Influencing Public Policy Through Rules

Shelby Cully
Chair, PCSAO Rules Committee
Lucas County Children Services

Mary Wachtel
PCSAO
Use the chat panel to answer

1. Your name
2. Your agency
3. “I am in this workshop because…”
POLL #1

What is public policy?
Public Policy Is.......
A Closer Look at Rules
What is a rule?
Why should I care?
Where do Rules come from?

- Federal Law
- State Law
- ODJFS
Anatomy of a Rule

5101:2-1-01 Children services
definition of terms
In the beginning....

5101:2-1-01 Children services definitions of terms

Agency Number: 5101 is the Department of Job and Family Services
Division Number: 2 is the Division of Social Services
Chapter Number
Principal Rule Number

5101 : 2 - 1 - 01
In the middle....


(B) Definitions.

(1) "Abandoned child", pursuant to section 2151.011 of the Revised Code, means a child who is presumed abandoned when the parents of the child have failed to visit or maintain contact with the child for more than ninety days, regardless of whether the parents resume contact with the child after that period of ninety days.

(2) "Abused child," pursuant to section 2151.031 of the Revised Code, includes any child who:

   (a) Is the victim of sexual activity as defined under Chapter 2907. of the Revised Code, where such activity would constitute an offense under Chapter 2907. of the Revised Code except that the court need not find that any person has been convicted of the offense in order to find that the child is an abused child.

..........
In the end....

Effective: 6/1/2019
Five Year Review (FYR) Dates: 1/25/2019 and 06/01/2024
Promulgated Under: 119.03
Statutory Authority: 2151.412, 2151.421, 5103.03, 5153.166
Rule Amplifies: 2151.01, 2151.011, 2151.031, 2151.421, 5103.03, 5153.16
Poll #2

What type of rules do you refer to most in your work?
THE ODJFS RULES PROCESS

Pre-Clearance  Clearance  JCARR
Insert Web Page

This app allows you to insert secure web pages starting with https:// into the slide deck. Non-secure web pages are not supported for security reasons.

Please enter the URL below.

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Note: Many popular websites allow secure access. Please click on the preview button to ensure the web page is accessible.
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Clearances Archive

:: Child Support

:: Employee and Business Services
Rule Number Quick Search

Rule Number ▼

Rule #

Search

Public Notices

- Upcoming Hearings on Proposed Rules
- Hearing Summary Reports submitted before 12/07/18
- Liability Insurance Certifications
- Ohio Department of Medicaid Federal Notices
- Ohio Judicial Conference RC 2329.66 Memorandum

This Week's Public Hearings

Department of Job and Family Services
09/09/2020 10:00 AM
Teleconference

VIEW NOTICE ADD TO CALENDAR

Resources

- LSC Rule Drafting Manual
- JCARR Procedures Manual
- LSC
- JCARR
How to Influence Rules
Educate Yourself
FOLLOW THE RULES
GET INVOLVED
Poll #3

What is MORRPH?
MORRPH

Microburst on Reviewing Rules and Program Hearing
How to Analyze a Rule
3 Perspectives...
3 Perspectives...

Practice
3 Perspectives...

Practice

Policy
3 Perspectives...

Practice
Policy
Compliance
(4) PCSA support and relinquishment prevention: allocate twenty million dollars each SFY

(a) Of these funds, the PCSAs are to designate fifteen per cent of the formula based allocation to work locally in accordance with section 337.180 of Amended Substitute House Bill 166 of the 133rd General Assembly.
(4) PCSA support and relinquishment prevention: allocate twenty million dollars each SFY........

a) Of these funds, the PCSAs are to designate fifteen per cent of the formula-based allocation to work locally in accordance with section 337.180 of Amended Substitute House Bill 166 of the 133rd General Assembly.

PRACTICE

PCSAs will receive these funds in early 2020 leaving less than 6 months to use the funds
(4) PCSA support and relinquishment prevention: allocate twenty million dollars each SFY……..

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POLICY

Why are PCSAs the only local system required to contribute to the FCFC pooled fund?

With rising placement costs, PCSAs need a maximum amount of these funds
(4) PCSA support and relinquishment prevention: allocate twenty million dollars each SFY........

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a) Of these funds, the PCSAs are to designate fifteen per cent of the formula-based allocation to work locally in accordance with section 337.180 of Amended Substitute House Bill 166 of the 133rd General Assembly.

b) Clearance language October 2019

COMPLIANCE

Section 337.180 of the budget bill is silent on the amount that PCSAs are to designate to local FCFCs
<table>
<thead>
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<th>Clearance October 2019</th>
<th>Original- and Final-Filed Jan 2020 and March 2020</th>
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<td>4) ..... (a) Of these funds, the PCSAs are to designate fifteen per cent of the formula based allocation to work locally in accordance with section 337.180 of Amended Substitute House Bill 166 of the 133rd General Assembly.</td>
<td>(1) For state fiscal year (SFY) twenty the PCSA will designate a minimum of five per cent of its formula based allocation; and (2) For SFY twenty-one the PCSA will designate a minimum of ten per cent of its formula based allocation.</td>
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(G) The PCSA shall promptly disseminate all information determined to be relevant, except as specified in paragraph (E) of this rule, to any federal, state, or local governmental entity, or any agent of such entity, with a need for such information in order to carry out its responsibilities under law to protect children from abuse and neglect including but not limited to:

(8) A school administrator or designee when a PCSA intends to place a child in a foster home in a county other than the county in which the child resided at the time the child was removed from his home.
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COMPLIANCE

Need to ensure rule language aligns with requirements of Every Student Succeeds Act (ESSA)
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<th>Pre-Clearance</th>
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<th>Original-Filed May 2020 Final-Filed July 2020</th>
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<tr>
<td><strong>July 2019</strong></td>
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<td>(8) A school administrator or designee when a child in the custody of the PCSA pursuant to rule 5101:2-42-90 of the Administrative Code and the Every Student Succeeds Act of 2015, 20 U.S.C. 6311(g)(1)(E), intends to place a child in a foster home in a county other than the county in which the child resided at the time the child was removed from his home.</td>
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RULES ON THE HORIZON

Family First Prevention Services Act

Prevention Services Rules (now through 4/21)

5101:2-33-70 SACWIS access

5101:2-5-11 Complaint handling
Questions
Contact Us

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Mary@pcsao.org