	391

guardian, or custodian; 392

(g) An alternative school program for children who are truant 393  
from school, repeatedly disruptive in school, or suspended or 394  
expelled from school; 395

(h) Other appropriate measures, including, but not limited 396  
to, any alternative methods to divert a child from the juvenile 397  
court system that are identified by the office of criminal justice 398  
services. 399

(F) Each county may review and revise the service 400  
coordination process described in division (D)(2) of this section 401  
based on the availability of funds under Title IV-A of the "Social 402  
Security Act," 110 Stat. 2113 (1996), 42 U.S.C.A. 601, as amended, 403  
or to the extent resources are available from any other federal, 404  
state, or local funds. 405

**Sec. 2151.152.** The juvenile judge may enter into an agreement 406  
with the department of job and family services pursuant to section 407  
5101.11 of the Revised Code for the purpose of reimbursing the 408  
court for foster care maintenance costs and associated 409  
administrative and training costs incurred on behalf of a child ~~in~~ 410  
~~the temporary or permanent custody of the court and eligible for~~ 411  
payments under Title IV-E of the "Social Security Act," 94 Stat. 412  
501, 42 U.S.C.A. 670 (1980) and who is in the temporary or 413  
permanent custody of the court or subject to a disposition issued 414  
under division (A)(5) of section 2151.354, division (A)(25) of 415  
section 2151.355 of the Revised Code prior to January 1, 2002, or 416  
division (A)(6)(a)(ii) or (A)(7) of section 2152.19 of the Revised 417  
Code on and after January 1, 2002. The agreement shall govern the 418  
responsibilities and duties the court shall perform in providing 419  
services to the child. 420

Sec. 2151.27. (A)(1) Subject to division (A)(2) of this 421  
section, any person having knowledge of a child who appears to 422  
have violated section 2151.87 of the Revised Code or to be a 423  
juvenile traffic offender or to be an unruly, abused, neglected, 424  
or dependent child may file a sworn complaint with respect to that 425  
child in the juvenile court of the county in which the child has a 426  
residence or legal settlement or in which the violation, 427  
unruliness, abuse, neglect, or dependency allegedly occurred. If 428  
an alleged abused, neglected, or dependent child is taken into 429  
custody pursuant to division (D) of section 2151.31 of the Revised 430  
Code or is taken into custody pursuant to division (A) of section 431  
2151.31 of the Revised Code without the filing of a complaint and 432  
placed into shelter care pursuant to division (C) of that section, 433  
a sworn complaint shall be filed with respect to the child before 434  
the end of the next day after the day on which the child was taken 435  
into custody. The sworn complaint may be upon information and 436  
belief, and, in addition to the allegation that the child 437  
committed the violation or is an unruly, abused, neglected, or 438  
dependent child, the complaint shall allege the particular facts 439  
upon which the allegation that the child committed the violation 440  
or is an unruly, abused, neglected, or dependent child is based. 441

(2) Any person having knowledge of a child who appears to be 442  
an unruly child for being an habitual truant may file a sworn 443  
complaint with respect to that child and the parent, guardian, or 444  
other person having care of the child in the juvenile court of the 445  
county in which the child has a residence or legal settlement or 446  
in which the child is supposed to attend public school. The sworn 447  
complaint may be upon information and belief and shall contain the 448  
following allegations: 449

(a) That the child is an unruly child for being an habitual 450  
truant and, in addition, the particular facts upon which that 451  
allegation is based; 452

(b) 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 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 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.

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

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

(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;

(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.

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

(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; 516  
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(6) If, after making a disposition under division (A)(1), 519  
(2), or (3) of this section, the court finds upon further hearing 520  
that the child is not amenable to treatment or rehabilitation 521  
under that disposition, make a disposition otherwise authorized 522  
under divisions (A)(1), (3), (4), and (7) of section 2152.19 of 523  
the Revised Code, ~~except that the child may not be committed to or~~ 524  
~~placed in a secure correctional facility, and commitment to or~~ 525  
~~placement in a detention facility may not exceed twenty-four hours~~ 526  
~~unless authorized by division (B)(3) of section that is consistent~~ 527  
with sections 2151.312 or sections and 2151.56 to 2151.61 of the 528  
Revised Code. 529

(B) If a child is adjudicated an unruly child for committing 530  
any act that, if committed by an adult, would be a drug abuse 531  
offense, as defined in section 2925.01 of the Revised Code, or a 532  
violation of division (B) of section 2917.11 of the Revised Code, 533  
then, in addition to imposing, in its discretion, any other order 534  
of disposition authorized by this section, the court shall do both 535  
of the following: 536

(1) Require the child to participate in a drug abuse or 537  
alcohol abuse counseling program; 538

(2) Suspend or revoke the temporary instruction permit, 539  
probationary driver's license, or driver's license issued to the 540  
child for a period of time prescribed by the court or, at the 541  
discretion of the court, until the child attends and 542  
satisfactorily completes a drug abuse or alcohol abuse education, 543  
intervention, or treatment program specified by the court. During 544  
the time the child is attending the program, the court shall 545  
retain any temporary instruction permit, probationary driver's 546  
license, or driver's license issued to the child and shall return 547

the permit or license when the child satisfactorily completes the program. 548  
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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: 550  
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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; 554  
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(b) Require the child to participate in any academic program or community service program; 560  
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(c) Require the child to participate in a drug abuse or alcohol abuse counseling program; 562  
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(d) Require that the child receive appropriate medical or psychological treatment or counseling; 564  
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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. 566  
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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 574  
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disposition authorized by this section, all of the following  
apply: 579  
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(a) The court may require the parent, guardian, or other  
person having care of the child to participate in any community  
service program, preferably a community service program that  
requires the involvement of the parent, guardian, or other person  
having care of the child in the school attended by the child. 581  
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(b) The court may require the parent, guardian, or other  
person having care of the child to participate in a truancy  
prevention mediation program. 586  
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(c) The court shall warn the parent, guardian, or other  
person having care of the child that any subsequent adjudication  
of the child as an unruly or delinquent child for being an  
habitual or chronic truant may result in a criminal charge against  
the parent, guardian, or other person having care of the child for  
a violation of division (C) of section 2919.21 or section 2919.24  
of the Revised Code. 589  
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**Section 2.** That existing sections 121.37, 2151.152, 2151.27,  
and 2151.354 of the Revised Code are hereby repealed. 596  
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**Section 3.** Sections 1 and 2 of this act shall take effect  
January 1, 2002. 598  
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**Section 4.** Section 2151.27 of the Revised Code is presented  
in this act as a composite of the section as amended by both Am.  
Sub. S.B. 179 and Sub. S.B. 218 of the 123rd General Assembly. The  
General Assembly, applying the principle stated in division (B) of  
section 1.52 of the Revised Code that amendments are to be  
harmonized if reasonably capable of simultaneous operation, finds  
that the composite is the resulting version of the section in  
effect on January 1, 2002. 600  
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