

*****Proposed Amendments - June 26, 2014*****

5123:2-1-13 **In-service training for members of county boards of ~~mental-retardation~~
and developmental disabilities.**

(A) Purpose

The purpose of this rule is to delineate requirements for annual in-service training for board members of county boards of ~~mental-retardation~~ and developmental disabilities.

(B) Definitions

- (1) "Annual organizational meeting" means the meeting held by each a county board of ~~mental-retardation~~ and developmental disabilities, no later than January thirty-first of each ~~calendar~~ year, to elect its officers and conduct other business pursuant to section ~~5126.022~~ 5126.029 of the Revised Code.
- (2) "Appointing authority" means the entity with statutory authority to appoint members to county boards of ~~mental-retardation~~ and developmental disabilities pursuant to ~~division (B) of section 5126.02~~ sections 5126.021 and 5126.022 of the Revised Code.
- (3) "Board member" ~~or "member"~~ means a member of a county board of ~~mental-retardation~~ and developmental disabilities.
- (4) "County board" ~~or "board"~~ means a county board of ~~mental-retardation~~ and developmental disabilities ~~as established pursuant to section 5126.02 of the Revised Code.~~
- (5) "Department" means the Ohio department of ~~mental-retardation~~ and developmental disabilities.
- (6) "Director" means the director of the Ohio department of developmental disabilities or his or her designee.
- (6) (7) "In-service training" means ~~department provided or approved~~ training of board members pursuant to ~~division (C) of section 5126.02~~ section 5126.0210 of the Revised Code that may include, but is not limited to, ~~the following topics: ethics, including conflicts of interest and the board's ethics council; boardmanship; open meeting requirements; confidentiality; and current issues in the field of mental retardation and developmental disabilities~~ training arranged by the superintendent, statewide conferences sponsored by the Ohio association of county boards serving people with developmental disabilities or other organizations, webinars offered by the department, training completed online, and presentations by outside speakers.

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~~(7)~~ (8) "Superintendent" means the ~~chief executive~~ superintendent of a county board of developmental disabilities appointed pursuant to section ~~5126.023~~ 5126.0219 of the Revised Code.

~~(8)~~ "Unit" means ~~fifty minutes of instruction.~~

(C) In-service training requirements

(1) Within three months after a board member's initial appointment to the county board, the board member shall complete an orientation that addresses duties of the county board, role and requirements of board members, confidentiality, and the ethics laws of the state of Ohio. The orientation completed in accordance with this paragraph may count toward the hours of in-service training specified in paragraphs (C)(2) and (C)(3) of this rule.

~~(1)~~ (2) During each calendar year of a board member's term, the member shall ~~attend~~ complete a minimum of four ~~units~~ hours of in-service training, except as provided in paragraph ~~(C)(2)~~ (C)(3) of this rule.

~~(2)~~ (3) Board members appointed after the county board's annual organizational meeting and board members appointed ~~to complete~~ for the remainder of a former board member's term shall ~~attend~~ complete in-service training during the first calendar year of the board member's appointment in accordance with the following schedule:

(a) Board members appointed ~~prior to April first~~ on or before March thirty-first shall ~~attend~~ complete a minimum of four ~~units~~ hours of in-service training.

(b) Board members appointed after March thirty-first but prior to July first shall ~~attend~~ complete a minimum of three ~~units~~ hours of in-service training.

(c) Board members appointed after June thirtieth but prior to October first shall ~~attend~~ complete a minimum of two ~~units~~ hours of in-service training.

(d) Board members appointed after September thirtieth but prior to the succeeding January first shall ~~attend~~ complete a minimum of one ~~unit~~ hour of in-service training.

(4) No later than January thirty-first of each year, the director shall identify topics related to the developmental disabilities service delivery system to be addressed during in-service training for the calendar year.

(a) Topics identified by the director may include, but are not limited to:

(i) Authority and responsibility of a county board;

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- (ii) Medicaid program and the county board's role in medicaid local administrative authority;
 - (iii) Fiscal obligations of a county board;
 - (iv) Self-evaluation of the county board;
 - (v) Evaluation of the superintendent;
 - (vi) Current federal initiatives;
 - (vii) Current state initiatives; and
 - (viii) Self-advocacy by individuals with developmental disabilities.
- (b) The director may specify the content of training for identified topics.
- (c) The director may require board members to complete specific webinars offered by the department.
- (5) The county board and the superintendent shall jointly develop the county board's plan for in-service training for the calendar year which:
 - (a) Reflects the topics identified by the director in accordance with paragraph (C)(4) of this rule with consideration of priorities within the county;
 - (b) Includes perspectives from outside the county; and
 - (c) Recognizes that training for specific board members may vary based on board members' background and experience.
- (6) The superintendent shall make board members aware of opportunities to complete in-service training.
- (7) The superintendent shall maintain documentation of board members' completion of in-service training which shall include:
 - (a) An outline or description that details the content of the training;
 - (b) The date, time, location, and duration of the training; and
 - (c) A sign-in sheet or email in which the board member attests to completing the training.

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~~(D)~~ (8) In-service training sessions shall not be considered regularly scheduled meetings of the county board.

~~(E)~~ The department shall approve in-service training sessions on forms prescribed by the department.

~~(F)~~ Superintendents shall annually verify to the department, on forms prescribed by the department, that board members have attended required in-service training.

(9) The department shall monitor compliance with this rule through accreditation reviews of county boards it conducts in accordance with rule 5123:2-1-02 of the Administrative Code.

~~(G)~~ Consequences for failure to attend required in-service training

~~(1)~~ If a board member fails to attend in-service training as specified in paragraph (C) of this rule, the board shall by resolution, supply the board member and the member's appointing authority with written notice of the charges against the member. The board shall send a copy of this resolution to the department.

~~(2)~~ The appointing authority shall afford the member an opportunity for a hearing, in accordance with procedures it adopts, and shall, upon determining that the charges are accurate, remove the member and appoint another person to complete the member's term.

~~(3)~~ The superintendent shall notify the department of any action the appointing authority takes regarding the board member.

~~(4)~~ A member who is removed from the board for failing to attend in-service training is ineligible for reappointment to the board for not less than one year.

~~(5)~~ If a member is removed from the board for failing to attend in-service training, the board shall specify to the appointing authority the training the member must complete prior to being eligible for reappointment.

Promulgated Under:	119.03
Statutory Authority:	5123.04, 5126.0210, 5126.05, 5126.08
Rule Amplifies:	5123.04, 5126.021, 5126.022, 5126.0210, 5126.0211, 5126.0213, 5126.0214, 5126.0215, 5126.0216, 5126.0217, 5126.0218, 5126.05, 5126.08
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