

LEGISLATION

Ohio Family and Children First (OFCF) is a partnership of government agencies and community organizations committed to improving the well-being of children and their families. OFCF was created by statute in 1993 to streamline and coordinate existing government services for families seeking assistance for their children. As a multi-agency umbrella, OFCF focuses on bringing individuals, agencies and organizations together to better serve children and their families.

State and local partners comprise the OFCF infrastructure. Leadership at the state level is provided by the OFCF Cabinet Council which includes the directors of the state agencies which provide services to children and their families. Each state agency contributes to cross-system strategic planning to guide implementation of OFCF initiatives. In addition, day-to-day operations are maintained by OFCF staff under the guidance of the executive director. Five regional coordinators bolster the initiative by providing technical assistance to each of the 88 county family and children first councils.

Related Links:

The statutory provisions of Ohio Revised Code 121.37 and 121.38 which guide the operational framework of OFCF, both state and county, may be accessed through www.legislature.state.oh.us

To obtain more information about a specific Cabinet Council agency, visit the following websites:

Ohio Department of Health

www.odh.state.oh.us

Ohio Department of Education

www.ode.state.oh.us

Office of Budget and Management

www.obm.ohio.gov

Ohio Department of Mental Health

www.mh.state.oh.us

Ohio Department of Youth Services

www.dys.ohio.gov

Ohio Department of Job and Family Services

www.odjfs.state.oh.us

Ohio Department of Alcohol and Drug Addiction Services
www.odadas.state.oh.us

Ohio Department of Mental Retardation and Developmental Disabilities
www.odmrdd.state.oh.us

The OFCF Website provides contact information for OFCF as well as county family and children first councils. Visit www.ohiofcf.org and click “Contact Info.” A state map is also available which identifies each region and contact information for each Regional Coordinator.

OPINIONS RELATED TO OFCF LEGISLATION

The Attorney General has certain advisory duties. The written opinion of the Attorney General on questions of law may be required by either house of the general assembly, and the prosecuting attorneys of the several counties may request advice respecting their duties in all complaints, suits, and controversies in which the state is, or may be, a party.

Attorney General Opinion: 2000-010

Issued February 14, 2000

SYLLABUS:

- (1) Pursuant to R.C. 121.37(B)(1), a county family and children first council may expand the membership of the council beyond those persons who are required by statute to serve on the council by inviting any local public or private agency or group (including a public official or private individual) that funds, advocates, or provides services to children and families to have a representative become a permanent or temporary member. The county auditor is a public official who participates in the funding of services for children and families and thus may be invited to serve as a member of the county family and children first council.
- (2) A member of a county family and children first council may appoint a designee to attend meetings and vote in the place of the designating member only if there is statutory authority for the member to make such an appointment.
- (3) Pursuant to R.C. 121.22(C), a member of a county family and children first council must be present in person in order to vote at a meeting of the county council and cannot vote in absentia by written or oral proxy.
- (4) A county family and children first council has no authority to adopt rules and regulations relating to personnel issues, such as travel and benefits, that would supersede the administrative agent's personnel rules and regulations.

The full version of this opinion may be accessed at:
www.ag.state.oh.us/legal/opinions/2000/2000-010.pdf

Attorney General Opinion: 2002-008

Issued February 27, 2002

SYLLABUS: Absent a statute, rule, or interagency agreement applicable to the operations of a county family and children first council that authorizes a county council's administrative agent, executive committee, or fiscal agent to impose a charge upon council members or the entities they represent for the purpose of funding the administration or operation of the council, the administrative agent, executive committee, and fiscal agent of such council have no such authority.

The full version of this opinion may be accessed at:
www.ag.state.oh.us/legal/opinions/2002/2002-008.pdf

The Board of Commissioners on Grievances and Discipline is a twenty-eight member commission appointed by the Ohio Supreme Court. The Board may issue informal, nonbinding advisory opinion letters in response to prospective or hypothetical questions directed to the Board regarding the application of the Supreme Court Rules for Rules for the Government of the Bar of Ohio, the Supreme Court Rules for the Government of the Judiciary of Ohio, the Code of Professional Responsibility, the Code of Judicial Conduct, or the Attorney's Oath of Office.

The Supreme Court of Ohio
Board of Commissioners on Grievances and Discipline: Opinion 2002-9

Issued August 9, 2002

Provides an opinion that a judge should not serve as an appointed member of a county Family and Children First Council.

The full version of this opinion may be accessed at:
www.sconet.state.oh.us/BOC/Advisory_Opinions/Index/j.asp#Appointment

REGULATION FREE ZONE GUIDELINES

The Regulation Free Zone process is a strategic mechanism to encourage innovation or to eliminate red tape. Ohio Revised Code 121.37 provides the statutory authority for Cabinet Council to grant an exemption from any rules or interagency agreements of a state department participating on the council if an exemption is necessary for the council to implement an alternative program or approach for service delivery to families and children.” The Cabinet Council cannot grant exemptions from laws and cannot approve waiver requests which impact state appropriations.

Process for Requesting an Exemption

- (1) Each county council shall utilize the Regulation Free Zone Guidelines for submitting an exemption request to the Cabinet Council.
 - All exemption requests shall be made in writing to the Ohio Family and Children First Cabinet Council with a copy sent to the appropriate Regional Coordinator.
 - Exemption requests shall be mailed to: Ohio Family and Children First, 30 East Broad Street, 8th Floor, Columbus, OH 43215
 - The request must be submitted by the county family and children first council coordinator or chair with an executive signature from each agency impacted by the exemption. The signature does not necessarily reflect agreement, but acknowledges awareness of the exemption request.
 - The decision to submit the exemption request must be reflected in the county council’s meeting minutes indicating the request has been discussed by all members in attendance at the council meeting. The minutes must be included with the exemption request.

- (2) Within five working days of receiving the request, OFCF shall send notification to the county council that the request has been received. The request shall then be forwarded to the appropriate state agency for research and review. A copy shall also be forwarded to each member of the Cabinet Council.

- (3) Within five working days of receiving the request from the Ohio Family and Children First Office, the responsible state agency may contact the county council coordinator or other contact person to obtain further clarification or information about the exemption request.. When two or more state agencies are identified, the state agencies shall coordinate and consult with one another, whenever possible.
- (4) Within fifteen working days of receiving the request from the OFCF Office, the responsible state agency will submit its written recommendation regarding the exemption request and documentation of consultation with the county council applicant to the OFCF Office.
- (5) The exemption request and the recommendation from the responsible state agency shall be reviewed by the Cabinet Council to approve or disapprove the exemption request. The decision to approve or disapprove the exemption request will occur at the next regularly scheduled Cabinet Council meeting.
- (6) If the request is not appropriate or it is determined that an exemption is not necessary to achieve the desired outcome, the county council shall be notified in writing and the necessary technical assistance shall be provided. Additionally, the state agency may offer an alternative approach to the exemption request which would allow the same outcomes to be achieved.
- (7) The OFCF Office shall send a notification letter to the county council with a copy to the appropriate state agency within seven working days after the Cabinet Council has rendered its decision. A copy shall also be provided to the appropriate Regional Coordinator. If the exemption is not granted, reasons will be outlined in the notification. If the exemption is granted, the Cabinet Council has the authority to specify certain conditions.
- (8) Exceptionally complex requests or requests involving more than one agency may result in adjusted timeframes for completion of the process. The county council shall receive

notification if timeframes are adjusted. All efforts will be made to respond in a timely manner.

FAMILY ENGAGEMENT

Ohio Family and Children First values the role of families in policy and program development and implementation. Families are the consumers of services and therefore, provide a unique perspective as members of the county family and children first council.

County councils are required to establish a mechanism to ensure ongoing input from a broad representation of families who are receiving services within the county system. At a minimum, each county council must have at least three family representatives pursuant to O.R.C. 121.37)(B)(1)(a). Where possible, the number of members representing families shall be equal to 20 percent of the council's membership.

There are two statutory requirements which guide the selection of mandated family representatives. The family representative must be an individual whose family is or has received services from an agency represented on the council or another county's council. In addition, the family representative must not be employed by an agency represented on the county council.

Family representatives have many opportunities to utilize their expertise as a function of the county council; such as:

- Being an active participant in council meetings by providing a family perspective on the impact of proposed policies and programs;
- Educating other families about the county council and the need for family input in the planning and implementation processes;
- Attending regional and state meetings as a liaison to promote family engagement at the state and local level;
- Assisting in the development of a process to identify and train potential family representative;
- Serving as an advocate for families who need help navigating the service delivery system;
- Engaging in council's strategic planning process to identify service gaps and resources;
- Participating on workgroups and committees to design, evaluate, or promote policies and programs.

For more information on technical assistance available to enhance family engagement, contact your OFCF Regional Coordinator.

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