



Ohio Administrative Code Rule 3304-2-59 Scope of services.

Effective: April 19, 2021

(A) OOD shall provide services consistent with 34 CFR 361.48, in effect on the effective date of this rule.

(B) Definition as applied to this rule.

"Student with a disability" means an individual with a disability in a secondary, postsecondary or other recognized education program who is not younger than fourteen and is not older than twenty-one years of age and, for a student in secondary education, is eligible for and receiving special education or related services under Part B of the Individuals with Disabilities Education Act or is a student with a disability for purposes of section 504 of the Rehabilitation Act of 1973, as amended.

(C) As appropriate to the vocational rehabilitation needs of each individual and consistent with each individual's individualized plan for employment, OOD shall ensure that the following vocational rehabilitation services are available to assist the individual with a disability in preparing for, securing, retaining, advancing in or regaining an employment outcome that is consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interest, and informed choice.

(1) Assessment for determining eligibility and priority for services by qualified personnel, including, if appropriate, an assessment by personnel skilled in rehabilitation technology, in accordance with rule 3304-2-54 of the Administrative Code.

(2) Assessment for determining vocational rehabilitation needs by qualified personnel, including, if appropriate, an assessment by personnel skilled in rehabilitation technology, in accordance with rule 3304-2-54 of the Administrative Code.

(3) Vocational rehabilitation counseling and guidance, including information and support services to assist an individual in exercising informed choice.



(4) Referral and other services necessary to assist applicants and eligible individuals to secure needed services from other agencies, including other components of the statewide workforce development system, and to advise those individuals about the client assistance program.

(5) Physical and mental restoration services, to the extent that financial support is not readily available from a source other than OOD.

(6) Vocational and other training services, including personal and vocational adjustment training, advanced training in, but not limited to, a field of science, technology, engineering, mathematics (including computer science), medicine, law, or business; books, tools, and other training materials.

All college, occupational, and vocational training shall be provided in accordance with rule 3304-2-58 of the Administrative Code.

(7) Maintenance.

(8) Transportation in connection with the provision of any vocational rehabilitation service.

(9) Vocational rehabilitation services to family members of an applicant or eligible individual if necessary to enable the applicant or eligible individual to achieve an employment outcome.

(10) Interpreter services, including sign language and oral interpreter services, for individuals who are deaf or hard of hearing and tactile interpreting services for individuals who are deaf-blind provided by qualified personnel.

(11) Reader services, rehabilitation teaching services, and orientation and mobility services for individuals who are blind or visually impaired.

(12) Job-related services, including job search and placement assistance, job retention services, follow-up services, and follow-along services.

(13) Supported employment services in accordance with rule 3304-2-60 of the Administrative Code.



(14) Personal assistance services.

(15) Post-employment services.

OOD may provide post-employment vocational rehabilitation services subsequent to the achievement of an employment outcome that are necessary for an eligible individual to maintain, regain or advance in employment. These post-employment services shall be provided under an individualized plan for employment.

(16) Occupational licenses, tools, equipment, initial stocks, and supplies.

(17) Rehabilitation technology, including vehicular modification, telecommunications, sensory, and other technological aids and devices.

(18) Transition services for students and youth with disabilities, that facilitate the transition from school to postsecondary life, such as achievement of an employment outcome in competitive integrated employment, or pre-employment transition services for students.

(19) Technical assistance and other consultation services to conduct market analyses, develop business plans, and otherwise provide resources, to the extent those resources are authorized to be provided through the statewide workforce development system, to eligible individuals who are pursuing self-employment or telecommuting or establishing a small business operation as an employment outcome.

(20) Customized employment.

(21) Other goods and services determined necessary for the individual with a disability to achieve an employment outcome.

(D) OOD, in collaboration with the local educational agencies involved, shall provide, or arrange for the provision of, pre-employment transition services for all students with disabilities, in need of such services, without regard to the type of disability.



(1) Pre-employment transition services must be made available statewide to all students with disabilities, regardless of whether the student has applied or been determined eligible for vocational rehabilitation services.

(2) OOD shall provide the following pre-employment transition services:

(a) Job exploration counseling;

(b) Work-based learning experiences, which may include in-school or after school opportunities, or experience outside the traditional school setting (including internships), that is provided in an integrated environment in the community to the maximum extent possible;

(c) Counseling on opportunities for enrollment in comprehensive transition or college (postsecondary educational programs) at institutions of higher education;

(d) Workplace readiness training to develop social skills and independent living; and

(e) Instruction in self-advocacy (including instruction in person-centered planning), which may include peer mentoring (including peer mentoring from individuals with disabilities working in competitive integrated employment).

(3) OOD shall provide auxiliary aids and services, assistive technology, maintenance, transportation, personal assistance services, services to family members, and rehabilitation technology for students with disabilities who require such services to participate in pre-employment transition services.

(E) OOD shall not provide the following restoration services:

(1) Abortion;

(2) Experimental surgery and/or medical equipment;

(3) Sterilization;



- (4) Transplants of vital organs other than kidneys;

- (5) Gender affirming surgery or any auxiliary procedures associated with, or leading up to such surgery; and

- (6) Medical marijuana.

- (F) OOD shall not erect buildings including homes.

- (G) OOD shall not purchase:
 - (1) Land;

 - (2) Buildings including homes;

 - (3) Vehicles;

 - (4) Experimental items;

 - (5) Firearms;

 - (6) Ammunition;

 - (7) Explosives;

 - (8) Alcohol;

 - (9) Tobacco;

 - (10) Flammables;

 - (11) Combustibles;



- (12) Reinstatement of licensure fees;
 - (13) Representation for appeal hearings for a referral, applicant, or individual;
 - (14) Products containing marijuana plant derivatives including, but not limited to, cannabidiol (CBD), tetrahydrocannabinol (THC), or hemp;
 - (15) Health insurance;
 - (16) Vehicle insurance;
 - (17) Liability insurance, unless required and included as part of a program training fee; or
 - (18) Any service when OOD learns an individual has an active arrest warrant, unless that individual is already under the supervision of a court.
 - (19) Any service that violates state or federal law and regulation.
- (H) This rule is designed to implement the Workforce Innovation and Opportunity Act, 29 U.S.C. 32, and resulting regulations.