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S.B. 108
135th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Sen. Blessing

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SUMMARY

- Establishes and regulates scholars residential centers, defined as centers that meet several characteristics, including certification by a national organization with a mission to help underserved children in middle and high school.
- Requires the Director of Job and Family Services (JFS) to adopt rules to implement standards for scholars residential centers and generally requires them to be substantially similar to those governing other similarly situated providers of residential care for children.
- Exempts the rules adopted under the bill from existing regulatory restriction reduction requirements.
- Requires the JFS Director to certify a scholars residential center that submits an application that indicates to the Director's satisfaction that the center meets the standards established in the rules adopted under the bill.

DETAILED ANALYSIS

Scholars residential centers

The bill establishes and regulates scholars residential centers. A scholars residential center ("center") is defined in the bill as a center that:

- Is a certified affiliate in good standing of a national organization with a mission to help underserved children in middle school and high school in a comprehensive manner that is academically focused and service-oriented and in a family-like setting;
- Is private and not-for-profit;

- Does not receive Title IV-E funding or any associated Title IV funds related to child welfare;¹
- Only accepts children placed by their parents or legal custodian; and
- Is voluntary and uses a competitive selection process.²

Rulemaking authority

The bill requires the Director of Job and Family Services (JFS) to adopt rules in accordance with Chapter 119 of the Revised Code to implement center standards. Generally, the rules must be substantially similar, as determined by the Director, to those governing other similarly situated providers of residential care for children. This includes the rules provided in Chapters 5101:2-5 (child services agency licensing rules) and 5101:2-9 (children’s residential centers, group homes, and residential parenting facilities) of the Ohio Administrative Code.

However, the rules may differ from these existing rules in order to reflect all of the following requirements:

- A center is not subject to any policy that is not specific or relevant to the center.
- A center is not required to provide discharge summaries.
- A center may request agency waivers.
- A center is not required to implement case plans or service plans.
- Training requirements for center staff are limited to completion of:
 - Orientation training;
 - Current American Red Cross, American Heart Association, or equivalent first aid and cardiopulmonary resuscitation (commonly known as “CPR”) certification; and
 - One hour of annual trauma training.
- A center is not subject to existing rules regarding:
 - Recreation and leisure activity requirements, provided that the center has a recreation area available and permits children to swim if a person who has completed life-saving or water safety training is present;
 - Visiting and communications policies, provided that the center ensures that children have contact with their family;
 - Qualified residential treatment program requirements; and

¹ Title IV-E of the Social Security Act provides federal reimbursement for some of the maintenance, administration, and training costs related to child welfare. 42 United States Code (U.S.C.) 671-679b.

² R.C. 5103.021(A).

- Treatment-focused requirements for residential agencies.
- A center must provide notification and documentation of critical incidents to parents and legal custodians.³

The bill exempts these rules from the regulatory restriction reduction requirements under existing law.⁴

Certification of scholars residential centers

The bill requires the JFS Director to certify a center that submits an application that indicates to the Director’s satisfaction that the center meets the standards established in the adopted rules. The application form must be prescribed by the Director.⁵

HISTORY

Action	Date
Introduced	04-18-23

ANSB0108IN-135/ec

³ R.C. 5103.021(B).

⁴ R.C. 5103.021(D); R.C. 121.95 to 121.953, not in the bill.

⁵ R.C. 5103.021(C).