

5120-14-01

**Certificate of achievement and employability.****(A) As used in this rule:**

- (1) "Cognitive or behavioral improvement programs" means evidence-based programs that focus upon the thinking patterns and social skills of the offender.
- (2) "Licensing agency" has the same meaning as in section 2961.21 of the Revised Code.

**(B) An offender who is incarcerated in a state correctional institution or is under the supervision of the adult parole authority on parole or post-release control may apply to the department of rehabilitation and correction for a certificate of achievement and employability if the offender satisfies all of the following:**

- (1) While incarcerated, the offender completed one or more of the following vocational programs:
  - (a) Career technical;
  - (b) Apprenticeship;
  - (c) Advanced job training.
- (2) The offender has completed one or more of the following cognitive or behavioral improvement programs while incarcerated, while under supervision, or both:
  - (a) Thinking for a change or a substantially equivalent program available in the community;
  - (b) Therapeutic community;
  - (c) Intensive outpatient treatment program;
  - (d) Succeeding at home or a substantially equivalent program available in the community;
  - (e) Alcohol and drug addiction partnership treatment (ADAPT) or a substantially equivalent program available in the community.
- (3) The offender has completed at least one hundred twenty hours of community service hours while incarcerated, under supervision, or both;
- (4) The offender has demonstrated achievement and rehabilitation while under the department's jurisdiction, as evidenced by the offender accomplishing one or more of the following:

- (a) Completing a career enhancement program;
- (b) Completing adult basic education (ABE);
- (c) Obtaining a general education diploma (GED);
- (d) Completing pre-GED education;
- (e) Obtaining a high school diploma;
- (f) Completing an anger management course;
- (g) Completing the cage your rage program;
- (h) Completing a stress management program;
- (i) Completing the personal responsibility for violence elimination (PROVE) program;
- (j) Completing the victim awareness program.

(C) Offenders who are eligible for a certificate of achievement and employability under paragraph (B) of this rule and who wish to be considered for a certificate shall apply to the department of rehabilitation and correction on a form prescribed by the department. The applicant shall identify on the application the specific licensure or employment being sought by the applicant. The applicant shall also identify the specific licensing agency that controls the applicant's access to such license or employment. An offender who is incarcerated in a state correctional institution may apply for a certificate no earlier than one year prior to the offender's scheduled release date and no later than the offender's date of release, unless the offender is subject to a period of parole or post-release control following the offender's release. An offender who is under the supervision of the adult parole authority on parole or post-release control may apply for a certificate at any time before the offender's period of parole or post-release control concludes.

(D) Upon the filing of an application for a certificate of achievement and employability, the department shall:

- (1) Notify each licensing agency potentially affected by the application that the application has been filed;
- (2) Provide to each such licensing agency a copy of the application and information in the department's possession pertaining to the programming, community service, and other evidence of achievement and rehabilitation identified in paragraphs (B)(1), (2), (3), and (4) of this rule.

- (E) The department shall afford each licensing agency notified of an application under paragraph (D) of this rule an opportunity to file with the department written objections to the application. The department shall consider such objections in determining whether to grant or deny an application for a certificate under this rule.
- (F) The department shall revoke any certificate issued to an offender under this rule if, after issuing the certificate to the offender, the offender is committed to the department's custody for the commission of any felony or the department otherwise learns that, after receiving the certificate, the offender was convicted of any offense other than a minor misdemeanor or a traffic offense. The department shall not revoke a certificate on the basis of any violation of a condition of a conditional pardon, parole, transitional control, or post-release control unless the violation is also a criminal offense under the Revised Code.

Effective:

R.C. 119.032 review dates:

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Certification

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Date

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| Promulgated Under:   | 111.15                             |
| Statutory Authority: | 5120.01, 2961.22                   |
| Rule Amplifies:      | 2961.21, 2961.22, 2961.23, 2961.24 |