



Ohio Administrative Code

Rule 5123-5-03 Certification standards for superintendents of county boards of developmental disabilities.

Effective: July 25, 2019

(A) Purpose

This rule establishes minimum qualifications through certification standards for superintendents of county boards of developmental disabilities. These standards apply to persons who are employed or under contract in the position of superintendent of a county board of developmental disabilities.

(B) Definitions

For the purposes of this rule, the following definitions shall apply:

(1) "Accredited college or university" means a college or university accredited by a national or regional association recognized by the secretary of the United States department of education or a foreign college or university of comparable standing.

(2) "Advanced curriculum for administrators in Ohio's developmental disabilities service delivery system" means department-approved instruction of at least one hundred hours that shall address, but is not limited to, the following topics:

(a) Budgeting/finance for governmental entities;

(b) Communication and public relations;

(c) Ethical conduct;

(d) Information technology management;

(e) Intergovernmental relations;



- (f) Legal environment of public administration;
 - (g) Medicaid home and community-based services waivers;
 - (h) Public sector human resources management;
 - (i) Quality assurance;
 - (j) Self-advocacy; and
 - (k) Strategic planning, management, and implementation.
- (3) "Continuing professional education" means department-approved training required for renewal of superintendent certification.
- (4) "County board" means a county board of developmental disabilities.
- (5) "Department" means the Ohio department of developmental disabilities.
- (6) "Director" means the director of the department or his or her designee.

(C) Description

(1) Initial certification

(a) There are two alternatives for obtaining initial superintendent certification:

(i) Alternative one

The department may issue initial superintendent certification for a term of three years to an applicant who:

(a) Has an offer of employment in the position of superintendent, as evidenced by a resolution



adopted by the employing county board;

(b) Holds a master's degree, a doctorate degree, or a juris doctorate degree from an accredited college or university;

(c) Has successfully completed five years of full-time (or equivalent part-time), supervised, paid work experience in administration, supervision, instruction, or habilitation of individuals with developmental disabilities, including three years in a management or supervisory capacity; and

(d) Has submitted to the department in the format prescribed by the department, an application and supporting documentation sufficient to establish that he or she meets the requirements set forth in this rule.

(ii) Alternative two

The department may issue initial superintendent certification for a term of five years to an applicant who:

(a) Holds a master's degree, a doctorate degree, or a juris doctorate degree from an accredited college or university;

(b) Has successfully completed five years of full-time (or equivalent part-time), supervised, paid work experience in administration, supervision, instruction, or habilitation of individuals with developmental disabilities, including three years in a management or supervisory capacity;

(c) Has successfully completed an advanced curriculum for administrators in Ohio's developmental disabilities service delivery system; and

(d) Has submitted to the department in the format prescribed by the department, an application and supporting documentation sufficient to establish that he or she meets the requirements set forth in this rule.

(b) When requested by a resolution adopted by a county board and with accompanying rationale, the



director may waive the requirement set forth in paragraph (C)(1)(a)(i)(c) of this rule. The director's decision to grant or deny a request is final and may not be appealed.

(c) When requested in writing by an applicant and with accompanying rationale, the director may waive the requirement for the applicant to complete one or more topics of the advanced curriculum for administrators in Ohio's developmental disabilities service delivery system set forth in paragraph (B)(2) of this rule. The director's decision to grant or deny a request is final and may not be appealed. The director's decision to grant a request does not relieve the applicant of the requirement to complete an advanced curriculum for administrators in Ohio's developmental disabilities service delivery system of at least one hundred hours of instruction.

(2) First renewal of certification

(a) The department may renew the superintendent certification of an applicant who received initial superintendent certification in accordance with paragraph (C)(1)(a)(i) of this rule for a term of five years provided the applicant successfully completed an advanced curriculum for administrators in Ohio's developmental disabilities service delivery system during the effective dates of the initial superintendent certification and has submitted to the department in the format prescribed by the department, an application and supporting documentation sufficient to establish that he or she meets the requirements set forth in this rule.

(b) The department may renew the superintendent certification of an applicant who received initial superintendent certification in accordance with paragraph (C)(1)(a)(ii) of this rule for a term of five years provided the applicant successfully completed one hundred twenty hours of continuing professional education on or after the effective date of the initial superintendent certification and has submitted to the department in the format prescribed by the department, an application and supporting documentation sufficient to establish that he or she meets the requirements set forth in this rule.

(3) Subsequent renewal of certification

The department may subsequently renew an applicant's superintendent certification for a term of five years provided the applicant successfully completed one hundred twenty hours of continuing



professional education on or after the effective date of the superintendent certification being renewed and has submitted to the department in the format prescribed by the department, an application and supporting documentation sufficient to establish that he or she meets the requirements set forth in this rule.

(D) Professional development plan

Each superintendent of a county board shall have a professional development plan which sets forth time lines for completing an advanced curriculum for administrators in Ohio's developmental disabilities service delivery system and/or continuing professional education, as applicable. The professional development plan shall require that continuing professional education be completed across the span of the superintendent's certification. The employing county board shall approve the superintendent's initial professional development plan within ninety calendar days of the superintendent's hire. Thereafter, the employing county board shall review, update, and approve the superintendent's professional development plan at least once per year.

(E) Professional grade superintendent certifications issued prior to July 4, 2013

(1) Professional grade superintendent certifications issued prior to July 4, 2013 shall remain in effect until their assigned expiration dates. No additional professional grade superintendent certifications shall be issued.

(2) An applicant who held, on July 4, 2013, valid professional grade superintendent certification and who submits an application to the department in the format prescribed by the department prior to expiration of the professional grade superintendent certification, may receive renewal superintendent certification provided the applicant has successfully completed two hundred forty hours of continuing professional education on or after the effective date of the professional grade superintendent certification. Renewal superintendent certification issued in accordance with this paragraph shall be for a term of five years.

(F) Renewal of expired superintendent certification issued on or after July 4, 2013

(1) An applicant who held superintendent certification issued on or after July 4, 2013 in accordance



with paragraph (C)(1)(a)(ii) of this rule or paragraph (C)(1)(a)(ii)(a) of rule 5123:2-5-03 of the Administrative Code as it existed on the day immediately prior to the effective date of this rule that has expired for less than one year and who submits an application to the department in the format prescribed by the department, may receive renewal superintendent certification provided the applicant has successfully completed one hundred twenty hours of continuing professional education on or after the effective date of the expired superintendent certification.

(2) An applicant who held superintendent certification that has been expired for one year or more shall be required to meet the standards for initial superintendent certification in accordance with paragraph (C)(1)(a) of this rule.

(G) Administrative review

An applicant for superintendent certification whose application is disapproved based upon the applicant's failure to meet the requirements set forth in this rule, may request in writing, within thirty calendar days of the rejection, an administrative review by the director.

(H) Denial, suspension, or revocation

(1) The director shall deny, suspend, or revoke superintendent certification if he or she finds, pursuant to an adjudication conducted in accordance with Chapter 119. of the Revised Code, that the applicant for or holder of superintendent certification has engaged in an immoral act, incompetence, negligence, or conduct that is unbecoming to the applicant's or holder's position.

(2) Except as provided in paragraph (H)(3) of this rule, the director shall deny or revoke superintendent certification if he or she finds, pursuant to an adjudication conducted in accordance with Chapter 119. of the Revised Code, that the applicant for or holder of superintendent certification:

(a) Has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the disqualifying offenses listed or described in paragraph (E)(1)(a) of rule 5123-2-02 of the Administrative Code;



(b) Has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the disqualifying offenses listed or described in paragraph (E)(1)(b) of rule 5123-2-02 of the Administrative Code if a period of ten years has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole;

(c) Has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the disqualifying offenses listed or described in paragraph (E)(1)(c) of rule 5123-2-02 of the Administrative Code if a period of seven years has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole;

(d) Has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for any of the disqualifying offenses listed or described in paragraph (E)(1)(d) of rule 5123-2-02 of the Administrative Code if a period of five years has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole;

(e) Has been convicted of, pleaded guilty to, or been found eligible for intervention in lieu of conviction for multiple disqualifying offenses if the applicable period of time in accordance with paragraph (E)(2) of rule 5123-2-02 of the Administrative Code has not elapsed from the date the applicant was fully discharged from imprisonment, probation, and parole; or

(f) Has been included in one or more of the databases described in paragraphs (C)(2)(a) to (C)(2)(f) of rule 5123-2-02 of the Administrative Code.

(3) A conviction of or plea of guilty to a disqualifying offense listed or described in paragraphs (E)(1)(a) to (E)(1)(d) of rule 5123-2-02 of the Administrative Code shall not constitute grounds for the denial or revocation of superintendent certification if the requirements contained in paragraph (F) of rule 5123-2-02 of the Administrative Code are met.

(4) An applicant for or holder of superintendent certification shall disclose a conviction that has been sealed.