



## Ohio Administrative Code

Rule 5101:1-3-12.10 Education directly related to employment in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency.

Effective: May 1, 2017

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### (A) Conflict with Revised Code

(1) Section (5) of Amended Substitute Senate Bill 238 of the 126th General Assembly (9/2006) sets forth the following provision: Not later than September 30, 2006, the director of job and family services shall adopt rules as necessary for the state to comply with 42 U.S.C. 607(i)(2) (8/1996). If necessary to bring the state into compliance with 42 U.S.C. 607(i)(2) (8/1996), the rules may deviate from Chapter 5107. of the Revised Code. Rules adopted under this section that govern financial and other administrative requirements applicable to the department of job and family services and county departments of job and family services shall be adopted in accordance with section 111.15 of the Revised Code as if they were internal management rules. All other rules adopted under this section shall be adopted in accordance with Chapter 119. of the Revised Code.

(2) The county agency shall administer the work activity programs in accordance with the requirements contained in this rule and not in accordance with sections 5107.40 and 5107.60 of the Revised Code. All applicable requirements contained in the Revised Code sections referenced have been incorporated into this rule.

(B) What is the work activity known as "education directly related to employment in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency?"

(1) Education directly related to employment in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency is defined as education related to a specific occupation, job or job offer.

(2) When required as a prerequisite for employment by employers or occupation this activity may include, but is not limited, to the following:



- (a) Courses designed to provide the knowledge and skills for specific occupations or work settings;
- (b) Adult basic education;
- (c) English as a second language; or
- (d) Education leading to a high school equivalency diploma. The county agency may determine on a case-by-case basis whether an immigrant or refugee who holds a high school diploma from another country, but not from an American high school or its equivalent, can qualify to participate in this activity. The determination will be based upon the appraisal or assessment, documenting the fact that verification is either unattainable or the overseas diploma is not comparable to an American diploma or high school equivalency diploma.

(C) When may homework count toward the work participation requirement?

The county agency may count supervised homework time and up to one hour of unsupervised homework time for each hour of class time. Total homework time counted for participation cannot exceed the hours required or advised by a particular educational institution. The county agency shall document the homework expectations of the educational program in order to count homework time.

(D) What is the high school equivalence diploma?

High school equivalence diploma means a diploma attesting to the achievement of the equivalent of a high school education as measured by scores on a test of general educational development (GED) as published by the "American Council on Education." High school equivalence diploma includes a certificate of high school equivalence. This program formerly issued the general equivalency diploma or GED.