



Ohio Revised Code

Section 3301.13 Department of education and workforce.

Effective: October 3, 2023

Legislation: House Bill 33

(A) The department of education and workforce is hereby created. The department shall be headed by the director of education and workforce, who shall be appointed by the governor with the advice and consent of the senate.

(B) The department consists of the following divisions:

(1) The division of primary and secondary education, which shall be headed by a deputy director appointed by the director with the advice and consent of the senate;

(2) The division of career-technical education, which shall be headed by a deputy director appointed by the director with the advice and consent of the senate.

The director shall appoint an individual with appropriate educational, professional, or managerial experience, as determined by the director, to be the deputy director of primary and secondary education or career-technical education.

(C) All powers and duties regarding primary, secondary, special, and career-technical education granted to the state board, the state superintendent, or the former department of education, as prescribed by law in effect prior to the effective date of this section, except those prescribed for the state board of education as described in section 3301.111 of the Revised Code, are transferred to the director of education and workforce, who may delegate those duties and powers to the division of primary and secondary education or the division of career-technical education as the director determines appropriate.

(D) The department of education and workforce is subject to all provisions of law pertaining to departments, offices, or institutions established for the exercise of any function of the state government and is subject to Chapter 119. of the Revised Code. The headquarters of the department of education and workforce is at the seat of government, where office space suitable and adequate for



the work of the department shall be provided by the appropriate state agency.

(E)(1) The director is responsible for administrative rules adopted by the department for the implementation of the powers and duties of the department. The director's rulemaking authority is limited to the director's or department's statutorily prescribed powers and duties.

(2) In accordance with section 106.042 of the Revised Code, the general assembly, by adopting a concurrent resolution, may rescind or invalidate any rule adopted by the director under section 111.15 or Chapter 119. of the Revised Code.

(F) Any policy adopted or guidance issued by the director or the department that is not expressly authorized or required by state or federal statute shall be advisory in nature. Any such policy or guidance is nonbinding on schools and educators and does not have the force and effect of law.

(G) The director shall employ such personnel as the director determines necessary to carry out the duties and powers of the department of education and workforce. The director shall exercise general supervision of the department's employees and may appoint, fix the salary, and terminate the employment of such employees.

(H) No individual shall hold the office of director of education and workforce, deputy director of primary and secondary education, or deputy director of career-technical education without being appointed with the advice and consent of the senate as described in this section, unless that individual is serving as director or deputy director on an interim basis. No individual shall serve as director or deputy director on an interim basis for more than forty-five days.

(I) The standing committee of the senate that considers primary and secondary education legislation shall hold at least one in-person hearing on the nomination of an individual to serve as director of education and workforce, deputy director of primary and secondary education, or deputy director of career-technical education before the full senate holds a confirmation vote on that nomination.

(J) To best serve the interests of primary and secondary education and workforce development in the state of Ohio, and to maximize efficiencies and operations, the state board of education and the department of education and workforce may exchange necessary information and documentation



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upon request to enable both agencies to effectively perform their functions under state or federal law, including sharing information that is proprietary to the agency or confidential. The agency receiving proprietary or confidential information shall not disclose the information and shall adopt safeguards to prevent disclosure.