



Department of Job and Family Services

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June 25, 2021

Children's Trust Fund Manual Transmittal Letter No. 2

TO: All Children's Trust Fund Stakeholders
FROM: Matt Damschroder, Interim Director
SUBJECT: Ohio Children's Trust Fund Rules

This letter transmits three amended rules and one rescinded rule regulating locally controlled regional child abuse and neglect prevention councils created statutorily by House Bill 64 of the 131st General Assembly. This language amends rules that the OCTF is required to adopt and rescinds that are obsolete and/or duplicative of the Ohio Revised Code. These rules will be effective July 1, 2021.

The following is a brief explanation of the amended rules:

Amended: OAC 5101:5-1-01 entitled “Regional prevention councils operation and regional prevention council member duties” removes sections of the rule which are duplicative of section 3109.179 of the Revised Code, including the Duties and structure of a regional prevention council, Officers and their duties, Compensation of council members, and Workgroups.

Additionally, the amended rule removes language that is obsolete and/or unenforceable, including the required adoption of Robert’s Rules of Order (2011), the process for minutes and agenda, the involvement of council members with acquiring county level data, and an attendance rule. The Robert’s Rules of Order is an obsolete requirement removing the local control of the council chair to regulate the councils in accordance with council-preferred operations. The processes for minutes and agenda are contract language included in OCTF’s agreement with the Regional Coordinating Entities and are unnecessarily placed within the Ohio Administrative Code. The involvement of council members with acquiring county level data is obsolete as the OCTF created a Data Dashboard responsible for this and council member involvement is no longer required. The attendance requirements are removed as obsolete and unenforceable as the requirements are applicable concurrently with council term limits. The requirements that councils must work within the OCTF online system is being removed as the online system does not exist.

The requirements pertaining to officer's duties, council meetings and notices, the council's duty to engage the prevention plan, to serve on at least one workgroup, and to assist with the needs assessment are retained as applicable and relevant regulations.

Amended: OAC 5101:5-1-02 entitled "Regional prevention coordinator duties and selection process" provides guidance, in accordance with division (B) of section 3109.179 of the Revised Code, on the responsibilities of regional prevention coordinators including the selection of child abuse and child neglect regional prevention council chairpersons, the conducting of comprehensive needs assessments and the provision of management and administrative functions of the regional prevention councils and their workgroups. These provisions are rescinded as contract language not appropriate for Ohio Administrative Code. The rule is amended to provide guidance for situations in which a regional prevention coordinator is unable to continue and/or is not fulfilling its statutory obligations. The rule is amended to be entitled OCTF as regional prevention coordinator.

Amended: OAC 5101:5-1-03 entitled "Boards of county commissioners appointing of regional prevention council members" provides guidance, in accordance with division (A) of section 3109.179 of the Revised Code, on the manner in which boards of county commissioners are to appoint and reappoint child abuse and child neglect regional prevention council members.

This rule is amended to remove language duplicative of division (D) of section 3109.172 of the Ohio Revised Code.

Rescinded: OAC 5101:5-1-04 entitled "Regional prevention council designations" creates names, in accordance with division (B) of section 3109.179 of the Revised Code, for each of the eight child abuse and child neglect regional prevention councils established under division (B) of section 3109.172 of the Revised Code to serve the eight child abuse and child neglect prevention regions created and defined under section 3109.171 of the Revised Code.

This rule is rescinded as an unnecessary addition to the Ohio Administrative Code that only serves to name the regions, which can be updated in Ohio Revised Code, if necessary.

INSTRUCTIONS:

The following chart identifies the material that should be added to the Children's Trust Fund Manual (CTFMTL).

LOCATION	REMOVE AND FILE AS OBSOLETE	INSERT/REPLACEMENT
Children's Trust Fund Manual	5101:5-1-01	5101:5-1-01
	5101:5-1-02	5101:5-1-02
	5101:5-1-03	5101:5-1-03
	5101:5-1-04	
TRANSMITTAL Letters		CTFMTL No. 2

5101:5-1-01

Regional prevention councils operation and regional prevention council member duties.

Regional prevention councils are established to serve child abuse and child neglect prevention regions created and defined under section 3109.171 of the Revised Code.

(A) Duties and structure of a regional prevention council.

- ~~(1) Each council is composed of county prevention specialists appointed by boards of county commissioners and the Ohio children's trust fund (OCTF) board.~~
- ~~(2) Every council is directed by a competitively selected regional prevention coordinator that selects a non-voting chairperson to lead the council and facilitate the completion of its tasks.~~
- ~~(3) Each council is charged with:~~
 - ~~(a) Establishing standing workgroups;~~
 - ~~(b) Developing and completing needs assessments;~~
 - ~~(c) Developing, approving and implementing a regional child abuse and child neglect prevention plan based on OCTF criteria;~~
 - ~~(d) Collecting data on the implementation of the plan and submitting a progress report and an annual report to the OCTF.~~
- ~~(4) Each council may request start-up funding from the OCTF for children's advocacy centers.~~

(B)(A) Meetings and notices.

- (1) All business transactions of each council shall be conducted in public meetings. Each council shall meet in compliance with division (H) of section 3109.172 of the Revised Code at the call of the chairperson; and
 - (a) Held in accordance with a schedule adopted by each council at its first meeting; or
 - (b) Scheduled at a previous meeting of the council; or
 - (c) Special meeting called by the chairperson of the council.
- (2) Public notice of meetings will specify the time and place of the meeting.

- (a) Each council will maintain a list of persons who have requested notice of all meetings.
- (b) Any person may obtain electronic mail notification of the time and place of any regularly scheduled meeting by requesting such notification from the council before the close of the business day prior to the meeting.
- (c) In the event of a special meeting, the council will notify all listed persons by electronic mail notification as soon as possible after the special meeting is scheduled.

(3) **Quorum.**

A majority of the actual number of county prevention specialists that have been appointed to and are serving on the council at the time of a meeting where official action is to be taken constitutes a quorum to conduct a meeting. A majority of those members present and voting yes on a proposal shall constitute a favorable vote. All votes shall be conducted by roll call.

(4) **Procedure:**

~~When a question of parliamentary procedure arises, the most current edition of "Robert's Rules of Order" (2011) shall be followed as a guide for the proceedings of the council.~~

(5) **Minutes:**

~~The minutes shall be the record of the proceedings of the council.~~

- (a) ~~The minutes, at a minimum, shall provide a record of the council members present and any votes taken.~~
- (b) ~~Draft copies of the written minutes shall be circulated to the council in advance of each meeting.~~
- (c) ~~After approval, the approved version shall be retained for a period of seven years by the regional prevention coordinator of each council.~~
- (d) ~~Each council will make available a copy of the approved minutes to any person who requests them.~~

(6) **Agenda:**

~~The agenda shall be sent to each council member prior to the meeting. Each council will make available a copy of the meeting agenda to any person who requests it.~~

~~(C)~~(B) Officers and their duties.

- (1) The chairperson: ~~serves as a nonvoting member of the council. The chairperson is to preside at all council meetings or may call upon the vice chairperson to preside during a meeting.~~
 - (a) ~~Is selected by the council's regional prevention coordinator from among the county prevention specialists that have been appointed to and are serving on the regional prevention council.~~
 - (b) ~~Serves as a nonvoting member of the council. The chairperson shall be the voice of the council and shall preside at all council meetings.~~
 - (c) ~~May call upon the vice chairperson to preside during a meeting.~~
- (2) A vice chairperson shall be selected by the council from among the members of the council.
 - (a) The vice chairperson shall preside in the event of the absence of the chairperson or upon the request of the chairperson.
 - (b) When presiding over a council meeting, the vice chairperson becomes a nonvoting member and functions in the same capacity as the chairperson.

~~(3) Under the direction of the chairperson, a staff member designated by the regional prevention coordinator shall keep the minutes of council proceedings.~~

~~(4) Other officers of the council shall include the chairpersons of workgroups who are designated by the council.~~

~~(D)~~ Workgroups:

- (1) ~~In conducting its business and fulfilling its duties pursuant to sections 3109.172, 3109.174 and 3109.178 of the Revised Code, each child abuse and child neglect regional prevention council, as defined in section 3109.171 of the Revised Code, shall create the following workgroups at its initial meeting or within two months thereafter:~~
 - (a) ~~A child abuse and child neglect prevention month planning workgroup.~~

- (i) Shall examine existing child abuse and child neglect prevention month activities, programs and/or events;
 - (ii) Shall then recommend to the full council specific child abuse and child neglect prevention month activities, programs and/or events to be considered for inclusion in the regional prevention plan that each child abuse and child neglect regional prevention council submits to the OCTF board pursuant to section 3109.174 of the Revised Code;
 - (iii) This workgroup will also make recommendations for coordinating and disseminating the OCTF board's child abuse and child neglect prevention month campaign messaging and materials.
- (b) A needs assessment workgroup that will coordinate the council's needs assessment activities.
- (c) A prevention plan workgroup that will coordinate the development of the council's regional prevention plan for funding child abuse and child neglect prevention programs and activities.

(2) Each child abuse and child neglect regional prevention council may create additional workgroups and assign any tasks it deems necessary to facilitate the implementation of its assigned duties.

(3) Council members shall self-select into workgroups. Workgroup members may include non-council members such as experts in a particular field whose knowledge may assist the workgroup in the completion of its assigned duties.

(4) The council designates a workgroup chairperson from among the workgroup members who are also members of the council.

(5) Council members shall self-select into and councils shall designate chairpersons for the workgroups created under paragraphs (D)(1)(a), (D)(1)(b) and (D)(1)(c) of this rule at the council's initial meeting or within two months thereafter.

(6) The council chairperson shall ensure that a sufficient number of council members self-select into each workgroup so as to facilitate each workgroup's completion of its assigned tasks.

(7) All meetings of a workgroup created under paragraph (D) of this rule will be public.

~~(a) Each workgroup will relay the date, location and time of each meeting to the child abuse and child neglect regional prevention coordinator no less than three working days prior to the meeting.~~

~~(b) The coordinator, on behalf of the council, will:~~

~~(i) Send electronic notification of the date, location and time of each meeting to the OCTF.~~

~~(ii) Send electronic notification of the date, location and time of each meeting to a list of persons who have requested notice of the workgroup meetings.~~

~~(c) This electronic notification will be sent no less than two working days prior to the workgroup meeting.~~

~~(d) The coordinator shall also keep minutes of all workgroup meetings.~~

~~(8) Each workgroup created under paragraph (D) of this rule will meet as needed and will report on its work and make any recommendations necessary in the completion of its assigned tasks to the full council.~~

~~(9) Workgroups created under paragraph (D) of this rule do not take official actions and a child abuse and child neglect regional prevention council is not required to adopt or implement any recommendations put forth by a workgroup. The council will review each workgroup's report and recommendations and may take official action on them to the extent council deems necessary.~~

~~(E)(C) Each child abuse and child neglect regional prevention council and its regional prevention coordinator shall collaborate on assembling the council's regional child abuse and child neglect prevention plan ~~within the OCTF online system~~. The council shall then submit its regional prevention plan to the OCTF board by submitting the form JFS 01475, "Ohio children's trust fund regional child abuse and child neglect prevention plan submission" (Rev. 1/2016).~~

~~(F)(D) Pursuant to division (I)(5) of section 3109.172 of the Revised Code, each regional prevention council member shall:~~

~~(1) Serve on a minimum of one workgroup.~~

~~(2) Assist the regional prevention coordinator in conducting comprehensive needs assessments in addition to the initial assessment as outlined in division (I)(2) of section 3109.172 of the Revised Code.~~

(G) Pursuant to division (I)(2) of section 3109.172 of the Revised Code and paragraph (F) of this rule, assisting the regional prevention coordinator in conducting needs assessments shall include, but not be limited to, the acquisition of county level data.

(H) Service on regional prevention councils is voluntary and council members shall not receive compensation for their service to the council.

(I) A regional prevention council member who fails to attend at least three-fifths of the regular and special meetings held by the council during any two year period forfeits the member's position on the council.

Effective: 7/1/2021

Five Year Review (FYR) Dates: 4/1/2021 and 07/01/2026

CERTIFIED ELECTRONICALLY

Certification

06/14/2021

Date

Promulgated Under: 119.03
Statutory Authority: 3109.16, 3109.179
Rule Amplifies: 3109.172, 3109.174
Prior Effective Dates: 01/01/2016

5101:5-1-02

Regional OCTF as prevention coordinator duties and selection process.

(A) In clarifying section 3109.173 of the Revised Code, regional prevention coordinator refers to an Ohio children's trust fund (OCTF) board competitively selected entity that directs each child abuse and child neglect regional prevention council.

(B) Pursuant to division (B)(1) of section 3109.173 of the Revised Code, each regional prevention coordinator shall select a representative to serve as chairperson of the regional prevention council from among the county prevention specialists that have been appointed to and are serving on the regional prevention council.

(1) The coordinator will inform the OCTF of the selection in writing.

(2) The regional prevention coordinator will then receive written confirmation of the selection that includes the start and end dates of the representative's term of service.

(C) Pursuant to division (B)(2) of section 3109.173 of the Revised Code, each regional prevention coordinator shall conduct a comprehensive needs assessment to ascertain the child abuse and child neglect prevention programming and services that are needed in the region.

(1) The initial needs assessment shall be completed prior to submitting a regional prevention plan pursuant to section 3109.174 of the Revised Code.

(2) Each regional prevention coordinator shall also conduct a comprehensive needs assessment every five years.

(3) Each regional prevention coordinator will provide a copy of each completed needs assessment to each board of county commissioners within their region as well as to the OCTF.

(D) Each regional prevention coordinator shall perform, for the child abuse and child neglect regional prevention council(s) they are selected to direct according to division (A) of section 3109.173 of the Revised Code, the following additional duties pursuant to division (B)(5) of section 3109.173 of the Revised Code:

(1) Budgetary, procurement, and other related management functions of the council and council workgroups;

(2) Administrative functions of the council and council workgroups including, but not limited to:

- (a) ~~Creation and dissemination of council and council workgroup meeting minutes, notices and agendas as well as retention of these items for a period of seven years;~~
 - (b) ~~Creation and maintenance of council and council workgroup member rosters;~~
 - (c) ~~Advising the OCTF and board of county commissioners of the vacancy of any board of county commissioner appointed council member no later than five business days after the position is vacated; and~~
 - (d) ~~Advising the OCTF of the vacaney of any Ohio children's trust fund board appointed council members no later than five business days after the position is vacated.~~
 - (3) ~~In assembling the child abuse and child neglect regional prevention council's regional prevention plan for funding child abuse and child neglect prevention programs and activities, each regional prevention coordinator will comply with all applicable federal laws, outlined in 2 C.F.R., subtitle A, chapter II, part 200 (8/27/2015) (circular A-81 of the federal office of management and budget) in selecting the service providers/vendors that will be responsible for delivering the child abuse and child neglect prevention programs and activities contained within the prevention plan.~~
 - (4) ~~Each regional prevention coordinator will serve as the council's liaison to the OCTF and will participate in regular calls with OCTF staff. Each coordinator will also provide progress updates as well as any information requested by the OCTF.~~
 - (5) ~~Each regional prevention coordinator will provide progress updates to each board of county commissioners within their region.~~
- (E) ~~If a regional prevention coordinator is unable to continue and/or is not fulfilling its statutory obligations, then the Ohio children's trust fund board shall:~~
 - (1) ~~Utilize a competitive selection process to select a new regional prevention coordinator in order to ensure its compliance with division (B)(1) of section 3109.17 of the Revised Code.~~
 - (2) ~~Direct the OCTF staff to serve as regional prevention coordinator for the region on a temporary basis until such time as a new regional prevention coordinator is competitively selected.~~

Ohio children's trust fund (OCTF) staff will serve as regional prevention coordinator for any region without a regional coordinator.

Effective: 7/1/2021

Five Year Review (FYR) Dates: 4/1/2021 and 07/01/2026

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Rule Amplifies: 3109.173
Prior Effective Dates: 01/01/2016

5101:5-1-03

Boards of county commissioners appointing of regional prevention council members.

(A) Pursuant to division (C)(1) of section 3109.172 of the Revised Code, each board of county commissioners within a region may appoint up to two county prevention specialists to the council representing the county.

(B) If a regional prevention coordinator selects as its representative to serve as chairperson of the regional prevention council a county prevention specialist that was appointed to the council by a board of county commissioners, then that board of county commissioners may appoint a county prevention specialist to fill the vacancy.

(C) Commissioners appoint county prevention specialists to the council by submitting written notification to the Ohio children's trust fund (OCTF) containing the following information for each appointed individual:

- (1) Full name.
- (2) Business address.
- (3) City.
- (4) State.
- (5) Zip code.
- (6) Phone number.
- (7) Email address.
- (8) One of the following: resume, curriculum vitae or short biography.

(D) The board of county commissioners and the regional prevention coordinator serving the county will receive written confirmation of the appointment that includes the start and end dates of each appointee's term of service on the regional prevention council.

(E) Pursuant to division (D) of section 3109.172 of the Revised Code:

- (1) ~~Regional prevention council members appointed by a board of county commissioners shall serve a two-year term and may be reappointed in the manner outlined in paragraph (C) of this rule.~~
- (2) ~~Any board of county commissioner appointed member vacancies on the council shall be filled for the balance of the unexpired term in the manner outlined in paragraph (C) of this rule.~~

~~(3) Regional prevention council members appointed by a board of county commissioners shall serve until the member's successor is appointed, or until a period of sixty days has elapsed, whichever occurs first. No member may serve more than two consecutive full terms.~~

Effective: 7/1/2021

Five Year Review (FYR) Dates: 4/1/2021 and 07/01/2026

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