



Ohio Revised Code

Section 5101.20 Grant agreements for workforce development activities.

Effective: September 29, 2017

Legislation: House Bill 49 - 132nd General Assembly

(A) As used in this section of the Revised Code:

- (1) "Local area" has the same meaning as in section 6301.01 of the Revised Code.
- (2) "Chief elected official" has the same meaning as "chief elected official or officials" as defined in section 6301.01 of the Revised Code.
- (3) "Grantee" means the chief elected officials of a local area.
- (4) "Local board" has the same meaning as in section 6301.01 of the Revised Code.
- (5) "Planning region" has the same meaning as in section 6301.01 of the Revised Code.

(B) The director of job and family services shall enter into one or more written grant agreements with each local area under which allocated funds are awarded for workforce development activities included in the agreements. A grant agreement shall establish the terms and conditions governing the accountability for and use of grants provided by the department of job and family services to the grantee for the administration of workforce development activities funded under the "Workforce Innovation and Opportunity Act," 29 U.S.C. 3101 et seq.

(C) The director may award grants to local areas only through grant agreements entered into under this section.

(D) In the case of a local area comprised of multiple political subdivisions, nothing in this section shall preclude the chief elected officials of a local area from entering into an agreement among themselves to distribute any liability for activities of the local area, but such an agreement shall not be binding on the department of job and family services.



(E) The written grant agreement entered into under division (B) of this section shall comply with all applicable federal and state laws governing workforce development activities and related funding. Each local area is subject to all federal conditions and restrictions that apply to the use of funds allotted to the department of job and family services and allocated to local areas for workforce development activities.

(F) A written grant agreement entered into under division (B) of this section shall:

(1) Identify as parties to the agreement the representatives for the local area, including the chief elected official or officials, the local board, and the fiscal agent;

(2) Provide for the incorporation of the planning region and local plan;

(3) Include the chief elected official's or officials' assurance that the local area and any subgrantee or contractor of the local area will do all of the following:

(a) Ensure that the funds allocated under the grant agreement are used, and the workforce development duties included in the agreement are performed, in accordance with federal and state law, the state plan for receipt of federal financial participation, grant agreements between the department and a federal agency, executive orders, and policies and guidance issued by the department;

(b) Ensure that the implementation and use of a financial management system and other accountability mechanisms meet the requirements of federal and state law and are in accordance with the policies and procedures that the department establishes;

(c) Require the chief elected officials and any subgrantee or contractor of the local area to do both of the following:

(i) Monitor all private and government entities that receive funds allocated under the grant agreement to ensure that funds are utilized in accordance with all applicable federal and state laws, policies, and guidance, and with the terms and conditions of the grant agreement;



- (ii) Take action to recover funds for expenditures that are unallowable under federal or state law or under the terms of the grant agreement.

- (d) Promptly remit funds to the department that are payable to the state or federal government because of an adverse audit finding, adverse quality control finding, final disallowance of federal financial participation, or other sanction or penalty;

- (e) Take prompt corrective action if the department, auditor of state, or other state or a federal agency determines noncompliance with state or federal law.

- (4) Provide that the allocation is subject to the availability of federal funds and appropriations made by the general assembly;

- (5) Provide for annual financial, administrative, or other incentive awards, if any, to be provided in accordance with section 5101.23 of the Revised Code.

- (6) Establish the terms and conditions for amending or terminating the grant agreement and an expedited process for correcting terms or conditions of the agreement that the director and the chief elected officials agree are erroneous.

- (7) Permit the department of job and family services to allocate funds for the workforce development duties included in the agreement in accordance with a methodology for determining the amount of the award established by rules adopted under division (G) of this section.

- (8) Determine the dates that the grant agreement begins and ends.

- (G)(1) The director shall adopt rules in accordance with section 111.15 of the Revised Code governing grant agreements. The director shall adopt the rules as if they were internal management rules. The rules shall establish methodologies to be used to determine the amount of funds to be awarded under the agreements and may do any of the following:
 - (a) Govern the establishment of consolidated funding allocations and other allocations;



(b) Specify allowable uses of funds allocated under the agreements;

(c) Establish reporting, cash management, audit, and other requirements the director determines are necessary to provide accountability for the use of funds allocated under the agreements and determine compliance with requirements established by the department or any of the following: a federal or state law, state plan for receipt of federal financial participation, grant agreement between the department and a federal entity, or executive order.

(2) A requirement of a grant agreement established by a rule adopted under this division is applicable to a grant agreement without having to be restated in the grant agreement.