

**Department of
Children & Youth****PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF CHILDREN AND YOUTH**

DATE: August 21, 2025
TIME: 10:00 a.m.
LOCATION: Teleconference and Punderson Conference Room
35 E. Chestnut St, Columbus, Ohio 43215

This meeting will be held by teleconference and in person. If you would like to submit oral testimony, please attend the meeting site location or call in at the date and time to 1-614-721-2972. Then enter the meeting I.D # which is 536 413 323#. Written testimony may also be submitted electronically to rules@childrenandyouth.ohio.gov.

Pursuant to sections 2151.86, 5103.03, 5153.166 and in accordance with Chapter 119 of the Ohio Revised Code, the Ohio Department of Children and Youth gives notice of the department's intent to consider the rescinding and filing new of the rules as identified below and of a public hearing thereon.

DCY's rules in the Ohio Administrative Code (OAC) were renumbered to 5180 on January 2, 2025, as a result of House Bill 33 (HB 33) of the 135th General Assembly. For organizational reasons, as DCY opens rules, they are being rescinded and adopted under a new number.

OAC rule 5180:2-5-09.1 titled **Background checks for college interns, subcontractors, volunteers, employees, board presidents, officers, administrators and foster caregivers** is being rescinded.

OAC rule 5180:4-1-09.1 titled **Background checks for college interns, subcontractors, volunteers, employees, board presidents, officers, administrators and foster caregivers** is being created as a new rule in DCY OAC section 5180. The new rule provides guidance on conducting background checks. Paragraph (F)(3) was added as a result of the enactment of HB 315 of the 135th General Assembly to include conditional hiring for agency employees. Language was added in paragraph (F)(2)(d) for the completion of all other background checks for household minors who reach the age of eighteen.

Appendices A and B were updated to include:

- ORC 2923.42 (Participating in a Criminal Gang) was removed as it is not required by state or federal law.

OAC rule 5180:2-47-11.1 titled **Reimbursement for Title IV-E foster care maintenance (FCM) costs for a qualified residential treatment program (Q RTP) certified after October 1, 2020**, is being rescinded.

OAC rule 5180:3-27-11.1 titled **Reimbursement for Title IV-E foster care maintenance (FCM) costs for a qualified residential treatment program (Q RTP) certified after October 1, 2020**, is being created as a new rule in DCY OAC section 5180. The new rule includes new language in reference to a Title IV-E agency may only claim Title IV-E foster care maintenance payments on behalf of a child placed in a child care institution if, during the period the Title IV-E agency claims Title IV-E foster care maintenance payments, the results of the criminal record checks have been received for all of the adults working in the child care institution.

A copy of the proposed OAC rules 5180:2-47-11.1, 2-5-09.1, 3-27-11.1, and 4-1-09.1 is available, without charge, to any person affected by the rules at the address listed below. The OAC rules 5180:2-47-11.1, 2-5-09.1, 3-27-11.1, and 4-1-09.1 are also available on the internet at <http://www.registerofohio.state.oh.us/>.

A public hearing on the proposed rules will be held at the date, time, and location listed at the top of this notice. Either written or oral testimony will be taken at the public hearing. Additionally, written comments submitted or postmarked no later than the date of the public hearing will be treated as testimony.

Requests for a copy of the proposed rules or comments on the rules should be submitted to the attention of DCY Rules Coordinator by mail to the Ohio Department of Children and Youth, Legal Division, PO Box 183204, Columbus, Ohio 43218, or by e-mail at rules@childrenandyouth.ohio.gov.