

Ohio General Assembly Glossary of Terms

Published by
The Ohio Legislative
Service Commission

INTRODUCTION

The *Glossary of Terms* is designed to provide an introductory explanation of terms that may be encountered by members of the General Assembly during their consideration of legislation in various subjects. It was prepared by staff members of the Legislative Service Commission with experience in those subjects.*

In addition to the definitions of terms, which are organized by subject, the *Glossary* contains a general, alphabetical index of those terms to help the reader locate a particular term. For the reader who seeks further information, citations to various sources are included with the terms when appropriate. Following is an explanation of the abbreviations used in the citations:

U.S.C.	United States Code
C.F.R.	Code of Federal Regulations
R.C.	(Ohio) Revised Code
O.A.C.	Ohio Administrative Code
Civil Rule	Ohio Rules of Civil Procedure
Criminal Rule	Ohio Rules of Criminal Procedure
Evidence Rule	Rules of Evidence
Ohio Jur. 3d	Ohio Jurisprudence 3d
Ohio St. 3d	Ohio State Reports 3d
Black's	Black's Law Dictionary

Because the Legislative Service Commission cannot fulfill requests for multiple copies of its staff publications, persons or groups that need more than one copy of the *Glossary of Terms* are encouraged to reproduce all or any portion of its contents. The Commission claims no copyright or other basis requiring consent to replication of any portion of this publication, but it is requested that the Director be informed of any republication involving a public distribution and that the source be identified therein. The *Glossary of Terms* also may be accessed via the Internet at www.lsc.state.oh.us.

The Legislative Service Commission staff hopes that the *Glossary of Terms* proves to be useful. Any comments may be directed to me, Associate Director Richard E. Masek, or Associate Director Wendy Zhan.

Mark C. Flanders, Director
Legislative Service Commission

* Additional terms directly pertaining to the legislature and the legislative process are available in the LSC publication, *A Guidebook for Ohio Legislators*, available at www.lsc.state.oh.us.

ACKNOWLEDGMENTS AND CREDITS

Project Officer..... *Marcia A. Cooper*

Editors *Jeff Grim*

..... *Michelle McGreevy*

..... *Bill Rowland*

..... *Eric Vendel*

Layout and Design *Jeanette Cupp*

..... *Kristen LaBorde*

Production Staff..... *Steve Alcorn*

Cover and Selected Photographs..... *Capitol Square Review*

..... *and Advisory Board*

TABLE OF CONTENTS

AGENCY ACRONYMS.....	1
AGING.....	5
AGRICULTURE.....	9
BUDGET AND FINANCE.....	13
BUILDING STANDARDS.....	21
CHILDREN.....	23
CIVIL SERVICE.....	33
COLLECTIVE BARGAINING.....	35
CORPORATIONS.....	39
COURTS AND CIVIL LAW.....	47
CRIMINAL LAW.....	57
DOMESTIC RELATIONS.....	77
ECONOMIC DEVELOPMENT.....	81
EDUCATION.....	85
ELECTIONS AND CAMPAIGN FINANCE.....	99
EMPLOYMENT.....	107
ENVIRONMENT.....	111
FINANCIAL INSTITUTIONS AND CONSUMER TRANSACTIONS.....	119
HEALTH CARE.....	123
HIGHWAYS AND TRANSPORTATION.....	129
HOUSING.....	133
INSURANCE.....	137
JUVENILE AND FAMILY LAW.....	141
LIENS.....	145
LIQUOR CONTROL.....	147
LOCAL GOVERNMENT.....	149
MEDICAID AND MEDICARE.....	151
MENTAL HEALTH AND MENTAL RETARDATION / DEVELOPMENTAL DISABILITIES.....	159
NATURAL RESOURCES.....	163
OCCUPATIONAL LICENSING.....	169
OCCUPATIONAL SAFETY.....	171
PUBLIC LANDS.....	173
PUBLIC RETIREMENT.....	175
TAXATION.....	181
UNEMPLOYMENT COMPENSATION.....	191
UTILITIES.....	195
VETERANS.....	203
WELFARE.....	205
WORKERS' COMPENSATION.....	209
INDEX.....	213

AGENCY ACRONYMS

AG - Attorney General

BMV – Bureau of Motor Vehicles

BWC - Bureau of Workers' Compensation

CIIC - Correctional Institution Inspection Committee

CSRAB - Capitol Square Review and Advisory Board

DAS - Department of Administrative Services

DNR - Department of Natural Resources

DOD - Department of Development

DPS - Department of Public Safety

DRC - Department of Rehabilitation and Correction

DVS – Department of Veterans Services

DYS - Department of Youth Services

EPA - Environmental Protection Agency

JCARR - Joint Committee on Agency Rule Review



JLEC - Joint Legislative Ethics Committee

LIO - Legislative Information Office division of the Legislative Service Commission

LISO - Legislative Information Systems Office

LSC - Legislative Service Commission

OBA - Ohio Building Authority

OBM - Office of Budget and Management

ODA - (Ohio) Department of Agriculture

ODADAS - (Ohio) Department of Alcohol and Drug Addiction Services

ODE - (Ohio) Department of Education

ODH - (Ohio) Department of Health

ODI – (Ohio) Department of Insurance

ODJFS – (Ohio) Department of Job and Family Services

ODMRDD - (Ohio) Department of Mental Retardation and Developmental Disabilities

AGENCY ACRONYMS

ODOT - (Ohio) Department of Transportation

OIG - Office of the Inspector General

OLIG - Office of the Legislative Inspector General

ORSC - (Ohio) Retirement Study Council

PUCO - Public Utilities Commission of Ohio

RSC - Rehabilitation Services Commission

SOS - Secretary of State

TAX - Department of Taxation

adult care facility - a facility licensed by the Director of Health that provides accommodations and supervision to three to sixteen unrelated adults, at least three of whom are provided personal care services, but is not a nursing home, residential care facility, home for the aging, or various other facilities specified in law (*R.C. 3722.01*)

adult family home - a type of adult care facility that provides accommodations to three to five unrelated adults and supervision and personal care services to at least three of those adults (*R.C. 3722.01*)

adult foster home - a residence in which accommodations and personal care services are provided to one or two adults who are unrelated to the owners of the residence; certification standards are established by the Department of Aging (*R.C. 173.36*)

adult group home - a type of adult care facility that provides accommodations to six to sixteen unrelated adults and supervision and personal care services to at least three of those adults (*R.C. 3722.01*)

adult protective services - services that are provided by a county department of job and family services, or an agency that it designates, to individuals age 60 or older living independently who are handicapped by infirmities of age or are physically or mentally unable to provide for their own care and require services to prevent or end abuse, neglect, or exploitation (*R.C. 5101.60*)

area agency on aging - a government entity or private, nonprofit organization designated by the Department of Aging that arranges and coordinates such services as personal care, adult day care, and Meals on Wheels for the elderly in regional, multi-county areas called planning and service areas

assisted living facility - a facility that provides personal care and supportive services to persons who do not require the level of skilled care provided by a nursing home; is licensed in Ohio primarily as a residential care facility; is not reimbursed by Medicaid except through a limited waiver program

community-based long-term care services - health and social services that are provided to persons age 60 or older in their own homes or in community care settings such as home health care, homemaker services, respite care, adult day care, home-delivered meals, physical, occupational, and speech therapy, and any other health or social services that help a person maintain independence (*R.C. 173.14*)



county home - a county-owned facility that provides services in much the same manner as a privately owned residential care facility or nursing home; a district home is a type of county home that is jointly operated by two or more counties (*R.C. Chapter 5155.*)

home for the aging - a home that provides services as a residential care facility and as a nursing home; the part that provides services only as a residential care facility is licensed as a residential care facility; the part that provides skilled nursing care beyond that authorized for residential care facilities is licensed as a nursing home (*R.C. 3721.01*)

long-term care consultation - a program established by the Department of Aging under which individuals are given information about options, costs, and other factors to consider when making long-term care decisions; may include an assessment of an individual's functional capabilities and portions of other assessments required by Medicaid (*R.C. 173.42*)

long-term care consumer guide - a guide published by the Department of Aging and available on the Internet with information on nursing homes and residential care facilities for use by persons considering admission to a long-term care facility; includes information from annual customer satisfaction surveys (*R.C. 173.46*)

long-term care facility - a nursing home or a facility that is certified as a skilled nursing facility under Medicare or as a nursing facility under Medicaid; for purposes of the Certificate of Need Law, a long-term care facility includes the portion of any hospital that contains beds registered with the Department of Health as skilled nursing beds or long-term care beds; for purposes of the Long-term Care Ombudsperson Program, it includes a nursing home, residential care facility, home for the aging, county or district home, adult care facility, and adult foster home (*R.C. 173.14, 3702.51, and 3721.01*)

Long-term Care Ombudsperson Program - a program established in the Department of Aging consisting of the state and regional long-term care ombudsperson programs with duties that include investigating complaints regarding the health, safety, welfare, or civil rights of long-term care facility residents and recipients of community-based long-term care services (*R.C. 173.14 to 173.27*)

nurse aide registry - a Department of Health registry listing individuals, other than licensed professionals, providing nursing and nursing-related services to residents in long-term care facilities, referred to as "nurse aides," who have successfully completed training and competency evaluation programs; includes statements by the

Director of Health regarding findings of abuse or neglect of a resident or misappropriation of property (*R.C. 3721.32*)

nursing facility - see **Medicaid and Medicare**

nursing home - a home that is used for the reception and care of individuals who require skilled nursing care and individuals who require personal care services, but not skilled nursing care; is licensed by the Director of Health to provide personal care services and skilled nursing care (*R.C. 3721.01*)

Older Americans Act of 1965 - a federal act that created the Administration on Aging to provide assistance in the development of programs to help older persons, including grants to states for comprehensive in-home and community services programs; is implemented in Ohio by the Department of Aging, area agencies on aging, and the Long-term Care Ombudsperson Program (*42 U.S.C. 3001*)

PACE (Program of All-Inclusive Care for the Elderly) - see **Medicaid and Medicare**

PASSPORT (preadmission screening system providing options and resources today) - see **Medicaid and Medicare**

personal care services - services, other than skilled nursing care, that are provided to residents of adult care facilities, nursing homes, and residential care facilities, including assisting residents with activities of daily living and with self-administration of medication (*R.C. 3721.01 and 3722.01*)

residential care facility - a home that provides accommodations, supervision, and personal care services for unrelated individuals; may provide skilled nursing care only to the limited extent specified in statute; formerly known as rest homes (*R.C. 3721.01*)

Residential State Supplement Program - a program administered by the Departments of Aging and Job and Family Services under which payments for accommodations, supervision, and personal care services are provided on behalf of recipients of financial assistance from the federal Supplemental Security Income (SSI) Program who are at risk of needing institutional care (*R.C. 173.35*)

Residents' Bill of Rights - the rights, specified in statute, of residents of facilities for individuals who are elderly and infirm or disabled; complaints concerning

violations may be investigated by the Long-term Care Ombudsperson Program (*R.C. 173.19, 3721.10 to 3721.17, and 3722.12*)

respite care - see **Medicaid and Medicare**

skilled nursing care - services provided to nursing home residents that require special technical skill and knowledge to provide, including: (1) irrigations, catheterizations, application of dressings, and supervision of special diets, (2) administration of medication, and (3) other prescribed treatments (*R.C. 3721.01*)

skilled nursing facility - see **Medicaid and Medicare**

sponsor - an adult relative, friend, or guardian who has an interest in or responsibility for the welfare of either a resident of a nursing home, residential care facility, or adult care facility or a recipient of community-based long-term care services; acts on behalf of an individual who is a resident or recipient to ensure that the individual's rights are not violated (*R.C. 173.14, 3721.10, and 3722.01*)

AGRICULTURE

agricultural commodity handling (grain warehousing) - acting as an intermediary between a farmer who produces grain and the retailer or consumer; mainly involves purchasing grain in certain volumes for processing, sale, or resale, performing certain marketing functions, or operating a warehouse in which grain is stored for a farmer who still holds title to the grain; requires licensure (*R.C. Chapter 926.*)

agricultural commodity marketing program (ag check-off program) - a program that is established by the Director of Agriculture to improve or expand the market for an agricultural commodity and that is voted on and funded by producers of the agricultural commodity; excludes certain grains that are included in the grain marketing program (*R.C. 924.01 to 924.16*)

agricultural cooperative (ag co-op) - a nonprofit corporation that often is organized so that its members may benefit from economies of scale by banding together; engages in farming operations, processing, or marketing of agricultural products, does a majority of its business with producers or other agricultural cooperatives, and is controlled by its member producers and agricultural cooperatives who must maintain majority voting control (*R.C. 1729.01(A)*)

agricultural district (ag district) - a district that consists of an area of agricultural land meeting certain qualifications, that is established for a renewable five-year period when its owner applies to the county auditor, and that is advantageous to the owner because land within it is exempt from special assessments for purposes of sewer, water, or electrical service and because under certain circumstances persons who farm land within it are entitled to a complete defense in a civil action for nuisances involving agricultural activities (*R.C. Chapter 929.*)

agricultural easement - an intangible right or interest in land that imposes limitations on the development of the land and that is acquired and held by the Director of Agriculture, a local government entity, or a charitable organization for the public purpose of retaining the land for agricultural use (*R.C. 901.21, 901.22, and 5301.67 to 5301.70*)

agricultural labor camp - any structure and surrounding land that serve as temporary living quarters for a specified number of families or persons who engage in agriculture or related food processing; must be licensed and is governed by Public Health Council rules establishing standards of habitability (*R.C. 3733.41 to 3733.49*)

animal feeding facility - a facility at which agricultural animals are confined for at least 45 days each year and that does not involve the cultivation of crops (*R.C. 903.01(B)*)



CAFF (concentrated animal feeding facility) - an animal feeding facility that has a total design capacity equal to or more than specified numbers of various types of agricultural animals and that corresponds to a large CAFO; is subject to statutory permitting and management requirements (*R.C. 903.01(E)*)

CAFO (concentrated animal feeding operation) - an animal feeding facility that generally is deemed by statute to be a point source of pollution that discharges manure into the waters of the state and thus is required to obtain a national pollutant discharge elimination system (NPDES) permit; may be classified as large, medium, or small (*R.C. 903.01(F) and 903.08*)

CAUV (current agricultural use valuation) - see **Taxation**

contract farming - the growing and marketing of farm products under which selective terms of market quantity, grade, size, inspection, timing, or pricing are specified to both the grower and the processor or shipper before production is undertaken; is one method of vertical integration (www.usda.gov/oce/smallfarm/usdatерms.pdf)

dangerous dog - with certain exceptions, a dog that without provocation has chased, approached in a menacing fashion or an apparent attitude of attack, or attempted to bite or otherwise endanger a person while off the premises of its owner, not under the reasonable control of its owner or another person, or not physically restrained or confined (*R.C. 955.11(A)(1)*)

delayed price agreement (falls under the scope of what commonly is called the grain warehouse law) - a written executory contract that is between a licensed agricultural commodity handler and a farmer or other person who has delivered grain to the handler, that covers the sale of and transfer of title to the grain to the handler, and that states in its written terms the service charges and the method for pricing the grain at a later date (*R.C. 926.01(R) and 926.29*)

grain marketing program - a program that is established by statute to improve or expand the market for certain grains and that is funded by producers and certain handlers of the grains (*R.C. 924.20 to 924.30*)

OARDC (Ohio Agricultural Research and Development Center) - a component of The Ohio State University created for the pursuit of basic and applied research in agriculture, natural resources, and related subjects essential to the continued

AGRICULTURE

development of the state's agricultural industry and natural resources (*R.C. 1503.02 and 3335.56*)

Ohio Cooperative Extension Service (Extension Service, OSU Extension) - a component of The Ohio State University that conducts educational activities related to agriculture, natural resources, home economics, family living, and 4-H programs for Ohio citizens through various instructional media (*R.C. 3335.36*)

prime farmland - land that has the best combination of physical and chemical characteristics for producing agricultural crops, livestock, and timber; generally excludes water storage and urban land (*7 U.S.C. 4201(c)(1)(A); 7 C.F.R. 657.5(a)*)

right-to-farm law - a statute that prohibits any county rural zoning commission, board of county commissioners, or board of zoning appeals from prohibiting the use of any land for agricultural purposes except under certain limited conditions (*R.C. 303.21(A) and (B)*)

vertical integration - the combining of two or more successive steps in the production, processing, and distributing of agricultural products under a single decision-making body (*www.usda.gov/oce/smallfarm/usdatems.pdf*)

vicious dog - with certain exceptions, a dog that without provocation has killed or injured a person, has killed another dog, or has the characteristics of a pit bull (*R.C. 955.11(A)(4)*)

BUDGET AND FINANCE

accrual basis - the method of accounting under which revenues are recorded in the accounting period in which they are earned and expenditures (or expenses) are recorded in the accounting period in which they result in liabilities for benefits received regardless of the accounting period in which cash is received or paid

adjusted appropriation - the amount of an appropriation after adjusting for any reappropriations, executive order reductions, and appropriation transfers

ALI (appropriation line item) - an appropriation presented in a format that includes the number or abbreviation for the fund from which money is being appropriated, the three-number code for the agency or division, the three-number code for the object of expenditure, a description of the expenditure, and the amount of the appropriation for each fiscal year or for the biennium, e.g., GRF 470401 RECLAIM Ohio \$160,808,723 \$164,415,944

amortization - the process of allocating the cost of an intangible asset, e.g., a patent, by systematic charges to expense over its useful life; the process of distributing the discount or premium on bonds over a number of periods; or the process of gradually extinguishing a debt, e.g., a mortgage, by paying off part of the principal whenever a payment of interest is due

appropriation - an authorization granted by the General Assembly, usually to a state agency, to spend money and incur obligations for a specific purpose during a fiscal year or biennium

biennium - a two-year period, often two consecutive fiscal years, e.g., the biennium ending June 30, 2011

Blue Book - the budget document, named for its blue covers, that the Governor is required to submit to the General Assembly each biennium and that contains, in one volume, the operating appropriations requested for state agencies and related information and, in another volume, the tax expenditures of the state; now appears in electronic format only

bond - a certificate or other evidence of debt in which the issuer promises to repay the bondholder the amount of a loan and also, usually, to pay a fixed rate of interest at specified intervals



bond counsel - the lawyer or law firm that provides legal services to an issuer of bonds and that renders an opinion on the legality of the bonds and, if applicable, their tax-exempt status

bond rating - the credit worthiness of a bond as designated by a rating service, e.g., Moody's Investors Services, which gives a rating of Aaa to the highest grade of bonds, and Standard and Poor's Corporation, which gives a rating of AAA to that grade

capital appropriation - an appropriation for acquiring real property; constructing or improving a building or other structure; procuring architectural, engineering, and professional services directly related to the project; purchasing machinery that is part of the structure at the time of initial acquisition or construction; and purchasing equipment, generally with a useful life of five years or more, that is an integral part of, or directly related to, the basic purpose or function of the project

capital reappropriation - an appropriation of the unexpended balances of an appropriation for a capital project that was not completed during the biennium for which the appropriation (or subsequent reappropriation) was previously made

CAS (Central Accounting System) - a computerized accounting system for budgetary and revenue reporting and control of the spending of state agencies; was replaced in July 2007 by OAKS

CBL (core budget level) - a planning instrument that is used by the Office of Budget and Management in the preparation of the Governor's proposed budget in which the level of funding for each agency budget request is expressed as a percentage of the current funding level

CPI (Consumer Price Index) - a measure of inflation that is intended to capture the increased prices facing consumers for a fixed market basket of goods and services, including food, housing, transportation, clothing, medical care, and entertainment; indices are available for many subgroups, including geographical and population subgroups

current expense appropriation - an appropriation for current expenses of the state government and state institutions, which is not subject to the referendum

custodial fund of the Treasurer of State - the intangible assets that are required by law to be kept in the custody of the Treasurer of State, that are not a part of the state

BUDGET AND FINANCE

treasury, and that may be spent without an appropriation, e.g., the funds of the state's retirement systems

debt service - the money needed, or payments due, to pay principal and interest on a bond or other debt

depreciation - the process of allocating the cost of a tangible asset, minus its salvage value, by systematic charges to expense over the accounting periods of its useful life

disbursement - a payment in cash, as by the Treasurer of State

earmark - to dedicate or designate all or part of a revenue stream or an appropriation for a specific purpose

emergency purposes/contingencies appropriation - an appropriation made to the Controlling Board from the General Revenue Fund for emergency purposes/contingencies

encumbrance - the reservation of part of an appropriation, in the estimated amount of a purchase order, contract, etc., to ensure that money will be available to pay for the goods or services involved when they are received

equipment - expenditures for durable goods such as computers and office furniture

executive budget - the complete biennial financial plan that the Governor is required to submit to the General Assembly not later than four weeks after its organization (or not later than March 15 in the year of a new governor's inauguration); is contained within the Blue Book

expenditures - payments against appropriations that reduce the cash balance after legal requirements have been met; the payments are accounted for in the fiscal year actually made regardless of the fiscal year in which the appropriations were reserved or encumbered for the payments

federal special revenue fund - a fund that receives certain federal grants and entitlements

financial audit - an examination of documents, records, reports, systems of internal control, accounting and financial procedures, etc., by an auditor for the purpose of rendering a formal opinion that the financial statements of the entity involved present fairly its financial position and results of operations in conformity with generally accepted accounting principles or that other financial reports comply with specified finance-related criteria

FTE (full-time equivalent) employee - generally, one person working full-time, which is equivalent to 2,080 hours per year in active pay status

fund - a separate fiscal and accounting entity with a self-balancing set of accounts recording cash or other resources and liabilities or other obligations that are segregated for the purpose of carrying out specific activities (*R.C. 131.01*)

fund balance - the unencumbered cash in a fund at the end of a fiscal year or other specified period of time

fund group - a category of similar funds that the Office of Budget and Management has grouped for budgetary reporting purposes according to their revenue sources and the purposes for which they are used

FY (fiscal year) - a 12-month budget and accounting period that is named for the year in which it ends and that for the state or a school district begins on July 1; for a political subdivision other than a school district begins on January 1; and for the federal government (FFY) begins on October 1; e.g., state FY 2010 is the 12-month period ending June 30, 2010

general obligation bond - a bond that is secured by the issuer's general taxing powers, often expressed, in the case of the state, as secured by the "full faith and credit of the state"

general services fund - a fund that is not easily classified into or appropriately accounted for in one of the other fund groups (e.g., GRF, special revenue fund); can be a fund that receives payments from other funds for services provided or that receives interagency grants

GRF (General Revenue Fund) - the fund to which most personal income tax, sales tax, corporate franchise tax, and public utilities excise tax revenue, as well as a number of other sources of revenue, is credited and that is used to fund approximately half of the activities of state government (*R.C. 113.09*)

BUDGET AND FINANCE

intent language - language that may follow a line-item appropriation in a budget bill and that limits, elaborates on, or otherwise specifies the way that the General Assembly intends the appropriation to be expended

interim appropriation - a short-term appropriation, often for only a month, that the General Assembly enacts in order to continue funding state operations, usually at their current level, if it fails to enact the main operating appropriations bill on time

ITRF (Income Tax Reduction Fund) - a fund that consists of surplus revenue (in general, revenue beyond that which is necessary to fully fund the Budget Stabilization Fund) the purpose of which is to provide a rebate to taxpayers through a one-year reduction in income tax rates (*R.C. 131.44*)

language appropriation - an appropriation that is not formatted like a line-item appropriation and, usually, does not specify a dollar amount, e.g., "if it is determined by the Administrative Director of the Supreme Court that additional appropriations are necessary, the amounts are hereby appropriated"

lapse - the expiration of an appropriation because it was not expended or encumbered before the end of the period for which it was made

lump-sum appropriation - an appropriation for a broad purpose or an entire agency rather than for a specific activity (e.g., community sanctions) or object of expenditure (e.g., personal services)

maintenance - expenditures for expendable goods and supplies such as utilities, motor vehicle fuel, postage, paper, repairs, telephone calls, and travel

OAKS (Ohio Administrative Knowledge System) - an integrated computer system for performing some of the state's administrative tasks, including tracking capital improvements, financial information, fixed assets, human resources, and procurement; replaced CAS in July 2007

operating funds - money that is appropriated for the administration of an agency and that does not include capital or subsidy funds; is usually appropriated in the following line items: 100-Personal Services, 200-Maintenance, 300-Equipment, or 321-Operating Expenses

performance audit - an economy and efficiency audit or a program audit, the latter of which examines the extent to which legislative intent is being achieved, the

effectiveness of an organization, program, activity, or function, and the extent to which there has been compliance with significant applicable law

performance based budgeting - a budgeting practice under which appropriations are based on expected agency performance levels focusing on agency or program outcomes rather than inputs

personal services - expenditures for payroll, including fringe benefits, and related services such as consultants and temporary help

program budgeting - a method of budgeting that defines the goals of an agency and allocates resources by program series based on measurable results to be achieved by that program series

program series - corresponds with a major area of focus or goal for a state agency and, in most cases, is composed of two or more programs

Rainy Day Fund (Budget Stabilization Fund) - a state fund that the General Assembly has declared its intent to maintain at approximately 5% of General Revenue Fund revenues during the preceding fiscal year and that is designed to eliminate the necessity for or to mitigate the severity of budget cutbacks in order to avert a deficit (*R.C. 131.43*)

real dollars (constant dollars) - the value of money after adjusting for inflation over a period of time as opposed to the nominal or current value, which does not reflect any inflationary adjustments

refunding bond - a bond that is issued to retire a bond already outstanding

revenue bond - a bond that is repayable, both as to principal and interest, exclusively from revenues generated by the specific projects or enterprises financed by it, e.g., a bond issued to finance Ohio Turnpike improvements that is secured by tolls collected from motorists who drive on the turnpike

serial bond - one of an issue of bonds with differing maturities

special purpose appropriation - an appropriation, found especially among General Revenue Fund appropriations, that is identified by a 400-series number in the state chart of accounts and that is restricted to designated operations or distributions, e.g.,

BUDGET AND FINANCE

GRF 700406 Consumer Analytical Lab, GRF 700413 Gypsy Moth Prevention, and GRF 700499 Meat Inspection Match

special revenue fund (rotary fund, special account) - a fund that is used to account for revenues from specific taxes, fees, or other earmarked sources that are designated to finance particular functions or activities, e.g., the Oil and Gas Well Fund, Surface Mining Fund, and Wildlife Fund

subsidy appropriation - an appropriation that is identified by a 500-series number in the state chart of accounts and that is restricted for distribution to specified organizations, units of local government, etc., e.g., GRF 235501 Instructional Subsidy, GRF 235535 Agricultural Research and Development Center, and GRF 235539 Wright State University Clinical Teaching

supplemental appropriation - an additional appropriation for a purpose or agency that is made subsequent to the initial appropriation for the purpose or agency for that fiscal year or biennium

tax expenditure - any provision in the Revised Code that exempts, in whole or in part, certain persons, income, goods, services, or property from taxes established in the Revised Code, including deductions, exemptions, deferrals, exclusions, allowances, credits, reimbursements, and preferential tax rates (*R.C. 5703.48*)

Total Operating Fund - a fund that was created to allow inter-fund borrowing in the event of a negative cash flow in the General Revenue Fund (*R.C. 126.06*)

underwriter - with respect to bonds, an investment banker or municipal department of a commercial bank, or syndicate of such organizations, that is selected by the issuer of the bonds to purchase them for resale to investors

Uniform Bond Law (Uniform Public Securities Law) - the state law governing most local government public debt and establishing terms of issuance and repayment, limits on amounts, obligations of issuers, rights of bondholders, exemption from taxation, and other matters (*R.C. Chapter 133.*)

voucher - an authorization prepared in connection with making payment to a provider of goods or services that usually indicates the fund in which the transaction is to be recorded and certifies that the purchase was properly authorized, the goods or services have been received, the bill for the payment is a legal charge against the state, and money for the purchase has been appropriated

warrant - a formal certification of the validity of a debt (as by the Auditor of State), looking similar to and circulating much like a check, that authorizes or directs a financial agent (e.g., the Treasurer of State) to pay the debt

zero based budgeting - a budgeting practice that examines the total budget for a program or agency, not just changes from the base or previous budget level

BUILDING STANDARDS

BBS (Board of Building Standards) - a statutorily created eleven-member board, appointed by the Governor, that is established in the Department of Commerce; adopts rules establishing the Ohio Nonresidential Building Code and the Ohio Residential Building Code; certifies local building departments and other entities to enforce the nonresidential code, the residential code, or both (*R.C. 3781.07 and 3781.10*)

certificate of occupancy - an official document that the Division of Industrial Compliance in the Department of Commerce or the appropriate certified local building department issues as evidence that a building meets building code requirements and may legally be occupied for its designated use

certified nonresidential building department - an entity that is created by the governing body of a municipal corporation, county, or township to serve as the jurisdiction's enforcement authority for nonresidential structures and that the Board of Building Standards has certified to enforce the Ohio Nonresidential Building Code (*R.C. 3781.10(E)*)

certified residential building department - an entity that is created by the governing body of a municipal corporation, county, or township to serve as the jurisdiction's enforcement authority for residential structures and that the Board of Building Standards has certified to enforce the Ohio Residential Building Code (*R.C. 3781.10(E)*)

existing structures code - a code that a board of township trustees or board of county commissioners may adopt and enforce to govern the repair and continued maintenance of structures; may be adopted by incorporating a model or standard code; may not address subject matter addressed by the Ohio Residential Building Code or conflict with that Code (*R.C. 303.37, 307.38, and 505.73*)

ICC (International Code Council, Inc.) - a nonprofit organization that formulates and publishes a model building code that is based on the combined experience of three national organizations that develop regional building codes; many states adopt this model code as the state building code; the Board of Building Standards has adopted the ICC code as the state's nonresidential building code, with modifications that it determined necessary

industrialized unit - a building unit or assembly of closed construction, fabricated in an off-site facility, that is substantially self-sufficient as a unit or as part of a greater structure and that requires transportation to the site of intended use (*R.C. 3781.06(C)*)



local residential building regulation - a residential building regulation that a county or township may adopt and enforce to govern the construction of residential buildings; the enforcing department need not be certified for residential enforcement by the Board of Building Standards; the regulation may not differ from the Ohio Residential Building Code unless the regulation addresses subject matter not addressed by the Code (*R.C. 307.37, 307.38, 505.75, 505.77, and 3781.10(A)(2)*)

Ohio Nonresidential Building Code - the building code that the Board of Building Standards adopts to govern the construction, erection, repair, alteration, and maintenance of nonresidential buildings, with certain agricultural buildings being exempt; is based on the code adopted by the International Code Council, Inc. (*R.C. 3781.10(A)*)

Ohio Residential Building Code - the building code that the Board of Building Standards adopts that applies to residential buildings; is not mandatory, but is enforced in areas with a building department certified by the Board to enforce the Code (*R.C. 3781.10(A)*)

use groups - the classifications with respect to occupancy type or intended use, established by rule of the Board of Building Standards, for all nonresidential buildings; ten basic classifications are broken down further into subclassifications comprising the use group categories that the Board adopts by rule

abused child - a child to whom any of the following applies: is the victim of sexual activity; is endangered; exhibits evidence of any physical or mental injury or death, inflicted other than by accidental means, or an injury or death that is at variance with the history given of it; suffers physical or mental injury, due to acts of the child's parents, guardian, or custodian, that harms or threatens to harm the child's health or welfare; or is subjected to out-of-home care child abuse (*R.C. 2151.031*)

administrative review - a meeting that a public children services agency or private child placing agency must conduct every six months for each child who is subject to a case plan in order to review the child's placement and progress with the case plan (*R.C. 2151.416*)

adoption assessor - a person who is retained by a probate court or an agency to do the following: (1) record social and medical histories of parents who place a child up for adoption, (2) give to and discuss with the biological parents information about adoption and the release of identifying information, and (3) conduct home studies and assessments of persons seeking to adopt and minors to be adopted (*R.C. 3107.031, 3107.082, 3107.09, 3107.12, and 5103.15*)

caretaker parent - a father, mother, legal custodian, or guardian of a child, or another person who stands in loco parentis with respect to the child, and whose presence in the home is needed as the caretaker of the child (*R.C. 5104.01(E)*)

case plan - a document that is developed and maintained by a public children services agency or private child placing agency for certain children to whom the agency is providing services; identifies strengths of the family, concerns to be resolved, and supportive services to be provided that will result in ensuring permanence for the child (*R.C. 2151.412; O.A.C. 5101:2-1-01(NN)*)

CCDBG (Child Care Development Block Grant Act of 1990) - a federal law that provides funds distributed by the Department of Job and Family Services for providers of publicly funded child care to supplement federal, state, and local funds available for publicly funded child care and related programs (*42 U.S.C. 9858 et seq.; R.C. 5104.30(B), (C), and (D) and 5104.301*)

child care - the administering to the needs of infants, toddlers, preschool children, and school children outside of school hours by persons other than their parents, guardians, custodians, or relatives by blood, marriage, or adoption for any part of the 24-hour day in a place or residence other than a child's own home (*R.C. 5104.01(K)*)

child day camp - a program for school children that operates no more than seven hours per day during one or more school vacation periods or for no more than 15



weeks during the summer and that operates outdoor activities for a minimum of 50% of each day that children attend or participate in the program (*R.C. 5104.01(J)*)

child day-care center - a place in which child care or publicly funded child care is provided for 13 or more children at one time, or a place that is not the permanent residence of the licensee or administrator in which child care or publicly funded child care is provided for seven to twelve children at one time; is licensed by the Department of Job and Family Services (*R.C. 5104.01(L) and 5104.02*)

child welfare adjudication - a determination made by a juvenile court after a hearing that determines whether a child is abused, neglected, or dependent or otherwise within the jurisdiction of the court (*R.C. 2151.28*)

Children's Trust Fund - a fund that finances child abuse and child neglect prevention programs through: (1) fees for copies of birth records, certifications of birth, death records, and divorce or dissolution filings, (2) gifts, and (3) federal funds (*R.C. 3109.13 to 3109.18*)

concurrent planning - planning that permits a public children services agency or private child placing agency to work towards reunifying a child with the parents while planning for a permanent family placement if reunification is not achieved (*R.C. 2151.412*)

county family and children first council - a multidisciplinary group established by each county that is intended to streamline and coordinate government services for families seeking assistance for their children; can refer cases to the Ohio Family and Children First Cabinet Council (*R.C. 121.37*)

dependent child - a child to whom any of the following factors that place the child at risk applies: is homeless or destitute or without adequate parental care through no fault of the parents; lacks adequate parental care due to the mental or physical condition of the parents; is in such a condition or environment as to warrant the state assuming the child's guardianship; or is residing in a household in which a household member committed an act that was the basis for an adjudication that a child who resides in the household is an abused, neglected, or dependent child (*R.C. 2151.04*)

disposition - an order of the juvenile court pursuant to a hearing that determines what action will be taken concerning a child who is adjudicated an abused, neglected, or dependent child; orders of disposition include protective supervision, temporary custody, legal custody, permanent custody, planned permanent living arrangement, or removal of certain persons from the home (*R.C. 2151.353*)

FACSIS (Family and Children Services Information System) - a statewide automated child welfare information system that is maintained by the Department of Job and Family Services; will be replaced by SACWIS when that system is fully operational (*O.A.C. 5101:2-33-05*)

foster home - a private residence in which children are received apart from their parents, guardian, or legal custodian by an individual who is reimbursed for providing nonsecure care, supervision, or training 24 hours a day, not including baby-sitting care; may not receive more than five children apart from their parents, guardian, or custodian subject to certain exceptions, including the accommodation of a sibling group or the remaining members of a sibling group (*R.C. 5103.02 and 5103.0317*)

guardian ad litem - a person who is appointed by the court to protect the interest of a child in any proceeding concerning an alleged abused, neglected, or dependent child and in any proceeding concerning an alleged or adjudicated delinquent child or unruly child when either the child has no parent, guardian, or legal custodian or the court finds that there is a conflict of interest between the child and the parent, guardian, or legal custodian; in certain circumstances a guardian ad litem must be appointed to protect a parent's interest (*R.C. 2151.281*)

home study - a prerequisite to foster or adoptive placement that consists of an assessment of the prospective foster or adoptive parent's personal history, financial and employment status, health status, home environment, and criminal history (*R.C. 3107.031 and 5103.0324*)

indicator checklist - an inspection tool, used in conjunction with an instrument-based program monitoring information system, that contains selected licensing requirements that are statistically reliable indicators or predictors of a child day-care center's or type A family day-care home's compliance with licensing requirements (*R.C. 5104.01(V)*)

in-home aide - a person who does not reside with a child, but provides care in the child's home and is certified by a county director of job and family services to provide publicly funded child care to a child in the child's home (*R.C. 5104.01(X)*)

Interstate Compact for the Placement of Children - a proposed uniform law establishing procedures for the interstate placement of children across state lines and assigning responsibilities for those involved in placing children; is not currently effective, but will supersede the Interstate Compact on the Placement of Children when it has been ratified by a total of 35 states (*R.C. 5103.20*)

Interstate Compact on the Placement of Children - a uniform law enacted by states and jurisdictions of the United States establishing procedures for the interstate placement of children across state lines and assigning responsibilities for those involved in placing children; will be superceded by the new Interstate Compact for the Placement of Children when that Compact has been ratified by a total of 35 states (*R.C. 5103.23*)

kinship care - a situation in which a child is placed in the full-time physical custody of a specified relative who cares for the child in place of the child's parents (*R.C. 5101.85*)

kinship care navigator program - a statewide program to assist kinship caregivers who are seeking information or assistance regarding services and benefits available at the state and local levels that address the needs of those caregivers (*R.C. 5101.851*)

legal custody - a legal status, generally intended to be permanent, that vests in a custodian the rights and responsibilities to have physical care and control of a child, to determine where and with whom the child is to live, to protect, train, and discipline the child, and to provide the child with food, shelter, education, and medical care, all subject to any residual parental rights, privileges, and responsibilities (*R.C. 2151.011(B)(19) and 2151.42*)

multiple children assessment - an assessment of a person seeking to adopt a child who will have five or more children residing in the home after the adoption in order to evaluate the person's ability to meet the needs of the child to be adopted and to continue to meet the needs of the children residing in the home; does not apply to an adoption by a stepparent whose spouse is a biological or adoptive parent of the child to be adopted (*R.C. 3107.032*)

neglected child - a child to whom any of the following applies: is abandoned by the parents; lacks adequate care because of the faults or habits of the parents; whose parents neglect the child or refuse to provide proper or necessary subsistence, education, medical or surgical care or treatment, or other necessary care; whose parents neglect the child or refuse to provide the special care made necessary by the child's mental condition; whose parents have placed or attempted to place the child in another home illegally; suffers physical or mental injury that harms or threatens to harm the child's health or welfare due to the omission of the parents; or is subjected to out-of-home care child neglect (*R.C. 2151.03*)

open adoption - an adoption in which the birth parent and prospective adoptive parent agree to the terms of the adoption; in Ohio adoptions, those terms are voluntary and not legally enforceable (*R.C. 3107.62 to 3107.65*)

out-of-home care - see **Juvenile and Family Law**

parent cooperative child day-care center - a corporation or association that is owned and controlled solely by its members and that provides educational services only to the children of its members; at least one parent-member of the corporation or association must be on the premises during the hours of operation of the place where the services are provided (*R.C. 5104.01(EE)*)

PCPA (private child placing agency) - an association that is certified to accept temporary, permanent, or legal custody of children and place the children for either foster care or adoption (*R.C. 2151.011(A)(3)*)

PCSA (public children services agency) - a county children services board, a county department of job and family services, or any private or government entity chosen by a board of county commissioners that assumes the powers and duties of the children services function for a county (*R.C. 5153.01(A) and 5153.02*)

permanency hearing - a hearing to approve a permanency plan for a child who has been removed from home due to abuse, neglect, or dependence and to consider changes to the child's case plan and placement or custody arrangement (*R.C. 2151.417*)

permanency plan - a plan for the care of a child who has been removed from home due to abuse, neglect, or dependence that is developed by a public children services agency or private child placing agency and, if applicable, specifies when a child will be returned home or placed for adoption or legal custody (*R.C. 2151.412 and 2151.417*)

permanent custody - a legal status that vests in a public children services agency or a private child placing agency all parental rights, duties, and obligations, including the right to consent to adoption, and divests the natural or adoptive parents of all parental rights, privileges, and obligations, including all residual rights and obligations (*R.C. 2151.011(B)(30)*)

planned permanent living arrangement - see **Juvenile and Family Law**

PNA (private noncustodial agency) - a private entity certified by the Department of Job and Family Services that does one or more of the following: receives and cares for children for two or more consecutive weeks; participates in the placement of children in certified foster homes; or provides adoption services in conjunction with a public children services agency or private child placing agency (*R.C. 2151.011(A)(4)*)

PPI limited certification (parent/provider inspected limited certification) - certification that an inspection of a home in which publicly funded child care is provided has been completed by the parent and the provider (*O.A.C. 5101:2-14-01*)

prefinalization assessment - an evaluation of a prospective adoptive parent and child that must be filed with the court before an adoption is finalized; is not required in stepparent adoptions (*R.C. 3107.12*)

protective child care - publicly funded child care for the direct care and protection of a child to whom either of the following applies: (1) a case plan prepared and maintained for the child indicates a need for protective care and the child resides with a parent, stepparent, guardian, or other person who stands in loco parentis, or (2) the child and the child's caretaker are homeless and are otherwise ineligible for publicly funded child care (*R.C. 5104.01(II)*)

protective supervision - see **Juvenile and Family Law**

publicly funded child care - the administering to the needs of children under age 13 during any part of the 24-hour day by persons other than their caretaker parents for remuneration wholly or in part with federal or state funds, including Child Care Development Block Grant Act funds, distributed by the Department of Job and Family Services (*R.C. 5104.01(JJ)*)

putative father registry - the database of names and addresses or telephone numbers of putative fathers that is established and maintained by the Department of Job and Family Services; a putative father is a man who may be a child's father and to whom all of the following apply: he is not married to the child's mother at the time of the child's conception or birth; he has not adopted the child; and paternity has not been established or acknowledged (*R.C. 3107.01 and 3107.062*)

R & R (child care resource and referral service organization) - a community-based nonprofit organization that provides child care resource and referral services, but not child care (*R.C. 5104.01(M) and (N)*)

reasonable efforts requirement - the requirement that a public children services agency or private child placing agency make reasonable efforts to prevent the removal of a child from home, to eliminate the continued removal of the child from home, or to make it possible for the child to safely return home (*R.C. 2151.419*)

reimbursement ceiling - an amount beyond which the Department of Job and Family Services will not reimburse providers for publicly funded child care; different ceilings may be established based on specified criteria; is established biennially using a market rate survey of amounts charged by child care providers (*R.C. 5104.04 and 5104.30*)

residual parental rights, privileges, and responsibilities - the rights, privileges, and responsibilities remaining with the parent after transfer of legal custody of the child, including reasonable visitation, consent to adoption, the privilege to determine the child's religious affiliation, and responsibility for support (*R.C. 2151.011(B)(46)*)

SACWIS (Statewide Automated Child Welfare Information System) - a uniform statewide automated system that is maintained by the Department of Job and Family Services and contains records of investigations of children and families, children's care in out-of-home care, care and treatment provided to children and families, and any other information related to children and families required to be recorded (*R.C. 5101.13*)

shelter - see **Juvenile and Family Law**

special needs child - a child who has a barrier to placement or adoption because the child is in a sibling group, is a member of a minority group, is six years of age or older, has been in the permanent custody of a public children services agency or private child placing agency for more than one year, has or is at risk of having a medical condition, physical impairment, mental retardation, developmental disability, emotional disturbance, or behavioral problem, has been in the prospective adoptive parents' home for at least one year, or has experienced adoption disruption or multiple placements (*R.C. 5153.163; O.A.C. 5101:2-1-01*)

temporary custody - legal custody of a child who is removed from home that may be terminated at any time at the discretion of the court or, if granted in an agreement for temporary custody, by the person who executed the agreement; terminates after one year unless an extension is granted (*R.C. 2151.011(B)(53) and 2151.353*)

Title IV-E - a program administered by the Department of Job and Family Services that provides federal matching funds for foster care, transitional independent living, and adoption assistance to children with special needs (*42 U.S.C. 670; R.C. 5101.141*)

transitional child care - publicly funded child care that is available if an assistance group ceases to participate in the Ohio Works First Program and at any time during the subsequent 12-month period both of the following apply: (1) the assistance group requires child care due to employment, and (2) the assistance group's income is not more than 150% of the federal poverty guidelines (*R.C. 5104.34(A)(2) and (3)*)

treatment foster home - a foster home that incorporates special rehabilitative services and receives and cares for children who have emotional or behavioral disturbances, are chemically dependent, have mental retardation or developmental disabilities, or have other exceptional needs (*R.C. 5103.02(H)*)

type A family day-care home - a permanent residence of the administrator in which child care or publicly funded child care is provided for seven to twelve children at one time or a permanent residence of the administrator in which child care is provided for four to twelve children at one time if four or more children being cared for at one time are under age two; is licensed by the Department of Job and Family Services (*R.C. 5104.01(RR) and 5104.011*)

type B family day-care home - a permanent residence of the provider in which child care is provided for one to six children at one time and in which no more than three children being cared for at one time are under age two; is not required to be licensed, but in order to provide publicly funded child care must meet certain requirements and be certified by the county department of job and family services; lesser requirements must be met for limited certification, which permits publicly funded child care when the children are from one family (*R.C. 5104.01(SS) and 5104.011*)

voluntary permanent surrender - an agreement between the parents, guardian, or other persons having custody of a child and a public children services agency or private child placing agency in which the child is surrendered into the permanent custody of the agency, allowing the agency to take and care for the child, place the child in a family home, or place the child for adoption (*R.C. 5103.15(B)*)

Wellness Block Grant - a program overseen by the Ohio Family and Children First Cabinet Council and administered by the Department of Job and Family Services that provides county family and children first councils grants to fund community-based programs of prevention services that address issues of broad social concern and to fund state-directed training, evaluation, and education programs pertaining to the issues being addressed (*R.C. 121.371*)

CIVIL SERVICE

certified employee - an employee appointed to a position in the classified service from an eligible list of persons who have passed a civil service examination (*R.C. 124.27*)

civil service - all persons in positions in the service of the state and of the counties, cities, city health districts, general health districts, and city school districts (*R.C. 124.01(A)*)

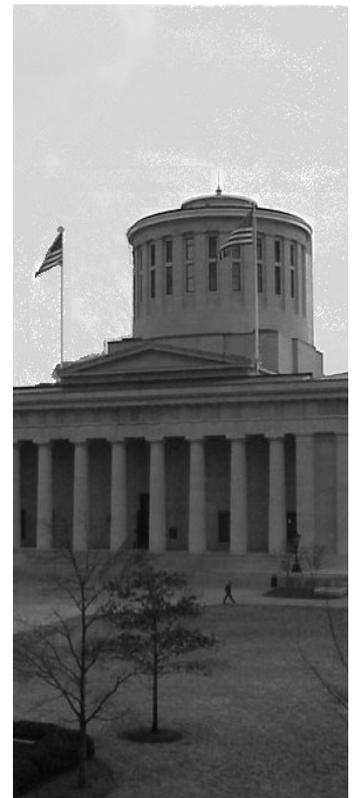
civil service township - a township that has, in its unincorporated area, a population of 10,000 or more, that has a police or fire department employing ten or more full-time paid employees, and that has a civil service commission; employees of civil service townships, with certain exceptions, are members of the classified service (*R.C. 124.01(G)*)

classified service - all persons who hold positions in the civil service who generally: (1) must take competitive or noncompetitive examinations to be appointed or promoted, (2) have appeal rights when they are suspended, demoted, dismissed, or laid off, and (3) are subject to restrictions on their partisan political activity (*R.C. 124.01(C) and (G), 124.03, 124.11(B), 124.34, and 124.57*)

eligible list - a list prepared from the results of a civil service examination that identifies those persons whose general average standing on the examination was not less than a prescribed minimum; persons are ranked on the list in the order of their relative excellence as determined by the examination (*R.C. 124.26*)

Hatch Act - federal statutes that forbid certain federal employees, and state and local government employees whose principal employment is in connection with an activity financed in whole or in part by loans or grants made by the United States or a federal agency, from engaging in specified political activities (*5 U.S.C. 1501 to 1508*)

Little Hatch Act - an Ohio statute that prohibits officers and employees included in the classified service from: (1) being involved in soliciting or receiving any assessment, subscription, or contribution for any political party or candidate for public office, or (2) being an officer in any political organization or taking part in politics other than to vote as the officer or employee pleases and freely to express political opinions; court decisions and opinions of the Attorney General have construed those prohibitions as forbidding only partisan political activity; the statute also prohibits any person from soliciting an assessment, subscription, or payment from an officer or employee covered by those prohibitions (*R.C. 124.57; O.A.C. 123:1-46-02*)



permanent employee - any person in the classified service who is not a provisional employee or who has completed a probationary period after being appointed to a position (*R.C. 124.27 and 124.271*)

provisional employee - an employee appointed to a vacancy in a position in the classified service, for which no eligible list is available, after the employee passes a noncompetitive examination; a provisional employee who demonstrates merit and fitness for the position by successfully completing the probationary period for the position or remains in the position for a six-month period of continuous service, whichever period is longer, becomes a permanent employee in the classified service at the conclusion of that period (*R.C. 124.271 and 124.30*)

unclassified service - all persons who hold positions in the civil service who serve at the pleasure of their appointing authority; persons in the unclassified service: (1) are not required to take examinations to be appointed or promoted, (2) do not have appeal rights when suspended, demoted, dismissed, or laid off, and (3) are not subject to restrictions on their partisan political activity (*R.C. 124.03, 124.11(A), 124.34, and 124.57*)

COLLECTIVE BARGAINING

agency shop - a contractual provision for union security under which all employees covered by a collective bargaining agreement are represented by a union and may be required to pay fees to the union, but are not required to join the union

bargaining unit - a group of employees who are eligible to bargain collectively with their employer through an employee organization; for state employees, the State Employment Relations Board determines the appropriate scope of a bargaining unit by applying criteria specified by law (*R.C. 4117.06*)

closed shop - a contractual provision for union security under which an employer may only consider union members when making new hires and all employees must remain members of the union; closed shop arrangements generally are not permitted under state and federal law

collective bargaining - the process of negotiation between an employer and a labor union for the purpose of instituting or modifying an agreement specifying wages, hours, terms, and other conditions of employment (*R.C. 4117.01(G) for public employees*)

conciliator - a person acting on the authority of the State Employment Relations Board to oversee the final step in a dispute resolution procedure between a public employer and an exclusive employee representative of a police or fire department, corrections officers, or other public employees who are not permitted to strike under Ohio law; for each unresolved issue, the conciliator selects between the final settlement offers offered by each party and issues a final order that is a binding mandate to the parties (*R.C. 4117.14 (D)(1) and (G)*)

employee organization (labor union) - any labor or bona fide organization in which employees participate and that exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, hours, terms, and other conditions of employment (*R.C. 4117.01(D) for public employees*)

exempt employee - commonly used to describe an employee in a job classification that is not eligible for inclusion in a public employee bargaining unit, such as managers, supervisors, confidential employees, and students, or an employee who is a member of such a bargaining unit, but is exempted by statute from joining or financially supporting an employee organization because of religious or conscientious objections; the latter type of exempt employee must pay an amount equal to the fair share fee to a nonreligious, tax-exempt charitable fund mutually agreed upon by the employee and the employee organization (*R.C. 4117.01 and 4117.09; 29 U.S.C. 169*)



fair share fee - a fee that is paid to an employee organization by an employee who is a member of the bargaining unit, but not a member of the employee organization; covers the employee organization's cost of collective bargaining and representation for the employee; federal case law prohibits the use of fair share fees for political or ideological purposes and prescribes procedural safeguards to protect a nonmember's fair share fees from being spent to finance ideological activities unrelated to collective bargaining; under Ohio's Public Employees Collective Bargaining Law, any such expenditures must be returned to the nonmember employee through an internal union rebate procedure (*R.C. 4117.09*)

LMRA (Labor Management Relations Act) (Taft-Hartley Act) - the federal law relating to labor unions and collective bargaining agreements in the private sector; specifically authorizes the President of the United States to order striking union members to return to work for an 80-day cooling-off period on grounds of injury to national security and is the source of federal authorization to the states to enact "right-to-work" laws (*29 U.S.C. 141 et seq.*)

NLRA (National Labor Relations Act) - the federal law that comprehensively regulates labor-management relations in the private sector, particularly collective bargaining, and creates the National Labor Relations Board to oversee the process (*29 U.S.C. 151 et seq.*)

NLRB (National Labor Relations Board) - the federal agency that is responsible for administering federal labor policy (*29 U.S.C. 153 et seq.*)

SERB (State Employment Relations Board) - the state agency that is responsible for the administration and enforcement of the Public Employees' Collective Bargaining Law (*R.C. 4117.02*)

unfair labor practice - specific actions by an employee organization or an employer that are prohibited by law; for an employee organization, such actions include refusing to bargain collectively, striking without following prescribed procedures specified in Ohio law for public employees, boycotting, and picketing in connection with a work stoppage without giving notice (public employees only under state law); for employers, such actions include refusing to bargain collectively, discriminating against employees for exercising their rights under the Public Employees' Collective Bargaining Law or the NLRA, interfering with the formation or administration of an employee organization, and locking out employees (public employers only under state law) (*29 U.S.C. 158; R.C. 4117.11*)

union shop - a contractual provision for union security under which all employees covered by a collective bargaining agreement must become members of the employee organization; the Public Employees' Collective Bargaining Law

COLLECTIVE BARGAINING

specifically forbids this practice, but it is allowed in the private sector under federal law (*29 U.S.C. 158(a)(3); R.C. 4117.09(C)*)

CORPORATIONS

acquiring corporation - in a combination, the domestic corporation whose voting shares are issued or transferred by it or its subsidiaries to the transferor corporation or the transferor corporation's shareholders; in a majority share acquisition, the domestic corporation whose voting shares are issued or transferred by it or its subsidiaries in consideration for shares of a domestic or foreign corporation entitling the holder of the shares to exercise a majority of the voting power in the election of the directors of that corporation (*R.C. 1701.01(S)*)

articles - generally, original articles of incorporation, certificates of reorganization, amended articles, and amendments to any of them (*R.C. 1701.01(D)*)

articles of incorporation - a governing document filed with the Secretary of State that sets forth the basic terms of a corporation's existence, including the name of the corporation and the authorized number and classes of shares (*R.C. 1701.04; Black's*)

certificated security - a security that is represented by a certificate (*R.C. 1308.01(A)(4)*)

classified shares - the shares of a corporation that are issued in different classes with different rights; generally, all shares of a corporation are issued with equal rights unless the articles of the corporation specify different rights for the different classes of shares (*11 Ohio Jur. 3d. Business Relationships § 151*)

close corporation agreement - an agreement that satisfies the following requirements: every person who is a shareholder of the corporation at the time of the agreement's adoption assented to the agreement in writing; the agreement is set forth in the articles, the regulations, or another written instrument; and the agreement includes a statement that it is to be governed by the state statute governing close corporations (*R.C. 1701.01(X) and 1701.591*)

combination - a transaction, other than a merger or consolidation, to which either of the following applies: (1) voting shares of a domestic corporation are issued or transferred in consideration in whole or in part for the transfer to itself or to one or more of its domestic or foreign subsidiaries of all or substantially all of the assets of one or more domestic or foreign corporations, with or without good will or the assumption of liabilities, or (2) voting shares of a foreign parent corporation are issued or transferred in consideration in whole or in part for the transfer of such assets to one or more of its domestic subsidiaries (*R.C. 1701.01(Q)*)



consolidation - the unification of two or more corporations or other entities by dissolving the existing ones and creating a single new corporation or entity (*Black's*)

constituent corporation - an existing corporation that is merging into or into which is being merged one or more other entities in a merger, or an existing corporation that is being consolidated with one or more other entities into a new entity in a consolidation; entities may be domestic or foreign (*R.C. 1701.01(V)*)

constituent entity - an entity that is merging into or into which is being merged one or more other entities in a merger, or an existing entity that is being consolidated with one or more other entities into a new entity in a consolidation; entities may be domestic or foreign (*R.C. 1701.01(V)*)

control share acquisition - the direct or indirect acquisition by any person of shares of an issuing public corporation that, when added to all other shares of the issuing public corporation in respect of which the person may exercise or direct the exercise of voting power, would entitle the person immediately after the acquisition, alone or with others, to directly or indirectly exercise or direct the exercise of the voting power of the issuing public corporation in the election of directors within any of several specified ranges of voting power (*R.C. 1701.01(Z) and 1701.831*)

conversion rights - the right of a holder of a class or series of shares, in accordance with the express terms of the shares of that class or series, to convert those shares into the shares of the same or a different number of shares of any other class or series (*R.C. 1701.21*)

cumulative voting rights - the right of a shareholder to cumulate the voting power that the shareholder possesses by giving one candidate for director the number of votes that is equal to the number of directors to be elected multiplied by the number of the shareholder's votes or to distribute the shareholder's votes on the same principle among two or more candidates for director (*R.C. 1701.55*)

express terms of shares - the statements that are expressed in the articles with respect to a class of shares (*R.C. 1701.01(I)*)

fractional share - a unit of stock that is less than a full share and entitles its holder to exercise the rights of a shareholder (*R.C. 1701.24*)

insolvent - the condition in which a corporation is unable to pay its obligations as they become due in the usual course of its affairs (*R.C. 1701.01(O)*)

CORPORATIONS

interested shares - the shares of an issuing public corporation in respect of which the voting power of the corporation in the election of directors may be exercised or directed by an acquiring person, an officer of the issuing public corporation elected or appointed by the directors of the issuing public corporation, an employee of the issuing public corporation who is also a director, a person that acquires the shares for valuable consideration during an acquisition period that meets statutory guidelines, or a person that transfers the shares for valuable consideration after the record date as to shares so transferred if accompanied by the voting power or an agreement to vote (*R.C. 1701.01(CC)*)

issuing public corporation - a domestic corporation with 50 or more shareholders that has its principal place of business, its principal executive offices, assets having substantial value, or a substantial percentage of its assets within Ohio and as to which no valid close corporation agreement exists (*R.C. 1701.01(Y)*)

junior shares of a class - shares of a class that are junior to shares of another class because their dividend or distribution rights are subordinate to, or dependent or contingent on, any right of, dividend on, or distribution to shares of the other class (*R.C. 1701.01(J)*)

liquidation price - the amount or portion of assets that is required by the articles of a corporation to be distributed to the holders of shares of any class upon dissolution, liquidation, merger, or consolidation of the corporation or upon sale of all or substantially all of its assets (*R.C. 1701.01(N)*)

majority share acquisition - the acquisition of shares of a domestic or foreign corporation entitling the holder of the shares to exercise a majority of the voting power in the election of directors of the corporation without regard to voting power that may thereafter exist upon a default, failure, or other contingency by a domestic corporation in consideration for the issuance or transfer of its voting shares or a domestic or foreign subsidiary in consideration for the issuance or transfer of voting shares of its domestic parent (*R.C. 1701.01(R)*)

merger - the absorption of one corporation or entity that ceases to exist into another corporation or entity that retains its own name and identity and acquires the assets and liabilities of the absorbed corporation or entity; corporate mergers must conform to statutory formalities (*Black's*)

options (option rights) - options that are granted by the directors to shareholders to subscribe for or to purchase shares of any authorized class at the times and on the terms set forth in the securities or in the contracts, warrants, or instruments that evidence the options (*R.C. 1701.16*)

par value - the face or stated value of a share of stock or bond (*Black's*)

parent corporation (parent) - a domestic or foreign corporation that owns and holds of record shares of another domestic or foreign corporation entitling the holder of the shares at the time to exercise a majority of the voting power in the election of the directors of the other corporation without regard to voting power that may thereafter exist upon a default, failure, or other contingency (*R.C. 1701.01(P)*)

piercing the corporate veil - the judicial act of imposing personal liability on otherwise immune corporate officers, directors, and shareholders for the corporation's wrongful acts (*Black's*)

pre-emptive rights - the privilege of a stockholder to maintain a proportionate share of ownership by purchasing a proportionate share of new stock issues (*R.C. 1701.15; Black's*)

proxy - a person who is appointed by a writing signed by, or a verifiable communication authorized by, a person entitled to attend a shareholder's meeting, to vote at a shareholder's meeting, or to execute consents, waivers, or releases and who represents the appointing person at the meeting or votes at the meeting, executes consents, waivers, and releases, and exercises the appointing person's other rights (*R.C. 1701.48*)

record date - the date on which a person must be registered as a shareholder on the stock book of a company in order to receive a declared dividend or, among other things, to vote on company affairs (*R.C. 1701.45; Black's*)

redemption of shares - the right under the express terms of shares of any class or series in which shares may be redeemable, in whole at one time or in part from time to time, at the option of the corporation, or at a specified time or event, in the manner and upon the conditions, price, and notice provided in the express terms (*R.C. 1701.23*)

retire a share - to restore a share to the status of an authorized, but unissued share; shares are deemed retired when: (1) convertible shares are converted into shares of another class, (2) redeemable shares are redeemed, purchased, or otherwise acquired by the corporation, (3) shares are released from subscription, or (4) the directors retire treasury shares unless otherwise provided in the articles (*R.C. 1701.01(L) and 1701.36*)

scrip - a document that entitles the holder to receive something of value; in corporations, an instrument executed and delivered in lieu of a certificate for

CORPORATIONS

fractional shares that is exchangeable for full shares as provided in the scrip, but does not entitle the holder to any rights as a shareholder except as provided in the scrip (*R.C. 1701.24; Black's*)

security - generally, an obligation of an issuer or a share, participation, or other interest in an issuer or in property or an enterprise of an issuer that is represented by a security certificate or the transfer of which may be registered on books maintained for that purpose by or on behalf of the issuer, that is one of a class or series or by its terms is divisible into a class or series of shares, participations, interests, or obligations, and that is, or is of a type, that is dealt in or traded on securities exchanges or securities markets or is a medium for investment and by its terms expressly provides that it is a security governed by the Investment Securities Law; a share or similar equity interest that is issued by a corporation, business trust, joint stock company, or similar entity (*R.C. 1308.01(A)(15) and 1308.02*)

stated capital - the amount of capital that is contributed by stockholders; the sum of the par value of all par value shares issued or an amount set by the board of directors if the stocks are without par value; the stated capital of a corporation is the aggregate stated capital of all classes of outstanding shares (*R.C. 1701.30*)

statutory agent - the agent of a corporation on whom may be served any process, notice, or demand that is required or permitted by statute to be served on the corporation; may be a natural person who is an Ohio resident, a domestic corporation, or a foreign corporation that holds an Ohio license as such, is authorized by its articles of incorporation to act as a statutory agent, and has an Ohio business address (*R.C. 1701.07*)

subsidiary corporation (subsidiary) - a domestic or foreign corporation of which another domestic or foreign corporation is the parent (*R.C. 1701.01(P)*)

surviving corporation - the constituent domestic or foreign corporation that is specified as the corporation into which one or more other constituent entities are to be or have been merged (*R.C. 1701.01(W)*)

surviving entity - the constituent domestic or foreign entity that is specified as the entity into which one or more other constituent entities are to be or have been merged (*R.C. 1701.01(W)*)

tender offer - the acquisition of significant blocks of a public corporation's securities in the open market or private transactions in connection with actual or apparent efforts to acquire control of the corporation; an acquisition device that has evolved in recent years and has not been subject to the normal corporate approval

mechanisms involved in traditional types of acquisition transactions such as mergers, consolidations, combinations, and majority share acquisitions (*R.C. 1701.832*)

transfer agent - an agent who is employed by a corporation to keep the records of its shares, or to transfer or to register shares, or both, in any state and whose acts are binding on the corporation (*R.C. 1701.26*)

transferee corporation - the domestic or foreign corporation to which the assets are transferred in a combination (*R.C. 1701.01(Q)*)

transferor corporation - the domestic or foreign corporation that transfers the assets in a combination and to which, or to the shareholders of which, the voting shares of the domestic or foreign corporation are issued or transferred (*R.C. 1701.01(Q)*)

treasury shares - shares belonging to a corporation and not retired that have been either issued and acquired by the corporation or paid as a dividend or distribution in shares of the corporation on treasury shares of the same class; generally, are not considered an asset or liability of the corporation or as outstanding for dividend, distribution, quorum, voting, or other purposes (*R.C. 1701.01(K)*)

ultra vires - an act of a corporation that is beyond the authority of the corporation; ultra vires claims cannot be raised except in actions by the state against the corporation, actions by or on behalf of a corporation against an officer, director, or shareholder as such, actions by shareholders as such or by or on behalf of holders of shares of any class against the corporation, a director, an officer, or a shareholder as such, and actions for overissue of shares (*R.C. 1701.13(H)*; *Black's*)

uncertificated security - a security that is not represented by a certificate (*R.C. 1308.01(A)(18)*)

unissued shares - the stock of a corporation that has been authorized, but is not outstanding (*Black's*)

voting rights - the right of the holder of each outstanding share, regardless of class, to one vote on each matter that is properly submitted to the shareholders for their vote, consent, waiver, release, or other action subject to the holder's cumulative voting rights (*R.C. 1701.44*)

CORPORATIONS

voting shares - when used in a combination or majority share acquisition, the shares of a domestic or foreign corporation entitling the holder of the shares to vote at the time in the election of the directors of that corporation without regard to voting power that may thereafter exist upon a default, failure, or other contingency (*R.C. 1701.01(T)*)

voting trust - a written agreement by which any holder of certificates of shares may deposit them with one or more persons as trustees, or with any designated depository to act for the trustees, for the purpose and with the effect of granting to the trustees or designated persons all the voting, consenting, or other rights in respect of the shares represented by the certificates or any of those rights specified in the agreement, or for other lawful purposes specified in the agreement, for the period and upon the terms stated in the agreement (*R.C. 1701.49*)

COURTS AND CIVIL LAW

ademption doctrine (ademption) - the revocation, cancellation, or modification of a specific bequest that results when the thing specifically bequeathed no longer exists or exists in its original form at the testator's death or when, in the lifetime of the testator, he or she made a gift or provided a substitute for the bequeathed item and an intention to revoke or cancel the bequest was evidenced by that act (*R.C. 2107.33 to 2107.36*)

administrator de bonis non (administrator D.B.N.) - the person to whom the probate court grants letters of administration, with the will annexed or otherwise as necessary, who administers a decedent's estate when the sole executor or administrator of the estate dies without having fully administered the estate and there is personal estate to be administered or debts due from the estate in an amount of at least \$20 (*R.C. 2113.19*)

adverse possession - a method of obtaining title to real property by possession for a statutory period under specified conditions; is based on the state's statute of limitations for bringing an action to recover title to or possession of real property; the elements are: open and notorious possession, exclusive possession, adverse and hostile possession, and continuous possession, all for more than 21 years (*R.C. 2305.04; 2 Ohio Jur. 3d Adverse Possession § 9; Black's*)

amercement - the imposition of a discretionary fine by a court, especially on an official for misconduct (*R.C. Chapter 2707.; Black's*)

ancillary administration - an administration of a decedent's estate that is auxiliary to the administration of the estate at the place of the decedent's domicile such as one in another state (*R.C. Chapter 2129.; Black's*)

attachment - the seizing of a person's property to secure a judgment or to be sold in satisfaction of a judgment (*R.C. Chapter 2715.; Black's*)

business trust - a form of business organization, similar to a corporation, in which investors receive transferable certificates of beneficial interest instead of stock shares (*R.C. 1746.01; Black's*)

codicil - a supplement or addition to a will, not necessarily disposing of the entire estate, but modifying, explaining, or otherwise qualifying the will; must be executed in the same manner as a will in order to be valid; when admitted to probate, the codicil becomes a part of the will (*R.C. Chapter 2107.; Black's*)



collateral benefits - benefits that are paid by any source, including workers' compensation benefits, to or on behalf of the plaintiff as a result of an injury or loss to person or property regardless of whether there is an obligation to pay back the money or other benefits, in whole or in part, upon recovery in a tort action; does not include life insurance proceeds (*R.C. 2315.20*)

comparative negligence - a doctrine under which the plaintiff's recovery in a tort action is reduced in proportion to the amount of negligence attributed to the person for whose injury, damage, or death recovery is sought (*R.C. 2315.19*)

conscious presence - within the range of any of the testator's senses, excluding the sense of sight or sound that is sensed by telephonic, electronic, or other distant communication (*R.C. 2107.03 and 2107.24*)

cy pres doctrine - the equitable doctrine under which a court reforms a written instrument with a gift to charity as closely to the donor's intention as possible so that the gift does not fail (*R.C. 2131.08(C); Black's*)

declaratory judgment - a judgment of a court that declares rights, status, and other relations when the plaintiff is in doubt as to his or her legal rights (*R.C. Chapter 2721.; Civil Rule 57*)

deposition - a written testimony of a witness under oath, made upon notice to the adverse party, in response to oral questions or written interrogatories, but not in open court (*R.C. 2319.02; Civil Rules 26 to 32*)

discovery - the pre-trial devices that can be used by one party to obtain facts and information about the case from the other party in order to assist the party's preparation for trial; tools of discovery include depositions, written interrogatories, production of documents or things, request for admissions, physical and mental examinations, and permission to enter on land or other property (*Civil Rules 26 to 37; Criminal Rules 15 and 16*)

DNR order (do-not-resuscitate order) - see Health Care

dormant judgment - a judgment that cannot operate as a lien on the estate of the judgment debtor when five years have elapsed since the later of the rendering of the judgment, the last filing of a certificate of judgment with the clerk of the court of common pleas, or the last filing of a certificate of judgment to obtain a lien on real property; a dormant judgment can be revived (*R.C. 2325.15 to 2325.20 and 2329.07*)

COURTS AND CIVIL LAW

estoppel - a bar that prevents one from asserting a claim or right that contradicts what one has said or done before or what has been legally established as true (*Black's*)

forcible entry and detainer action - a proceeding for regaining possession of real property from someone who has wrongfully taken or refused to surrender possession (*R.C. Chapter 1923.; Black's*)

garnishment - a proceeding by which a plaintiff creditor who has a judgment against a person seeks to collect the judgment out of the property or personal earnings of the person that are in the possession of a third party (*R.C. Chapter 2716.*)

good samaritan statute - a statute that provides an immunity from civil damages for administering emergency care or treatment at the scene of an emergency outside of a hospital, doctor's office, or other place having proper medical equipment, for acts performed at the scene of the emergency, unless the acts constitute willful or wanton misconduct (*R.C. 2305.23*)

holographic will - a will that is handwritten by the testator and is typically unattested; is invalid in Ohio because it is not attested by two witnesses as required by statute (*R.C. 2107.03; Black's*)

injunction - a court order commanding or preventing an action (*R.C. Chapter 2727.; Civil Rule 65; Black's*)

interpleader - a procedure in civil proceedings by which persons having claims against the plaintiff may be joined as defendants and required to interplead when their claims are such that the plaintiff is or may be exposed to double or multiple liability; a defendant exposed to similar liability may obtain interpleader by way of cross-claim or counterclaim (*Civil Rule 22*)

interrogatories - a pretrial discovery device consisting of written questions about the case that are submitted by one party to the other party, a witness, or any other person having information of interest in the case; a court may submit to the jury written interrogatories on one or more issues of fact that the jury must decide and that are necessary to a verdict (*Civil Rules 33 and 49*)

judicial notice - a court's acceptance, for purposes of convenience and without requiring a party's proof, of a well-known and indisputable fact, e.g., the laws of the

state, international law, historical events, the Constitution, or geographical features (*Black's*)

letters of administration - a formal document that is issued by the probate court to appoint the administrator of an estate; generally, is issued when there is no will, the executor named in the will or nominated by persons given authority to do so in the will dies or is otherwise disqualified, or the power to nominate an executor cannot be exercised (*R.C. 2113.01 and 2113.05; Black's*)

letters testamentary - a probate court order approving the appointment of an executor under a will and authorizing the executor to administer the estate; is issued when there is a will and an executor is named in the will or nominated by persons given the authority to do so in the will (*R.C. 2113.05; Black's*)

lis pendens - a doctrine under which the purchaser of property is bound by the results of any pending court action; in Ohio, when a complaint is filed in a court action, the action is pending so as to charge third persons with notice of its pendency; while that action is pending, third parties cannot acquire any interest in the property that is superior to the plaintiff's title in the property (*R.C. 2703.26*)

long-arm jurisdiction - the jurisdiction of Ohio courts over a nonresident that results from the nonresident's actions such as transacting business in Ohio, contracting to supply goods or services in Ohio, committing a tort in Ohio by actions within Ohio or outside Ohio in specified circumstances, having an interest in real property in Ohio, or contracting to insure any person, property, or risk in Ohio (*R.C. 2307.381 to 2307.385; Civil Rule 4.3(A)*)

mandamus - a writ, issued in the name of the state to an inferior tribunal or a corporation, board, or person, commanding the performance of an act that the law specially requires the tribunal, corporation, board, or person to perform (*R.C. 2731.01*)

nuncupative will - an oral will that is made by the testator in the testator's last sickness, is reduced to writing, and is subscribed by two competent, disinterested witnesses within ten days after the speaking of the testamentary words (*R.C. 2107.60*)

peer review committee - a utilization review committee, quality assurance committee, quality improvement committee, tissue committee, credentialing committee, or other committee that conducts professional credentialing and quality review activities involving the competence or professional conduct of health care practitioners

peremptory challenge - one of a party's limited number of challenges of jurors that do not need to be supported by a reason unless the opposing party makes a prima facie showing that a challenge was used to discriminate on the basis of race, ethnicity, or sex (*R.C. 2938.06 and 2945.21; Civil Rule 47(B); Criminal Rule 24(C) and (D); Black's*)

pour-over trust - an inter vivos trust that receives property, usually the residual estate, from a will upon the testator's death (*R.C. 2107.63; Black's*)

praecipe - at common law, a writ ordering a defendant to do some act or to explain why inaction is appropriate (*R.C. 2303.11; Black's*)

presumed decedent - a person who has disappeared and been continuously absent from the person's place of last domicile for a five-year period without being heard from during that period, or a person who has disappeared and been continuously absent from the person's place of last domicile without being heard from and who, at the beginning of the person's absence, was exposed to a specific peril of death even though the absence has continued for less than a five-year period (*R.C. 2121.01*)

pretermitted heir - a child who is born alive or adopted by a testator, an heir who is designated by a testator, or a child or designated heir who is absent and reported to be dead who proves to be alive after the testator makes a last will and testament (*R.C. 2107.34*)

privileged communication - a communication that is protected by law from compelled disclosure in a legal proceeding or that cannot be used against the person who made it; in Ohio, includes communications between a husband and wife, attorney and client, doctor and patient, and priest and penitent (*R.C. 2317.02; Black's*)

process - a summons or writ, especially to appear or respond in court (*Black's*)

quality assurance program - a program that health insuring corporations providing basic health care services are required to implement that does all of the following: (1) identifies a corporate board or committee or designates an executive staff person responsible for program implementation and compliance, (2) includes a process enabling the selection and retention of quality providers and health care facilities through credentialing, recredentialing, and monitoring procedures, (3) provides for ongoing monitoring of the quality assurance program, (4) assures a process for compliance by any entity or entities with which the health insuring corporation

contracts for services, and (5) includes a process to take remedial action to correct quality problems (*R.C. 1751.73*)

quo warranto-proceedings against a corporation - a civil action in quo warranto that is brought in the name of the state against a corporation when: (1) it has violated a law providing for its creation or renewal, (2) it has forfeited its privileges and franchises by nonuse, (3) it has committed or omitted an act that amounts to a surrender of its corporate rights, privileges, and franchises, (4) it has misused a franchise, privilege, or right conferred on it by law, or it claims or holds by contract or otherwise or has exercised a franchise, privilege, or right in contravention of law, or (5) any application for a license to transact business in this state filed by a foreign corporation, any articles of incorporation of a domestic corporation or any amendment to them, or any certificate of merger or consolidation that sets forth a corporate name prohibited by state law has been improperly approved and filed (*R.C. 2733.02*)

quo warranto-proceedings against a person - a civil action in quo warranto that is brought in the name of the state against: (1) a person who usurps, intrudes into, or unlawfully holds or exercise a public office, civil or military, or a franchise, within this state, or an office in a corporation created by the authority of this state, (2) a public officer, civil or military, who does or suffers an act that, by law, works a forfeiture of the person's office, or (3) an association of persons who act as a corporation within this state without being legally incorporated (*R.C. 2733.01*)

rebuttable presumption - an inference drawn from certain facts that establish a prima facie case, which may be overcome by the introduction of contrary evidence (*Black's*)

receivership - a legal or equitable proceeding in which a receiver is appointed in the following cases: (1) in an action by a vendor or creditor or between partners dealing with property, (2) in an action by a mortgagee for the foreclosure of his or her mortgage and sale of the mortgaged property, (3) after judgment, to carry the judgment into effect, (4) after judgment, to dispose of the property according to the judgment, or to preserve it during the pendency of an appeal, or when an execution has been returned unsatisfied and the judgment debtor refuses to apply the property in satisfaction of the judgment, (5) when a corporation has been dissolved, or is insolvent or in imminent danger of insolvency, or has forfeited its corporate rights, or (6) in all other cases in which receivers have been appointed by the usages of equity (*R.C. 2735.01*)

remainder - a future interest arising in a third person, that is, someone other than the estate's creator, its initial holder, or the heirs of either, who is intended to take the future interest after the natural termination of the preceding estate (*R.C. 2131.04 to 2131.07; Black's*)

COURTS AND CIVIL LAW

replevin - an action for the repossession of personal property wrongfully taken or detained by the defendant whereby the plaintiff gives security for and holds the property until the court decides who owns it (*R.C. Chapter 2737.; Black's*)

res gestae (excited utterance) - a statement relating to a startling event or condition made while the declarant was under the stress of excitement caused by the event or condition; represents an exception to the hearsay rule (*Evidence Rule 803(3)*)

revivor of judgment - an action that is brought to revive a judgment or finding for money that has become dormant; a revived judgment acts as a lien on property and can be enforced in the same manner as any other judgment (*R.C. 2325.15 to 2325.20*)

second chance trust fund - a fund established in statute that consists of voluntary contributions and that can be used only for statutorily established purposes related to organ, tissue, and eye donation (*R.C. 2108.01 to 2108.09, 2108.15, 4503.721, 4506.081, 4507.231, and 4507.501*)

special counsel (outside counsel) - an attorney appointed to represent the state in civil actions, criminal prosecutions, or other proceedings in which the state is a party or directly interested (*R.C. 109.07*)

spoliated will - the intentional destruction or the significant and meaningful alteration of a will (*R.C. 2107.26 to 2107.28*)

statute against perpetuities - a statute providing that, generally, no interest in real or personal property is good unless it must vest, if at all, not later than 21 years after a life or lives in being at the creation of the interest (*R.C. 2131.08*)

statute of descent and distribution - statutory distribution of the personal property, real estate, or inheritance of a person who dies without a will (*R.C. 2105.06*)

statute of limitations - a provision of law that limits the period of time after a particular type of cause of action has accrued during which that type of cause of action may be brought

statute of repose - a provision of law that limits the time during which a cause of action may be brought whether or not the cause of action has accrued prior to that time

subrogation - the substitution of one party for another whose debt the party pays, entitling the paying party to rights, remedies, or securities that would otherwise belong to the debtor (*Black's*)

supersedeas bond - an appellant's bond to stay execution on a judgment during the pendency of the appeal (*Black's*)

testamentary trustee - a trustee that is appointed by or acting under a will or appointed to carry out a trust created by a will (*Black's*)

TOD (transfer-on-death) - a method of transferring assets (real property, motor vehicles, securities, bank accounts) upon the death of a person without using another testamentary vehicle or going through a probate proceeding; designation of a transfer-on-death beneficiary has no effect on ownership until the death of the owner of the asset; may be canceled or changed at any time by the sole owner or all of the then surviving owners of the asset without the consent of the beneficiary

tolling of statute of limitations - a law that interrupts the running of a statute of limitations for a cause of action during the defendant's absence from the jurisdiction, during the plaintiff's minority, or for other statutorily specified reasons (*R.C. 2305.16; Black's*)

tort - a civil wrong, other than breach of contract, for which a remedy may be obtained, usually in the form of damages; a breach of a duty that the law imposes on persons who stand in a particular relation to one another (*Black's*)

trial de novo (new trial) - a postjudgment retrial or reexamination of some or all of the issues determined in an earlier judgment (*Black's*)

utilization review - see **Insurance**

venire - a panel of persons selected for jury duty and from whom the jurors are to be chosen (*Black's*)

venue - the particular county or geographic area in which a court with jurisdiction may hear and determine a case (*Civil Rule 3(B) to 3(G); Criminal Rule 18*)

COURTS AND CIVIL LAW

writ - a court's written order, in the name of the state or other competent legal authority, commanding the addressee to do or refrain from doing some specified act (*Black's*)

Adam Walsh Act (Adam Walsh Child Protection and Safety Act of 2006) - a federal act, which became law on July 27, 2006, that comprehensively revised the national standards for sex offender registration and notification that were established in the federal Wetterling Act and subsequent amendments

affirmative defense - a pleading of the defendant that constitutes a defense to a criminal charge even if the charge is true (*R.C. 2901.05; Black's*)

AFIS (Automated Fingerprint Identification System) - the system maintained by the Bureau of Criminal Identification and Investigation in the Attorney General's Office that houses more than a million criminal records and matching fingerprint databases

allied offenses of similar import - offenses whose elements correspond to such a degree that commission of one offense constitutes commission of the other offense; a defendant may be charged with two or more allied offenses of similar import, but may be convicted of only one of those offenses (*R.C. 2941.25; State v. Bickerstaff (1984), 10 Ohio St.3d 62*)

arraignment - when a person is charged with a criminal offense, the court proceeding at which the indictment, information, or complaint containing the charge is read to the person or the substance of the charge is stated to the person and at which the person is called on to plead to the charge (*R.C. 2937.01 to 2937.09 and 2943.01 to 2943.04; Criminal Rule 10*)

attempt - a criminal offense that involves engaging in conduct that, if successful, would constitute or result in an offense; abandonment or prevention of the offense in question, in specified circumstances, is a defense to attempt, but impossibility of the offense attempted is not; generally, is a felony or misdemeanor one degree lower than the offense attempted (*R.C. 2923.02*)

bad time - the time by which the Parole Board administratively extends an offender's stated prison term or terms because the offender, while serving the prison term or terms, committed a criminal offense whether or not the offender is prosecuted for the offense; the Ohio Supreme Court has declared the bad time provisions to be unconstitutional (*R.C. 2929.01(B) and 2967.11; State ex rel. Bray v. Russell (2000), 89 Ohio St.3d 132*)



castle doctrine - a doctrine stating that a person's home is the person's castle and, hence, the person may use all manner of force, including deadly force, to protect it and its inhabitants from attack (*Black's*)

CBCF (community based correctional facility) - a correctional facility, serving one or more counties, in which felons may be incarcerated for up to six months under a community residential sanction (*R.C. 2301.51 to 2301.58, 2929.16, and 2929.34*)

CODIS (Combined DNA Index System) - the national database that contains digital profiles of DNA from convicted sex offenders and other violent criminals

Communications Interception Law (Wiretapping Law) - statutes that generally prohibit the acquisition and use of the contents of wire, oral, or electronic communications, except by certain authorized persons in specified circumstances, that authorize and regulate the issuance of interception warrants to specified investigative officers, and that authorize the use of pen registers and trap and trace devices in specified circumstances (*R.C. 2933.51 to 2933.66, 2933.76, and 2933.77*)

community control sanction - a sanction that may be imposed on a convicted offender, that is not a jail or prison term, and that includes community residential sanctions, nonresidential sanctions, and financial sanctions (*R.C. 2929.01(F), 2929.15 to 2929.18, and 2929.26 to 2929.28*)

community corrections - generally, mechanisms by which state funds and responsibilities shift from the state to local units of government and community agencies to develop and deliver alternative sanctions in lieu of jail or prison for certain offenders

community justice - a process that focuses on creating linkages between the police, courts, prosecutors, and corrections and the communities they serve; an alternative to the traditional way of thinking about crime and criminal justice that focuses on punishing offenders and largely ignores the victims and communities that are most hurt by crime

community residential sanction - a confinement-based sanction that may be imposed on a convicted offender, including, but not limited to, a term in a community based correctional facility, a term in a halfway house, a term in an alternative residential facility, or a jail term rather than a prison term for a convicted felon (*R.C. 2929.16 and 2929.26*)

community service work - subject to certain limitations and conditions, supervised work that a court may require an offender to perform without pay under the authority of political subdivisions or state or local agencies or under the authority of charitable organizations that render services to the community or its citizens; under certain circumstances, a court may permit an offender to satisfy the payment of a fine by performing supervised community service work (*R.C. 2951.02(B)*)

complicity (accomplice liability) - a criminal offense that involves soliciting or procuring another to commit an offense, aiding or abetting another in committing an offense, conspiring with another to commit an offense, or causing an innocent or irresponsible person to commit an offense (*R.C. 2923.03*)

conspiracy - a criminal offense that prohibits a person, with purpose to commit any of a list of specified offenses, from: (1) with another person or persons, planning or aiding in planning the commission of any of the offenses, or (2) agreeing with another person or persons that one or more of them will facilitate the commission of any of the offenses (*R.C. 2923.01*)

contraband - property that is unlawful to acquire or possess or that has been determined by a court to be contraband, including, but not limited to, certain property, devices, or paraphernalia involved in the violation of specified laws; is subject to seizure and forfeiture under the Contraband Forfeiture Law (*R.C. 2901.01(A)(13) and 2981.01 to 2981.14*)

controlled substance - a drug, compound, mixture, preparation, or substance that is included in one of the controlled substances schedules; is regulated under numerous laws (compare with "drug" and "dangerous drug") (*R.C. 3719.01(C)*)

controlled substance schedules - schedules of drugs, compounds, mixtures, preparations, and substances that range from Schedule I, which contains the most restricted controlled substances, to Schedule V, which contains the least restricted controlled substances; are prescribed by statute, but incorporate modifications made by the U.S. Attorney General and the State Board of Pharmacy (*R.C. 3719.01, 3719.41, 3719.43, and 3719.44*)

Corrupt Activity Law (RICO, racketeering laws, organized crime laws) - Ohio's organized crime statutes, which provide for enhanced penalties, including property forfeiture, for a person convicted of engaging in a pattern of corrupt activity in certain circumstances (*R.C. 2923.31 to 2923.36*)

corrupting another with drugs - an offense generally involving administering to or causing a person to use a controlled substance by force, threat, or deception (*R.C. 2925.02*)

Crime Victims Rights Law - a constitutional provision and statutes that provide a victim of certain crimes and delinquent acts specified rights, including the right to be notified of certain events relating to the offender's arrest, trial, sentence or disposition, and possible release, the right to make statements during or in relation to specified court or release proceedings, and the right to be present at proceedings relating to the offense (*Section 10a, Article I, Ohio Constitution; R.C. Chapter 2930.*)

Criminal Gang Activity Law (anti-gang law) - statutes pertaining to gang activities, including: (1) a prohibition against a person who actively participates in a criminal gang, with knowledge that the gang engages in or has engaged in a pattern of criminal gang activity, from purposely promoting, furthering, or assisting, or purposely committing or engaging in, any criminal conduct, and (2) establishment of mandatory prison terms and mandatory terms of institutionalization (*R.C. 2923.41 to 2923.44, 2929.14(I), 2941.142, and 2152.17(C)*)

criminal jurisdiction - the circumstances that give Ohio prosecutors authority to criminally prosecute, and Ohio courts authority to punish, a person for committing an offense; the circumstances require a nexus between Ohio and the person's actions, the effects of those actions, or the intended effects of those actions; a particular court's jurisdiction depends on where an offense is committed and whether an offense is a felony or misdemeanor (*R.C. 1901.20, 1905.01, 1907.02, 2901.11, and 2931.03*)

criminal venue - the place where the trial of a criminal case in Ohio must be held, that is, in a court having jurisdiction over the subject matter and in the territory in which the offense or any element of the offense was committed (*R.C. 2901.12; Criminal Rule 18*)

culpable mental state (mens rea, level of intent) - an offender's mental state that must be proved before criminal liability may be imposed; the culpable mental states are purposely, knowingly, recklessly, and negligently; if there is no culpable mental state specified for the offense, the default mental state generally is recklessly, but there is strict liability in certain cases (*R.C. 2901.21 and 2901.22*)

dangerous drug - a drug that, under federal law, must bear a label requiring the drug to be dispensed by prescription or containing a similar restrictive statement; a drug that may be dispensed only upon prescription; specified Schedule V controlled substances; and a drug intended for administration by injection into the human body

other than through a natural bodily orifice (compare with "drug," "controlled substance," and "harmful intoxicant") (*21 U.S.C. 301; R.C. 4729.01*)

dangerous ordnance - any automatic or sawed-off firearm, firearm silencer or muffler, ballistic knife, zipgun, explosive or incendiary device, military firearm, or other specified item (*R.C. 2923.11(K) and (L)*)

day fine - a fine that is based on a standard percentage of an offender's daily income over a period of time as determined by the court based on the seriousness of the offense (*R.C. 2929.18(A)(2)*)

day reporting - a nonresidential sanction pursuant to which an offender is required each day to report to and leave a center or other approved reporting location at specified times in order to participate in work, education or training, treatment, and other approved programs at the center or outside the center (*R.C. 2929.01(I)*)

designated homicide, assault, or kidnapping offense - as used in the Sexually Violent Predator Law and the SORN Law, aggravated murder, murder, felonious assault, kidnapping, involuntary manslaughter committed in relation to a felony or attempted felony, and an attempt to commit or complicity in committing any of those offenses if the attempt or complicity is a felony (*R.C. 2971.01(B)*)

detention - arrest; confinement of an alleged or convicted offender or an alleged or adjudicated delinquent or unruly child; hospitalization, institutionalization, or confinement of a person found incompetent to stand trial or not guilty by reason of insanity; detention for extradition or deportation; confinement in a vehicle subsequent to arrest or for transport to or from confinement; confinement in a vehicle, airplane, or place while being returned to Ohio in specified circumstances; and specified supervised releases from confinement or other types of supervision; is used in the offense of escape (*R.C. 2921.01(E)*)

detention facility - a place that is used for the confinement of a person who is charged with or convicted of a crime or alleged or found to be a delinquent or unruly child (*R.C. 2921.01(F)*)

DNA database - the database maintained by the Bureau of Criminal Identification and Investigation that contains DNA records from forensic casework or from crime scenes, DNA specimens from anonymous and unidentified sources, DNA specimens taken from persons convicted of, or adjudicated delinquent children for committing, specified crimes and confined for the offense or act, and a population statistics database (*R.C. 109.573, 2152.74, and 2901.07*)

drug - any article that is intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or animals; any article, other than food, that is intended to affect the structure or any function of a human or animal body; and, generally, any article that is intended for use as a component of any of those articles (compare with "controlled substance," "dangerous drug," and "harmful intoxicant") (*R.C. 4729.01(E)*)

earned credits - credits that a person who is confined in a state correctional institution earns that reduce the length of the person's stated prison term by one day for each full month that the person productively participates in an education program, vocational training, employment in prison industries, substance abuse treatment, sex offender treatment, or specified other programs (*R.C. 2967.193*)

economic harm - all direct, incidental, and consequential pecuniary harm that is suffered by a victim as a result of criminal conduct; the amount of economic harm caused is a factor that is used in determining the penalty for the offenses of inducing panic, making false alarms, and telecommunications harassment (*R.C. 2917.21, 2917.31, and 2917.32*)

equivalent offense - the offense of OVI or OVUAC or similar watercraft-related offenses, a violation of a current or former municipal ordinance, current or former law of another jurisdiction, or former state law substantially equivalent to any of those offenses, or a violation of any of a list of other specified state or municipal alcohol-related and vehicle-related offenses; the number of prior convictions of equivalent offenses is used in determining the penalty for OVI and OVUAC and similar watercraft-related offenses and the length of certain license suspensions under the Implied Consent Law (*R.C. 4511.181(A), 4511.19(G) and (H), and 4511.191*)

escorted visit - a supervised release from confinement that the Department of Rehabilitation and Correction is permitted to grant to certain prisoners confined in state correctional facilities for the limited purpose of visiting a dying relative or having a private viewing of the body of a deceased relative (*R.C. 2967.27*)

ethnic intimidation - an offense involving the commission of aggravated menacing, menacing, criminal damaging or endangering, criminal mischief, or certain types of telecommunications harassment by reason of the race, color, religion, or national origin of another person or group of persons (*R.C. 2927.12*)

financial sanction - a sanction that may be imposed on a convicted felon and that consists of restitution, day fines, statutory (conventional) fines, and reimbursement of the governmental costs of implementing other sanctions imposed for the offense (*R.C. 2929.18*)

Forfeiture Laws - a series of laws that authorize the forfeiture to the state of property related to specified criminal activity and the fruits of specified criminal activity, including, but not limited to, corrupt activity under the Corrupt Activity Laws, a felony violation of the Drug and Controlled Substances Laws, possession of and dealing in contraband, Medicaid fraud, and felony OVI and other specified motor vehicle crimes (*R.C. Chapter 2981.*)

habeas corpus - an extraordinary remedy under Ohio law that alleges that a person is unlawfully imprisoned or restrained of the person's liberty or is unlawfully deprived of the custody of another; generally, is not available as a means of relief if there is an adequate remedy at law and, generally, is limited to a review of court jurisdictional issues although exceptions are made in certain circumstances; does not involve a direct appeal of the case in question and is separate and distinct from federal habeas corpus and from Ohio post conviction relief procedures (*Section 8, Article I, and Sections 2 and 3, Article IV, Ohio Constitution; R.C. Chapter 2725.*)

harmful intoxicant - any compound, mixture, preparation, or substance the gas, fumes, or vapor of which when inhaled can induce intoxication, excitement, giddiness, irrational behavior, depression, stupefaction, paralysis, unconsciousness, asphyxiation, or other harmful physiological effects; examples include plastic cement, model cement, fingernail polish remover, lacquer thinner, cleaning fluid, and gasoline; does not include beer or intoxicating liquor; is used in the offenses of abusing harmful intoxicants and trafficking in harmful intoxicants, the general definition of "drug of abuse," and the Nursing Law and Chiropractic Law (*R.C. 2925.01(I)*)

harmful to juveniles (material or performance) - a quality of any material or performance that describes or represents nudity, sexual conduct, sexual excitement, or sado-masochistic abuse in any form to which all of the following apply: (1) the material or performance, when considered as a whole, tends to appeal to the prurient interest of juveniles in sex, (2) the material or performance is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for juveniles, and (3) the material or performance, when considered as a whole, lacks serious literary, artistic, political, and scientific value for juveniles (*R.C. 2907.01(E)*)

having physical control of a vehicle while under the influence - a crime that prohibits a person from being in physical control of a vehicle while under the influence of alcohol, a drug of abuse, or both or while the person's whole blood, blood serum or plasma, breath, or urine contains an illegal concentration of alcohol; "physical control" means being in the driver's position of a vehicle and having possession of its ignition key or device; in general, has a less stringent penalty than OVI (*R.C. 4511.194*)

importuning - a series of prohibitions that relate, in a variety of circumstances, to a person's solicitation of another to engage in sexual activity (*R.C. 2907.07*)

intervention in lieu of conviction - court-supervised activities, including abstention from the use of illegal drugs and alcohol, random drug and alcohol testing, and other treatment or community control-type conditions, that a court may impose on an offender charged with a criminal offense, at the offender's request, in lieu of a criminal conviction; successful completion of a supervised intervention plan results in dismissal of the criminal proceedings, but failure to comply results in a finding of guilt and the imposition of criminal sanctions (*R.C. 2951.041*)

IST (incompetent to stand trial) - the incapability of a criminal defendant to understand the nature and objective of the proceedings against the defendant or to assist in the defendant's defense; if a court finds a defendant incompetent to stand trial, the court generally must order the defendant to undergo treatment for a specified time period or must order the discharge of the defendant, seek to retain jurisdiction over the defendant, or seek the civil commitment of the defendant (*R.C. 2945.37 to 2945.39*)

jail time credit - the required reduction in a stated prison term or, if a prisoner is serving a term for which there is parole eligibility, in the minimum and maximum term or the parole eligibility date of the prisoner by the total number of days that the prisoner spent in jail awaiting trial, sentencing, or transfer to prison and any time spent under house arrest (*R.C. 2929.01(GG) and 2967.191*)

judicial release - the process by which a court, on its own motion or the offender's motion, may reduce an eligible felon's stated prison term, with the time after which the offender may file the motion depending on the degree of felony of which the felon was convicted and the length of the offender's prison term; a court must place an offender who is granted a judicial release under a community control sanction and may reimpose the reduced prison term for a violation of the sanction (*R.C. 2929.20*)

knowingly - a culpable mental state; a person acts knowingly, regardless of purpose, when the person is aware that the person's conduct will probably cause a certain result or will probably be of a certain nature (*R.C. 2901.22(B)*)

law enforcement officer - generally includes a sheriff, deputy sheriff, constable, township or joint township police district police officer, marshal, deputy marshal, municipal police officer, metropolitan housing authority police force member, or State Highway Patrol trooper; an officer, agent, or employee of Ohio or a political subdivision who has a statutory duty to conserve the peace or to enforce laws and the authority to arrest violators; a mayor, in certain circumstances; a member of an

auxiliary county, township, or municipal police force; a person called to aid a sheriff in keeping the peace; a person appointed by a mayor as a special patrolling officer during a riot or emergency; a member of the organized Ohio militia or the United States armed forces who is called to duty to aid civil authorities in keeping the peace or to protect against domestic violence; a prosecuting attorney, assistant prosecuting attorney, secret service officer, or municipal prosecutor; an Ohio Veterans' Home police officer; a regional transit authority police force member; a port authority or municipal airport special police officer; and an assistant sergeant at arms and, in certain cases, the sergeant at arms of the Ohio House of Representatives; also includes a code enforcement officer, building inspector, or other officer authorized to enforce any land use law; as used in the aggravated robbery statute, also includes employees of the Department of Rehabilitation and Correction who are authorized to carry weapons within the course and scope of their duties (compare with "peace officer") (*R.C. 765.01, 2901.01(A)(11), and 2911.01*)

lesser included offense - an offense that carries a lesser penalty than the greater offense, is always committed when the greater offense is committed, and does not require proof of an element that is required of the greater offense; if the greater offense is proven, the lesser included offense is subsumed; if not, the lesser included offense may sustain a conviction (*R.C. 2945.74; State v. Deem (1988), 40 Ohio St.3d 205*)

major drug offender - an offender who is convicted of or pleads guilty to the possession of, sale of, or offer to sell any substance that consists of or contains at least: 1,000 grams of hashish; 100 grams of crack cocaine; 1,000 grams of cocaine that is not crack cocaine; 2,500 unit doses or 250 grams of heroin; 5,000 unit doses of L.S.D. or 500 grams of liquid-form L.S.D.; or 100 times the amount of any other Schedule I or II controlled substance other than marihuana that is necessary to commit a third degree felony that is based on the possession of, sale of, or offer to sell the controlled substance (*R.C. 2929.01(X) and 2941.1410*)

mandamus - see **Courts and Civil Law**

mental health courts - courts that hear cases involving people who have been diagnosed with a mental illness and who are charged with nonviolent crimes and that mandate a treatment program that can include medication, case management, hospitalization, or day treatment in lieu of jail time or prison

negligently - a culpable mental state; a person acts negligently when, because of a substantial lapse from due care, the person fails to perceive or avoid a risk that the person's conduct may cause a certain result or may be of a certain nature; does not apply in determining negligence in a civil action (*R.C. 2901.22(D)*)

NGRI (not guilty by reason of insanity) - a plea and a verdict that, at the time of the commission of an offense, the person who committed it did not know, as a result of a severe mental disease or defect, the wrongfulness of the person's acts; special provisions apply regarding the disposition and treatment of a person who is found not guilty by reason of insanity, including civil commitment or a discharge (*R.C. 2901.01(A)(14), 2945.371, 2945.391, and 2945.40 to 2945.402*)

nonresidential sanction - a penalty that can be imposed on a convicted felon that does not include confinement; includes a term of day reporting, electronically monitored house arrest, electronic monitoring without house arrest, house arrest without electronic monitoring, or community service of up to 500 hours; a term of community service as an alternative to a financial sanction; a term in a drug treatment program; a term of intensive probation supervision, basic probation supervision, monitored time, or drug and alcohol use monitoring; a curfew term; a requirement that the offender obtain employment, education, or training, participate in victim-offender mediation (with the victim's prior approval), or in certain cases counseling; and a license violation report; similar sanctions are permitted as dispositions of delinquent children under the Delinquent Child Law (*R.C. 2152.19, 2929.15, and 2929.17*)

obscene - under the standard adopted by the U.S. Supreme Court, something is obscene if: (1) the average person, applying contemporary community standards, would find that the work, taken as a whole, appeals to prurient interest, (2) the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law, and (3) the work, taken as a whole, lacks serious literary, artistic, political, or scientific value; the Ohio Supreme Court has held that the Revised Code obscenity definition must be construed in light of the U.S. Supreme Court decision (*R.C. 2907.01(F); Miller v. California (1973), 413 U.S. 15, 24-25; State v. Burgun (1978), 56 Ohio St.2d 354*)

offense of violence - aggravated murder, murder, voluntary manslaughter, involuntary manslaughter, felonious assault, aggravated assault, assault, permitting child abuse, aggravated menacing, menacing by stalking, menacing, kidnapping, abduction, extortion, rape, sexual battery, gross sexual imposition, aggravated arson, arson, terrorism, aggravated robbery, robbery, aggravated burglary, inciting to violence, aggravated riot, riot, inducing panic, domestic violence, intimidation, intimidation of an attorney, victim, or witness in a criminal case, escape, improperly discharging a firearm at or into a habitation or school safety zone, burglary involving an occupied structure, endangering children involving abuse, torture or cruel abuse, or specified illegal discipline or physical restraint, or felonious sexual penetration under former law; an existing or former substantially equivalent offense; an existing or former offense, other than a traffic offense, committed purposely or knowingly and involving physical harm to persons or a risk of serious physical harm to persons; or a conspiracy to commit, attempt to commit, or complicity in committing any such offense (*R.C. 2901.01(A)(9)*)

OVI (operating a vehicle under the influence) (drunk driving; DUI) - a crime that prohibits a person of any age from operating a vehicle while under the influence of alcohol, a drug of abuse, or both or while the person has a specified concentration of alcohol, a controlled substance, or a metabolite of a controlled substance in the person's whole blood, blood serum or plasma, breath, or urine, e.g., at least .08 of one gram or more by weight of alcohol per 210 liters of the person's breath (*R.C. 4511.19(A) and (G)*)

OVUAC (operating a vehicle after underage alcohol consumption) (underage drunk driving; underage DUI) - a crime that prohibits a person under 21 years of age from operating a vehicle while the person has a specified concentration of alcohol, from as low as one-fourth the concentration required for operating a motor vehicle while under the influence (OVI) to the concentration required for OVI, in the person's whole blood, blood serum or plasma, breath, or urine, e.g., at least .02 of one gram, but less than .08 of one gram per 210 liters of the person's breath (*R.C. 4511.19(B) and (H)*)

partial birth feticide (partial birth abortion, brain suction abortion) - an illegal form of abortion that involves: (1) the intentional dilation of the cervix of the pregnant woman, (2) the intentional extraction of a portion of the body, but not the entire body, of an intact fetus from the body of the mother, (3) the intentional partial evacuation of the intracranial contents of the fetus, and (4) the completion of the vaginal delivery of the fetus (*R.C. 2919.151*)

PCR (post conviction relief) - a statutory, collateral court challenge under Ohio law to the validity of a person's criminal conviction or sentence or delinquent child adjudication that alleges that there was such a denial or infringement of the person's rights as to render the judgment void or voidable under the Ohio Constitution or the U.S. Constitution or that alleges that DNA testing shows actual innocence by clear and convincing evidence; does not involve a direct appeal of the case in question (*R.C. 2953.21 to 2953.23*)

peace officer - generally includes a sheriff; deputy sheriff; marshal; deputy marshal; municipal police officer; municipal police officer from another state acting in Ohio under a contract; metropolitan housing authority or regional transit authority police officer; state university law enforcement officer; Department of Public Safety enforcement agent; Department of Natural Resources law enforcement staff officer, forest officer, preserve officer, wildlife officer, park officer, or state watercraft officer; specified local park district or conservancy district law enforcement officer; Ohio Veterans' Home police officer; port authority special police officer; township police constable; township or joint township police district police officer; certain Department of Taxation investigative employees; municipal airport special police officer; certain Bureau of Criminal Identification and Investigation officers and employees; assistant sergeant at arms and, in certain cases, the sergeant at arms of

the Ohio House of Representatives; and, regarding arrests and the service of process, the Superintendent and troopers of the State Highway Patrol (compare with "law enforcement officer") (*R.C. 2935.01, also R.C. 109.71, 2921.51, 2935.081, 3701.24, 3719.141, and 4123.01*)

physical harm to persons - any injury, illness, or other physiological impairment regardless of its gravity or duration (*R.C. 2901.01(A)(3)*)

physical harm to property - any tangible or intangible damage to property that, in any degree, results in loss to its value or interferes with its use or enjoyment; does not include wear and tear occasioned by normal use (*R.C. 2901.01(A)(4)*)

post-release control - a period of supervision by the Adult Parole Authority of the Department of Rehabilitation and Correction after a felon's release from imprisonment that includes one or more post-release control sanctions; is required for some degrees and types of felony, is authorized for all others, and is for a specified period that varies with the degree and type of the felony; sanctions consist of community residential sanctions, nonresidential sanctions, and financial sanctions authorized for sentencing of convicted felons; penalties are authorized for violation of a post-release control sanction (*R.C. 2967.01(N) and (O) and 2967.28*)

preliminary hearing - the hearing that is held by a municipal court or county court when a person is charged with a felony, unless the person is first indicted or waives the hearing, to determine whether there is probable cause to believe that the person committed the felony alleged or another felony (*R.C. 1901.20, 1907.02, 2937.10 to 2937.13, and 2945.71 to 2945.73; Criminal Rule 5*)

presumption - a rule of law that attaches definite evidentiary value to specific facts or that draws a particular inference as to the existence of one fact, not actually known, arising from its usual connection with other particular facts that are known or proved; presumptions are conclusive or rebuttable; an example of a rebuttable presumption is that every person accused of a crime is presumed innocent until proven guilty beyond a reasonable doubt

privilege - an immunity, license, or right conferred by law, bestowed by express or implied grant, arising out of status, position, office, or relationship, or growing out of necessity; is often used when describing an exemption from a criminal prohibition, e.g., "no person, without privilege to do so, shall . . ." (*R.C. 2901.01(A)(12)*)

probable cause (reasonable cause or reasonable grounds) - a reasonable ground to believe or suspect something, generally supported by circumstances sufficiently

strong in themselves to warrant a cautious person in believing the thing, e.g., probable cause to believe that a person committed a crime is more than a mere suspicion, but less than the evidence needed to justify a conviction

proof beyond a reasonable doubt (reasonable doubt) - proof of such character that an ordinary person would be willing to rely and act on it in the most important of the person's own affairs; "reasonable doubt" is present when the jurors, after they have carefully considered and compared all the evidence, cannot say that they are firmly convinced of the truth of the charge; is a doubt based on reason and common sense and is not mere possible doubt (*R.C. 2901.05(E)*)

protection order (temporary protection order, civil protection order) - a court order, issued on the basis of an act that constitutes or is related to domestic violence, stalking, or certain types of assault or menacing, that contains terms that are directed against the person who committed the act and are designed to ensure the safety and protection of the victim of the act or another person; violation of a protection order is a criminal offense (*R.C. 2903.213, 2903.214, 2919.26, 2919.27, and 3113.31*)

public registry-qualified juvenile offender registrant - as used in the SORN Law, a person who is adjudicated a delinquent child for having committed any of certain specified sexually oriented offenses at the age of 14, 15, 16, or 17, on whom a juvenile court has imposed a serious youthful offender dispositional sentence, and whom a juvenile court has classified as a juvenile offender registrant with a duty to comply with the notice, registration, and verification requirements under the SORN Law (*R.C. 2950.01(N) and 2152.86(A)*)

purposely - a culpable mental state; a person acts purposely when it is the person's specific intention to cause a certain result or, when the gist of the offense is a prohibition against conduct of a certain nature regardless of what the offender intends to accomplish thereby, it is the person's specific intention to engage in conduct of that nature (*R.C. 2901.22(A)*)

recidivism - a relapse in criminal behavior; typically refers to inmates who, within one to three years after release from prison, are rearrested, reconvicted, or recommitted to prison; there is no consensus on the parameters to be used in measuring recidivism

recklessly - a culpable mental state; a person acts recklessly when, with heedless indifference to the consequences, the person perversely disregards a known risk that the person's conduct is likely to cause a certain result or is likely to be of a certain nature (*R.C. 2901.22(C)*)

record expungement - the deletion or destruction of specified records or information not including criminal conviction records, which may be sealed, but not expunged; differs from record sealing (*R.C. 109.5721, 317.24, 2151.355 to 2151.358, 3319.16, 3345.22, 3345.23, 3721.23, 5122.01, 5122.09, 5122.141, and 5123.75*)

record sealing - pursuant to a court order, the preservation and closing, but not destruction, of certain records pertaining to a criminal case or to a juvenile delinquency, unruliness, or juvenile traffic offender case; access to sealed records is severely restricted, and the case or conviction generally is considered not to have occurred; differs from record expungement (*R.C. 2953.31 to 2953.36, 2953.51 to 2953.61, 2151.356, and 2151.357*)

residential treatment - refers to a broad range of mental health, alcohol, and drug treatment facilities; security at such facilities ranges from none to jail-like; may include halfway houses, hospitals, and therapeutic facilities

restorative justice - an approach to criminal law that gives priority to repairing the harm done to victims and communities and that requires offenders to assume responsibility and take action to repair the harm; an alternative to the traditional way of thinking about crime and criminal justice that focuses on punishing offenders

retained applicant fingerprint database - the database maintained by the Bureau of Criminal Identification and Investigation that contains fingerprints of individuals on whom the Bureau has conducted criminal records checks for the purpose of determining eligibility for employment with, licensure by, or approval for adoption by a public office (*R.C. 109.5721(B)*)

serious physical harm to persons - any mental illness or condition of such gravity as would normally require hospitalization or prolonged psychiatric treatment, or any physical harm that: (1) carries a substantial risk of death, (2) involves some permanent incapacity, whether partial or total, or some temporary, substantial incapacity, (3) involves some permanent disfigurement or some temporary, serious disfigurement, or (4) involves acute pain of such duration as to result in substantial suffering, or any degree of prolonged or intractable pain (*R.C. 2901.01(A)(5)*)

serious physical harm to property - any physical harm to property that results in substantial loss to the value of the property or requires a substantial amount of time, effort, or money to repair or replace or that temporarily prevents the use or enjoyment of the property or substantially interferes with its use or enjoyment for an extended period of time (*R.C. 2901.01(A)(6)*)

sex offender - a person who is convicted of, pleads guilty to, or is adjudicated a delinquent child for committing a sexually oriented offense, except if the offense involves consensual sexual conduct or contact and either the victim is 18 or older or the victim is 13 or older and the offender is not more than four years older than the victim (*R.C. 2950.01(B)*)

sexual activity - sexual conduct, sexual contact, or both; is an element of many sex crimes (*R.C. 2907.01(C)*)

sexual conduct - vaginal intercourse between a male and a female; anal intercourse, fellatio, and cunnilingus between persons regardless of sex; and, without privilege to do so, the insertion, however slight, of any part of the body or any instrument, apparatus, or other object into another's vaginal or anal opening; penetration, however slight, is sufficient to complete vaginal or anal intercourse; is an element of many sex crimes (*R.C. 2907.01(A)*)

sexual contact - any touching of an erogenous zone of another, including, without limitation, the thigh, genitals, buttock, pubic region, or, if the person is a female, breast, for the purpose of sexually arousing or gratifying either person; is an element of many sex crimes (*R.C. 2907.01(B)*)

sexual predator - formerly, a person who was convicted of or pleaded guilty to committing a sexually oriented offense or was adjudicated delinquent for committing a sexually oriented offense and who met certain other criteria; now falls within the category of Tier III sex offender/child-victim offender

sexually oriented offense - as used in the Sexually Violent Predator Law and the SORN Law, any of the following offenses: rape, sexual battery, gross sexual imposition, sexual imposition, importuning, voyeurism, compelling prostitution, pandering obscenity, pandering obscenity involving a minor, pandering sexually oriented matter involving a minor, illegal use of a minor in a nudity-oriented material or performance, unlawful sexual conduct with a minor under certain circumstances, aggravated murder or murder or felonious assault committed with a sexual motivation, involuntary manslaughter when the offender committed or attempted to commit the felony that is the basis of the violation with a sexual motivation, menacing by stalking committed with a sexual motivation, kidnapping to engage in forced sexual activity or with a sexual motivation or when the victim is under 18 and the offender is not a parent of the victim of the offense, abduction committed with a sexual motivation, unlawful restraint committed with a sexual motivation, criminal child enticement committed with a sexual motivation, endangering children under certain circumstances involving a child's participation in sex- or nudity-related matter, any former or existing substantially equivalent offense

under the law of any jurisdiction, or any attempt to commit, conspiracy to commit, or complicity in committing any such offense (*R.C. 2950.01(A) and 2971.01(F)*)

sexually violent offense - as used in the Sexually Violent Predator Law and the SORN Law, a violent sex offense or a designated homicide, assault, or kidnapping offense for which the offender also was convicted of or pleaded guilty to a sexual motivation specification; special sentencing provisions apply to persons convicted of a sexually violent offense and a sexually violent predator specification (*R.C. 2971.01(G)*)

shock incarceration (boot camp) - an alternative to a prison term for eligible offenders that consists of 90 days of a military style combination of discipline, physical training, and hard labor and substance abuse education, employment skills training, social skills training, and psychological treatment that is followed immediately by a period of transitional detention or release under post-release control (*R.C. 5120.031*)

Son of Sam Law (Recovery of Offender's Profits Law) - an Ohio law that requires that money earned by an offender or an offender's family member or representative for the reenactment or description of the offender's crimes, the expression or description of the offender's or the offender's family's thoughts, emotions, feelings, or opinions regarding or experienced during the offender's crimes, or the offender's or offender's family's life story or interview be deposited into the Recovery of Offender's Profits Fund for distribution to the offender's victims who obtain judgments within a specified period against the offender or the offender's representatives (*R.C. 2969.01 to 2969.06*)

SORN Law (Sex Offender Registration and Notification Law) (Megan's Law) - the Ohio law that requires a person who is convicted of or adjudicated a delinquent child for committing a sexually oriented or child-victim oriented offense to register with the sheriff of the county in which the person resides, is temporarily domiciled for more than three days, attends a school or institution of higher education, or has been employed for more than three days or for an aggregate period of more than 14 days, provide notice of residence, schooling, or employment changes, and periodically verify the person's current residence, schooling, or employment address, that requires a person who is so convicted or adjudicated and who is a Tier III sex offender/child-victim offender to provide prior notice to the sheriff of the county in which the person intends to reside, and that requires sheriffs to give victims and certain persons in the community notice of the name and address of a person who is so convicted or adjudicated and who is a Tier III sex offender/child-victim offender (*R.C. Chapter 2950. and 2152.82 to 2152.85*)

stated prison term - the prison term, mandatory prison term, or combination of all such terms imposed by the sentencing court, including credit received for time spent

in jail awaiting trial, sentencing, or transfer to prison and time spent under house arrest or electronically monitored house arrest imposed after earning credits for participation in any constructive program of the Department of Rehabilitation and Correction (*R.C. 2929.01(GG)*)

super fine - a special fine of not more than \$1,000,000 that is authorized for an offender when: (1) there is a total of three or more victims of the offense for which sentence is being imposed or of that offense and all prior offenses of which the offender was convicted, or (2) the offense for which sentence is being imposed is aggravated murder, murder, or a first degree felony that would have been an aggravated first degree felony prior to July 1, 1996; money paid is put in the Crime Victims Recovery Fund; victims may bring a civil action within a specified period of time to obtain a judgment or recovery out of that Fund (*R.C. 2929.32 and 2969.11 to 2969.14*)

theft offense - aggravated robbery, robbery, aggravated burglary, burglary, breaking and entering, safecracking, tampering with coin machines, petty theft, theft, grand theft, grand theft of a motor vehicle, aggravated theft, theft of drugs, theft of a police dog or horse or an assistance dog, theft of anhydrous ammonia, unauthorized use of a vehicle, unauthorized use of property, unauthorized use of computer, cable, or telecommunications property, unauthorized use of the Law Enforcement Automated Database System, possession of an unauthorized device, sale of an unauthorized device, telecommunications fraud, unlawful use of a telecommunications device, passing bad checks, misuse of credit cards, forgery, forging identification cards or selling or distributing forged identification cards, criminal simulation, making or using slugs, trademark counterfeiting, Medicaid fraud, tampering with records, securing writings by deception, personating an officer, defrauding creditors, insurance fraud, receiving stolen property, cheating, corrupting sports, theft in office, the former offense of presenting a false insurance claim for the theft of a motor vehicle, or the former offense of making a false written statement alleging the theft of a motor vehicle; any substantially equivalent offense under the law of any jurisdiction; any other offense involving robbery, burglary, breaking and entering, theft, embezzlement, wrongful conversion, forgery, counterfeiting, deceit, or fraud under the law of any jurisdiction; or a conspiracy to commit, attempt to commit, or complicity in committing any such offense (*R.C. 2913.01(K)*)

Tier I/Tier II/Tier III sex offender/child-victim offender - a sex offender or child-victim offender who is convicted of, pleads guilty to, or is adjudicated a delinquent child for committing any of certain sexually oriented or child-victim offenses specified for each tier, with the least serious offenses in Tier I and the most serious offenses in Tier III, and, in the case of Tier II and Tier III, has previously committed any of certain specified offenses; the designation is used to determine the extent of the offender's notice, registration, and verification obligations under the SORN Law (*R.C. 2950.01(E), (F), and (G)*)

transitional control - control of an eligible felony prisoner, pursuant to which the Department of Rehabilitation and Correction closely monitors the prisoner's adjustment to community supervision during the final 180 days of confinement; when not participating in approved employment, training, or other programs, the prisoner must be confined in a licensed halfway house or an approved residence and be subject to electronic monitoring; replaced certain types of furloughs (*R.C. 2967.01(Q) and 2967.26; O.A.C. Chapter 5120-12*)

unlawful termination of another's pregnancy (feticide) - causing the death of an unborn member of the species homo sapiens, who is or was carried in the womb of another, as a result of injuries inflicted during the period that begins with fertilization and that continues unless and until live birth occurs (*R.C. 2903.09*)

vexatious litigator - a person who has habitually, persistently, and without reasonable grounds engaged in any of the following acts in a civil action or actions: (1) acts obviously serving merely to harass or maliciously injure another party to the action, (2) acts unwarranted under current law and unsupported by a good faith argument for a change of that law, or (3) acts performed solely for delay (*R.C. 2323.52(A)(2) and (3)*)

viable - the stage of development of a human fetus at which there is a realistic possibility of maintaining and nourishing of a human life outside the womb with or without temporary artificial life-sustaining support (*R.C. 2901.01(B)(1)(c)(ii)*)

violent sex offense - as used in the Sexually Violent Predator Law and the SORN Law, rape, sexual battery, the former offense of felonious sexual penetration, gross sexual imposition under certain circumstances involving a victim under 13 or 12, a similar or former Ohio, federal, or state felony offense, or an attempt to commit or complicity in committing such an offense that is a felony (*R.C. 2950.01(K) and 2971.01(L) and (G)*)

work release - court authorization to release an offender from confinement so that the offender may seek or maintain employment, but only for the duration of time needed and travel necessary to fulfill the purpose of the release (*R.C. 2929.16(B)*)

DOMESTIC RELATIONS

administrative offset - a method to collect past due child support amounts involving cooperation between the Department of Job and Family Services and the U.S. Treasury Secretary (*R.C. 3123.85*)

allocation of parental rights and responsibilities - the rights and obligations of parents with respect to their children as determined by a court pursuant to a divorce, dissolution, legal separation, annulment, or child custody proceeding (*R.C. 3109.04*)

arrearage - the amount of support that is due under a support order, but not yet paid

birth registry - the database of information contained in orders determining the existence of a parent and child relationship and acknowledgments of paternity; is maintained by the Department of Job and Family Services as part of the Support Enforcement Tracking System (*R.C. 3111.64*)

case registry - the database of support orders being administered or otherwise handled by a child support enforcement agency; is maintained by the Department of Job and Family Services as part of the Support Enforcement Tracking System (*R.C. 3121.81*)

cash bond order - an order requiring an obligor to enter into a cash bond in a sum of not less than \$500 nor more than \$10,000 to guarantee payment under a support order (*R.C. 3121.03(C) and 3121.04*)

child support schedule - the statutory chart that is used to determine the child support obligation of parents based on the number of children and the combined gross income of the parents (*R.C. 3119.021*)

companionship and visitation rights - the right to have continuing contact with a child that may be granted to grandparents, relatives, and other interested persons in cases in which married parents terminate their marriage or separate, when the parents are not married, or when a parent dies (*R.C. 3109.051*)

CSEA (child support enforcement agency) - a county child support enforcement agency (*R.C. 3125.10*)



deduction notice - an administrative notice directing a financial institution to deduct an amount from an obligor's funds on account to pay a support obligation (*R.C. 3121.03(B)*)

domestic violence - as used in the laws governing domestic violence civil protection orders, the occurrence of one or more of the following acts against a family or household member: (1) attempting to cause or recklessly causing bodily injury, (2) placing another person in fear of imminent serious physical harm by the threat of force or by committing a violation of menacing by stalking or aggravated trespass, (3) committing any act with respect to a child that would result in the child being an abused child, or (4) committing a sexually oriented offense (*R.C. 3113.31*)

family or household member - as used in domestic violence-related laws, any of the following who is residing or has resided with a person accused of domestic violence (alleged violator): (1) a spouse, a person living as a spouse, or a former spouse of the alleged violator, (2) a parent or a child of the alleged violator or another person related by consanguinity or affinity to the alleged violator, (3) a parent or child of a (a) spouse, (b) person living as a spouse, or (c) former spouse of the alleged violator or another person related by consanguinity or affinity to a (a) spouse, (b) person living as a spouse, or (c) former spouse of the alleged violator, or (4) the natural parent of any child of whom the alleged violator is the other natural parent or is the putative other natural parent (*R.C. 2919.25 and 3113.31*)

lump-sum payment collection - the collection of a lump sum, such as a bonus, that is payable to a person who is in default or owes an arrearage under a support order (*R.C. 3121.12*)

new hires directory - the database of persons hired, rehired, or returning to work who reside, work, or will be assigned to work in Ohio that is maintained by the Department of Job and Family Services as part of the Support Enforcement Tracking System (*R.C. 3121.891, 3121.892, and 3121.894*)

nonresidential parent - the parent who has not been allocated most of the parental rights and responsibilities for the care of a child pursuant to a divorce, dissolution, legal separation, annulment, or child custody proceeding; the parent who is not the residential parent

obligee - the person who is entitled to receive support payments under a support order (*R.C. 3119.01(B)*)

obligor - the person who is required to pay support under a support order (*R.C. 3119.01(B)*)

DOMESTIC RELATIONS

parenting time rights - the right to have frequent and continuing contact with a child that may be granted to the nonresidential parent by a court pursuant to a divorce, dissolution, legal separation, or annulment proceeding in which a shared parenting decree has not been issued (*R.C. 3109.051*)

person living as a spouse - as used in domestic violence-related laws, a person who is living or has lived with a person accused of domestic violence in a common law marital relationship, who otherwise is cohabiting with a person accused of domestic violence, or who otherwise has cohabited with a person accused of domestic violence within five years prior to the date of the alleged occurrence of domestic violence in question (*R.C. 2919.25 and 3113.31*)

processing charge - the administrative fee that is required to be paid with each current support payment or payment of arrearage; is the greater of 2% of the support payment or one dollar per month (*R.C. 3119.27*)

residential parent and legal custodian - the parent who has been allocated most of the parental rights and responsibilities for the care of a child pursuant to a divorce, dissolution, legal separation, annulment, or child custody proceeding (*R.C. 3105.063, 3109.04, and 3109.051*)

seek work order - an order requiring an obligor to seek employment or engage in a work activity to pay child support when the obligor is unemployed, has no income, has no account in a financial institution, and is able to engage in employment (*R.C. 3121.03(D)*)

SETS (Support Enforcement Tracking System) - a system that is maintained by the Department of Job and Family Services for processing support collections statewide (*R.C. 3125.07*)

shared parenting - a custody order under which parents share legal custody and parental rights and responsibilities with respect to a child (*R.C. 3109.04*)

sole parental rights and responsibilities - the situation in which one parent has legal custody and most of the parental rights and responsibilities with respect to a child; the parent with legal custody is the residential parent and legal custodian (*R.C. 3109.04*)

split parental rights and responsibilities - the situation in which there is more than one child and each parent is the residential parent and legal custodian of at least one, but not all, of the children (*R.C. 3119.01*)

support order - a child support order, spousal support order, or order for support of a former spouse (*R.C. 3119.01*)

support order default - the failure to pay under a support order an amount that is greater than or equal to the amount payable under the order for one month (*R.C. 3121.01*)

tax refund intercept - an action taken by the Department of Job and Family Services to seize any federal or state income tax refund of an obligor in default under a child support order (*R.C. 3123.81, 3123.821, 3123.822, and 5747.121*)

Title IV-D case - a support order that a child support enforcement agency administers and enforces pursuant to federal law (*R.C. 3125.36*)

withdrawal directive - an order requiring withdrawal from an obligor's account in a financial institution to pay support when the obligor is in default under a support order (*R.C. 3123.37*)

withholding notice - an administrative notice that is sent to an obligor's employer or other payor directing the payor to withhold a certain amount to pay the obligor's support obligation (*R.C. 3121.03(A) and 3121.037*)

ECONOMIC DEVELOPMENT

Advanced Energy Projects Program - a state loan and grant program under the direction of the Ohio Air Quality Development Authority to facilitate investment in energy conservation, electricity generation, and renewable energy projects (*R.C. 166.01 and 166.30*)

blighted area - an area characterized by a preponderance of parcels meeting specified criteria of blight and thereby adversely affecting development or public health, safety, morals, or welfare; the designation influences whether property may be appropriated by government and whether certain economic development incentives apply (*R.C. 1.08(B), 303.26(E), 725.01(B), 1728.01(E), and 5709.40(A)(1)*)

CEDA (cooperative economic development agreement) - an agreement between local governments providing for such things as the provision of joint or separate services and improvements, the payment of service fees, the issuance of debt obligations, the annexation to a municipal corporation of an area of a township, periods during which no annexations may occur, the application of tax abatement statutes, and payments in lieu of taxes to townships (*R.C. 701.07*)

CIC (community improvement corporation) - a nonprofit corporation established for the sole purpose of advancing, encouraging, and promoting the industrial, economic, commercial, and civic development of a community or area by providing loans, dealing in real and personal property and certain securities, and acting as an agent of a political subdivision (*R.C. Chapter 1724.*)

community urban redevelopment corporation - a corporation formed to serve a public purpose by redevelopment of blighted areas (*R.C. Chapter 1728.*)

CRA (community reinvestment area) - an area with defined boundaries that contains housing facilities or structures of historical significance, but that is not conducive to the construction of new housing or the repair of existing facilities or structures; as a result, the legislative authority for the area may provide tax exemptions to encourage the construction of new structures or the remodeling of old structures (*R.C. 3735.65 to 3735.70*)

distressed area - a municipal corporation with a population of at least 50,000, or a county, characterized by high unemployment, low incomes, poverty, or a high transfer payment-to-income ratio (*R.C. 122.16(A)(1), 122.173, 122.19(A), 122.23(A), 122.65(G), and 5733.33(A)(8)*)



Edison Center - a cooperative research and development facility that receives funding through the Thomas Alva Edison Grant Program, which is a program administered by the Department of Development that provides grants to foster research, development, or technology transfer efforts (*R.C. 122.15(A) and 122.33(C)*)

empowerment zones - economically distressed urban and rural areas throughout the United States with respect to which the federal government offers tax incentives and flexible grants to people or businesses that engage in economic enterprises designed to revitalize communities by creating jobs and improving infrastructure (*26 U.S.C. 1391 to 1393*)

enterprise zone - a designated and certified area within a municipal corporation or county that meets specified qualifications showing that the area is economically depressed; the legislative authority for the area may offer tax exemptions or special services or assistance to enterprises that would create or preserve employment opportunities and improve the economic climate of the area (*R.C. 5709.61 to 5709.69*)

Facilities Establishment Program - a state program under the direction of the Director of Development to stimulate reinvestment and economic revitalization in economically stagnant or declining areas by providing loans, guarantees for the repayment of loans, and state agency assistance to qualified business concerns engaging in projects promoting the economic welfare of an area (*R.C. 166.01 to 166.11*)

Innovation Ohio Loan Program - a state loan and grant program under the direction of the Director of Development to facilitate investment in targeted technology industry sectors developing new or improved technologies, processes, and products or apply existing technologies in new ways (*R.C. 166.01 and 166.12 to R.C. 166.16*)

JEDD (joint economic development district) - an area designated by one or more municipal corporations and one or more townships, by contract, in order to promote economic development and employment opportunities by contributing resources, such as services, money, property, facilities, and equipment, and by creating a board of directors to govern the area, possibly with the authority to levy income taxes within the district on either persons or businesses; JEDDs may be created in several distinct manners (*R.C. 715.70 to 715.83*)

ECONOMIC DEVELOPMENT

joint economic development zone - an area composed of land from two or more contracting municipal corporations in which the municipal corporations agree to share in the costs of improvements for the area in order to facilitate new or expanded growth for commercial or economic development, or an area composed of land in two or more municipal corporations, or one or more townships and one or more municipal corporations, in which the contracting political subdivisions enter into a similar type of agreement (*R.C. 715.69 and 715.691*)

minority business enterprise - a sole proprietorship, partnership, corporation, or joint venture of any kind that is owned and controlled, as defined in statute, by United States citizens who are: (1) residents of Ohio, and (2) members of one of the following economically disadvantaged groups: Blacks or African Americans, American Indians, Hispanics or Latinos, or Asians (*R.C. 122.71(E)*)

small business register - the register that is published weekly by the Department of Development's Office of Small Business and that contains information on rules proposed by state agencies that are likely to affect individuals, small businesses, or small organizations (*R.C. 121.24(B)(2), 122.08(B)(3), and 122.081*)

technology investment tax credit - a tax credit offered to Ohio taxpayers investing in small, qualified research and development and technology oriented firms that allows investors to reduce their state taxes by up to 30% of the amount invested; is administered by the Department of Development, the Industrial Technology and Enterprise Advisory Council, and Edison Centers (*R.C. 122.15 to 122.154*)

Transportation Logistics and Distribution Infrastructure Projects Program - a state loan and grant program under the direction of the Director of Development to promote improvements to Ohio's ground, air, and water transportation infrastructure, including highways, streets, roads, bridges, railroads carrying freight, and air and water ports and port facilities, and all related supporting facilities (*R.C. 166.01 and 166.25 to 166.27*)

20-mill floor - see **Taxation**

Accelerated Urban School Building Assistance Program - a program that is operated by the Ohio School Facilities Commission to provide assistance under the Classroom Facilities Assistance Program (for acquisition of district-wide classroom facilities) to the Akron, Cincinnati, Cleveland, Columbus, Dayton, and Toledo school districts earlier than those districts otherwise would have been eligible for that assistance (*R.C. 3318.38*)

achievement tests - state standardized tests in the subject areas of reading, writing, math, science, and social studies that are aligned with statewide academic standards and are administered in various grade levels; replaced the state proficiency tests (*R.C. 3301.079 to 3301.0712*)

age and schooling certificate - see **Employment**

alternate assessment - an evaluation method to gauge the academic progress of special education students in lieu of standardized testing; must be formally specified in a student's individualized education program and approved by the state Department of Education (*R.C. 3301.0711(C)(1)*)

alternative graduation requirement - alternate criteria for earning a high school diploma for students who pass all but one of the Ohio Graduation Tests; eligibility is determined by such factors as the score on the failed test, the attendance rate, and letters of recommendation (*R.C. 3313.615*)

Autism Scholarship Program - a program to provide scholarships of up to \$20,000 to the parents of children in grades pre-K to 12 identified as autistic to be used to pay tuition for those children to attend alternative private or public special education programs instead of the programs of their resident school districts (*R.C. 3310.41*)

auxiliary services payments - state money that is paid to school districts for goods and services for use by students at chartered nonpublic schools, including secular books, instructional materials, computers, diagnostic services, and counseling services (*R.C. 3317.06*)

AYP (adequate yearly progress) - a federal measure of academic achievement mandated by the No Child Left Behind Act; to make AYP, a school district or



building generally must: (1) meet annual targets for student passage rates on state reading and math assessments for its total student population and specified subgroups, and (2) have at least 95% participation on those assessments; districts and buildings that fail to make AYP face sanctions such as school choice, replacement of staff, or restructuring (*20 U.S.C. 6311 and 6316; R.C. 3302.04*)

base-cost funding - the minimum amount of money that is needed per pupil for those expenses that are experienced by all school districts, which include such things as teachers of basic curriculum courses, textbooks, janitorial and clerical services, administrative functions, and student support services such as librarians and guidance counselors (*R.C. 3317.012 and 3317.022(A)*)

big-eight school districts - the following city school districts: Akron, Canton, Cincinnati, Cleveland, Columbus, Dayton, Toledo, and Youngstown (*R.C. 3314.02*)

calamity day - a day on which a school is closed due to disease epidemic, hazardous weather conditions, inoperability of school buses or other necessary equipment, damage to a school building, or utility failure; school districts are allowed up to five calamity days per school year and must make up calamity days beyond five (*R.C. 3313.48 and 3317.01*)

capital and maintenance fund - a required fund that is established by each school district to be used solely to acquire, replace, enhance, maintain, or repair permanent improvements and into which is paid annually an amount equal to 3% of the product derived by multiplying the previous year's base-cost formula amount by the district's student population (*R.C. 3315.18 and 3315.181*)

career-technical education (vocational education) - the statutory term for vocational education (*R.C. 3303.01*)

Carnegie unit - the basic unit of high school credit; one unit equals 120 hours of classroom instruction or 150 hours of laboratory instruction; at least 20 units are required for graduation (*R.C. 3313.603*)

challenge subsidy - one of four separate subsidies that may be paid to state-assisted universities and colleges above the total basic state subsidy paid to institutions (SSI) for meeting certain specified criteria, including student success, external research funding, access, and job placement

charge-off ("local share" of base-cost funding) - the amount of local tax money that each school district is expected to contribute toward the base cost of education,

which in the current school funding formula is generally the amount raised by 23 mills applied to the taxable property value of the district (*R.C. 3317.022(A)*)

charge-off supplement (gap aid) - a special state subsidy for a school district with a combined local share of funding for base cost, special and career-technical education, and transportation that exceeds the amount of operating property taxes and school district income tax that the district actually collects (*R.C. 3317.0216*)

charter school (community school) - the technical term for any public or private school that is chartered by the State Board of Education; also the general term used nationally to refer to a publicly supported school that is independent of any school district, which under Ohio law is called a community school (*R.C. Chapter 3314. and 3301.16*)

chartered nonpublic school - a private school that has received a charter from the State Board of Education, which qualifies the school's students for benefits purchased with state auxiliary services funds (such as books, instructional materials, diagnostic services, and counseling services) and qualifies the school itself for reimbursement of some administrative costs relating to state mandates (*R.C. 3301.16, 3317.06, and 3317.063; O.A.C. 3301-35-12*)

CIP (continuous improvement plan) - a three-year plan adopted by any school district that has not made adequate yearly progress for two consecutive school years or has a school that meets that criterion; analyzes the district's or school's failure to meet performance indicators and specifies corrective action (*R.C. 3302.04*)

Classroom Facilities Assistance Program - the largest program that is operated by the Ohio School Facilities Commission, in which the state and a school district share the cost of constructing, repairing, and remodeling classroom facilities to meet the district's entire facilities needs and in which the district's share of the cost and priority for assistance are based on the district's relative property and income wealth compared among all districts in the state (*R.C. 3318.01 to 3318.20*)

Cleveland Voucher Program (Pilot Project Scholarship Program) - a program to provide scholarships and tutorial assistance grants to students in the Cleveland Municipal School District so that selected students may attend either public schools in other districts or private schools or may hire tutors (*R.C. 3313.974 to 3313.979*)

client district - a city or exempted village school district that contracts for educational services from an educational service center and for which the service center receives a state subsidy (*R.C. 3313.843 and 3317.11*)

community school (charter school) - a public, nonprofit, nonsectarian school that operates independently of any school district under the authority of a public or private nonprofit sponsor that must monitor its performance; is exempt from many state education laws and often serves a limited number of grades or a particular educational purpose (*R.C. Chapter 3314.*)

Community School Classroom Facilities Loan Guarantee Program - a program that is operated by the Ohio School Facilities Commission to provide limited guarantees on loans made to certain community schools for the acquisition of classroom facilities (*R.C. 3318.50 and 3318.52*)

compulsory school age - the ages of 6 to 18, during which a child is required to attend a school that meets minimum education standards set by the State Board of Education (*R.C. 3321.01*)

cost-of-doing-business factor - a former component of the state school funding formula consisting of a fractional number prescribed by statute for each county, which was intended to reflect the wage difference in that county relative to other counties in the state (*former R.C. 3317.02(N) and 3317.022(A)*)

DeRolph decision (*DeRolph, et al. v. State*) - the series of decisions of the Ohio Supreme Court that held the state's system of public school finance unconstitutional for failing to provide a thorough and efficient system of common schools as required in the Ohio Constitution (*78 Ohio St.3d 193 (1997), 89 Ohio St.3d 1 (2000), 93 Ohio St.3d 309 (2001), and 97 Ohio St.3d 434 (2002)*)

DPIA (disadvantaged pupil impact aid) - the former name of the state subsidy now known as poverty-based assistance (*R.C. 3317.029*)

dual enrollment program - a program that enables a student to earn college credit while enrolled in high school; such programs include, among others, advanced placement courses, Post-Secondary Enrollment Options, Seniors to Sophomores, Early College, and joint programs between high schools and colleges (*R.C. Chapter 3365. and 3313.6013, 3333.163, and 3333.33*)

Ed Choice (Educational Choice Scholarship Pilot Program) - a program that provides scholarships to attend chartered nonpublic schools for up to 14,000 students whose school-district-operated schools have been declared in academic watch or academic emergency for at least two of the past three years (*R.C. 3310.01 to 3310.17*)

EMIS (education management information system) - a statewide electronic database on elementary and secondary students, staff, and schools that is maintained by the Department of Education (*R.C. 3301.0714*)

equalization - the policy of using state money to ensure that all school districts, regardless of wealth, will have an equal amount of combined state and local revenues to spend for a particular category of expenditure; in an equalized system, lower-wealth districts receive more state money than higher-wealth districts (*R.C. 3317.022*)

equity list (percentile ranking) - an annual ranking of school districts based on their relative three-year-average property tax valuation per pupil and partially adjusted for the income of the districts' residents; is used to determine priority for state funding for school facilities projects and each district's share of its project (*R.C. 3318.011 and 3318.42*)

ESC (educational service center) - a regional educational entity with its own superintendent and elected governing board that provides some educational supervision and other educational and administrative services to all local school districts within its service area and that also can provide services to city and exempted village school districts through contracts; formerly known as county school districts (*R.C. 3311.05, 3311.054, 3311.055, 3313.01, and 3313.843*)

e-school - the popular term for a community school in which students work primarily from their residences on assignments provided via an Internet- or other computer-based instructional method rather than regular classroom instruction or via comprehensive methods that include Internet-based, other computer-based, and noncomputer-based instruction (*R.C. 3314.02 and 3314.21 to 3314.28*)

eTech Ohio - a state agency that provides financial and technical assistance to school districts, other educational entities, public television and radio stations, and radio reading services for the acquisition and use of educational technology and for the development of educational materials (*R.C. Chapter 3353.*)

Exceptional Needs School Facilities Assistance Program - a program that is operated by the Ohio School Facilities Commission to provide state assistance on a cost-sharing basis to low- and medium-wealth school districts and geographically large school districts for the acquisition of a new classroom facility that is needed by the district to protect the health and safety of students (*R.C. 3318.37*)

excess cost supplement (3.3-mill cap) - an additional state subsidy (above the base-cost funding amount) for a school district with a combined local share of funding for special and career-technical education and transportation that exceeds 3.3 mills of local property taxes (*R.C. 3317.022 and 3317.0216*)

Expedited Local Partnership Program - a program operated by the Ohio School Facilities Commission that permits a school district to spend local resources on part of its classroom facilities needs in advance of its eligibility to receive state facilities assistance and to apply the local expenditures toward the district's local share when it becomes eligible for state funds under the Classroom Facilities Assistance Program (*R.C. 3318.36 to 3318.363*)

FAPE (free appropriate public education) - a provision under the federal Individuals with Disabilities Education Act that requires each state that receives federal funding under that Act to ensure that any disabled student between 3 and 22 years old is afforded at public expense under public supervision an education program that is tailored to the student's individual needs (*20 U.S.C. 1401 and 1412*)

FERPA (Family Educational Rights and Privacy Act) - a federal law that prohibits payment of federal funds to any educational institution that has as its policy the unconsented release of personally identifiable information of students, other than basic directory information, to anyone who does not have an educational or law enforcement purpose for the information; is closely related to the state student privacy law (*20 U.S.C. 1232g; R.C. 3319.321*)

fiscal caution, school district in state of - as determined by the Superintendent of Public Instruction, a district that is engaged in unsound fiscal practices or that has a certified operating deficit between 2% and 8% of the district's general fund revenue for the preceding fiscal year; is required to submit written proposals for correcting the identified adverse fiscal conditions (*R.C. 3316.031*)

fiscal emergency, school district in state of - a fiscal watch school district that fails to submit its plan to reduce its deficit, or for which other specified negative fiscal conditions exist, and for which a financial planning and supervision commission is created to oversee the development and implementation of a financial recovery plan for the district (*R.C. Chapter 3316.*)

fiscal watch, school district in state of - as determined by the Auditor of State, a school district that has an 8% or greater operating deficit and no observable means to meet that deficit or has not acted reasonably to ameliorate its fiscal condition while in a state of fiscal caution; is required by law to submit to the Superintendent of Public Instruction a plan to eliminate the operating deficit (*R.C. Chapter 3316.*)

formula ADM - the average daily membership, or the average number of students, presumed to be attending school in a school district each school year; a component in determining the amount of state money the district receives; is based on the number of students attending school during the first week of October and the first week of February (*R.C. 3317.02(D), 3317.022(A), and 3317.03*)

formula amount - a component of the state base-cost funding; is the dollar amount that is stipulated in statute that each school district is guaranteed to receive (per pupil) in combined state and local funds through the formula (*R.C. 3317.012, 3317.02(A), and 3317.022(A)*)

GED (Ohio high school equivalency diploma) - a document certifying successful completion of the General Educational Development Test (GED) in lieu of high school graduation for a person who has dropped out of school; the GED test is published by the American Council on Education (*O.A.C. 3301-41-01*)

GRADS (Graduation, Reality, and Dual-role Skills) - a state subsidy to school districts to provide specialized instructional and other services for pregnant and parenting students (*R.C. 3317.024(N)*)

Gun-Free Schools Act - a federal law that requires states receiving federal education funding to require school districts to expel for not less than one year any student who brings a firearm to school, but also allows a district superintendent to modify expulsions on a case-by-case basis; Ohio has enacted a provision that complies with the federal act (*20 U.S.C. 7151; R.C. 3313.66(B)(2)*)

H.B. 264 Program (Energy Conservation Program) - a program that is administered by the Ohio School Facilities Commission for school districts to incur a limited amount of debt without voter approval to install energy-saving improvements in older facilities and use the certified amount of energy cost savings to repay the debt (*R.C. 133.06(G), 3313.372, and 3313.373*)

H.B. 920 credit (tax reduction factor law) - see **Taxation**

higher education institution certified under Chapter 1713. of the Revised Code - any private nonprofit university, college, academy, school, or other institution that has satisfied standards established by the Chancellor of the Ohio Board of Regents for receipt of a certificate of authorization to confer degrees (*R.C. Chapter 1713.*)

highly qualified teacher - a teacher who: (1) holds a bachelor's degree, (2) is fully licensed by the state or is participating in an alternative route to licensure, and (3) has demonstrated competency in each core subject taught, generally either by passing a test of subject matter knowledge or by completing sufficient post-secondary coursework in the teaching area; under the No Child Left Behind Act, all public school teachers of core academic subjects (English language arts, math, science, foreign language, government, economics, fine arts, history, and geography) must be highly qualified (*34 C.F.R. 200.55 and 200.56; R.C. 3319.074*)

IDEA (Individuals with Disabilities Education Act) (special education) - the federal law that provides funding to state and local education agencies for the education of individuals with disabilities and prescribes procedures that any state agency or school district that receives the funding must follow in carrying out those education programs (*20 U.S.C. 1400 et seq.; R.C. Chapter 3323.*)

IEP (individualized education program) - a written statement for each disabled student that describes the student's unique education needs and the goals and objectives that are required to meet those needs, including a description of specific placement for the student, services to be provided, and criteria and evaluation procedures to measure whether instructional objectives are being achieved (*20 U.S.C. 1401; R.C. 3323.011*)

Jarod's Law (School Health and Safety Network) - the state law that requires local boards of health to perform annual health and safety inspections of school districts, community schools, and private schools (*R.C. 3701.93 to 3701.936*)

JVSD (joint vocational school district) - a special district that is established by two or more city, exempted village, or local school districts to jointly provide career-technical education facilities and services; has its own taxing authority and is governed by a separate board comprised of board members of the component districts (*R.C. 3311.18 to 3311.21*)

LEP (limited English proficient) - a term used to describe an elementary or secondary school student who was not born in the United States or whose native language is not English and who has such difficulty speaking, reading, writing, or understanding English that the student may not be able to meet grade-level achievement standards; is a recognized student subgroup for accountability purposes under the No Child Left Behind Act (*20 U.S.C. 6311 and 7801; R.C. 3302.01 and 3302.03*)

local share (charge-off) - the percentage of a given funding category that must be paid with a school district's local revenues; is generally lower for lower-wealth

districts and higher for higher-wealth districts; in base-cost funding, for example, the local share is the amount raised by 23 mills of property tax

model curriculum - a detailed example of recommended content for instruction in grades K to 12 in specified subject areas that is adopted by the State Board of Education for use by any school district at its option (*R.C. 3301.079(B) and 3301.0718*)

municipal school district - a school district that is or has ever been under a federal court order requiring supervision and management by the state Superintendent of Public Instruction and that, by state law, must have its board of education appointed by the mayor; to date, Cleveland is the only such district (*R.C. 3311.71 to 3311.77*)

NAEP (National Assessment of Educational Progress) - a national assessment of student knowledge and ability, administered by the U.S. Department of Education, in which the No Child Left Behind Act and Ohio law require participation if an Ohio school is selected (*20 U.S.C. 6311 and 6312; Section 269.50.60 of Am. Sub. H.B. 119 of the 127th General Assembly*)

National Guard Scholarship Program - see **Veterans**

No Child Left Behind Act - a reauthorization of the federal Elementary and Secondary Education Act that, among other things, requires annual assessment of students in reading and math in grades 3 to 8, requires accountability through the publication of data regarding school and student performance, allows students in certain failing schools to transfer to another school or to receive financial assistance for supplemental services, and grants more flexibility in spending federal education money (*20 U.S.C. 6301 et seq.*)

nonchartered nonpublic school (08 school) - a private school that has not received a charter from the State Board of Education and does not receive assistance from the state, but still meets the state minimum education standards for satisfying the state compulsory attendance law (*O.A.C. 3301-35-08*)

OARDC (Ohio Agricultural Research and Development Center) - see **Agriculture**

OCOG (Ohio College Opportunity Grant) - need-based financial aid that is awarded to Ohio residents who first enroll in an undergraduate program in or after the 2006-2007 academic year in most two- or four-year institutions of higher

education in Ohio based on the U.S. Department of Education method of determining financial need; replaced OIG (*R.C. 3333.122*)

OGT (Ohio Graduation Tests) - the collective name for the tenth grade achievement tests in reading, writing, math, science, and social studies; students generally must pass the tests to receive a high school diploma from a school district, community school, STEM school, or chartered nonpublic school (*R.C. 3301.0710, 3301.0711, and 3313.614*)

Ohio Cooperative Extension Service (Extension Service, OSU Extension) - see Agriculture

Ohio Core curriculum - the minimum high school curriculum of 20 Carnegie units of study in specified subjects that are generally required, beginning with the Class of 2014, for a high school diploma and for admission to most state universities (*R.C. 3313.603 and 3345.06*)

OIG (Ohio Instructional Grant) - need-based financial aid that is awarded to full-time undergraduate students who are Ohio residents, first enroll in a two- or four-year degree program at an Ohio institution of higher education before the 2006-2007 academic year, and demonstrate eligibility as determined by family income; replaced by OCOG (*R.C. 3333.12*)

open enrollment, interdistrict - a policy required of all school districts that must either outright prohibit the enrollment of students from other districts, permit enrollment of students from only adjacent districts, or permit enrollment of students from all other districts (*R.C. 3313.98 and 3313.983*)

open enrollment, intradistrict - a policy required of each local, exempted village, and city school district under which the district must offer its students options to attend school within that district other than at the school to which a student is assigned by the district superintendent (*R.C. 3313.97*)

parity aid - a state subsidy that is paid to lower-wealth and medium-wealth school districts in addition to base-cost and categorical funding; payment to each district is based on its relative income and property wealth (*R.C. 3317.0217*)

phantom revenue - the popular term that is used to describe the situation faced by school districts when their charge-offs (local shares) increase due to rising property values, but growth in their actual property tax revenues is limited due to the H.B. 920 tax reduction factor, thereby requiring them to reallocate previously

discretionary local tax revenues to meet their required local shares of base education costs

poverty-based assistance - a state subsidy that is paid in addition to base-cost funding to school districts having relatively moderate to high concentrations of low-income students; formerly called DPIA (disadvantaged pupil impact aid) (*R.C. 3317.029*)

private institution exempt from regulation under Chapter 3332. of the Revised Code - a private, for-profit post-secondary career school that as of February 20, 2002, offered bachelor's and master's degrees approved by the Ohio Board of Regents and that is exempt under law from regulation by the State Board of Career Colleges and Schools (*R.C. 3333.046*)

proprietary school - a private career school that is usually operated on a for-profit basis and that offers post-secondary instruction in a recognized vocation or occupation; many of the schools are regulated by the State Board of Career Colleges and Schools (*R.C. Chapter 3332.*)

PSEO (Post-Secondary Enrollment Options) - a state program permitting public and private school students in grades 9 to 12 to enroll in courses at public and private colleges and universities in Ohio and receive college and high school credit; the state pays for tuition and books for many students to attend the college or university courses (*R.C. Chapter 3365.*)

related services - transportation and other supportive services that are needed to assist a disabled student to benefit from the student's individualized education program; include, as needed, early identification and assessment of disability, speech pathology, audiology, psychological services, occupational and physical therapy, and recreation, counseling, and diagnostic and evaluative medical services (*20 U.S.C. 1401; R.C. 3323.01(K)*)

school district - the basic governing unit for elementary and secondary education; districts are categorized as city, exempted village, and local, the last of which generally consist of territory where there are (or once were) no incorporated villages or cities and are under some supervision by an educational service center; all territory in the state is in one of these three types of school districts; a "local school district" is a specific type of district, and the term should not be used as a generic term for local education units (*R.C. 3311.02 to 3311.04*)

school foundation program - the system of distributing state money to school districts; provides base-cost funding and categorical funding, the latter of which is

additional state money to pay districts facing special circumstances such as high proportions of low-income children or the need to educate disabled students (*R.C. Chapter 3317.*)

Seniors to Sophomores Program - an administrative initiative providing a publicly funded dual-enrollment program for academically qualified high school seniors to earn up to a year's worth of high school and college credit simultaneously, potentially qualifying students to enter the University System of Ohio as college sophomores (*R.C. 3365.15*)

SERS (School Employees Retirement System) - see Public Retirement

special education weights - six statutory categories that classify various disabilities based on their severity; the categories determine the amount of additional state subsidy above the base-cost funding amount that a school district may receive for providing special education services to disabled students (*R.C. 3317.013, 3317.02(F), (S), (T), and (U), and 3317.022(B) and (C)*)

SSI (state share of instruction) - the main subsidy that is paid by the state to each state-assisted university and college toward the instructional operating cost of the institution

state-assisted colleges and universities - two- or four-year institutions of higher education, including state universities, university branches, community colleges, state community colleges, and technical colleges, that receive financial support from state funds for their expenses of operation

state share - the percentage of a given funding category or subsidy that is paid to a school district from state funds; is generally higher for lower-wealth districts and lower for higher-wealth districts

STEM - an acronym for science, technology, engineering, and mathematics education (*R.C. 3326.01*)

STEM school - a public school that may be independent of a school district and specializes in providing instruction in science, technology, engineering, and mathematics in any of grades 6 to 12 (*R.C. Chapter 3326.*)

STRS (State Teachers Retirement System) - see Public Retirement

Student Choice Grant - financial aid that is administered by the Chancellor of the Ohio Board of Regents and awarded to full-time students who are Ohio residents, are enrolled in a bachelor's degree program at a private Ohio college or university, and maintain academic standards established by the Chancellor (*R.C. 3333.27*)

textbook and instructional materials fund - a required fund established by each school district to be used solely for the purchase of textbooks, instructional software, and instructional materials, supplies, and equipment; each district annually must deposit into the fund an amount equal to 3% of the product derived by multiplying the previous year's base-cost formula amount by the district's student population (*R.C. 3315.17 and 3315.171*)

third grade reading guarantee - a requirement that for any third grade student who scores below the basic range on the third grade reading achievement test, a school district choose one of the following options: (1) promotion to fourth grade if the student's reading teacher and principal agree that the student is academically prepared, (2) promotion with the provision of intervention services in fourth grade, or (3) retention in third grade (*R.C. 3313.608*)

thorough and efficient clause - the state constitutional provision requiring the General Assembly to provide by taxation or otherwise for "a thorough and efficient system of common schools throughout the state" (*Section 2, Article VI, Ohio Constitution*)

Title I (Title I of the Elementary and Secondary Education Act, also referred to as ESEA) - a federal program that provides grants to school districts, which are passed through the state Department of Education, to provide special instructional services to children who are disadvantaged because of low family income, disability, neglect, or delinquency or because of coming from a migratory family (*20 U.S.C. 6301 et seq.*)

Title IX (Title IX of the Education Amendments of 1972) - a federal law that prohibits any educational program receiving any federal financial assistance from discriminating on the basis of sex (*20 U.S.C. 1681*)

transitional aid - additional state money that is paid to many school districts on a temporary basis to hold them harmless from recent changes in the school funding formula by making up the difference between what the formula pays them for most items and what they were paid for those items for the previous fiscal year (*Sections 269.30.80 and 269.30.90 of Am. Sub. H.B. 119 of the 127th General Assembly*)

University System of Ohio - a term that collectively refers to Ohio's 13 state universities (with their 24 branch campuses), public medical school, and 23 two-year technical and community colleges (*Governor's directive, August 2, 2007*)

urban school district (Urban-21 district) - any big-eight school district and any of the following city school districts: Cleveland Heights, East Cleveland, Elyria, Euclid, Hamilton, Lima, Lorain, Mansfield, Middletown, Parma, South-Western, Springfield, and Warren (*R.C. 3314.02*)

value-added progress dimension - a measure of academic gain based on achievement test scores that is used to demonstrate progress made by school districts and buildings in improving their students' academic performance over a specific period of time; is one of four measures that determine the annual performance ratings for districts and buildings (*R.C. 3302.01(F) and 3302.021*)

War Orphans Scholarships - see **Veterans**

ELECTIONS AND CAMPAIGN FINANCE

absent voter's ballot (absentee ballot) - a ballot that may be voted and returned to a board of elections prior to the day of an election (*R.C. 3509.02 and 3509.05*)

automatic tabulating equipment - a machine or interconnected or interrelated machines that will automatically examine and count votes recorded on ballots (*R.C. 3506.01(C)*)

board of elections - a board in each county appointed by the Secretary of State, with two members from each major political party, whose duty is to administer elections within that county (*R.C. 3501.06 and 3501.11*)

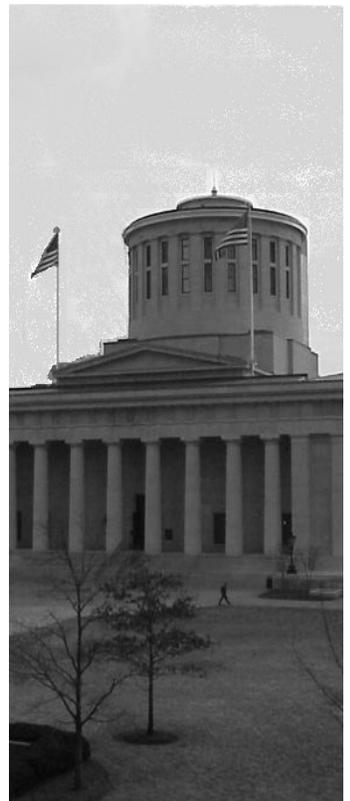
candidate - any qualified person who is certified in accordance with law for placement on the official ballot in a primary, general, or special election to be held in this state, or any qualified person who claims to be a write-in candidate or who knowingly assents to being represented as a write-in candidate by another in any such election (*R.C. 3501.01(H)*)

canvass of election returns (official count) - the official count of the voted ballots at an election; includes the count of absent voter's ballots and provisional ballots (*R.C. 3505.32*)

chief election officer - Ohio's Secretary of State; has such powers and duties relating to the registration of voters and the conduct of elections as are prescribed in the Elections Law; federal law imposes specific voter registration and elections duties on the chief election officer of a state (*42 U.S.C. 1973gg et seq.; R.C. 3501.04*)

contribution - a loan, gift, deposit, forgiveness of indebtedness, donation, advance, payment, transfer of anything of value, and payment by any person other than the person to whom the services are rendered for the personal services of another person that is made, received, or used for the purpose of influencing the results of an election (*R.C. 3517.01(B)(5)*)

declaration of candidacy - the declaration of a person's desire to be a candidate for a party nomination or a candidate for election to an office or position that will be voted on at a primary election; must be accompanied by a petition circulated and signed by members of the same political party as the candidate (*R.C. 3513.05 and 3513.07*)



designated agency - an office or agency that provides public assistance or that provides state-funded programs primarily engaged in providing services to persons with disabilities that is required by federal law to implement a program designed and administered by the Secretary of State for registering voters, or any other public or government office or agency that implements such a program (*R.C. 3501.01(X)*)

DRE (direct recording electronic voting machine) - a voting machine that records votes by means of a ballot display provided with mechanical or electro-optical components that can be actuated by the voter, that processes the data by means of a computer program, and that records voting data and ballot images in internal or external memory components (*R.C. 3506.01(F)*)

election contest - a court proceeding to challenge the outcome of an election; state process does not apply to federal elections (*R.C. 3515.08*)

elector or qualified elector - a person having the following qualifications established by law to be entitled to vote: (1) is a U.S. citizen, (2) is 18 or older, (3) has been a resident of Ohio 30 days immediately preceding the relevant election, (4) is a resident of the county and precinct in which the citizen offers to vote, and (5) has been registered to vote for 30 days; persons convicted of a felony are excluded from the franchise during specified periods of time (*Sections 1 and 4, Article V, Ohio Constitution; R.C. 2961.01, 3501.01(N), and 3503.01*)

expenditure - the disbursement or use of a contribution for the purpose of influencing the results of an election or of making a charitable donation (*R.C. 3517.01(B)(6)*)

HAVA (Help America Vote Act of 2002) - the federal law that provides for voting system standards, provisional ballots, a statewide voter registration database, and other requirements for elections for federal office (*42 U.S.C. 15301 et seq.; R.C. 3506.01(G)*)

independent candidate - a candidate who claims not to be affiliated with a political party and whose name has been certified on the office-type ballot at a general or special election through the filing of a statement of candidacy and nominating petition (*R.C. 3501.01(I)*)

independent expenditure - an expenditure by a person advocating the election or defeat of an identified candidate or candidates that is not made with the consent of, in coordination, cooperation, or consultation with, or at the request or suggestion of any candidate or candidates or the campaign committee of the candidate or candidates (*R.C. 3517.01(B)(17)*)

ELECTIONS AND CAMPAIGN FINANCE

initiative petition - the means by which qualified electors may propose constitutional amendments or laws to be submitted to electors (*Sections 1a, 1b, and 1g, Article II, Ohio Constitution; R.C. 3519.01 and 3519.05*)

in-kind contribution - anything of value other than money that is used to influence the results of an election or is transferred to, or used in support of or in opposition to, a specified candidate or entity and that is made with the consent of, in coordination, cooperation, or consultation with, or at the request or suggestion of the benefited candidate or entity; includes the financing of campaign materials (*R.C. 3517.01(B)(16)*)

marking device - an apparatus that is operated by a voter to record the voter's choices through the piercing or marking of ballots and that enables the ballots to be examined and counted by automatic tabulating equipment (*R.C. 3506.01(A)*)

nominating petition - a petition containing a statement of candidacy and the signatures of qualified electors that nominates an independent candidate or a nonpartisan candidate to run for a particular office (*R.C. 3513.261*)

nonpartisan ballot - a ballot on which appears the names of all nonpartisan candidates at an election and on which none of the following may appear: the name or designation of any political party or any words, designations, or emblems descriptive of a candidate or a candidate's political affiliation or indicative of the method by which a candidate was nominated or certified (*R.C. 3505.04*)

nonpartisan candidate - a candidate whose name is required to be on the official nonpartisan ballot, including all candidates for judicial office, for members of a board of education, for municipal or township offices in which primary elections are not held for nominating candidates by political parties, and for offices of municipal corporations whose charters provide for separate ballots for elections to those offices (*R.C. 3501.01(J)*)

NVRA (National Voter Registration Act of 1993) - the federal law that establishes standards for voter registration, including a process for registering to vote with the Registrar of Motor Vehicles or a deputy registrar, and a process for canceling the registration of inactive voters (*42 U.S.C. 1973gg et seq.; R.C. 3501.01(Y)*)

office-type ballot - a ballot on which appears the names of all candidates for election to offices, except judicial offices, who were nominated at the most recent primary election as candidates of a political party or who were otherwise nominated

in accordance with law for nonjudicial offices for which persons generally are nominated at a primary election as candidates of a political party (*R.C. 3505.03*)

Ohio Ballot Board - the bipartisan board that is responsible for determining ballot language for statewide issues; in some circumstances, the Board also writes arguments regarding and explanations of statewide ballot issues (*Section 1g, Article II, and Section 1, Article XVI, Ohio Constitution; R.C. 3505.061 and 3505.062*)

Ohio Elections Commission - the commission that receives complaints and holds hearings regarding alleged violations of the Campaign Finance Law; imposes fines and refers violations to appropriate prosecutors, recommends legislation, and renders advisory opinions (*R.C. 3517.151 to 3517.157*)

optical scan ballot - a ballot that is marked by using a specified writing instrument to fill in a designated position to record a voter's candidate, question, or issue choice and that can be scanned and electronically read in order to tabulate the vote (*R.C. 3506.21(A)*)

party candidate - a candidate who claims to be a member of a political party and: (1) whose name has been certified on the office-type ballot at a general or special election and who has won the primary election of the candidate's party for the public office, or (2) who is selected by a party committee to fill a vacancy created by the death or withdrawal of another party candidate (*R.C. 3501.01(K)*)

political party - any group of voters that, at the most recent regular state election, polled for its candidate for governor or nominees for presidential electors at least 5% of the entire vote cast for that office or that filed with the Secretary of State, after any election in which the group polled less than 5% of the vote, a petition signed by at least 1% of the total number of electors who voted for governor or for nominees for presidential electors at the most recent election, declaring their intentions of organizing a political party and stating the party's name (*R.C. 3501.01(F) and 3517.01(A)*)

precinct - a district that is within a county, that is established by the board of elections of that county, that usually contains no more than 1,400 electors, and within which all qualified electors having a voting residence in that district may vote at the same polling place (*R.C. 3501.01(Q) and 3501.18*)

presidential primary election - a primary election at which an election is held for the purpose of choosing delegates and alternates to the national conventions of the major political parties; the term "primary election," as used in the Revised Code, usually includes presidential primary elections (*R.C. 3501.01(E)(2)*)

ELECTIONS AND CAMPAIGN FINANCE

primary election - an election that is held to nominate candidates of political parties for election to offices or to elect members of the controlling committees of political parties or delegates and alternates to the conventions of political parties; must be held on the first Tuesday after the first Monday in May of each year except in years in which a presidential primary election is held; in those years, must be held on the first Tuesday after the first Monday in March unless otherwise authorized by a municipal or county charter (*R.C. 3501.01(E)(1) and (2)*)

provisional ballot - a type of ballot that may be cast by an elector whose name does not appear in the pollbook, who does not provide required identification, or who otherwise does not appear eligible to vote; a provisional ballot may require additional verification and may not be counted until 11 days after the election; is required to be made available by federal law (*R.C. 3505.181, 3505.182, and 3505.183*)

question or issue - a question or issue that is certified in accordance with law for placement on an official ballot at a general or special election (*R.C. 3501.01(M)*)

questions and issues ballot - a ballot on which appears all questions and issues to be submitted at any one election together with the percentage of affirmative votes necessary for passage as required by law (*R.C. 3505.06*)

recount - recounting of the ballots for a particular office, question, or issue in order to verify the outcome of an election; is conducted automatically in the case of certain close elections or may be requested by the losing side (*R.C. 3515.01 and 3515.011*)

referendum petition - the means by which qualified electors may seek to repeal a law or provision in any law by submitting the question of the repeal to the electors (*Sections 1c and 1g, Article II, Ohio Constitution; R.C. 3519.01 and 3519.05*)

regular municipal election - the election that is held on the first Tuesday after the first Monday in November in each odd-numbered year (*R.C. 3501.01(B)*)

regular state election - the election that is held on the first Tuesday after the first Monday in November in each even-numbered year for the purpose of electing state and county officers (*Section 1, Article XVII, Ohio Constitution; R.C. 3501.01(C)*)

single federal postcard application - federally required postcard that members of the armed services and overseas citizens may use both to register to vote and to apply for absent voter's ballots (*42 U.S.C. 1973ff and 1973ff-1; R.C. 3509.03 and 3511.02*)

special election - any election other than those defined by other provisions of law; may be held only on the first Tuesday after the first Monday in February, May, August, or November or on the day authorized by a particular municipal or county charter for the holding of a primary election, except that in any year in which there is a presidential primary election, a special election cannot be held in February or May except as authorized by a municipal or county charter, but may be held on the first Tuesday after the first Monday in March, which is the date designated for the presidential primary election (*R.C. 3501.01(D)*)

statement of candidacy - the declaration of a person's desire to run for election to office as an independent candidate or a nonpartisan candidate; designates the candidate's name, address, and precinct and the office sought and declares that the candidate is an elector who is qualified to vote for the office being sought (*R.C. 3513.257 and 3513.261*)

term limit - a restriction on the number of terms that a statewide officeholder or General Assembly member may hold an office within a specified time period (*Section 2, Article III, and Section 9, Article V, Ohio Constitution*)

unofficial count (election night count) - the count of the ballots conducted after the close of the polls on the day of an election that must be made not later than noon on the day after the election and that does not include all absent voter's ballots, provisional ballots, or disputed ballots (*R.C. 3505.27 and 3505.30*)

voter identification - proof of a voter's identity that must be provided at the polls or with an absent voter's ballot in the form of a current and valid photo identification, a military identification, or a copy of a current utility bill, bank statement, government check, paycheck, or government document that shows the voter's name and current address (*R.C. 3505.18(A)(1)*)

voting machine - mechanical or electronic equipment for the direct recording and tabulation of votes (*R.C. 3506.01(E)*)

voting residence - the place of residence of an elector that determines the precinct in which the elector may vote (*R.C. 3501.01(P)*)

VVPAT (voter verified paper audit trail) - a physical paper printout on which the voter's ballot choices, as registered by a direct recording electronic voting machine,

ELECTIONS AND CAMPAIGN FINANCE

are recorded that permits the voter to visually or audibly inspect the contents of the printout and accept or reject the contents before the ballot is recorded and that serves as the official ballot in a recount (*R.C. 3506.01(H) and 3506.18*)

write-in candidate - a qualified person who has filed a declaration of intent to be a write-in candidate and who may receive write-in votes for a particular office at either a primary or general election (*R.C. 3513.041*)

EMPLOYMENT

ADA (Americans with Disabilities Act of 1990) - the federal law prohibiting discrimination against persons with disabilities (*42 U.S.C. 12101 et seq.*)

ADEA (Age Discrimination in Employment Act of 1967) - the federal law prohibiting discrimination in employment against covered persons 40 years of age or older (*29 U.S.C. 621 et seq.*)

ADR (alternative dispute resolution) - procedures for settling disputes by means other than litigation, including by arbitration or mediation, that have gained increased popularity in recent years as court dockets have become crowded with cases that lead to long delays (*Black's*)

age and schooling certificate - a certificate issued to a child by a school district superintendent that provides proof to the child's prospective employer that the child is at least 14 years of age (16 years of age under federal law); is generally required for employers covered by Ohio's minor labor law, but is permissive under the federal minor labor law; permits such a child to work at a lawful occupation in lieu of attending school (*R.C. Chapter 3331. and 4109.02*)

affirmative action - a program or policy that is designed to: (1) eliminate existing and continuing discrimination, (2) remedy historical discriminatory practices against members of protected classes, and (3) create systems and procedures to prevent future discrimination; affirmative action programs favoring minority group members have been challenged under Title VII of the Civil Rights Act of 1964 as reverse discrimination (*Black's*)

ALJ (administrative law judge) - an officer who presides at a federal administrative hearing and who is empowered to administer oaths, rule on evidence, and make findings of fact (*Black's*)

BFOQ (bona fide occupational qualification) - one of the affirmative defenses to an employment discrimination claim under Title VII of the Civil Rights Act of 1964, available when the sex, religion, or national origin of an employee is an actual qualification for performing the job; state law authorizes the Ohio Civil Rights Commission to certify, in advance, a bona fide occupational qualification (*R.C. 4112.02(E) and (O)(1)*)



bona fide executive, administrative, or professional capacity - classifications of employment that are exempt from federal minimum wage and federal and state overtime compensation requirements; extensive federal regulations give further definition of what constitutes employment in such a capacity

collective bargaining - see **Collective Bargaining**

comparable worth - the theory that workers should receive the same pay if their jobs, even if vastly different in content, are of equal value

deferral agency - a state, like Ohio, that has its own federally approved antidiscrimination enforcement mechanism (in Ohio, the Ohio Civil Rights Commission) to which the federal Equal Employment Opportunity Commission "defers" enforcement of federal law

disparate impact - discrimination resulting from the effects of a policy or practice that, although apparently neutral, indirectly causes a disproportionately adverse impact on members of a protected class and is not justified by a business necessity (*Black's*)

EEOC (Equal Employment Opportunity Commission) - the federal agency created by Title VII of the Civil Rights Act of 1964 with jurisdiction over charges of discrimination in employment in violation of federal law (*42 U.S.C. 2000e-4*)

employment-at-will - a long-standing legal doctrine that provides that unless there is an agreement to the contrary, the relationship between employer and employee may be terminated by either party at any time, for any reason, or for no reason at all; is subject to public policy exceptions usually as determined by a court

Equal Pay Act - the federal law forbidding gender-based discrimination in pay so that covered persons who do the same work are compensated at the same rate regardless of sex; Ohio's law governing equal pay forbids wage discrimination not only on the basis of sex, but also on the basis of race, color, religion, age, national origin, or ancestry (*29 U.S.C. 206; R.C. 4111.17*)

exempt employee - see **Collective Bargaining**

FLSA (Fair Labor Standards Act) - the federal law setting a minimum wage and a maximum workweek of 40 hours in covered industries and creating the Wage and Hour Division of the U.S. Department of Labor; also includes the federal child labor laws (*29 U.S.C. 201 et seq.*)

FMLA (Family and Medical Leave Act) - the federal law providing employees of certain employers family and temporary medical leave under certain circumstances and protecting the employment and benefit rights of the employees using leave (*29 U.S.C. 2601 et seq.*)

hostile work environment - one of two types of sexual harassment claims recognized under Title VII of the Civil Rights Act of 1964; unlike a quid pro quo harassment claim, a hostile work environment claim does not allege that any specific employee response was made a condition for the receipt of employment benefits, but, instead, alleges that the workplace has become so permeated with offensive influences that the conditions of the victim's employment are altered

OCRC (Ohio Civil Rights Commission) - the state agency that enforces state and federal laws against discrimination; receives and investigates charges of discrimination in employment, public accommodations, housing, credit, and higher education on the basis of race, color, religion, sex, national origin, disability, age, ancestry, or familial status (*R.C. Chapter 4112.*)

Ohio Parental Leave Law - a law entitling specified state employees to take up to six continuous weeks of leave on the birth or adoption of a child, four weeks of which are paid at 70% of the employee's base rate of pay (*R.C. 124.136*)

prevailing wage - statutory requirements under which contractors who perform covered work on public improvement projects must offer minimum rates of pay for different classes of employees based on what is determined to be the wage rates that prevail for similar workers performing similar work on projects of a similar nature in the locality where the contracted work is to be performed; on the federal level, minimum wage rates are set by the U.S. Secretary of Labor, and in Ohio, by the Director of Commerce (*40 U.S.C. 3142; R.C. 4115.04*)

tipped employees - a category of employees under the federal and state minimum wage laws (under federal law, those who customarily and regularly receive more than \$30/month in tips; under state law, an employee for whom the employer is able to demonstrate that the employee receives tips that combined with the wages paid by the employer are equal to or greater than the minimum wage rate for all hours worked) for which a subminimum wage rate is established (50% of the applicable minimum wage) (*29 U.S.C. 203(t); Section 34a, Article II, Ohio Constitution*)

Title VII of the Civil Rights Act of 1964 - the principal federal law prohibiting employment discrimination based on race, color, religion, sex, or national origin that applies to covered employers with 15 or more employees (*42 U.S.C. 2000e et seq.*)

wrongful discharge - a cause of action created by courts, but more recently embodied in some states' statutes (not Ohio), of an employee against a former employer alleging illegal or discriminatory firing or a firing in violation of public policy (*Black's*)

ENVIRONMENT

ambient air - the portion of the atmosphere outside of buildings and other enclosures, stacks, or ducts that surrounds human, plant, or animal life or property (*R.C. 3704.01(E)*)

antidegradation policy - a mandate under the federal Clean Water Act that generally requires states to develop a policy under which the quality of certain high quality surface waters must be maintained and protected and the quality of other surface waters must be maintained unless there is an economic or social need for lowering the water quality and certain public participation and intergovernmental coordination requirements are satisfied (*40 C.F.R. 131.12; R.C. 6111.12*)

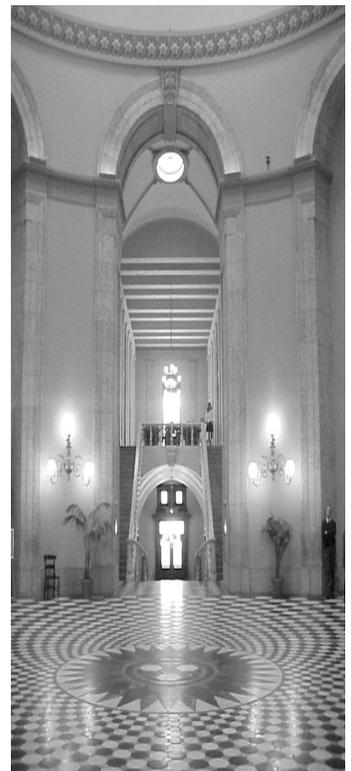
BAT (best available technology) - the currently available technology for any specific source of pollution that produces the greatest reduction of pollutants, taking into account energy, environmental, and other costs

brownfield - an abandoned, idle, or under-used industrial, commercial, or institutional property where expansion or redevelopment is complicated by known or potential releases of hazardous substances or petroleum (*R.C. Chapter 3746. and 122.65(D)*)

BUSTR (Bureau of Underground Storage Tank Regulations) - the agency within the Office of the State Fire Marshal that is responsible for implementing the petroleum underground storage tank program and generally for corrective actions related to releases from petroleum underground storage tanks (*R.C. 3737.87 to 3737.98*)

CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act—Superfund, SARA, Community Right-to-Know) - the federal law that addresses the cleanup of sites contaminated by the past disposal of hazardous substances and that establishes a system for determining the persons or entities who are liable for the cleanup (*42 U.S.C. 9601 et seq.*)

closure - the procedure that an owner or operator must follow when a solid waste or construction and demolition debris facility will no longer accept solid waste or construction and demolition debris for disposal or a hazardous waste facility will no longer accept hazardous waste for treatment, storage, or disposal (*R.C. Chapters 3714. and 3734.*)



community water system - a public water system that has at least 15 service connections used by year-round residents or that regularly serves at least 25 year-round residents (*R.C. 6109.01(E)*)

construction and demolition debris - in general, the materials resulting from the alteration, construction, destruction, rehabilitation, or repair of any physical structure constructed by humans (*R.C. 3714.01(C)*)

environmental audit - a voluntary self-evaluation of one or more activities at one or more facilities that is designed to improve compliance or identify, correct, or prevent noncompliance with environmental laws, is conducted by or on behalf of the owner or operator of the facility, and provides certain privileges and immunities to the owner or operator under certain circumstances (*R.C. 3745.70 to 3745.74*)

ERAC (Environmental Review Appeals Commission) - an entity that hears appeals of persons who are a party to a proceeding before the Director of Environmental Protection or a local board of health and that may issue an order vacating or modifying the action of the Director or board (*R.C. 3745.04 to 3745.06*)

flue gas desulfurization system (scrubber) - a technology that employs a sorbent, usually lime or limestone, to remove sulfur dioxide from gases produced by burning fossil fuels and that is current state-of-the-art technology for major sulfur dioxide emitters such as power plants

hazardous waste - in general, any waste or combination of wastes in solid, liquid, semisolid, or contained gaseous form that in the determination of the Director of Environmental Protection may cause or significantly contribute to an increase in mortality or serious illness or pose a substantial or potential hazard to human health or safety or the environment; includes substances identified under the Resource Conservation and Recovery Act (*R.C. 3734.01(J)*)

household sewage treatment system - any sewage treatment system, or part of such a system, that receives sewage from a single-family, two-family, or three-family dwelling (*R.C. 3709.091 and 3718.01(D)*)

infectious waste (medical waste) - in general, waste that is capable of causing infections in humans, including contaminated animal waste, human blood and blood products, isolation waste, pathological waste, and discarded sharps (needles, scalpels, and broken medical instruments) (*R.C. 3734.01(R)*)

isolated wetland - a wetland that does not abut a navigable water and that, under a U.S. Supreme Court interpretation of the federal Water Pollution Control Act, is not subject to federal regulation under that Act; however, may be regulated by the states (*Solid Waste Agency of Northern Cook County v. United States Army Corps of Engineers* (2001), 531 U.S. 159; R.C. 6111.02(F))

LEPC (local emergency planning committee) - a local committee appointed by the State Emergency Response Commission, as required by federal law, to prepare and implement a comprehensive chemical emergency response and preparedness plan for its jurisdiction (i.e. its emergency planning district) (R.C. Chapter 3750.)

local air pollution control authority - an entity that is authorized by statute to regulate certain air pollution control activities on behalf of the Environmental Protection Agency within the political subdivisions that the authority represents (R.C. 3704.01(N), 3704.111, and 3704.112)

low-level radioactive waste - radioactive waste that is not classified as high-level radioactive waste, transuranic waste, spent nuclear fuel, or by-product material as defined under the federal Atomic Energy Act of 1954; examples include clothing worn by workers at nuclear power plants and certain radioactive isotopes used in medicine

Midwest Interstate Compact on Low-Level Radioactive Waste - an agreement between the states of Indiana, Iowa, Minnesota, Missouri, Ohio, and Wisconsin that was established in response to the federal Low-Level Radioactive Waste Policy Act to provide for the disposal of low-level radioactive waste generated in the member states (R.C. 3747.01)

mobile source - any nonstationary source of air pollution such as cars, trucks, motorcycles, buses, airplanes, and locomotives

monocell facility - a discrete area of a licensed waste facility for the isolation of a certain volume or type of waste from other wastes; often is used with respect to scrap tires (O.A.C. 3745-27-01)

monofill facility - with respect to scrap tires, an engineered facility that is used or intended to be used exclusively for the storage or disposal of scrap tires (R.C. 3734.01(CC))

motor vehicle inspection and maintenance program (E-Check) - a motor vehicle emissions inspection program that was established in response to the federal Clean

Air Act and that currently operates in certain areas of the state under the name E-Check (*R.C. 3704.14*)

NAAQS (national ambient air quality standards) - air quality standards established under the federal Clean Air Act for six pollutants (carbon monoxide, nitrogen dioxide, ozone, lead, particulate matter, and sulfur dioxide) that are considered to be harmful to public health or the environment (*42 U.S.C. 7401 et seq.; 40 C.F.R. 50*)

nonpoint source - any source of pollution of the waters of the state that is not from a discernible, confined, and discrete conveyance (*O.A.C. 3745-33-01(V)*)

NPDES permit (national pollutant discharge elimination system permit) - a permit that is required under the federal Water Pollution Control Act and usually issued in Ohio by the Director of Environmental Protection and that governs the discharge of sewage, industrial waste, or other wastes into the waters of the state; NPDES permits for concentrated animal feeding operations are issued by the Director of Agriculture (*33 U.S.C. 1251 et seq.; R.C. 903.08 to 903.10 and 6111.03(J)*)

OAQDA (Ohio Air Quality Development Authority) - the state entity whose purpose is to assist in the financing of air quality facilities through grants or loans that may be funded through the issuance of bonds (*R.C. Chapter 3706.*)

off-site facility - a facility that stores, treats, or disposes of hazardous waste that is generated off the premises of the facility (*R.C. 3734.02(E)*)

on-site facility - a facility that stores, treats, or disposes of hazardous waste that is generated on the premises of the facility (*R.C. 3734.02(E)*)

OWDA (Ohio Water Development Authority) - the state entity whose purpose is to assist in the financing of wastewater, water management, and solid waste facilities through grants and loans that may be funded through the issuance of bonds (*R.C. Chapters 6121. and 6123.*)

point source - a discernible, confined, and discrete conveyance from which pollutants are or may be discharged into the waters of the state, including a pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft (*33 U.S.C. 1362(14); O.A.C. 3745-33-01(AA)*)

post-closure - the period of time following closure during which a construction and demolition debris facility, a hazardous waste facility, or a solid waste facility, including a scrap tire monocell or monofill facility, is required to be monitored and maintained (*R.C. 3714.02(I)(2), 3734.01(Q), and 3734.02(A)*)

private water system - a water system providing water for human consumption that has fewer than 15 service connections and does not regularly serve an average of at least 25 individuals daily at least 60 days out of the year (*R.C. 3701.344*)

PTI (permit to install) - a permit that is required before a person may cause or allow the installation or modification of a source of air pollutants, a wastewater disposal system, a construction and demolition debris facility, a solid waste disposal facility, or an infectious waste treatment facility (*R.C. 3704.03(F), 3714.051, 3734.05, and 6111.03(J); O.A.C. 3745-31-02*)

PTO (permit to operate) - in general, a permit authorizing a person to operate an air contaminant source; also may refer to a permit authorizing the discharge of pollutants from a wastewater disposal system otherwise known as an NPDES permit (*R.C. 3704.03(G); O.A.C. 3745-35-02*)

public water system - a system for the provision to the public of piped water for human consumption if the system has at least 15 service connections or regularly serves at least 25 individuals; generally includes collection, pretreatment, treatment, storage, and distribution facilities used primarily in connection with the system (*R.C. 6109.01(A)*)

pulverized debris - a load of construction and demolition debris that, after demolition has occurred, but prior to acceptance of the load of debris for disposal, has been shredded, crushed, ground, or otherwise rendered to such an extent that the load of debris is unidentifiable as construction and demolition debris (*R.C. 3714.01(I)*)

RCRA (Resource Conservation and Recovery Act) - a comprehensive federal statute that is designed to be a "cradle to grave" system for the management of hazardous waste by imposing management requirements on generators and transporters of hazardous waste and on owners and operators of treatment, storage, and disposal facilities (*42 U.S.C. 6901 et seq.*)

risk management program - a program that requires an owner or operator of a stationary source of air pollutants that produces, processes, handles, or stores more than a threshold quantity of a regulated substance to develop a risk management plan for the purpose of accident prevention (*R.C. Chapter 3753.*)

satellite facility - an on-site facility that also receives hazardous waste from another premises owned by the same person who generates the waste on the facility premises, an off-site facility operated so that all of the hazardous waste it receives is generated on one or more premises owned by the person who owns the facility, or an on-site facility that also receives hazardous waste that is transported uninterrupted and directly to the facility through a pipeline from a generator who is not the owner of the facility (*R.C. 3734.02(E)*)

sewage treatment system - a household sewage treatment system, a small flow on-site sewage treatment system, or both, as applicable (*R.C. 3718.01(M)*)

sewerage system - pipelines or conduits, pumping stations, force mains, and all other constructions, devices, appurtenances, and facilities that are used for collecting or conducting waterborne sewage, industrial waste, or other wastes to a point of disposal or treatment, excluding plumbing fixtures, building drains and subdrains, building sewers, and building storm sewers (*R.C. 6111.01(E)*)

small flow on-site sewage treatment system - a system, other than a household sewage treatment system, that treats not more than 1,000 gallons of sewage per day and that does not require an NPDES permit or an injection well drilling or operating permit under Ohio's Water Pollution Control Law (*R.C. 3718.01(N)*)

solid waste - unwanted residual solid or semisolid material that results from industrial, commercial, agricultural, and community operations, including garbage, scrap tires, certain combustible and noncombustible material, and debris (*R.C. 3734.01(E)*)

solid waste management district - a political subdivision comprising one or more counties that is responsible for establishing and administering a plan for the safe and sanitary management of solid waste within all of the territory of the district (*R.C. Chapters 343. and 3734.*)

stationary source - a fixed-site producer of air pollution, mainly power plants and other facilities using industrial combustion processes

TMDL (total maximum daily load) - a calculation of the maximum amount of a pollutant that a body of water can receive, from all contributing point and nonpoint sources, and still meet water quality standards (*33 U.S.C. 26 et seq.; 40 C.F.R. 130.7*)

transfer facility - a site, location, tract of land, installation, or building that is used or intended to be used primarily for the purpose of transferring solid waste or construction and demolition debris that was generated off the premises of the facility into vehicles for transportation to a solid waste disposal facility or a construction and demolition debris facility, as applicable (*R.C. 3714.01(L) and 3734.01(U)*)

VAP (voluntary action program) (brownfields program) - a program that authorizes persons to conduct a series of measures to identify and address possible sources of contamination of their property by hazardous substances or petroleum for the purpose of establishing that the property complies with applicable standards and ultimately receiving from the state a covenant not to sue for environmental damages (*R.C. Chapter 3746.*)

wellhead protection - the protection of a surface or subsurface zone surrounding a well or well field supplying a public water system in order to keep contaminants from reaching the well water

wetlands - areas that are inundated or saturated by surface or ground water at a frequency and duration that normally are sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions; examples include swamps, marshes, bogs, and similar areas (*R.C. 6111.02(P)*)

wetlands mitigation - the restoration, creation, enhancement, or, in exceptional circumstances, preservation of wetlands expressly for the purpose of compensating for wetland impacts (*R.C. 6111.02(G)*)

FINANCIAL INSTITUTIONS AND CONSUMER TRANSACTIONS

consumer reporting agency (credit bureau; credit reporting agency) - a person that regularly engages in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties; is regulated under the Fair Credit Reporting Act (*15 U.S.C. 1681*)

Consumer Sales Practices Act - a state law that prohibits specified unfair, deceptive, or unconscionable practices in connection with a consumer transaction; also applies to specific transactions, including those involving home solicitation sales, prepaid entertainment contracts, nonconforming new motor vehicles, and defective assistive devices; authorizes the Attorney General to investigate alleged violations and to seek civil penalties and remedies (*R.C. Chapter 1345.*)

credit services organization - a person that sells credit-related services such as advice or assistance in connection with improving a buyer's credit record, history, or rating or obtaining an extension of credit for the buyer; is required to register with the Division of Financial Institutions in the Department of Commerce (*R.C. Chapter 4712.*)

credit union share guaranty corporation - a corporation that guarantees payment of the share accounts of individual members and certain nonmembers of participating credit unions; a license is required from the Superintendent of Insurance; is regulated by the Departments of Insurance and Commerce (*R.C. Chapter 1761.*)

debt collector - a person that regularly engages in the business of collecting debts owed or asserted to be owed to another; principally is regulated under the Fair Debt Collection Practices Act (*15 U.S.C. 1692*)

Fair Credit Reporting Act - the federal law governing consumer reporting agencies and credit reporting; is enforced by the Federal Trade Commission (*15 U.S.C. 1681*)

FDIC (Federal Deposit Insurance Corporation) - the federal banking supervisory agency that insures deposits at member banks, savings and loan associations, and savings banks whether state or federally chartered (*12 U.S.C. 1811*)

Financial Modernization Act of 1999 (Gramm-Leach-Bliley Act) - the federal law permitting insurance companies, banks, and securities firms to affiliate with one another; provides privacy protections for the nonpublic personal information that an



entity maintains about consumers, including notice to consumers and an opportunity to "opt out" of certain types of disclosures (*15 U.S.C. 6801*)

insurance premium finance company - a person that engages in the business of entering into agreements with insureds or prospective insureds for financing the payment of insurance premiums; a license is required from the Division of Financial Institutions in the Department of Commerce (*R.C. 1321.71 to 1321.83*)

lease-purchase agreement (rent-to-own contract) - a contract for the use of personal property by an individual primarily for personal, family, or household purposes that is renewable periodically and permits the individual to acquire ownership of the property (*R.C. Chapter 1351.*)

letter of credit - an instrument by which a financial institution substitutes its credit on behalf of a beneficiary to facilitate domestic or foreign trade; is regulated under the Ohio Uniform Commercial Code (*R.C. Chapter 1305.*)

linked deposit program - a program to provide low-cost financing or encourage investment for a specific purpose whereby the state or a political subdivision deposits public moneys in a lending institution at a lowered annual interest rate and the institution then lends at a lower annual interest rate, or transfers some of, the value of that deposit to eligible persons (*R.C. 135.101 to 135.106 and 135.61 to 135.97*)

money transmitter - a person that is engaged in the business of receiving money or its equivalent and transmitting it by selling or issuing certain instruments such as checks, drafts, money orders, and travelers checks; a license is required from the Division of Financial Institutions in the Department of Commerce (*R.C. 1315.01 to 1315.18*)

Mortgage Brokers and Loan Officers Law - a state law that governs the activities of persons who, for compensation, assist buyers in obtaining a mortgage (mortgage brokers) or originate mortgage loans (loan officers); mortgage brokers are required to obtain a certificate of registration from, and loan officers are required to be licensed by, the Superintendent of Financial Institutions in the Department of Commerce (*R.C. Chapter 1322.*)

Mortgage Loan Law - a state law that regulates persons, other than banks, savings banks, savings and loan associations, and credit unions, that are engaged in the business of making loans secured by a mortgage on a borrower's real estate that is

Financial Institutions and Consumer Transactions

other than a first lien on the real estate; permits such persons to make other types of loans; requires a certificate of registration from the Division of Financial Institutions in the Department of Commerce; authorizes injunctions of violations and criminal prosecutions of violators (*R.C. 1321.51 to 1321.60*)

predatory lending - generally, lending practices that attempt to make a loan with terms unfavorable to borrowers; specifically refers to the practice of offering home equity loans with unusually high interest rates and fees, prepayment penalties, or large "balloon payments" to equity-rich homeowners who are on fixed incomes or have poor credit or employment records; is regulated under Ohio law and the federal Home Ownership and Equity Protection Act of 1994 (*15 U.S.C. 1601; R.C. 1349.25 to 1349.37*)

RISA (Retail Installment Sales Act) - a state law that regulates the retail sale of goods made on the basis of installment payments (*R.C. Chapter 1317.*)

secured transaction - a transaction establishing an interest in personal property or fixtures to secure payment or performance of an obligation; is regulated under the Ohio Uniform Commercial Code (*R.C. Chapter 1309.*)

short term loan - a loan that is made by a short term lender of up to \$500 for a duration of at least 31 days at an annual percentage rate of up to 28% and is subject to other conditions such as inclusion as a consumer transaction for purposes of the Consumer Sales Practice Act; a license is required from the Division of Financial Institutions in the Department of Commerce (*R.C. 1321.35 to 1321.48*)

Small Loan Law - a state law that regulates persons in the business of lending money or credit in amounts of \$5,000 or less; requires licensure by the Division of Financial Institutions in the Department of Commerce (*R.C. 1321.01 to 1321.19*)

UCC (Uniform Commercial Code) - the state law governing commercial transactions such as sales, negotiable instruments, bank deposits and collections, and secured transactions; is modified from time to time based on proposals by the National Conference of Commissioners on Uniform State Laws; has been adopted in some form by all 50 states (*R.C. Chapters 1301. to 1310.*)

unclaimed funds - moneys, rights to moneys, or intangible property enumerated in the Unclaimed Funds Law with respect to which the owner has not taken specified actions or has not otherwise indicated any interest; the Law provides for the reporting of such funds by holders to the Director of Commerce and for transfer of some or all of the funds to the Director and establishes procedures for the owner to reclaim the funds (*R.C. Chapter 169.*)

Uniform Depository Act - a state law that regulates investment and deposit of public funds by the state, counties, other political subdivisions, and other public entities (*R.C. Chapter 135.*)

usury - an interest rate that exceeds the maximum rate of interest that may be charged under law; a general statute establishes the maximum rate as 8% per year on certain written instruments for the forbearance or payment of money in the future, but that rate does not apply in numerous instances throughout the Revised Code (such as 25% in the case of bank and retail credit cards) (*R.C. 1343.01; see also, e.g., R.C. 1109.20 and 1317.061*)

HEALTH CARE

ADAP (AIDS Drug Assistance Program) - a program that is funded with state and federal money to purchase drugs for individuals with HIV/AIDS who meet certain economic and health conditions (*R.C. 3701.241*)

advance directive (durable power of attorney, living will for health care, DNR order) - a legal document through which an individual provides instructions on the provision of health care in the event the individual becomes incapable of making health care decisions; the most common forms are living wills and durable powers of attorney for health care (*R.C. 1337.11 to 1337.17 and 2133.01 to 2133.26*)

ambulatory surgical facility - a facility that is separate from a hospital or doctor's office where outpatient surgery is routinely performed or anesthesia is administered; is licensed by the Director of Health and may be certified by Medicare (*R.C. 3702.30*)

APN (advanced practice nurse) - a registered nurse who is approved by the Board of Nursing to practice as a nurse anesthetist, nurse-midwife, clinical nurse specialist, or nurse practitioner (*R.C. 4723.01*)

birth record - a birth certificate that has been registered with the appropriate state or local agency (*R.C. 3705.01*)

Cancer Incidence Surveillance System - a cancer registry that is established and maintained by the Department of Health; physicians, dentists, hospitals, and other health care providers make cancer reports to the Department, and The Ohio State University analyzes them (*R.C. 3701.261 to 3701.264*)

clinical counselor - an individual who is authorized to assist clients by diagnosing and treating mental and emotional disorders; is licensed by the Counselor, Social Worker, and Marriage and Family Therapist Board; a clinical counselor who holds a graduate degree and has graduate counselor training may be licensed as a professional counselor or professional clinical counselor (*R.C. Chapter 4757., specifically 4757.21, 4757.22, and 4757.23*)

CNM (certified nurse-midwife) - a registered nurse who has earned at least a master's degree with a major in a nursing specialty or a related field and has been certified by the Board of Nursing to practice as a nurse-midwife; may apply to the Board for authority to prescribe drugs and therapeutic devices (*R.C. 4723.41 to 4723.48*)



CNP (certified nurse practitioner) - a registered nurse who has earned at least a master's degree with a major in a nursing specialty or related field and has been certified by the Board of Nursing to practice as a nurse practitioner; may apply to the Board for authority to prescribe drugs and therapeutic devices (*R.C. 4723.41 to 4723.48*)

CNS (clinical nurse specialist) - a registered nurse who has earned at least a master's degree with a major in a nursing specialty or related field and has been certified by the Board of Nursing to practice as a clinical nurse specialist; may apply to the Board for authority to prescribe drugs and therapeutic devices (*R.C. 4723.41 to 4723.48*)

Commission on Minority Health - a state commission that has been established to promote health and the prevention of disease among minority groups; distributes grants to community-based health groups (*R.C. 3701.78*)

CON (certificate of need) - a written approval granted by the Director of Health that authorizes development of a health care facility or authorizes an existing facility to expand or acquire new technology; currently is required only for long-term care facilities (*R.C. 3702.51 to 3702.62*)

consult agreement - an agreement between a physician and a pharmacist under which the pharmacist is authorized to manage an individual's drug therapy to the extent specified by the physician (*R.C. 4729.01*)

controlled substance - see Criminal Law

CRNA (certified registered nurse anesthetist) - a registered nurse who has earned at least a master's degree with a major in a nursing specialty or related field and has been certified by the Board of Nursing to practice as a nurse anesthetist; may apply to the Board for authority to prescribe drugs and therapeutic devices (*R.C. 4723.41 to 4723.48*)

dangerous drug - see Criminal Law

dispensing optician - an individual who may interpret, but not alter, the prescription of a licensed physician or optometrist and who is authorized to design, adapt, fit, or replace prescribed optical aids as well as duplicate lenses other than contact lenses; is licensed by the Ohio Optical Dispensers Board (*R.C. 4725.40 to 4725.59*)

DNR order (do-not-resuscitate order) - a directive issued by a physician that identifies a person and specifies that CPR should not be administered to the person; DNR identification consists of a standard identification card, form, necklace, or bracelet that is of uniform size and design and has been approved by the Department of Health (*R.C. 2133.21 to 2133.26*)

drug - see **Criminal Law**

durable power of attorney for health care - a legal instrument that gives authority to a named individual (an "attorney in fact") to make health care decisions on behalf of a patient, which may include the decision to begin or discontinue life support; an attorney in fact's decision regarding life support has the same legal effect as the patient's own decision (*R.C. 1337.11 to 1337.17*)

Emergency Medical Services Board - the board in the Department of Public Safety that is responsible for developing a statewide emergency medical services plan, establishing a trauma system registry, administering an emergency medical services grant program, and certifying emergency medical service personnel; certifies four categories of emergency medical service providers: first responder, EMT-Basic, EMT-Intermediate, and EMT-Paramedic (*R.C. Chapter 4765.*)

food service operation - a place where food that is intended to be served in individual portions is prepared or served for a charge or required donation; unless an exception applies, must be licensed by the Director of Health or a local board of health (*R.C. Chapter 3717.*)

health care facility - any of certain facilities that are required to be licensed by the Director of Health, including an ambulatory surgical facility, freestanding dialysis center, freestanding inpatient rehabilitation facility, freestanding birthing center, freestanding radiation therapy center, and freestanding or mobile diagnostic imaging center (*R.C. 3702.30*)

health district - a subdivision of the state established for public health purposes; each city constitutes a city health district, townships and villages constitute general health districts, and a union of a city and general health district (or multiple districts) constitutes a combined health district; is governed by a board of health or, in the case of a charter city, the authority having the duties of a board of health (*R.C. Chapter 3709.*)

home health agency - an organization that provides home health services; is not licensed in Ohio, but some are certified under Medicare

independent social worker - a social worker who holds a master's degree or doctorate in social work, has completed at least two years of supervised post-master's degree social work experience, and passes an examination administered by the Counselor, Social Worker, and Marriage and Family Therapist Board; is authorized to diagnose and treat mental and emotional disorders (*R.C. Chapter 4757., specifically 4757.26 and 4757.27*)

Jarod's Law (School Health and Safety Network) - see Education

limited practitioners of medicine - individuals who practice massage and cosmetic therapy and a limited number of naprapaths and mechanotherapists certified to practice prior to March 1992; are regulated by the State Medical Board (*R.C. 4731.15 and 4731.151*)

living will (declaration) - a legal instrument that expresses an individual's desire concerning the administration of artificial life-sustaining procedures in the event the individual has an incurable or irreversible condition that otherwise would result in death in a short period of time (*R.C. 2133.01 to 2133.15*)

physician assistant - an individual who is qualified by academic and clinical training to provide medical services to patients; is licensed and regulated by the State Medical Board and required to work under the supervision and direction of a physician (*R.C. Chapter 4730.*)

prescriber - an individual who is authorized by law to prescribe drugs or drug therapy related devices in the course of the individual's professional practice, including the following professionals who are licensed under Ohio law: dentists, physicians, podiatrists, advanced practice nurses who hold a certificate to prescribe, optometrists licensed to practice optometry under a therapeutic pharmaceutical agent's certificate, physician assistants, and veterinarians (*R.C. 4729.01*)

prescriptive authority - authority for a certified nurse specialist, certified nurse-midwife, or certified nurse practitioner to prescribe drugs or therapeutic devices contained on a formulary that is established in rules by the Board of Nursing (*R.C. 4723.48 to 4723.485 and 4723.50*)

Public Health Council - a seven-member council that is part of the Department of Health and appointed by the Governor; has authority to adopt rules governing public health, sanitation, abortion, standards for local health authorities, and the regulation of private water systems (*R.C. 3701.33 to 3701.35*)

quality-of-care standards - rules adopted by the Director of Health requiring health care facilities to meet quality-of-care standards for solid organ and bone marrow transplantation, stem-cell harvesting and reinfusing, cardiac catheterization, open-heart surgery, pediatric intensive care, and the operation of linear accelerators, cobalt radiation therapy units, and gamma knives (*R.C. 3702.11*)

social worker - an individual who holds a master's degree or doctorate in social work or a baccalaureate degree in social work prior to October 10, 1992, and passes an examination administered by the Counselor, Social Worker, and Marriage and Family Therapist Board; is authorized to diagnose and treat mental and emotional disorders under the supervision of a psychologist, psychiatrist, professional clinical counselor, independent social worker, or registered nurse who holds a master's degree in psychiatric nursing (*R.C. Chapter 4757., specifically 4757.26 and 4757.28*)

State Medical Board (Med Board) - the state agency that issues certificates to practice to physicians, podiatrists, physician assistants, acupuncturists, and individuals who practice cosmetic therapy and massage; enforces laws related to the practice of those professions (*R.C. Chapter 4731.*)

telemedicine - the practice of medicine in this state by a physician located outside this state using interactive audio, video, or other electronic media; in order to practice telemedicine, a physician must receive a telemedicine certificate from the State Medical Board (*R.C. 4731.296*)

HIGHWAYS AND TRANSPORTATION

ALS (administrative license suspension) - suspension of a driver's license by the Registrar of Motor Vehicles rather than as a result of court action, primarily used in OVI cases

APV (all-purpose vehicle) - self-propelled vehicles suitable for cross-country travel, including all-terrain vehicles, all-season vehicles, mini-bikes, and trail bikes; does not include certain utility vehicles (*R.C. 4519.01*)

ATPS (automated title processing system) - an electronic computerized system for issuing ownership titles for motor vehicles, APVs, off-highway motorcycles, watercraft, and outboard motors (*R.C. 4505.09*)

bridge formula - used to calculate maximum gross vehicle weight allowable on public highways, streets, and bridges under state and federal law (*R.C. 5577.04*)

CDL (commercial driver's license) - a license that is required under state and federal law to operate specified commercial motor vehicles, including large tractor-trailers and school buses (*R.C. Chapter 4506.*)

DUS (driving under [license] suspension) - commonly, the offense of driving under financial responsibility suspension, OVI suspension, suspension for implied consent violation, or suspension for accumulation of points

equivalent offense - see **Criminal Law**

force account - the direct performance of project work by an entity using labor, equipment, materials, and supplies furnished by it and under its direct control rather than contracting for performance of the work

FR (financial responsibility) - a requirement that proof of financial responsibility, most often a liability insurance policy, be maintained for each registered vehicle (*R.C. Chapter 4509.*)

GARVEE (Grant Anticipated Revenue Vehicle) - established by federal law; a debt-financing instrument issued against and retired with future federal-aid highway revenues (*23 U.S.C. 122*)



GVW (gross vehicle weight) - the unladen weight of a fully equipped vehicle plus the maximum weight to be carried by the vehicle; is used for registration tax purposes (*R.C. 4501.01(JJ)*)

having physical control of a vehicle while under the influence - see **Criminal Law**

ignition interlock - a type of immobilizing or disabling device that connects a breath analyzer to a motor vehicle's ignition system that is constantly available to monitor the alcohol in the breath of any person attempting to start that motor vehicle and prevents starting the vehicle if alcohol content exceeds a set level (*R.C. 4510.01 and 4510.43*)

implied consent - consent that is deemed to have been given by a person operating a vehicle to have a chemical test performed to determine the presence of alcohol or drugs in the person's whole blood, blood serum, breath, or urine; failure to take the test is an offense and also results in an administrative license suspension (*R.C. 4511.191*)

IRP (International Registration Plan) - a reciprocal agreement of member jurisdictions authorizing apportioned registration of fleets of vehicles and recognizing registration of vehicles apportioned in member jurisdictions (*R.C. 4501.01(HH), 4503.042, and 4503.60 to 4503.66*)

MPO (metropolitan planning organization) - established by federal law; consists of local elected officials, officials of public agencies that administer or operate major modes of transportation in a metropolitan area, and appropriate state officials; develops transportation plans and programs for urbanized areas of the state (*23 U.S.C. 134*)

OVI (operating a vehicle under the influence) (drunk driving; DUI) - see **Criminal Law**

OVUAC (operating a vehicle after underage alcohol consumption) (underage drunk driving; underage DUI) - see **Criminal Law**

points - values that are ascribed to specific moving traffic violations; values for violations increase with severity of the offense; the accumulation of 12 points within two years results in a six-month suspension of a person's driver's license (*R.C. 4510.036 and 4510.037*)

HIGHWAYS AND TRANSPORTATION

probationary driver's license - a restricted driver's license that is issued to a person under 18 upon successful completion of driver's education and driver testing; restrictions include a nighttime driving curfew, mandatory seat belt use for all vehicle occupants, and a limit on the number of passengers for holders under 17; a holder also is subject to special license suspension provisions (*R.C. Chapter 4507.*)

state infrastructure bank - a direct loan and bond financing program of the Department of Transportation for the purpose of developing transportation facilities throughout Ohio (*R.C. 5531.09, 5531.10, and 5531.101*)

TID (transportation improvement district) - a governmental entity created by a board of county commissioners; possesses general powers to operate and fund highway-related projects (*R.C. Chapter 5540.*)

TRAC (Transportation Review Advisory Committee) - a nine-member appointed committee that is responsible for developing and approving a list of major highway projects for the Department of Transportation; members must have experience in transportation, business, or economic development (*R.C. Chapter 5512.*)

affordable housing - by common usage, housing for low- and moderate-income persons that costs no more than 30% of family income for utilities and rent; is not officially defined by the U.S. Department of Housing and Urban Development or the Revised Code

Condominium Law - the state law that governs the establishment and operation of condominium developments; condominium is a form of ownership, and any type of structure may be held in condominium ownership under this Law (*R.C. Chapter 5311.*)

fair housing laws - federal and state laws that prohibit discrimination in the sale, lease, rental, advertising, and financing of residential housing on the basis of race, color, religion, sex, handicap, familial status, or national origin; the Ohio Civil Rights Commission has primary enforcement authority for the Ohio law and the federal law in areas in which federal law is similar to Ohio law (*42 U.S.C. 3600 to 3620; R.C. 4112.02(H)*)

FMR (fair market rent) - the rent that the U.S. Department of Housing and Urban Development establishes and publishes annually for housing units of specified sizes; is used to determine payment amounts for Section 8 and other programs; is calculated based on the 40th percentile of rents for units in an area that meet quality standards and are occupied by persons who moved into a unit within the previous 15 months (*24 C.F.R. 888.113*)

Forcible Entry and Detainer Law (Eviction Law) - the state law that governs procedures for residential eviction actions; requires notice and judicial hearings and that a specified official carry out the eviction; the Ohio Landlord and Tenant Law for Residential Premises requires additional notice requirements for some types of evictions (*R.C. Chapter 1923.*)

Housing Tax-Credit Program - a federal IRS housing program that the Ohio Housing Finance Agency administers, under which the Agency grants tax credits for construction of new housing for low- and moderate-income persons on a competitive basis (*26 U.S.C. 42*)

housing trust fund fee - a tax that county recorders collect from persons for whom the recorders provide services, generally in an amount equal to the fee that a recorder collects for the services; the amount collected, minus an administrative fee, is paid to the Treasurer of State who deposits 50 million dollars of the amount into the Low- and Moderate-Income Housing Trust Fund (*R.C. 317.32, 317.36, and 319.63*)



HUD (Department of Housing and Urban Development) - the federal cabinet-level department that administers federal housing programs, including public housing programs, the Section 8 Housing Program, and the Federal Housing Administration loan programs (*42 U.S.C. 3532*)

Low- and Moderate-Income Housing Trust Fund - a fund in the state treasury that provides money to the Ohio Housing Finance Agency and the Department of Development for housing programs for low- and moderate-income persons; is administered by the Department of Development (*R.C. Chapter 174.*)

MHA (metropolitan housing authority) - an agency established pursuant to state statute to administer housing programs to benefit low- and moderate-income households using state and federal funding; the Director of Development declares an MHA to exist, and each MHA is administered by a locally appointed board of directors; qualifies as a public housing agency for federal programs (*R.C. 3735.27 to 3735.50*)

OHFA (Ohio Housing Finance Agency) - an agency that establishes and administers programs to assist low- and moderate-income households with affordable rental housing and home ownership; guarantees lending institution financing and issues bonds in furtherance of its programs (*Section 14, Article VIII, Ohio Constitution; R.C. Chapter 175.*)

Ohio Landlord and Tenant Law for Manufactured Home Parks - the state law that governs the relationship between manufactured home park operators and park residents; applies to lot rental only because the rental of a manufactured home itself is governed by the Ohio Landlord and Tenant Law for Residential Premises (*R.C. 3733.09 to 3733.20*)

Ohio Landlord and Tenant Law for Residential Premises - the state law that governs the relationship between landlords and tenants of residential housing (*R.C. Chapter 5321.*)

public housing - federally-subsidized housing that is owned and operated by a metropolitan housing authority; receives annual federal operating subsidies pursuant to contracts with HUD (*42 U.S.C. 1437; 24 C.F.R. 941; R.C. 3735.27 to 3735.50*)

Section 8 Housing Program - a federal housing program that subsidizes landlords and low-income tenants in privately owned and operated rental housing; may be either project based, in which the subsidy is tied to a particular unit, or a portable

voucher granted to the tenant that allows the tenant to select a unit on the market
(42 U.S.C. 1437f; 24 C.F.R. Ch. VIII)

INSURANCE

any willing provider law - a law requiring a managed health care plan to contract with any health care provider who is willing to meet the plan's contract terms

assigned risk plan - a plan, approved by the Superintendent of Insurance, to apportion among automobile insurers those applicants for automobile insurance who are unable to procure such insurance through the normal insurance market (*R.C. 4509.70*)

ERISA (Employee Retirement Income Security Act of 1974) - a federal law that establishes uniform standards for the regulation of private employee benefit plans, including health care plans; generally, preempts state regulation of all private self-insured health care plans (*29 U.S.C. 1001 et seq.*)

FAIR plan (fair access to insurance requirements plan) - a plan to assist applicants in urban areas in securing basic property insurance or homeowners insurance; applies to those applicants whose property is insurable in accordance with reasonable underwriting standards, but who cannot obtain this insurance through the normal insurance market; distributes the responsibility for insuring these properties among authorized insurers (*R.C. 3929.41 to 3929.49*)

Financial Modernization Act of 1999 (Gramm - Leach - Bliley Act) - see **Financial Institutions and Consumer Transactions**

FR (financial responsibility) - see **Highways and Transportation**

guaranty associations - the associations created by state statute to administer the payment of covered claims under the policies of an insolvent or impaired insurer; are funded by assessments on insurers; are established as the Ohio Insurance Guaranty Association (property and casualty insurance) and the Ohio Life and Health Insurance Guaranty Association (*R.C. Chapters 3955. and 3956.*)

HIC (health insuring corporation) - a managed health care entity that provides insurance through plans that either require insureds to use specific health care providers or provide incentives for insureds to use specific providers (*R.C. Chapters 1751. and 1753.*)

HIPAA (Health Insurance Portability and Accountability Act of 1996) - the federal law that establishes standards for the portability and continuity of health care coverage; includes provisions pertaining to the guaranteed issue and guaranteed



renewability of coverage, limiting exclusions based on pre-existing conditions, prohibiting discrimination based on health status, and mandating certain disclosures (*42 U.S.C. 300gg*)

LTC (long-term care insurance) - insurance that provides coverage for one or more necessary or medically necessary diagnostic, preventive, therapeutic, rehabilitative, maintenance, or personal care services that are provided in a setting other than an acute care unit of a hospital; typically covers nursing home care and other related services (*R.C. 3923.41 to 3923.51*)

mandated benefit - insurance coverage for a specified health care service, treatment, or provider that must be provided by every sickness and accident insurance policy or health insuring corporation contract issued or delivered in Ohio

medical savings account - a savings account that is opened by or on behalf of any natural person to pay the person's eligible medical expenses and the eligible medical expenses of that person's spouse or dependent; may be opened only if the person also participates in a sickness and accident insurer's or health insuring corporation's health benefit plan or in an employer-sponsored health benefit plan (*R.C. 3924.61 to 3924.74*)

MEWA (multiple employer welfare arrangement) - an arrangement that is entered into by at least two employers or at least two self-employed individuals for the purpose of establishing a group self-insurance program to provide health care benefits to employees and their dependents; requires a certificate of authority from the Superintendent of Insurance (*R.C. Chapter 1739.*)

most favored nation clause (most favored rate clause) - a clause in a health care provider's contract with an insurer that requires the provider to charge the insurer a rate that is equal to or less than the lowest rate that the provider charges any other third-party payer

NAIC (National Association of Insurance Commissioners) - an association that is composed of the chief insurance regulatory officials of the 50 states; provides information on insurance regulatory matters, promulgates insurance standards, and recommends model insurance legislation

reinsurance - insurance bought by insurers; a reinsurance policy assumes part of the risk originally taken by the insurer

sickness and accident insurance - insurance against loss or expense resulting from the sickness of the insured or from the accidental bodily injury or death of the

insured that provides incentives for insureds to use specific health providers, but does not require the use of any specific health care provider (*R.C. Chapter 3923.*)

unfair and deceptive act or practice in the business of insurance - an unfair trade practice that is expressly prohibited by state statute; violators are subject to civil and administrative penalties and remedies available to the Superintendent of Insurance and the courts (*R.C. 3901.19 to 3901.26*)

utilization review - a process that is used by health insuring corporations to monitor the use of, or to evaluate the clinical necessity, efficacy, efficiency, or appropriateness of, health care services, procedures, or settings (*R.C. 1751.77 to 1751.86*)

viatical settlement - a transaction in which a party pays compensation to an insured in return for that person's assignment of the ownership of, or the death benefit payable under, a life insurance policy or certificate

JUVENILE AND FAMILY LAW

adequate parental care - the provision by a child's parent or parents, guardian, or custodian of adequate food, clothing, and shelter to ensure the child's health and physical safety and the provision by a child's parent or parents of specialized services that are warranted by the child's physical or mental needs (*R.C. 2151.011(B)(1)*)

bindover (transfer to adult court/relinquishment of jurisdiction for purpose of criminal prosecution) - the procedure whereby a juvenile court transfers a case to an adult court for prosecution; depending on the type of offense involved, the age of the child, and other factors, the transfer is mandatory or permissive; a child whose case is transferred to an adult court for prosecution is subject to adult sanctions if convicted (*R.C. 2152.10 and 2152.12*)

category one offense - the commission by a juvenile offender of aggravated murder, murder, attempted aggravated murder, or attempted murder (*R.C. 2152.02 (BB)*)

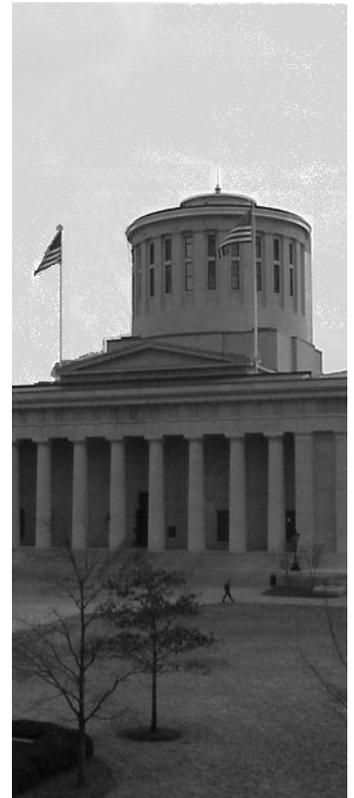
category two offense - the commission by a juvenile offender of voluntary manslaughter, kidnapping, rape, aggravated arson, aggravated robbery, aggravated burglary, involuntary manslaughter that is a felony of the first degree, or felonious sexual penetration as that offense existed prior to September 3, 1996 (*R.C. 2152.02 (CC)*)

child - generally, a person who is under 18 years of age with specified exceptions relating to when a person commits an offense or delinquent act, when a person is apprehended for an offense or delinquent act, and whether a person has been tried in adult court (*R.C. 2151.011(B)(5) and 2152.02(C)*)

Criminal Gang Activity Law (anti-gang law) - see **Criminal Law**

custodian - a person who has legal custody of a child or a public children services agency or private child placing agency that has permanent, temporary, or legal custody of a child (*R.C. 2151.011(B)(11)*)

delinquent child - a child who: (1) violates any law that would be a crime if committed by an adult, except traffic laws, (2) violates any lawful order of the court, (3) shows or gives false information or identification to gain entrance to an adult entertainment establishment, (4) purchases or attempts to purchase a firearm, (5) purchases, receives, or acquires a pseudoephedrine product that is not pursuant to a prescription or gives false identification information to acquire a pseudoephedrine



product, (6) is an habitual truant and previously has been adjudicated an unruly child for being an habitual truant, or (7) is a chronic truant (*R.C. 2152.02(F)*)

detention - the temporary care of children pending court adjudication or disposition, or execution of a court order, in a public or private facility that is designed to physically restrict the movement and activities of children (*R.C. 2151.011(B)(13)*)

detention facility - any place that is used for the confinement of a child who is alleged or found to be a delinquent child or unruly child in any state or under federal law (*R.C. 2921.01(F)*)

discretionary serious youthful offender - a person who is eligible for a discretionary SYO and who is not transferred to adult court under a mandatory or discretionary transfer (*R.C. 2152.02(G)*)

discretionary SYO - a case in which the juvenile court, in the juvenile court's discretion, may impose a serious youthful offender disposition (*R.C. 2152.02(H)*)

DNA database - see **Criminal Law**

guardian - a person, association, or corporation that is granted authority by a probate court pursuant to the Guardians and Conservatorships Law to exercise parental rights over a child to the extent provided in the court's order and subject to the residual parental rights of the child's parents (*R.C. 2151.011(B)(16)*)

guardian ad litem - see **Children**

juvenile traffic offender - a child who violates any traffic law, ordinance, or regulation other than a violation that is required to be handled by a parking violations bureau (*R.C. 2152.02(N)*)

legal custody - see **Children**

mandatory serious youthful offender - a person who is eligible for a mandatory SYO and who is not transferred to adult court under a mandatory or discretionary transfer (*R.C. 2152.02(P)*)

JUVENILE AND FAMILY LAW

mandatory SYO - a case in which the juvenile court is required to impose a mandatory serious youthful offender disposition (*R.C. 2152.02(Q)*)

out-of-home care - detention facilities, shelter facilities, certified children's crisis care facilities, certified foster homes, organizations, certified organizations, child day-care centers, type A family day-care homes, child care provided by type B family day-care home providers and by in-home aides, group home providers, group homes, institutions, state institutions, residential facilities, residential care facilities, residential camps, day camps, public schools, chartered nonpublic schools, educational service centers, hospitals, and medical clinics that are responsible for the care, physical custody, or control of children; also includes placement in a prospective adoptive home prior to the issuance of a final decree of adoption (*R.C. 2151.011(B)(27)*)

permanent custody - see **Children**

planned permanent living arrangement - an order of a juvenile court pursuant to which the court gives legal custody of a child to a public children services agency or a private child placing agency without the termination of parental rights and that permits the agency to make an appropriate placement of the child and to enter into a written agreement with a foster care provider or with another person or agency with whom the child is placed (*R.C. 2151.011(B)(37)*)

protective supervision - an order of disposition pursuant to which the court permits an abused, neglected, dependent, or unruly child to remain in the custody of the child's parents, guardian, or custodian and stay in the child's home, subject to any conditions and limitations on the child, the child's parents, guardian, or custodian, or any other person that the court prescribes, including supervision as directed by the court for the protection of the child (*R.C. 2151.011(B)(40)*)

shelter - the temporary care of children in physically unrestricted facilities pending court adjudication or disposition (*R.C. 2151.011(B)(51)*)

SYO (serious youthful offender) - a person who is eligible for a mandatory SYO or discretionary SYO, but who is not transferred to adult court under a mandatory or discretionary transfer (*R.C. 2152.02(X)*)

temporary custody - see **Children**

transfer - the transfer for criminal prosecution of a case involving the alleged commission by a child of an act that would be an offense if committed by an adult

from the juvenile court to the appropriate adult court that has jurisdiction of the offense (*R.C. 2152.02(AA)*)

unruly child - a child who: (1) violates a law, other than giving false information to enter an adult entertainment establishment, underage purchasing of a firearm, certain pseudoephedrine-related offenses, or certain tobacco-related offenses, that is applicable only to a child, (2) does not submit to the reasonable control of the child's parents, teachers, guardian, or custodian, by reason of being wayward or habitually disobedient, (3) is an habitual truant from school and previously has not been adjudicated an unruly child for being an habitual truant, or (4) behaves in a manner as to injure or endanger the child's health or morals or the health or morals of others (*R.C. 2151.022*)

attaching of lien - the effective date for when a lien is established as a claim against a property; for example, in the case of a mechanic's lien, the lien "attaches" pursuant to the filing of a notice of commencement

lien - a charge against, or interest in, a property to secure payment of a debt or the performance of a service; a lien may be created pursuant to common law, equity, or statute (*Black's*)

lien by operation of law - a lien that arises by law, without any specification or action of the parties, due to the relationship of the parties; a lien arising by operation of law may be a common law, equitable, or statutory lien

lien release - the discharge of a lien upon the satisfaction of the obligation that is the basis for the lien

mechanic's lien - a statutory lien that secures payment for labor or materials that are supplied pursuant to a contract in furtherance of the construction, repair, or maintenance of an improvement to real property (*R.C. 1311.01 to 1311.24; Black's*)

notice of commencement - with regard to a mechanic's lien, the notice that the owner or person who contracts for labor, work, or materials files in the office of the county recorder to put others on notice that work is about to begin on, or materials are about to be furnished for, an improvement to the real property described in the notice (*R.C. 1311.04*)

notice of furnishing - a notice that a person who holds a mechanic's lien files with the owner or the original contractor to preserve the lien when that person does not have direct privity of contract with the owner or original contractor (*R.C. 1311.05*)

perfecting a lien - the process by which a person who has a lien files a claim with a public official (often the county recorder) in order to preserve a right to payment over those who have not perfected a lien and to establish priority among others who perfect a lien

priority of liens - the ranking of liens in terms of the order of payment from the property that secures the liens



statutory lien - a lien that is created by statute as opposed to a lien arising under common law principles; examples in Ohio include mechanic's liens, public improvement liens, and personal property tax liens (*R.C. Chapters 1311. and 5719.*)

LIQUOR CONTROL

beer - all beverages brewed or fermented wholly or in part from malt products and containing 1/2% or more, but not more than 12%, of alcohol by volume (*R.C. 4301.01(B)(2)*)

class A permit - a liquor permit that allows the permit holder to manufacture beer, wine, mixed beverages, or spirituous liquor, to sell beer and wine at retail for home use, and to sell beer, wine, and mixed beverages to class B, C, D, and F permit holders, as authorized by the specific class A permit (*R.C. 4303.02, 4303.021, 4303.03, 4303.04, and 4303.05*)

class B permit - a liquor permit that allows the permit holder to purchase from class A permit holders, to sell at wholesale to class C, D, E, and F permit holders, and to sell at retail beer, wine, or mixed beverages for home use, as authorized by the specific class B permit (*R.C. 4303.06, 4303.07, 4303.071, 4303.08, 4303.09, and 4303.10*)

class C permit - a liquor permit that allows the permit holder to purchase from class A and B permit holders and to sell at retail beer, wine, or mixed beverages for consumption off the premises where sold, as authorized by the specific class C permit (*R.C. 4303.11, 4303.12, and 4303.121*)

class D permit - a liquor permit that allows the permit holder to purchase beer, wine, and mixed beverages from class A and B permit holders and to sell at retail beer, wine, mixed beverages, or spirituous liquor for consumption on the premises where sold, as authorized by the specific class D permit; many class D permits also authorize the permit holder to sell at retail beer, wine, or mixed beverages for consumption off the premises where sold (*R.C. 4303.13, 4303.14, 4303.141, 4303.15, 4303.151, 4303.16, 4303.17, 4303.171, 4303.18, 4303.181, 4303.182, 4303.183, and 4303.184*)

class F permit - a liquor permit that allows the permit holder to sell beer or intoxicating liquor for limited time periods, for consumption on the premises where sold, and for designated purposes, as authorized by the specific class F permit (*R.C. 4303.20, 4303.201, 4303.202, 4303.203, 4303.204, 4303.205, 4303.206, 4303.207, and 4303.208*)

class S permit - a liquor permit that allows the permit holder to sell and ship wine to a personal consumer via an H (common carrier) permit holder (*R.C. 4303.232*)



intoxicating liquor - all liquids and compounds, other than beer, containing 1/2% or more of alcohol by volume that are fit to use for beverage purposes, from whatever source and by whatever process produced, by whatever name called, and whether they are medicated, proprietary, or patented; includes wine, mixed beverages, cider, alcohol, and all solids and confections that contain any alcohol (*R.C. 4301.01(A)(1)*)

local option election - an election generally held in an election precinct on various questions regarding the sale of beer, wine, mixed beverages, or spirituous liquor; some questions relate to the sale of specific alcoholic beverages for on-premises consumption while other questions deal with the sale of specific beverages for off-premises consumption; separate local option questions govern Sunday sales and the operation of a liquor permit premises that has been declared a nuisance (*R.C. 4301.32 to 4301.404, 4303.29, and 4305.14*)

minimum mark-up - the minimum percentage mark-up for wholesale or retail beer sales, and the minimum percentage mark-up for wholesale or retail sales of bottled wine, that results in a minimum price after the minimum mark-up is applied; is determined by the Liquor Control Commission and is aimed at controlling pricing practices (*R.C. 4301.041, 4301.042, and 4301.13*)

open container law - the statute that generally prohibits a person from possessing an opened container of beer or intoxicating liquor in a public place unless the public place is a liquor permit premises where sales are allowed for consumption on the premises where sold and the container was purchased at that premises (*R.C. 4301.62*)

quota system - restrictions on the number of class C permits and certain class D permits that may be issued in a municipal corporation or in the unincorporated area of a township; are based on the population of the municipal corporation or unincorporated area (*R.C. 4301.03(G) and 4303.29(B)*)

spirituous liquor - all intoxicating liquors containing more than 21% of alcohol by volume; certain class D permit holders are authorized to sell spirituous liquor for on-premises consumption; spirituous liquor is sold for off-premises consumption by liquor agencies (mercantile businesses that enter into contracts with the Division of Liquor Control in the Department of Commerce to sell spirituous liquor at retail on the Division's behalf) and by certain spirituous liquor distillers (*R.C. 4301.01(B)(5), 4301.10, 4301.17, and 4303.041*)

LOCAL GOVERNMENT

annexation and detachment - statutory methods by which territory can be added to (annexation) or removed from (detachment) a municipal corporation; territory also can be attached to a municipal corporation through a negotiated process called merger (*R.C. Chapter 709.*)

body corporate and politic (in modern idiom, political corporation) - a governmental entity, created by various means, that exists indefinitely and that acts as a distinct government; is created to administer a particular function of civil government; an example is a special purpose district (*Black's*)

eminent domain (appropriation of property; taking of property; condemnation of property) - the power of a governmental entity and certain private entities to take private property for a public use; the U.S. and Ohio Constitutions require reasonable compensation to be paid to the private property owner (*Fifth Amendment, U.S. Constitution; Section 19, Article I, Ohio Constitution; R.C. Chapter 163.*)

incorporation - a statutory process by which territory becomes a new municipal corporation either as a village or a city depending on its size, population, and tax base (*R.C. Chapter 707.*)

instrumentality - a public corporate entity, such as a state university, that is treated, not as an agent, but as a subsidiary of state government; usually is only partially supported by state government; while an instrumentality is ultimately subject to control by state government, usually this control is only interstitial, with the instrumentality being accorded considerable independence and discretion (*Black's*)

Jarod's Law (School Health and Safety Network) - see Education

municipal corporation - either a village or a city; a village is a municipal corporation with a population under 5,000, and a city is a municipal corporation with a population of 5,000 or more (*Section 1, Article XVIII, Ohio Constitution*)

municipal home rule - extensive, but not absolute, constitutional powers granted to municipal corporations that are not subject to change by enactments of the General Assembly and that include the power of local self-government, the exercise of police powers, and the operation of utilities (*Sections 3, 4, and 7, Article XVIII, Ohio Constitution*)



nonconforming use - under zoning law, a use of property for a particular purpose that does not meet current zoning requirements, but was lawful at the time the property was first used for that purpose; because the use was lawful when initiated, subsequently enacted zoning provisions do not apply to the nonconforming use unless there is an abandonment or interruption of that use without restoration within legally prescribed time periods

paper township - a township the boundaries of which become identical with those of a municipal corporation; the offices of a paper township are abolished and their duties are performed by corresponding officers of the municipal corporation; certain taxes levied by a paper township remain available for use by the municipal corporation effectively acting on behalf of the paper township (*R.C. 703.22*)

political subdivision - a body corporate and politic that is responsible for governmental activities in a geographical area smaller than that of the state; the four major political subdivisions are counties, townships, municipal corporations, and school districts; others include numerous special purpose districts such as conservancy districts, health districts, and transportation districts (*R.C. 2744.01(F)*)

SID (special improvement district) - a special purpose district created by property owners and operated by a nonprofit corporation to provide public improvements or public services, such as special police or fire services or decorative street lighting, by raising funds through a special assessment levied on benefited property in the district by municipal corporations or townships where the property is located (*R.C. Chapter 1710.*)

township home rule (limited home rule townships) - powers similar to municipal home rule that are evolving and sometimes uncertain, but that may be adopted by larger townships; unlike municipal home rule, these powers are granted by statute and are subject to change by enactments of the General Assembly (*R.C. Chapter 504.*)

urban township - a limited home rule township in which the population of the unincorporated territory is at least 15,000 (*R.C. 504.01*)

MEDICAID AND MEDICARE

209(b) state - a state, including Ohio, that applies more restrictive Medicaid eligibility requirements for aged, blind, and disabled individuals than other states; in some states, such as an individual who is eligible for Supplemental Security Income (SSI) is automatically eligible for Medicaid; to qualify for Medicaid in a 209(b) state, the individual must satisfy financial requirements that are tougher than the SSI financial requirements (*42 U.S.C. 1396a(f)*)

aged, blind, and disabled - one of the general categories of Medicaid recipients

Assisted Living Program - a Medicaid waiver program administered by the Department of Aging pursuant to an interagency agreement with the Department of Job and Family Services that provides assisted living services to eligible individuals; not more than 1,800 individuals may participate in the program (*R.C. 5111.89 to 5111.894*)

capitation - a per-member periodic payment to a medical provider to pay for all services that the provider contracted to provide; is an alternative to fee-for-service payments

categorically needy - an eligibility requirement for Medicaid under which an individual must fit into one of the groups of persons covered by Medicaid; categories of eligible persons include children; families with children; pregnant women; aged, blind, and disabled individuals; and individuals who are eligible for certain federally assisted welfare programs

CFC (covered families and children) - one of the general categories of Medicaid recipients; is comprised of Healthy Families and Healthy Start recipients

Children's Buy-In Program - a state-funded medical assistance program for individuals who are under age 19, have family income exceeding 250% of the federal poverty guidelines, and meet other eligibility requirements; the Director of Job and Family Services is required to seek federal matching funds for the program and is permitted to limit the number of individuals who may participate at one time (*R.C. 5101.5211 to 5101.5216*)

CHIP (Children's Health Insurance Program) - a health insurance program for individuals who are under age 19; is provided in Ohio as part of the Medicaid program; CHIP Part I covers uninsured individuals with family incomes not exceeding 150% of the federal poverty guidelines; CHIP Part II covers uninsured individuals with family incomes above 150%, but not exceeding 200% of the



guidelines; CHIP Part III covers individuals with family incomes above 200%, but not exceeding 300% of the guidelines (*R.C. 5101.50 to 5101.5216*)

Choices Medicaid Waiver Program - a Medicaid waiver program administered by the Department of Aging pursuant to an interagency agreement with the Department of Job and Family Services under which certain eligible PASSPORT participants directly employ service providers to provide them with community-based care

CMS (Centers for Medicare and Medicaid Services) - the agency within the U.S. Department of Health and Human Services that administers Medicaid on the federal level

community spouse - the spouse who remains at home when a husband or wife is placed in a nursing facility; Medicaid has provisions that are designed to protect the community spouse from becoming impoverished when the other spouse is institutionalized (*42 U.S.C. 1396r-5*)

disproportionate share hospital - a hospital that receives additional Medicaid payments for inpatient services because it treats a disproportionate share of low-income patients (*42 U.S.C. 1396r-4*)

DRG (diagnosis related groups) - a prospective Medicaid payment system for acute care hospital services under which patients are classified into groups that are similar with regard to the amount of resources that are needed for treatment of a particular diagnosis (*42 U.S.C. 1395ww(d)*)

EPSDT (Early and Periodic Screening, Diagnosis, and Treatment Program) - a Medicaid component under which early and periodic screening, diagnosis, and treatment services are offered to categorically needy individuals who are under age 21; in Ohio, this Medicaid component is known as Healthchek (*R.C. 5111.016*)

estate recovery program - a program under which the Department of Job and Family Services recovers the cost of services correctly paid under Medicaid to individuals who are age 55 or older or permanently institutionalized (*R.C. 5111.11*)

federal poverty guidelines (federal poverty levels) - guidelines issued annually by the U.S. Department of Health and Human Services that are used to determine whether an individual or family is poor; many programs, including Medicaid, require an applicant to have income not exceeding a specified percentage of the guidelines

MEDICAID AND MEDICARE

fee-for-service - a payment system under which a Medicaid provider is paid a predetermined, fixed amount for providing a medical service

FMAP (federal Medicaid assistance percentage) - the federal share of Medicaid program costs; is based on the relationship between each state's per capita personal income and the national average per capita personal income over three calendar years; is recalculated each year (*42 U.S.C.A. 1396d(b)*)

franchise permit fee - a per-bed fee that is assessed on each long-term care bed in a nursing facility, intermediate care facility for the mentally retarded, or hospital; funds generated from the fee mostly contribute to the operation of the Medicaid program, including Medicaid-funded home and community-based services

HCAP (Hospital Care Assurance Program) - a program under which annual assessments on hospitals, and federal matching funds generated by the assessments, are distributed to hospitals for use in providing care to indigent persons that is otherwise uncompensated (*R.C. 5112.01 to 5112.21*)

HCBS (home and community-based services) - services that are provided under Medicaid as an alternative to nursing facility or other institutional services

Healthy Families - a Medicaid eligible group that is comprised of families with children

Healthy Start - a Medicaid eligible group that is comprised of pregnant women with income not exceeding 200% of the federal poverty guidelines and individuals under age 19 with income not exceeding 200% of the guidelines (*R.C. 5111.013 and 5111.014*)

hospice program - end-of-life care that incorporates an interdisciplinary team approach to meet the patient's physical, psychological, social, and spiritual needs as well as the psychosocial needs of the patient's family (*O.A.C. 5101:3-56-01*)

ICF/MR (intermediate care facility for the mentally retarded) - a facility for persons with a developmental disability that provides a lower level of care than a nursing facility; Ohio's Medicaid program covers service in certified ICF/MRs (*42 U.S.C. 1396d(d); 42 C.F.R. 440.150; R.C. 5111.20 and 5123.19*)

IO waiver (individual options waiver) - a Medicaid waiver program that provides home and community-based services to persons with a developmental disability who otherwise would need to reside in an ICF/MR; is administered by the Department of Mental Retardation and Developmental Disabilities pursuant to an interagency agreement with the Department of Job and Family Services (*R.C. 5111.87*)

level one waiver - a Medicaid waiver program administered by the Department of Mental Retardation and Developmental Disabilities pursuant to an interagency agreement with the Department of Job and Family Services under which persons with mental retardation or a developmental disability who meet the waiver's eligibility requirements receive home and community-based services as an alternative to intermediate care facility for the mentally retarded services (*R.C. 5111.87*)

look back period - a period of time prior to application for Medicaid or receiving long-term care during which an institutionalized individual or institutionalized individual's spouse may not, with certain exceptions, transfer assets for less than fair market value without affecting Medicaid eligibility for long-term care services (*R.C. 5111.0116*)

Medicaid - a health care program established by Congress in 1965 for low-income persons; is funded with federal, state, and county funds and is separate from Medicare, which is funded and administered solely by the federal government (*R.C. Chapter 5111.*)

Medical Assistance Program - the name given to the Medicaid program in federal law

medically needy - a component of Medicaid in many states, not including Ohio, under which a person whose income exceeds the eligibility limit may qualify nonetheless if his or her medical expenses, when subtracted from income, lower the income amount to the eligibility limit; is similar to Ohio's Medicaid component known as spend down

Medicare - the federal health insurance program for persons age 65 or older and certain persons with disabilities; unlike Medicaid, states do not participate in the administration or funding of Medicare (*42 U.S.C. 1395*)

Medicare Part A - the part of the Medicare program that helps pay for care in hospitals as an inpatient, care in critical access hospitals (small facilities that give limited outpatient and inpatient services to people in rural areas), care in skilled nursing facilities, hospice care, and some home health care

MEDICAID AND MEDICARE

Medicare Part B - the part of the Medicare program that helps pay for doctors' services, outpatient hospital care, and some other medical services that Part A does not cover such as the services of physical and occupational therapists and some home health care; helps pay for these covered services and supplies when they are medically necessary

Medicare Part D - the part of the Medicare program that provides an outpatient prescription drug benefit to Medicare beneficiaries who choose to participate

MFP (Money Follows the Person) - a federal grant authorized by the Deficit Reduction Act of 2005 to be used by a state to create a demonstration project under the state's Medicaid program to increase the use of home and community-based, rather than institutional, long-term care services, eliminate barriers or mechanisms that prevent or restrict the flexible use of Medicaid funds to enable Medicaid-eligible individuals to receive support for appropriate and necessary long-term care services in the settings of their choice, increase the ability of the state's Medicaid program to assure continued provision of home and community-based long-term care services to eligible individuals who choose to transition from an institution to a community setting, and ensure that procedures are in place to provide quality assurance for eligible individuals receiving Medicaid-funded home and community-based services and to provide for continuous quality improvement in such services (*Section 6071 of the Deficit Reduction Act of 2005, Public Law No. 109-171*)

nursing facility - a type of long-term care facility for elderly and disabled individuals who are in need of skilled nursing care; Medicaid covers nursing facility services

Ohio Home Care waiver - a home and community-based services waiver program administered by the Department of Job and Family Services as part of the Medicaid program (*O.A.C. 5101:3-46-02 to 5101:3-46-07*)

OWF (Ohio Works First) - see Welfare

PACE (Program of All-Inclusive Care for the Elderly) - a Medicaid component that provides comprehensive health care services to certain Medicaid recipients age 55 or older who require the level of care that nursing facilities provide, reside in an area in which PACE is available (Cuyahoga, Hamilton, and certain parts of Clermont, Butler, and Warren counties), and meet other requirements (*U.S.C. 1396u-4*)

PASRR (preadmission screening and resident reviews) - a federal requirement that a state review the admission of persons with developmental disabilities or mental illness to nursing facilities to determine whether admission or continued stay is appropriate and specialized services are needed (*42 U.S.C. 1396r(e)(7); R.C. 5111.202*)

PASSPORT (preadmission screening system providing options and resources today) - a Medicaid waiver program that provides home and community-based services to persons age 60 or older who otherwise would require nursing facility services; is administered by the Department of Aging pursuant to an interagency agreement with the Department of Job and Family Services (*R.C. 173.40*)

provider - a person or entity that provides Medicaid-covered services to a Medicaid recipient; a provider agreement is an agreement that a provider must have with the Department of Job and Family Services in order to receive payment from Medicaid for providing covered services to Medicaid recipients

QDWI (qualified disabled and working individual) - a Medicaid component that pays the Medicare Part A premium for persons under age 65 who qualify for Medicare Part A because of a disability and whose income does not exceed 200% of the federal poverty guidelines (*42 U.S.C. 1396a(a)(10)(E)(ii) and 1396d(s)*)

QI (qualifying individual) - a Medicaid component that pays the Medicare Part B premium for persons who are entitled to Medicare Part A and whose income is at least 120%, but less than 135% of the federal poverty guidelines (*42 U.S.C. 1396a(a)(10)(E)(iv) and 1396d(p)*)

QMB (qualified Medicare beneficiary) - a Medicaid component that pays the Medicare Part A premiums, if any, Medicare Part B premiums, and Medicare deductibles and co-insurance for persons who are entitled to Medicare Part A and whose income does not exceed 100% of the federal poverty guidelines (*42 U.S.C. 1396a(a)(10)(E)(i) and 1396d(p)*)

resources - personal or real property that a Medicaid applicant or recipient, or his or her spouse, owns, has the right, authority, or power to convert to cash if not already cash, and is not legally restricted from using for his or her support and maintenance; exempt resources are not counted when determining Medicaid eligibility

respite care - a service available under Medicaid that gives a Medicaid recipient's caregiver temporary relief from the responsibility of caregiving

MEDICAID AND MEDICARE

section 1115 waiver - a section of the Social Security Act that allows states to waive provisions of Medicaid law in order to test new concepts that are congruent with goals of the Medicaid program (*42 U.S.C.A. 1315*)

skilled nursing facility - a facility that is certified to provide skilled nursing care to Medicare recipients

SLMB (specified low-income Medicare beneficiary) - a Medicaid component that pays the Medicare Part B premiums for persons who are entitled to Medicare Part A and whose income is at least 100%, but not more than 120% of the federal poverty guidelines (*42 U.S.C. 1396a(a)(10)(E)(iii) and 1396d(p)*)

spend down - a process by which an aged, blind, or disabled individual whose income exceeds the income limit for Medicaid eligibility (the need standard) nevertheless may qualify if he or she incurs medical expenses that, when subtracted from the income, lower his or her income to the need standard (*O.A.C. 5101:1-39-10*)

SSI (Supplemental Security Income) - see **Welfare**

TANF (Temporary Assistance for Needy Families) - see **Welfare**

Title XVIII of the Social Security Act - the Social Security Act title that established the Medicare Program (*42 U.S.C. 1395*)

Title XIX of the Social Security Act - the Social Security Act title that established the Medicaid Program (*42 U.S.C. 1396*)

Title XXI of the Social Security Act - the Social Security Act title that established the Children's Health Insurance Program (*42 U.S.C. 1397aa*)

transitional Medicaid - Medicaid that is provided for a limited period of time to a family that received aid under the state's Temporary Assistance for Needy Families plan in at least three of the six months immediately preceding the month in which the family became ineligible for the aid due to income from employment (*42 U.S.C. 1396a(e)(1) and 1396r(6)*)

transitions waiver - a Medicaid waiver program administered by the Department of Job and Family Services under which home and community-based services are

provided to eligible individuals who were originally enrolled in the Ohio Home Care Waiver program and need the level of care provided by intermediate care facilities for the mentally retarded

waiver - the authorization that is granted by the U.S. Department of Health and Human Services for a state to conduct a project to test an idea relating to benefits and services, eligibility requirements, or other issues in a manner not provided for by federal law

MENTAL HEALTH AND MENTAL RETARDATION/ DEVELOPMENTAL DISABILITIES

ADAMH board (board of alcohol, drug addiction, and mental health services) - the agency that, for the one or more counties it serves, makes plans to meet the need for services regarding alcoholism, drug addiction, and mental health and contracts with treatment programs and mental health agencies by using local and state funds; in a larger county, there may be two boards: an alcohol and drug addiction services board, and a community mental health board (*R.C. Chapter 340.*)

Autism Scholarship Program - see Education

BHO (behavioral health organization) - formerly known as state hospitals; currently there are five BHOs operating seven facilities

COEDI/OEDI (Children's Ohio Eligibility Determination Instrument, Ohio Eligibility Determination Instrument) - an evaluation tool that is used to determine the eligibility of persons for state and county MR/DD services (*O.A.C. 5123:2-1-02*)

developmental center - one of the ten state-funded institutions managed by the Department of Mental Retardation and Developmental Disabilities and serving about 1,600 persons with mental retardation by providing residential care, treatment, and training (*R.C. 5123.03*)

EI (early intervention) - services for children from birth through age two (*O.A.C. 5123:2-1-04*)

family support services - a county program operated with state and federal funds for making payments to individuals with developmental disabilities or their families for care that is provided to promote self-sufficiency and prevent institutionalization, including such services as respite care; counseling, training, and education for family members in providing proper care; special diets; and home modifications (*R.C. 5126.11*)

habilitation - training in life skills such as housekeeping that will allow a developmentally disabled person to live in the least restrictive environment

HCBS (home and community-based services) - see Medicaid and Medicare



ICF/MR (intermediate care facility for the mentally retarded) - see Medicaid and Medicare

IO waiver (individual options waiver) - see Medicaid and Medicare

Legal Rights Service - the state agency created to protect and advocate for the rights of persons with mental illness, mental retardation, or developmental disabilities and other disabled persons in relation to issues of detention and institutionalization; contains an ombudsperson section that responds to complaints regarding any act that adversely affects a person's health, safety, welfare, or civil or human rights (*R.C. 5123.60 to 5123.605*)

MACSIS (Multi-Agency Community Services Information System) - an automated payment and management information system for mental health services, including both Medicaid paid and non-Medicaid paid services

Martin Settlement - consent order settling the federal class action suit *Martin v. Strickland*; provides opportunities for an additional 1,500 people with mental retardation and other developmental disabilities to be served through Medicaid-funded home and community-based waivers (*U.S. District Court for the Southern District of Ohio, Eastern Division, case number 89-CV-00362*)

MR/DD (mental retardation and developmental disabilities) - the Department of Mental Retardation and Developmental Disabilities or a county board of mental retardation and developmental disabilities; sometimes is used when referring to an individual with mental retardation or another severe, chronic disabling condition that arises before age 22 and persists indefinitely (*R.C. 5123.01 and 5126.01*)

Olmstead decision - a U.S. Supreme Court decision holding that a state must provide community-based services to mentally disabled persons if the state has sufficient resources after taking the needs of other persons with mental disabilities into account (*Olmstead v. L.C. by Zimring (1999), 528 U.S. 581*)

respite care - see Medicaid and Medicare

SSI (Supplemental Security Income) - see Welfare

Mental Health and Mental Retardation/Developmental Disabilities

supported living - services for persons with mental retardation or developmental disabilities that enhance quality of life by enabling personal choice of residence, encouraging participation in the community, promoting personal rights and autonomy, and encouraging growth of personal skills and competence, e.g., housing, food, habilitation, staff support, and professional services (*R.C. 5126.01 and 5126.40 to 5126.47*)

NATURAL RESOURCES

aggregates mining - the mining of any combination of sand, gravel, and crushed stone in its natural or a processed state (*R.C. Chapter 1514.*)

aquaculture - the propagating and rearing of specified aquatic species in controlled environments under private control for the restocking of bodies of water or for the production of food (*R.C. 1533.632(A)(1)*)

bag limit - the number, measurement, or weight of any kind of crayfish, aquatic insects, fish, frogs, turtles, wild birds, game animals, and fur-bearing animals that are permitted to be taken under the state's hunting and fishing laws (*R.C. 1531.01(I)*)

brine - salt water resulting from, obtained from, or produced in connection with the exploration, drilling, or production of oil or gas (*R.C. 1509.01(U)*)

canal lands - any land or parts of land that were formerly a part of any canal system in Ohio, whether or not abandoned, and that now are owned by the state (*R.C. 1520.01(A)*)

clear cutting - the harvesting of all of the trees in one area at one time

coastal erosion area - a land area that is anticipated to be lost by Lake Erie-related erosion within a 30-year period if no additional approved erosion control measures are completed within that time (*R.C. 1506.06*)

conservancy district - a political subdivision that may be established in one or more counties for purposes related to streams, flood control, water supply, sewage, and similar purposes and that is granted broad powers by statute (*R.C. Chapter 6101.*)

conservation easement - a right or interest in land that is held for the public purpose of retaining land, water, or wetland areas as a suitable habitat for fish, plants, or wildlife (*R.C. 5301.67 to 5301.70*)

critical natural resource area - an area in which a natural resource occurs that requires special management because of its importance to the well-being of the surrounding communities, the region, or the state (*R.C. 1511.01(B)*)

floodplain - the flat or nearly flat land along any river, stream, watercourse, or lake that has been or may be covered by flood water (*R.C. 1521.01(I)*)



game - game birds, game quadrupeds, and fur-bearing animals that lawfully may be hunted, trapped, or otherwise taken during open season subject to bag limits (*R.C. 1531.01(R)*)

Great Lakes-St. Lawrence River Basin Water Resources Compact - an agreement between the eight Great Lakes states for the purpose of protecting the watershed of the Great Lakes and certain portions of the St. Lawrence River that establishes a regional governing body to approve or disapprove certain proposals regarding the withdrawal, diversion, or consumptive use of water from the watershed (*R.C. Chapter 1522.*)

ground water stress area - a definable area in which the quantity of ground water is affected by human activity or natural forces to the extent that continuous availability of supply is jeopardized by withdrawals and in which certain registration and reporting requirements apply with respect to water withdrawals (*R.C. 1521.01(E) and 1521.16*)

implied consent - consent that is deemed to have been given by a person operating or in physical control of a vessel or using water skis or a similar device on Ohio waters to have a chemical test performed to determine the presence of alcohol, drugs, a controlled substance, or metabolite of a controlled substance in the person's blood, blood serum or plasma, breath, or urine; failure to take a test results in suspension of watercraft operation, use, and registration privileges for one year (*R.C. 1547.111*)

jacklighting - the shining of a light from a vehicle into a field, woodland, or forest to hunt an animal or to locate a wild animal; is prohibited by Ohio law (*R.C. 1533.161*)

legal length of commercial fish - the statutorily established minimum length of certain fish that may be taken for commercial purposes (*R.C. 1533.63*)

longwall mining - a method of underground coal mining that is designed for full mineral extraction and allows for total caving of the main roof using a shearing machine (*R.C. 1561.01(PP)*)

metropolitan park district (park district) - a political subdivision that is organized for the purpose of operating parks or a park system within all or part of a county and that is governed by a board of park commissioners (*R.C. Chapter 1545.*)

NATURAL RESOURCES

mine subsidence - the lowering or collapse of the natural land surface resulting from underground mining

mineral rights - the right to search for, develop, and remove minerals from land or to receive a royalty based on the production of minerals; may be owned by a person who is not the property owner (*Black's*)

Nature Works (Parks and Natural Resources Capital Improvements) - a name and insignia that identify projects for the maintenance and improvement of Ohio's parks and natural resource facilities that are funded by the sale of bonds and administered by the Department of Natural Resources (*Section 21, Article VIII, Ohio Constitution; R.C. Chapter 1557.*)

no wake area - an area of water in which all vessels must operate at idle speed or at a speed that does not create a wake (*R.C. 1547.08*)

NRCS (Natural Resources Conservation Service) - a federal agency in the U.S. Department of Agriculture that works to conserve, improve, and sustain natural resources and the environment (*7 U.S.C. 6962*)

personal watercraft (jet skis) - any vessel that is shorter than 16 feet in length, is propelled by machinery, and is designed to be operated by a person who is sitting, standing, or kneeling on the vessel rather than by an individual who is sitting or standing inside the vessel (*R.C. 1547.01(B)(25)*)

pooling - the combining of acreage by owners of adjacent lands that are of insufficient size or shape in order to meet the minimum acreage requirements for oil or gas drilling; may be voluntary or the result of a mandatory pooling order (*R.C. 1509.26 and 1509.27*)

reasonable use of water - a determination of water usage that is based on a consideration of statutory factors and the interests of the person using the water, of any person harmed by the use, and of society as a whole (*R.C. 1521.17*)

reclamation - the restoration of an area of land affected by mining so that the land may be used for a purpose of equal or greater value than existed prior to the mining (*R.C. 1513.01(P)*)

Reclamation Commission - a statutorily created commission that hears appeals and renders decisions concerning a person's mining interests, including mine safety issues (*R.C. 1513.05 and 1513.13*)

regional water and sewer district - a political subdivision that may be established either to supply water to users in the district or to collect, treat, and dispose of waste water and that is granted broad powers by statute (*R.C. Chapter 6119.*)

riparian rights - traditionally, the common law right of a landowner whose property borders a watercourse to make reasonable use of the water

room and pillar mining - a method of underground coal mining by which 50% to 60% of a horizontal ore body is removed to form a room and the remaining ore that is a pillar supports the room to form a honeycomb-like pattern

sanitary district - a political subdivision that may be established to prevent and correct the pollution of streams, to clean and improve streams and to regulate stream flow for sanitary purposes, to supply water and dispose of sewage in the district, to reduce biting arthropod populations and abate their breeding places, or to collect and dispose of garbage and that is granted broad powers by statute (*R.C. Chapter 6115.*)

severance tax - see **Taxation**

spoil bank - a deposit of removed earth or other materials, except topsoil, that covered a natural deposit of coal or other minerals (*R.C. 1513.01(Q) and 1514.01(D)*)

submerged land lease - a lease by the state, acting through the Director of Natural Resources, of the waters and the lands under the waters of Lake Erie for developments or improvements (*R.C. 1506.11*)

well log - a record of the drilling, boring, digging, or altering of a well for the production or extraction of any gas or liquid that is required to be kept by the person conducting those activities, to contain specified information, and to be filed with the appropriate division in the Department of Natural Resources (*R.C. 1505.04, 1509.10, and 1521.05*)

OCCUPATIONAL LICENSING

reciprocity - the granting of special privileges, such as reduced examination requirements, to persons licensed to perform certain services in another state where the requirements for licensure are substantially similar to the requirements of this state; generally available when the other state offers reciprocity for licensees of this state

standard renewal procedure - a standardized process established in statute by which a licensee is required to renew a license (*R.C. Chapter 4745.*)



OCCUPATIONAL SAFETY

abatement - full correction by an employer of a hazard that led to a citation

citation - a notice given to an employer that an inspection has found a violation of a particular standard or the general duty clause

general duty clause - provisions in the federal Occupational Safety and Health Act and in state law governing the Public Employment Risk Reduction Program that require employers to furnish a place of employment that is "free from recognized hazards that are causing or are likely to cause death or serious physical harm" to employees; is applied when there is no specific standard that pertains to the hazard in question (*R.C. 4167.04*)

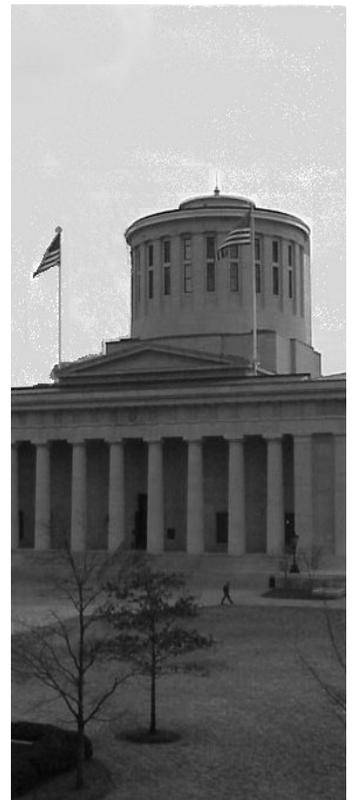
LWDI (lost workday injury rate) - a statistic that is used to compare the relative degree of hazard among various employers and industries

PERRP (Public Employment Risk Reduction Program) - a program that is operated by the Administrator of Workers' Compensation to ensure that public employers provide a safe workplace for public employees (*R.C. Chapter 4167.*)

state plan state - a state or territory that is permitted to develop and operate programs approved by the Occupational Safety and Health Administration as a substitute for federal management of the programs; Ohio is not a state plan state

temporary variance - an administrative order that permits an employer additional time to attain compliance with a specific standard; employees have the right to petition for a hearing to contest an application for a variance (*R.C. 4167.09*)

VPP (voluntary protection program) - a program under which a work site is exempted from scheduled inspections through a formal agreement between the employer and the Occupational Safety and Health Administration that the employer will operate an effective health and safety program; employees must agree to participate in and cooperate with the program



PUBLIC LANDS

condition - an event, obligation, or qualification in a land conveyance bill; a means of retaining control over the use of real estate after conveyance; upon performance or breach of the condition, the real estate is subject to the enforcement mechanism stated in the bill

consideration - the value received for the conveyance of real estate; usually consists of money, other real estate, or mutual benefit to the state and the recipient

land conveyance bill - special legislation authorizing preparation of a deed whereby state-owned real estate will be transferred to another government or person

possibility of reverter (reverter) - a means of enforcing a condition; if the condition occurs and a possibility of reverter is the stated remedy, the title to the real estate automatically reverts to the state without any action on the part of the state

right of re-entry (power of termination) - a means of enforcing a condition; if the condition occurs and re-entry is the stated remedy, the state has a right to take back the real estate; requires an affirmative action by the state, but does not obligate the state to act



PUBLIC RETIREMENT

accumulated contributions - the total of the amounts that a retirement system member contributes to the system, including employee contributions, an amount paid to purchase service credit, and interest credited, if any

age and service retirement - retirement for which eligibility is determined by a retirement system member's age and years of service; eligibility requirements vary for each of the systems

amortization period - a period in which payments are made on indebtedness at the end of which the entire indebtedness is extinguished; each of the state retirement systems is required to pay off its unfunded actuarial accrued pension liability in an amortization period that does not exceed 30 years (*R.C. 145.221, 742.16, 3307.512, 3309.211, and 5505.121*)

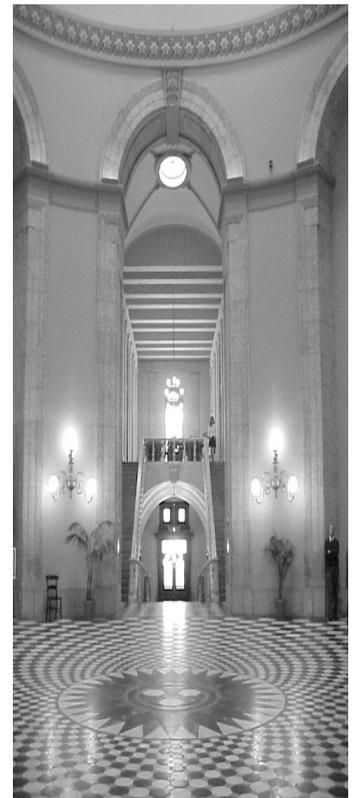
annuity - the portion of the retirement allowance that is funded by a retirement system member's contributions during employment

ARP (alternative retirement plan) - a defined contribution retirement plan that is offered to academic and administrative employees of Ohio public institutions of higher education as an alternative to membership in a state retirement system (*R.C. Chapter 3305.*)

beneficiary - the estate or a person or persons who, as the result of the death of a member, contributor, or retired member, qualify for or are receiving a right or benefit under the law governing the state retirement systems

COLA (cost of living adjustment) - an annual 3% increase in the benefit that is payable to a retired member or beneficiary of a state retirement system (*R.C. 145.323, 742.37, 742.3711, 742.3716, 742.3717, 742.3718, 742.443, 3307.67, 3309.374, and 5505.174*)

coordination of benefits - allows a member of PERS, SERS, or STRS who has contributed to more than one of those retirement systems to have total contributions and service credit in the systems used to determine a disability or retirement benefit; the system in which the member has the most service credit pays the benefit and receives from the other system or systems the member's refundable account at retirement (*R.C. 145.37, 3307.57, and 3309.35*)



Death Benefit Fund (Ohio Public Safety Officers Death Benefit) - a state fund that pays death benefits to survivors of law enforcement officers and firefighters who are killed in the line of duty (*R.C. 742.62 and 742.63*)

defined benefit plan - a type of retirement plan that provides definitely determinable benefits, typically determined by the participant's age, years of service, and final average salary; the traditional state retirement system plans are defined benefit plans

defined contribution plan - a type of retirement plan that provides for an individual account for each participant in the plan and for benefits based on employer and employee contributions plus investment earnings; these plans are alternatives to the plans traditionally offered by the state retirement systems

disability benefit - a benefit that is paid to a state retirement system member who has been determined to be mentally or physically incapacitated from performing the member's duties by virtue of a disabling condition

DROP (deferred retirement option plan) - a plan that permits OP&F and SHPRS members who are eligible to retire with full benefits to defer retirement and have benefits accrue until termination of employment (*R.C. 742.43 and 5505.50*)

earnable salary - as used by PERS, all salary, wages, and other earnings that are paid to a member by reason of employment in a position that is covered by the retirement system; is referred to as "salary" under OP&F and SHPRS and "compensation" under STRS and SERS (*R.C. 145.01(R), 742.01(L), 3307.01(L), 3309.01(V), and 5505.01(S)*)

employer pick-up - a technique under which employee contributions for state retirement system members are treated as employer contributions for purposes of federal and state income tax

ERISA (Employee Retirement Income Security Act of 1974) - see **Insurance**

FICA (Federal Insurance Contributions Act) - the federal law that requires payment and withholding of Social Security contributions (*26 U.S.C. 3101 et seq.*)

PUBLIC RETIREMENT

fiduciary - with regard to a state retirement system, a person who: (1) exercises discretionary authority or control with respect to the management or administration of the retirement system or the management or disposition of assets, or (2) renders investment advice for a fee, direct or indirect, with respect to money or property of the system (*R.C. 145.01(YY), 742.01(J), 3307.01(K), 3309.01(U), and 5505.01(R)*)

final average salary - the average of the sum of a state retirement system member's annual compensation for the three highest years of compensation for which the member made contributions; is referred to as "average annual salary" under OP&F (*R.C. 145.01(K), 742.01(G), 3307.501, 3309.01(K), and 5505.01(M)*)

money purchase benefit - a benefit under which payments are not based on a formula, but on contributions made on behalf of a member and a fixed rate of return established by the retirement system on the invested contributions

Ohio Deferred Compensation Program - a voluntary employee benefit program established by the Ohio Deferred Compensation Board under which a portion of an employee's compensation is deposited into an account and invested at the direction of the employee; the employee pays federal and state income tax on the compensation and its earnings when the amounts issued are received rather than when earned (*R.C. Chapter 148.*)

OP&F (Ohio Police and Fire Pension Fund) - the state retirement system that provides retirement, disability, survivor, and death benefits to full-time municipal police officers and firefighters and their eligible survivors and beneficiaries (*R.C. Chapter 742.*)

optional benefit plan - a retirement allowance that is the actuarial equivalent of a member's retirement allowance in a lesser amount payable for the member's life and some portion continuing after death to the member's spouse or beneficiary; is often referred to as a "joint and survivor annuity"

ORSC (Ohio Retirement Study Council) - a council of nine voting members (three senators, three representatives, and three gubernatorial appointees) and five nonvoting members (the executive director of each of Ohio's state retirement systems) that studies changes in the retirement laws proposed to the General Assembly, recommends any changes that it finds desirable, and prepares reports as required by law (*R.C. Chapter 171.*)

pension - the portion of the retirement allowance that is funded by employer contributions and investment earnings

PERS (Public Employees Retirement System) - the state retirement system that provides retirement, disability, and survivor benefits to state and local government employees who are not covered by another state or local retirement system and their eligible survivors and beneficiaries (*R.C. Chapter 145.*)

PERS-LE (PERS law enforcement division) - special provisions in the law governing PERS for members who are law enforcement officers such as sheriffs, township police officers, park district officers, and others who have completed police officer training; the provisions differ from those for other PERS members with regard to contribution rates, retirement eligibility, and the formulas that are used to compute retirement benefits (*R.C. 145.01 and 145.33*)

personal history record - information that is maintained by a state retirement system on an individual who is a member, former member, contributor, former contributor, retired member, or beneficiary; includes the address, telephone number, Social Security number, record of contribution, correspondence with the system, or other information determined to be confidential by each system's board (*R.C. 145.27, 742.41, 3305.20, 3307.20, 3309.22, and 5505.04*)

PLOP (partial lump sum option) - an option permitting a member of PERS, SERS, or STRS to choose to receive retirement benefits as both a lump sum, in an amount that constitutes a portion of the lifetime benefit that the member would otherwise receive, and a reduced monthly payment (*R.C. 145.46, 3307.60, and 3309.46*)

"prudent person" investment standard - a standard of responsibility that requires a fiduciary to act with the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character with like aims

purchase of service credit - payment by a state retirement system member for credit toward retirement for certain allowable types of service such as military service, out-of-state service, or a leave of absence

qualified retirement plan - a retirement plan that meets certain requirements specified in federal law; if the requirements are met, contributions to and amounts earned under the plan are not subject to federal and state income tax until distributed to the employee (*26 U.S.C. 401(a)*)

reemployed retirant - a person who retires from a state retirement system and is subsequently employed in a position that is covered by that system or one of the other state retirement systems

PUBLIC RETIREMENT

reserve - the present value of all payments to be made on account of an annuity or retirement allowance; is computed on the basis of mortality and other factors determined by the board of each state retirement system

retirement allowance - the monthly benefit that is paid to a state retirement system retiree; consists of a pension and an annuity

retirement incentive plan - a plan that is statutorily authorized and adopted by an employer by which an employer purchases service credit for eligible employees who agree to retire

rollover - the transfer or reinvestment of funds from one type of investment to another, e.g., from one type of deferred compensation fund to another; may be done to avoid immediate tax consequences such as those resulting from withdrawal of contributions from a state retirement system

SERS (School Employees Retirement System) - the state retirement system that provides retirement, disability, and survivor benefits to employees in Ohio public schools who fill positions not requiring a teaching certificate and to their eligible survivors and beneficiaries (*R.C. Chapter 3309.*)

service credit - credit for years of public service rendered in which the individual made contributions to a state retirement system as a defined benefit plan participant; helps establish retirement eligibility and is one of the main determinants of the retirement or disability benefit amount

SHPRS (State Highway Patrol Retirement System) - the state retirement system that provides retirement, disability, survivor, and death benefits to state troopers and to their eligible survivors and beneficiaries (*R.C. Chapter 5505.*)

Social Security offset provision - a provision in federal law that reduces the Social Security benefits of a person who is eligible to receive a Social Security benefit as a spouse or surviving spouse if the person is also eligible to receive a state government pension (*42 U.S.C. 415(a)(7), (d)(3), and (f)(9)*)

Social Security windfall provision - a provision in federal law that reduces the Social Security benefits of a person who is receiving a pension from a state retirement system and has also worked at a job in which Social Security taxes were paid (*42 U.S.C. 402(b), (c), (e), (f), and (g)*)

STRS (State Teachers Retirement System) - the state retirement system that provides retirement, disability, and survivor benefits to public school teachers and administrators and college and university faculty and to their eligible survivors and beneficiaries (*R.C. Chapter 3307.*)

survivor benefits - benefits that are provided to a spouse, children, or dependent parents by virtue of the death of a state retirement system member

unfunded actuarial accrued liability - the difference between: (1) the present value of all current and future benefits credited to members and retired members of a state retirement system, and (2) the present value of the system's assets

vesting - a right that an employee acquires to various employer-contributed benefits after contributing to a retirement system for a requisite number of years; both federal and state law govern vesting rights

1% limitation - the constitutionally established upper limit on the amount of property taxes that may be levied without voter approval or municipal charter authority; no property tax may be levied that raises revenue in excess of 1% of the true value in money of any article of property unless the tax is approved by voters or is provided for in a municipal charter; compare to 10-mill limitation (*Section 2, Article XII, Ohio Constitution*)

10-mill limitation - the statutorily established upper limit on the amount of property taxes that may be levied without voter approval or municipal charter authority; no property tax may be levied that raises revenue in excess of 10 mills (1¢) per dollar of the taxable value of any article of property unless the tax is approved by voters or provided for in a municipal charter; compare to 1% limitation (*R.C. 5705.02 and 5705.18*)

20-mill floor - the minimum effective tax rate on real property that can result from the revenue limits of tax reduction factors; in effect, guarantees that school districts generate at least 20 mills' worth of taxes from real property even if the revenue limits warrant less revenue (*Section 2a(D), Article XII, Ohio Constitution; R.C. 319.301(E)*)

abatement - in common usage, the exemption of property from taxation; technically, an abatement from taxation is a release from a tax liability that has already accrued whereas an exemption is a release from a tax liability that has not yet accrued

adjusted gross income - a measure of a person's income for income tax purposes; under the Ohio income tax, the measure is the same as adjusted gross income for federal income tax purposes plus various additions and minus various deductions (*R.C. 5747.01*)

anticipation notes - notes that represent short-term borrowing against anticipated revenue from a tax levied by a local government or from a future bond issue, allowing the government to generate several years' worth of tax revenue immediately and repay the notes with revenue from the tax or bond issue as it is collected (*R.C. 133.24, various other sections*)

appraisal (reappraisal) - the procedure for valuing real property for the purpose of taxation; is performed in each county every six years, requiring an actual viewing of the property; values are updated in the third year following reappraisal in an attempt to keep all real property taxed on the same percentage of value (*R.C. Chapter 5713.*)



assessment rate - the percentage of a property's value that is subject to taxation; the tax rate is multiplied by this percentage of value

bed tax (lodging tax) - a tax that is levied by counties, townships, and municipal corporations on the price of lodging at hotels, motels, and other places of lodging (*R.C. 351.021, 505.56, 5739.08, and 5739.09*)

board of revision - a board that is established in each county to review complaints regarding real property tax matters and to generally oversee real property taxation; the board's decisions are appealable to the Board of Tax Appeals (*R.C. 5715.01 to 5715.21*)

BTA (Board of Tax Appeals) - the state board that is charged with hearing appeals from administrative decisions of the Tax Commissioner and real property tax decisions of county boards of revision (*R.C. Chapter 5717.*)

carryover property - is associated with the tax reduction factor law and used to consider the amount of the tax reduction; refers to a stock of property that was taxable in the previous year, continues to be taxable, and has not changed from one class to another since the preceding year (*R.C. 319.301*)

casual sale - the sale of any item that originally was purchased for the seller's own use in Ohio, such as the selling of personal belongings at a garage or yard sale, as long as the Ohio sales or use tax was paid on the original purchase; most casual sales are not subject to sales taxes, but sales of certain vehicles and watercraft are exceptions (*R.C. 5739.01(L) and 5739.02(B)*)

CAT (commercial activity tax) - an annual, general tax on most businesses that is levied on the basis of gross receipts from sales to Ohio customers; 70% of revenue is for compensating school districts for business property tax repeal and general school funding, and the remainder is for reimbursing local governments and the General Revenue Fund (*R.C. Chapter 5751.*)

CAUV (current agricultural use valuation) - an alternative method of valuing land that is used in agriculture for the purpose of property taxation; taxable land value is based on its potential for producing income from agriculture rather than its fair market value, which may be influenced by speculative factors in the local real estate market such as encroaching development (*Section 36, Article II, Ohio Constitution; R.C. 5713.30 to 5713.38*)

charter millage - property tax millage that pursuant to a municipal charter does not require prior voter approval; revenue raised from charter millage is not limited by the tax reduction factor law (*Section 2a, Article XII, Ohio Constitution; R.C. 319.301 and 5705.18*)

circuit breaker - a form of property tax relief that is usually designed to eliminate the tax liability for any amount exceeding a certain percentage of a homeowner's income

Class I property (residential/agricultural real property) - real property that is used for residential or agricultural purposes, classified for the purpose of limiting revenue growth under the tax reduction factor law; the separate classification prevents changes in nonresidential/nonagricultural (Class II) property values from influencing tax reduction factors for Class I property (*Section 2a, Article XII, Ohio Constitution; R.C. 319.301 and 5713.041*)

Class II property (nonresidential/nonagricultural real property) - real property, primarily commercial and industrial property, including apartment complexes, that is used for purposes other than residential or agricultural purposes, classified for the purpose of limiting revenue growth under the tax reduction factor law; the separate classification prevents changes in residential/agricultural (Class I) property from influencing tax reduction factors for Class II property (*Section 2a, Article XII, Ohio Constitution; R.C. 319.301 and 5713.041*)

county budget commission - a body composed of certain elected county officials that reviews local government budgets, apportions local government fund money among subdivisions in the county, and ensures that property taxes are properly authorized and that unvoted property taxes do not exceed 10 mills (*R.C. 5705.27 to 5705.37*)

CRA (community reinvestment area) - see Economic Development

direct debt limit - limitations on the principal amount of indebtedness that local government authorities may have outstanding at a given time, whether approved by voters or exempted from such approval, measured as a percentage of the taxable property valuation in the jurisdiction (*Section 6, Article XIII, and Sections 3, 10, and 13, Article XVIII, Ohio Constitution; R.C. 133.04, 133.05, 133.06, 133.07, and 133.09*)

effective tax rate - the H.B. 920 credit-adjusted property tax rate; the hypothetical tax rate that, if multiplied by the taxable value of a class of real property, would yield the same amount of revenue as the actual "voted" tax rate yields after the

H.B. 920 credits (tax reduction factors) are applied; under normal circumstances, the effective rate is less than the voted rate (*R.C. 319.301 and 323.08*)

emergency levy - a type of school district property tax levy that raises a fixed dollar amount each year, having a maximum 10-year term, and is levied for emergency requirements or to avoid an operating deficit (*R.C. 5705.194 to 5705.197*)

enterprise zone - see **Economic Development**

equalization - an ongoing procedure undertaken by the Department of Taxation to ensure that all real property in the state, as far as practical, is taxed on the same percentage of fair market value (35%); boards of revision also are responsible for equalization within counties (*R.C. Chapter 5715.*)

excise tax - generally, any tax that is levied for a privilege or immunity granted to a person, usually on the sale, use, manufacture, or provision of goods or services or on an activity or occupation, such as a sales tax, use tax, gross receipts tax, motor fuel tax, or alcoholic beverage tax

FAGI (federal adjusted gross income) - the tax base for federal income tax purposes; with some adjustments, also the tax base for the Ohio personal income tax (*R.C. 5747.01*)

franchise tax - generally, any tax that is levied on the privilege of doing business in a jurisdiction; in Ohio law, refers to the corporation franchise tax, which is measured on the basis of a corporation's net income or net worth (*R.C. Chapter 5733.*)

gross receipts tax (public utility excise tax) - a state tax that is levied on some public utilities, measured on the basis of gross receipts, and used for general state and local government purposes (*R.C. 5727.30 to 5727.99*)

gross tax rate - the "voted" tax rate before application of the H.B. 920 tax reduction factors; the tax rate that is applied to tangible personal property of public utilities

H.B. 920 credit (tax reduction factor law) - a credit that is applied to each real property tax bill to discount the effects of property value appreciation on tax bills; is derived from tax reduction factors, which prevent taxes on real property from increasing in proportion to inflationary increases in property values, and is computed

on the basis of property values in general rather than individual parcels (*Section 2a, Article XII, Ohio Constitution; R.C. 319.301*)

homestead exemption - a credit against property taxes for owner-occupied residences ("homesteads") of persons who are elderly or disabled; is computed by reducing the taxable value of the homestead; similar credit is available for manufactured and mobile homes (*Section 2, Article XII, Ohio Constitution; R.C. 323.151 to 323.157 and 4503.064 to 4503.069*)

improvement - generally, buildings or structures permanently attached to land that, taken together, constitute real property for the purpose of taxation; in some contexts, refers to the incremental increase in the value of property that is eligible for exemption from taxation

incentive district (area-wide TIF) - an area designated by a local government, up to 300 acres, in which all or some of the increase in property value from a designated date is exempted from taxation for a specified time period, and an equivalent amount may be collected by the government to finance public infrastructure benefiting the area; a form of tax increment financing (*R.C. 5709.40(C), 5709.73(C), and 5709.78(B)*)

indirect debt limit - a limit on the amount of general obligation debt that a local government authority may have outstanding at a given time without obtaining the prior approval of voters, deriving from the limit on the amount of taxes that may be levied without prior voter approval (i.e. the 10-mill limitation) (*R.C. 5705.51*)

inside millage (unvoted millage) - property tax millage that may be levied without prior voter approval; not more than 10 inside mills may be levied per dollar of taxable property value in a given jurisdiction; inside millage is allocated among overlapping jurisdictions so that no property bears an unvoted tax greater than 10 mills per dollar (i.e. 1%) of its taxable value (*Section 2, Article XII, Ohio Constitution; R.C. 5705.02*)

intangible personal property - investments, deposits, money, and credits; when used in business, intangible personal property was taxable in Ohio until 1985; currently, only shares in dealers in intangibles and capital employed by them are taxable (*R.C. 5701.04 to 5701.10, 5707.03, 5707.04, and 5725.13 to 5725.17*)

ITRF (Income Tax Reduction Fund) - see **Budget and Finance**

kilowatt-hour tax - a state excise tax that is levied on electric distribution companies and measured on the basis of the kilowatt hours of electricity distributed

to an end user; proceeds are devoted to the General Revenue Fund and to compensate school districts and local governments for legislated reductions in electric company property taxes (*R.C. 5727.80 to 5727.95*)

litter stream products tax - two taxes that are levied in addition to the corporation franchise tax, one on most corporations and one only on corporations that produce certain articles that may end up in the "litter stream": retail packaging materials, cigarettes, confections, and beverages or beverage containers and related products; revenues from the taxes are used for recycling and litter prevention (*R.C. 5733.065 and 5733.066*)

marital deduction - under the Ohio estate tax, a deduction from the taxable portion of an estate; any property in an estate that is inherited by the surviving spouse, regardless of value, may be deducted from the value of the estate so that the spouse's inheritance is not taxed (*R.C. 5731.15*)

Mcf tax - a state excise tax that is levied on natural gas distribution companies and measured on the basis of natural gas volumes ("Mcfs," or 1,000 cubic feet) billed by those companies; proceeds are devoted to compensating school districts and local governments for legislated reductions in natural gas company property taxes (*R.C. 5727.80 to 5727.95*)

mill - a unit for expressing tax rates, usually with respect to property and cigarettes; property tax rates are expressed in mills per dollar of taxable value; a mill is 1/10 of one cent, and a tax rate of one mill per dollar of taxable value is the equivalent of 1/10 of 1%; cigarette tax rates are expressed in mills per cigarette

motor fuel tax - a tax on fuel that is received into Ohio for use in motor vehicles while operating on public roads in Ohio; under the Ohio Constitution, all of the revenue from the tax may be used only for highway and bridge construction and maintenance, enforcement of highway laws, and certain other highway-related purposes (*Section 5a, Article XII, Ohio Constitution; R.C. Chapter 5735.*)

nexus - a connection with a taxing jurisdiction that is sufficient to justify the jurisdiction's authority to legally tax a person or entity, or the income or activity of either, or require an entity to collect taxes; for example, nexus must be established in order for a state to tax a nonresident's income or to require the collection of sales taxes from remote sellers

nonrefundable tax credit - a credit against tax liability that cannot exceed the amount of the pre-credit liability; e.g., if a nonrefundable tax credit is computed to

be \$250, but the tax owed is only \$200, the maximum net credit allowed is limited to \$200; the \$50 difference is not paid as a refund

Ohio Tax Credit Authority - an appointed body with the functions of granting job creation and retention tax credits to companies that agree to hire a certain number of new employees or to retain jobs and of overseeing those agreements (*R.C. 122.17 and 122.171*)

pass-through entity (conduit entity) - a form of business organization that generally is not taxable at the level of the organization; instead, each of the constituent owners of the organization is taxed in proportion to the owner's interest in the organization and claims a proportionate share of any tax offsets (deductions, credits); all items of income or offsets retain the same character at the owner level as they had at the organization level; examples include partnerships, S corporations, and limited liability companies (*R.C. 5733.04 and 5747.01*)

piggyback tax - generally, a local tax that is imposed in addition to an identical state tax, particularly if the local tax is administered by the state; the most prominent examples in Ohio are the sales and use taxes imposed by counties and transit authorities and local cigarette and alcoholic beverage taxes

real property - land, buildings, structures, fixtures, and improvements; under the Ohio Constitution, real property must be taxed uniformly, i.e. at a uniform percentage of value and by a uniform method, except that the legislature may grant full or partial exemptions, and real property may be divided into Class I and Class II property solely for the purpose of computing separate tax reduction factors for each class (*Sections 2 and 2a, Article XII, Ohio Constitution; R.C. 5701.02*)

real property transfer tax - a tax that is levied by counties for general revenue purposes on the sale or other transfer of real property at a rate of up to 30¢ per \$100 (0.3%) of the value of the property (*R.C. Chapter 322.*)

refundable tax credit - a credit against tax liability that is not limited to the amount of the pre-credit liability; if the computed credit exceeds the pre-credit tax liability, the difference is refunded to the taxpayer; e.g., if a refundable tax credit is computed to be \$250, but the tax owed is only \$200, the \$50 difference is paid as a refund

reserve balance account - a local government account that is used to accumulate revenue over more than one fiscal year for expenditure in a future fiscal year; may be established to provide a budget reserve, to pay for self-insurance or workers' compensation claims, or to provide a trust fund for donated money; balances in such

an account do not reduce allocations of local government fund money or property taxing authority (*R.C. 5705.13, 5705.131, and 5705.29*)

resort area tax - a tax that is levied by municipal corporations and townships that are resort areas on gross receipts from general sales in, or intrastate transportation primarily to and from, the resort areas (*R.C. 5739.101 to 5739.105*)

rollback - a reduction in property taxes, particularly the 10% reduction for nonbusiness real property and the 2½% reduction for owner-occupied residences, although it occasionally is used to refer to the H.B. 920 credit (*R.C. 319.302 and 323.152(B)*)

S corporation - an incorporated form of business organization that passes income and losses through to its shareholders for the purposes of income taxation; corporations must make an election for such treatment under federal law, which limits the number and character of shareholders; Ohio follows the federal pass-through treatment for state income tax purposes (see "pass-through entity")

severance tax - a state tax that is imposed on the extraction of coal, natural gas, oil, salt, sand, gravel, limestone, and other ores and minerals; proceeds are devoted to reclamation of land, mining regulation, oil and gas well plugging, and geologic mapping (*R.C. Chapter 5749.*)

special assessments - charges that are levied against property by local governments and some state agencies, usually for the purpose of building or maintaining public facilities; may be assessed only on property that is deemed to benefit from the facilities and only in proportion to the relative benefit that is received whether measured directly or on the basis of property value or front footage

special levy - a property tax levy for a specific purpose, as compared to a general levy (*R.C. 5705.04, 5705.06, 5705.14 to 5705.16, and other sections*)

tangible personal property - any tangible thing that may be owned by a person, including machinery, equipment, furnishings, fixtures, inventory, merchandise, and other property that is not regarded as real property; is taxable if it is used to provide a public utility service (*R.C. 5701.03*)

tax budget - a local government's initial budget document that sets forth anticipated revenues and expenditures for the coming fiscal year; may be waived in whole or in part (*R.C. 5705.28 to 5705.35*)

tax certificate - a certificate representing a person's interest in the tax collections from delinquent real property, plus interest, whether paid by the property owner or recovered through a tax foreclosure sale of the property (*R.C. 5721.30 to 5721.43*)

tax list and duplicate - the definitive list of real property and public utility tangible personal property that is subject to taxation; a duplicate corresponding with the list is held by the county treasurer

tax reduction factors - the reductions that are made in the gross amount of real property taxes to prevent property value appreciation from resulting in proportionate increases in taxes; the H.B. 920 credit derives from tax reduction factors, and effective tax rates reflect the net effect of the factors (*R.C. 319.301*)

tax year - in property tax law, the calendar year for which taxes are assessed even if the taxes are payable in a subsequent year; in corporation franchise tax law, the calendar year for which taxes are paid, granting the corporation the privilege to do business in Ohio during that year (*R.C. Chapters 319. and 5705. and 5733.04*)

taxable value (assessed value) - the portion of property's true value in money that is subject to taxation; the assessment rate for any article of property multiplied by its true value in money yields the property's taxable value; taxable value multiplied by the tax rate yields the gross tax due (*R.C. 5711.22, 5713.03, and 5727.111*)

taxable year - the year or other accounting period over which an individual's, estate's, or corporation's taxable income is determined; for many individuals and estates, it corresponds with the calendar year; for corporations, it corresponds with their fiscal year (*R.C. 5733.04 and 5747.01*)

taxing authority - a local legislative body, such as a city council, board of county commissioners, board of township trustees, or school board, and others, that is authorized by law to levy property taxes (*R.C. Chapter 5705.*)

TIF (tax increment financing) - an economic development tool whereby the incremental increase in the value of designated real property is exempted from taxation; the property owner may be obligated to make payments in lieu of the exempted taxes to finance specific public facilities (*R.C. 5709.40 to 5709.43, 5709.73 to 5709.75, and 5709.77 to 5709.81*)

true value in money - the imputed value of property for the purposes of property taxation; in the case of real property, it equals estimated fair market value; in the case of business tangible personal property, it generally equals net book value; in the

case of public utility personal property, it generally equals capitalized cost (*R.C. 5711.18, 5713.03, and 5727.11*)

uniform rule - a constitutional mandate that all taxable real property is to be taxed at the same rate and on the same percentage of its true value in money (*Section 2, Article XII, Ohio Constitution*)

use tax - a tax on storing, using, or consuming goods in a jurisdiction (e.g., Ohio or a county) or on receiving the benefit of a service in the jurisdiction; is imposed when a good or service is purchased outside the jurisdiction, but used, stored, or consumed in the jurisdiction (*R.C. Chapter 5741.*)

vendor - for the purpose of sales and use taxation, a person that sells a good or service; must possess a license issued by the state and generally is required to collect sales taxes from purchasers (*R.C. 5739.01*)

withholding tax (pass-through entity tax) - a tax that is imposed on pass-through entities to ensure the collection of the income or corporation franchise tax liabilities of the entity's nonresident owners; nonresident owners may credit the amount of withholding tax that is paid on their behalf by the entity toward their individual income or franchise tax liabilities (*R.C. 5733.40 to 5733.41 and 5747.40 to 5747.453*)

UNEMPLOYMENT COMPENSATION

alternate base period - the four most recently completed calendar quarters preceding the first day of an individual's benefit year; is used by the Director of Job and Family Services when determining eligibility for unemployment compensation benefits; is used only when an individual does not qualify for benefits under the regular base period (*R.C. 4141.01(Q)(2)*)

AWW (average weekly wage) - the amount obtained by dividing an individual's total remuneration for all qualifying weeks during the base period by the number of those qualifying weeks; is used in determining eligibility for unemployment compensation benefits and in establishing a weekly benefit amount (*R.C. 4141.01(O)*)

base period - the first four of the last five completed calendar quarters immediately preceding the first day of an individual's benefit year; is used by the Director of Job and Family Services when determining eligibility for unemployment compensation benefits (*R.C. 4141.01(Q)(1)*)

benefit year - the 52-week period beginning with the first day of the week with respect to which an individual first files a valid application for determination of benefit rights and, thereafter, the 52-week period beginning with the first day of the week with respect to which the individual next files a valid application after the termination of the individual's last preceding benefit year (*R.C. 4141.01(R)*)

contributions - payments to the Unemployment Compensation Fund that are made by contributory employers, as opposed to reimbursing employers, as required under the Unemployment Compensation Law; the moneys are used to pay unemployment compensation benefits; these payments commonly are referred to as an employer's unemployment compensation "tax" (*R.C. 4141.01(L)(1)*)

contributory employer - an employer who is required to make payments to the Unemployment Compensation Fund on a scheduled basis according to a calculated rate; is contrasted with a reimbursing employer who instead reimburses the fund for benefits after they are paid (*R.C. 4141.25*)

covered employment - work that is performed for employers who are subject to the Unemployment Compensation Law; the type of service that is performed by an individual for an employer that, when all other criteria are met, qualifies the individual for benefits in the event of termination (*R.C. 4141.01(B)*)

experience rate - the type of rate, for employers other than new employers, that is used in determining an employer's contribution; the rate is based on an employer's



history of benefits paid that are charged against that employer; employers whose history includes fewer charges enjoy a lower experience rate (*R.C. 4141.25*)

extended benefits - benefits for which an individual may be eligible when the state is experiencing a rate of unemployment that is higher than usual as determined by regulations of the U.S. Secretary of Labor and by statute (*R.C. 4141.301*)

MSL (minimum safe level) - two standard deviations above the average of the adjusted annual average benefit payment from 1970 to the most recent calendar year prior to the computation date; the amount, calculated as explained above, that serves as a benchmark to determine the health of the Unemployment Compensation Fund; contribution rates are adjusted up or down on the basis of the amount that the Fund is below or above the MSL (*R.C. 4141.25(B)*)

mutualized account - an account that is funded by a separate surcharge on contributory employers, positive balances remaining in certain closed employer accounts, certain recovered benefits that cannot be credited to an employer, certain federal government payments, and specified interest; an account that is charged with benefits that are not properly chargeable to an employer, certain negative balances, and certain refunds and repayments (*R.C. 4141.25(B)*)

qualifying week - a calendar week in an individual's base period with respect to which the individual earns or is paid remuneration in covered employment; one of the criteria used by the Director of Job and Family Services in determining an individual's eligibility for benefits (*R.C. 4141.01(O)*)

quarterly report - for contributory employers, the quarterly contribution and wage report that must be furnished to the Director of Job and Family Services on a quarterly basis; for reimbursing employers, the quarterly payroll and wage report that must be so furnished; quarterly reports contain statutorily specified employment information (*R.C. 4141.20*)

reimbursing employer - a public employer or nonprofit organization that has elected to reimburse the Unemployment Compensation Fund for benefits paid to claimants that are properly chargeable to that employer; is contrasted with a contributory employer who instead makes payments on a scheduled basis according to a calculated rate (*R.C. 4141.241 and 4141.242*)

SAWW (statewide average weekly wage) - a figure that is computed annually by the Director of Job and Family Services according to a formula specified in law; is used in determining eligibility for unemployment compensation benefits and in

UNEMPLOYMENT COMPENSATION

computing maximum weekly benefit amounts under the Unemployment Compensation Law and also in computing maximum, and sometimes minimum, weekly compensation amounts under the Workers' Compensation Law (*R.C. 4141.30(B)*)

seasonal employment/seasonal employer - the employment of individuals who are hired primarily to perform services in an industry that, because of climatic conditions or the seasonal nature of the industry, customarily operates only during regularly recurring periods of 40 weeks or less per year; a seasonal employer is one whose operations and business, with limited exceptions, are substantially all in a seasonal industry as determined by the Director of Job and Family Services (*R.C. 4141.33*)

Unemployment Compensation Fund - the fund from which benefits are paid and that consists of all contributions, payments in lieu of contributions, reimbursements of the federal share of extended benefits, interest earned on Ohio's account in the federal Unemployment Trust Fund, property or securities acquired through the use of money in the fund, and all earnings on such property or securities (*R.C. 4141.09*)

Wagner-Peyser Act - the federal law: (1) with which the former Ohio Bureau of Employment Services was complying by maintaining the various public employment offices operated throughout the state, and (2) that authorizes the funding that the Director of Job and Family Services uses to administer Ohio's workforce development system (*29 U.S.C. 49 et seq.*)

waiting week - the first week of unemployment allowed after the filing of a valid application for benefits; must be served for each new application; benefits are not paid during the waiting week

WIA (Workforce Investment Act of 1998) - the federal law with which the Governor and the Director of Job and Family Services must comply in establishing and maintaining Ohio's workforce development system (*29 U.S.C. 2801 et seq.*)

access charge - generally, a charge to a customer for access to a system for transmitting a utility service

access line - generally, the equivalent of a telephone line

aggregator - a company or authorized governmental unit that aggregates customers by combining them into purchasing groups

ALI (automatic location identification) - the technological capability of a 9-1-1 system to automatically identify for a 9-1-1 call: (1) as required by federal law, the proximate location from which the call is made if it originates through a wireless system, or (2) the address of the party that is assigned the calling telephone number if the call originates through a wireline system

alternative regulation (alt reg) - the regulation of one or more aspects of the business of a public utility on a basis other than that traditionally or generally applicable to that utility; for example, a method of determining service rates other than the traditional rate base, rate of return method

ANI (automatic number identification) - the technological capability of a 9-1-1 system to automatically identify the telephone number of the calling party as required by federal law

base load - the minimum amount of gas or electricity that is required or delivered in a fairly constant amount over a period of time

base load capacity - electric generating equipment that generally operates continuously to serve a utility's daily electrical load; contrasts to equipment designated to operate at peak demand times

bulk power - broadly, all the electric generating plants, transmission lines, and related equipment of a single electric utility or a group of electric utilities whose transmission lines are interconnected; is often used interchangeably with wholesale power supply

class of service (customer class) - a designation of types of customers; for example, residential, commercial, and industrial



CLEC (competitive local exchange carrier) - generally, a company providing local telephone service other than an incumbent local telephone company; sometimes is referred to as a "new entrant"; may provide service by leasing and reselling part of an incumbent company's network or by combining some of its own network components with leased components

cogeneration - the production of electricity using waste heat that is generated in an industrial process or generated by specialized technology such as combined-cycle, gas-fired turbines that turn waste heat into thermal steam that is used to produce electricity

cogenerator - the owner of a generating facility that produces electricity and steam or some other kind of thermal energy for industrial or commercial purposes or for heating or cooling

common carrier - an entity that has an obligation to provide service without discrimination if appropriate compensation is made; is distinguished from a contract carrier

contract carrier - a provider of service on a private contract basis

co-op (electric cooperative, rural electric cooperative) - a not-for-profit utility that is owned by and for the benefit of its consumers

corporate separation - the separation of a utility's competitive and noncompetitive services, by means of divestiture, transfer to a subsidiary or other affiliate, a code of conduct, or other means, to preclude advantaging the utility, or disadvantaging a competitor, in sales of service

cramming - causing charges to be put on a customer's utility bill that the customer did not knowingly authorize

default service - competitive utility service that is required to be provided to a consumer by a distribution utility after the consumer's alternative supplier defaults on its service contract and for as long as the customer does not switch to another supplier

demand charge - the fixed amount that is payable by a customer for the portion of a facility's capacity that is needed to serve that customer

demand-side management - energy conservation, load management, and load growth programs that are undertaken by an electric utility to motivate customers to change their electric usage patterns

distributed generation - electric generation that is located close to the load it is intended to serve, often for the purpose of meeting substation level peak loads or avoiding the construction of additional or upgraded distribution lines

E-HEAP (Emergency Home Energy Assistance Program) - a federally funded program that provides an emergency subsidy to a low-income customer once a year to prevent disconnections, restore service, provide emergency fuel delivery, or repair furnaces; is administered in Ohio by the Department of Development through local HEAP-delegated agencies (community action agencies)

electric services company - a PUCO-certified provider of generation service, including a power marketer, power broker, aggregator, or independent power producer, but excluding an investor-owned electric utility, electric cooperative, municipal electric utility, governmental aggregator, or billing and collection agent; in PUCO terminology, a CRES (competitive retail electric service) provider (*R.C. 4928.01(A)(9) and (11)*)

exchange (local exchange, telephone exchange) - the basic unit for telephone facilities on which rates for local and long distance services are based; is identified as the area code and the first three digits of a telephone number

gathering system - a network of pipelines that transports natural gas from individual wells to compressor stations, main trunk lines, or processing points

GCR (gas cost recovery) - a special mechanism to allow a gas distribution company to receive from customers, on a timely and dollar-for-dollar basis, the amount that it prudently pays for the gas supply

green power - electricity that is generated by solar, wind, or other environmentally cleaner methods

greenhouse gases - gases that are transparent to solar (short-wave) radiation and opaque to infrared (long-wave) radiation and, thus, prevent long-wave radiant energy from leaving Earth's atmosphere; greenhouse gas examples are water vapor, carbon dioxide, nitrous oxide, methane, hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride

grid - the interconnected system for delivering electricity from any generating station to the end user customer; is managed so that generation is dispatched as needed by customers connected to the grid

HEAP (Home Energy Assistance Program) - a federally-funded, state-administered program that provides a subsidy for the energy bill of a qualifying low-income customer; is administered by the Department of Development

HWAP (Home Weatherization Assistance Program) - a federally-funded, state-administered program that provides weatherization services for the housing of low-income customers; is administered by the Department of Development

ILEC (incumbent local exchange company) - generally, refers to current local telephone companies that provided service prior to the passage of the federal Telecommunications Act of 1996 and its promotion of a competitive local telephone market

independent producer - in the electric industry, is referred to as an IPP (independent power producer) and is a nonutility that operates an electric generation facility and sells power to utilities for resale to their retail customers; in the gas industry, generally, is a nonintegrated company that exclusively engages in gas exploration and wellhead production and receives nearly all of its revenues from production

independent transmission - electric transmission service that is not controlled by any particular user of the service

IOU (investor-owned utility) - a for-profit public utility that is owned by shareholders

IRP (integrated resource planning) - a public process of systematically planning energy supplies to meet anticipated customer demand based on the costs and benefits of various resource options

ISO (independent system operator) - a neutral operator, not controlled by any particular owner or user of transmission service, that is responsible for controlling the dispatch of generating plants to ensure that electric demand is met at any given time

landline company (wireline company) - a telephone company that provides service through wired facilities

LATA (local access and transport area) - a federally-designated region in which a local exchange company provides service by owning and operating network and switches in the LATA to originate and terminate calls within the LATA; may consist of one or more local exchanges; is frequently distinguished as "intraLATA" or "interLATA" service since a Bell operating company or successor or assign currently is prohibited from providing in-region interLATA service unless it has complied with a 14-point competitive checklist prescribed by federal law

LEC (local exchange company, local exchange carrier) - generally, the equivalent of a local telephone company; broadly, a company that provides basic local exchange services to consumers on a common-carrier basis

lifeline service - basic utility service that is offered to customers who qualify because of age, disability, or level of income; is mostly used in the context of telephone service

merchant plant - an electric generating plant built by a nonutility

municipal home rule - see **Local Government**

net metering - a method of metering the energy consumed and produced at a home or business that has its own generator so that the consumer is charged only for the "net" power it uses; if the generator makes more electricity than is consumed, the home or business may be credited or paid for the excess electricity contributed back to the grid over the billing period

open access - access to a service on terms that are comparable and nondiscriminatory

PEG (public, educational, or governmental) channel - a television channel that is made available by a private video service provider or cable operator for noncommercial, community-provided public, educational, or governmental programming (*R.C. 1332.01*)

PIPP (Percentage of Income Payment Plan Program) - a state program under which a low-income customer maintains gas or electric utility service by paying for a specified period a certain percentage of the customer's income instead of the full amount of the utility bill; the customer remains liable for amounts not paid; is administered by the Department of Development

provider of last resort - a legal obligation that is assigned to an entity to provide service to a customer that cannot otherwise obtain utility service

PSAP (public safety answering point) - a facility where 9-1-1 emergency telephone system calls for a specific territory are initially routed for response and where personnel respond to specific requests for emergency service by directly dispatching, relaying a message to, or transferring the call to the appropriate emergency service providers

rate base - the amount of money that a public utility has invested in equipment and facilities to provide utility service plus the amount of its working capital

rate case - a proceeding before a regulatory agency such as the PUCO through which a utility seeks a change in its rates for service

rate of return regulation - government regulation of the return that a public utility earns on its investment in equipment and facilities for providing utility service

rate regulation - government regulation of the rates that a public utility charges for utility service

reseller - a person that is engaged in the business of reselling utility service

revenue decoupling - a rate design or other mechanism for an electric or gas utility that allows recovery of fixed costs and a rate of return independent of energy input or volumetric sales

revenue requirement - the amount of money that a utility needs to receive to cover its expenses, service its debt, and provide a return to common equity investors

RTO (regional transmission organization) - an organization of transmission owners, users, and other entities that coordinates transmission power line planning, expansion, operation, and use on a regional or interregional basis; requires federal approval prior to operation

self-generator - an electric generating facility serving a particular retail customer, usually located on the customer's premises and owned or hosted by the customer or by a third party with a contractual arrangement to supply electricity for the customer

slamming - switching a customer's provider of utility service without the customer's prior consent

special contract - a contract under which utility service is provided under terms and conditions other than those listed in the utility's tariff

spot price - the price that is charged in a one-time, open market transaction for immediate delivery of a specific quantity of product, such as electricity, at a specific location; contrasts to a term-contract sale price for delivery over time of the product at an agreed-to frequency and price

standard service offer - electric service that a distribution utility by statute must have available for consumers that do not choose an alternative supplier of generation service

tariff - a schedule of the rates, terms, and conditions of utility service that is filed with a regulatory agency such as the PUCO

unbundling - separating services or rates into component parts

universal service - usually, utility service that is sufficient to meet basic needs and available to all consumers regardless of income

video parity - equality between private and local governmental providers as to the terms and conditions of any cable service each may provide

video service authorization - a state-issued franchise to provide video (TV) service within a specified area via wire, cable, or any other technology, preempting local franchising authority

wireless service - federally-licensed telephone service that is provided by wireless technology such as cellular or personal communications service

wireline service - telephone service that is provided by wire technology

county veterans service officer - a veteran who is employed by a county veterans service commission to advise and assist present and former members of the Armed Forces of the United States, veterans, and their spouses, surviving spouses, children, parents, and dependents in presenting claims or obtaining rights or benefits under any law of the United States or of Ohio (*R.C. 5901.07*)

DD-214 (Department of Defense form 214) - a report of separation from active duty

honorable discharge - a formal final judgment passed by the government on the entire military record of a soldier or sailor constituting an authoritative declaration by the government that the soldier or sailor has left the service in a status of honor (*Black's*)

National Guard Scholarship Program - a scholarship program that provides tuition grants to a person who does not possess a baccalaureate degree, who has enlisted, re-enlisted, or extended current enlistment in the Ohio National Guard or was called to active duty on or after September 11, 2001, and who meets specified attendance standards (*R.C. 5919.34*)

veterans service commission - a five-member commission in each county that is composed of honorably discharged or honorably separated veterans with duties that include: (1) establishing outreach programs and coordination with other agencies to enhance available services to veterans, (2) promoting, monitoring, and providing funding for ongoing education and training for veterans service commissioners and staff, (3) establishing regularly scheduled transportation for veterans to and from certain veterans administration medical centers, (4) participating in appropriate memorial and commemorative activities to help promote patriotism and veterans services, and (5) administering benefits to veterans and their dependents (*R.C. 5901.02 and 5901.03*)

War Orphans Scholarships - scholarships that are granted to children of members of the Ohio National Guard and the reserve components of any of the Armed Forces of the United States who are killed or permanently and totally disabled while on active duty pursuant to bona fide orders of the Governor or the U.S. President or who are killed or permanently and totally disabled while at a scheduled training assembly, a field training period of any duration or length, or active duty for training pursuant to bona fide orders issued by a competent authority (*R.C. 5910.031*)



ADC and AFDC (Aid to Dependent Children and Aid to Families with Dependent Children) - the welfare program for low-income families with children that was replaced by Temporary Assistance for Needy Families; ADC was the program's name in Ohio and AFDC its federal name

adult-supervised living arrangement - the arrangement in which a person who is a pregnant minor, minor parent, or child of a minor parent must reside as a condition of eligibility for Ohio Works First if the person does not reside in the home of a parent, legal guardian, or specified relative (*R.C. 5107.24*)

assistance group - a group of individuals that are treated as a unit for purposes of determining eligibility for and the amount of assistance provided under certain welfare programs

countable income - the amount of income that an applicant for or recipient of a welfare program has after disregards are applied and that is used to determine the applicant's or recipient's eligibility or continued eligibility

county family services planning committee - a county-level entity that serves as an advisory body to the board of county commissioners with regard to family services provided in the county (*R.C. 329.06*)

DA (Disability Assistance) - a former state- and county-funded program that provided limited cash assistance, medical assistance, or both to low-income individuals and families that met categorical requirements; was divided and modified by Am. Sub. H.B. 95 of the 125th General Assembly (*R.C. Chapter 5115.*)

Disability Financial Assistance Program - a program that provides limited financial assistance to persons who are unemployable due to physical or mental impairment (*R.C. 5115.04*)

disregards - types or amounts of income that are not counted when determining an individual's eligibility for a welfare program

DMA (Disability Medical Assistance Program) - a program that provides medical assistance to individuals who are medication dependent and not eligible for Medicaid; enrollment is currently frozen (*R.C. 5115.10*)



GA (General Assistance) - a former program that provided cash and medical assistance to low-income individuals, including able-bodied adults without dependents (*former R.C. Chapter 5113.*)

grant agreement - a required agreement between the Director of Job and Family Services and a board of county commissioners for a grant award for one or more family services duties (*R.C. 5101.20 and 5101.21*)

Job Search and Readiness Program - a work activity under which Ohio Works First applicants and participants are trained in strategies and skills in obtaining employment and engage in self-directed, job search activities (*R.C. 5107.50*)

LEAP (Learning, Earning, and Parenting Program) - an Ohio Works First program that permits a participant who is under age 18 or 18 and a parent or pregnant to earn an incentive payment by satisfying school attendance requirements (*R.C. 5107.30*)

Learnfare - an Ohio Works First component that counties may choose to implement under which certain participants age 6 to 19 must satisfy school attendance requirements in order to avoid a sanction and possibly earn an incentive (*R.C. 5107.28 to 5107.287*)

OWF (Ohio Works First) - a time-limited, income maintenance program for low-income families with children that is operated with federal, state, and county funds; replaced the Aid to Dependent Children program (*R.C. Chapter 5107.*)

payment standard - the maximum amount of cash assistance that an assistance group may receive under Ohio Works First (*O.A.C. 5101:1-23-20(I)*)

plan of cooperation - a plan to enhance the administration of family services duties and workforce development activities that is agreed to by a board of county commissioners, county department of job and family services, child support enforcement agency, public children services agency, and workforce development agency (*R.C. 307.983*)

PPI limited certification (parent/provider inspected limited certification) - see **Children**

PRC (Prevention, Retention, and Contingency) - a program for families with children and pregnant women that provides assistance or services to overcome immediate barriers to achieving or maintaining self-sufficiency (*R.C. Chapter 5108.*)

sanctions - ineligibility to participate in Ohio Works First for a certain period of time for a failure or refusal to comply with a self-sufficiency contract (*R.C. 5107.16*)

self-sufficiency contract - a contract between an assistance group and a county department of job and family services that sets forth the rights and responsibilities of the assistance group as Ohio Works First applicants and participants (*R.C. 5107.14*)

SSI (Supplemental Security Income) - a federal program administered by the Social Security Administration that provides cash assistance to low-income persons who are age 65 or older, blind, or disabled and are not eligible for Social Security benefits (*42 U.S.C. 1381*)

Subsidized Employment Plan - an Ohio Works First work activity under which an employer receives payments for a portion of the costs of the wages and benefits that the employer pays to or on behalf of an Ohio Works First participant who is employed by the employer (*R.C. 5107.52*)

TANF (Temporary Assistance for Needy Families) - the block grant authorized by Title IV-A of the Social Security Act under which federal matching funds are provided to states for welfare programs serving families with children; Ohio Works First and the Prevention, Retention, and Contingency programs are TANF programs (*42 U.S.C. 601*)

TANF carve-out programs - Temporary Assistance for Needy Families (TANF) programs established by the legislature or an executive order issued by the Governor as programs that are separate from the two main TANF programs (OWF and PRC); are administered or supervised by the Department of Job and Family Services (*R.C. 5101.801*)

time limits - the limit on the amount of time that an assistance group may participate in Ohio Works First; the time limit is divided into three components: a 36-month period of initial eligibility, then 24 months of ineligibility, and, finally, 24 months of possible additional eligibility (*R.C. 5107.18*)

Title IV-A - the Social Security Act title that established Temporary Assistance for Needy Families (*42 U.S.C. 601*)

Title XX - the Social Security Act title under which states are given block grants to fund social services for such purposes as maintaining economic self-sufficiency, the prevention of neglect, abuse, or exploitation of children and vulnerable adults, and prevention of inappropriate institutional care (*R.C. 5101.46*)

transitional child care - see **Children**

transitional Medicaid - see **Medicaid and Medicare**

Work Experience Program - a work activity under Ohio Works First in which a participant obtains work experience from a private or government employer (*R.C. 5107.54*)

WORKERS' COMPENSATION

administrative assessments - payments that employers must make to the Bureau of Workers' Compensation to cover the costs and expenses that are incident to the discharge of the duties and performance of the Industrial Commission, Workers' Compensation Oversight Commission, and Bureau (*R.C. 4123.341 and 4123.342*)

AWW (average weekly wage) - for specified types of claims, the claimant's average weekly wage for the year preceding a covered injury or the date on which a covered disability begins, except under special circumstances where the Administrator of Workers' Compensation determines a more just method of calculation; is used in establishing certain weekly benefit amounts (*R.C. 4123.61*)

benefits/compensation - are used interchangeably, but "benefits" sometimes refers only to payments for medical benefits, other health care costs, and funeral expenses whereas "compensation" sometimes refers only to periodic payments for disabilities or loss of wages resulting from a claim

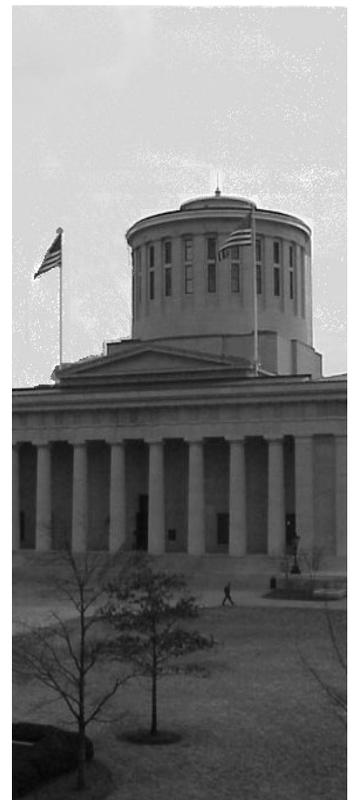
C-92 form - a form that is required by the Bureau of Workers' Compensation to make application for the determination of the percentage of permanent partial disability of a claimant; is required in order to make application for an increase in the percentage of permanent partial disability

disability/impairment - "disability" is an alteration in an individual's capacity to meet personal, social, or occupational demands or statutory or regulatory requirements and is assessed by nonmedical means, and "impairment" is an alteration in an individual's health status that reduces functional capacity and is assessed by medical means

DWRF (Disabled Workers' Relief Fund) - a fund established to provide relief to persons who are permanently and totally disabled and who receive workers' compensation payments, the total of which, when combined with disability benefits received pursuant to the Social Security Act, are less than a specified amount per week that is adjusted annually (\$314.19 in 2008) (*R.C. 4123.412 to 4123.417*)

group rating - an alternative rating program that allows employers who are substantially similar in industry to group together to potentially achieve lower premium rates than they otherwise could achieve as individual employers (*R.C. 4123.29*)

HPP (Health Partnership Program) - the managed care program for state fund employers (*R.C. 4121.44 and 4121.441*)



IC (Industrial Commission of Ohio) - the claims adjudicatory branch of the Ohio workers' compensation system

living maintenance - a type of compensation that is paid to an injured worker while the worker actively participates in an approved rehabilitation plan (*R.C. 4121.63*)

lump sum award or settlement - the agreement between an injured worker, the worker's employer, and the Bureau of Workers' Compensation to forever resolve all past, present, and future liabilities of a claim or a part of a claim (*R.C. 4123.64 and 4123.65*)

medical only claim/lost time claim - a "medical only" claim is a claim where only medical benefits and other health care costs are paid and occurs when seven or fewer days are lost from work whereas a "lost time" claim includes payments to compensate an employee for time away from work, and therefore lost wages, and occurs when eight or more days are lost from work

merit rating - a rating system that is used in the workers' compensation program and that allows an employer who has a better than average loss experience to receive a credit against the basic rate for the employer's classification and consequently to pay a lower premium

MMI (maximum medical improvement) - a treatment plateau in the healing process from which substantial change is not expected in spite of continuing medical or rehabilitative procedures; temporary total disability payments are terminated after a person reaches maximum medical improvement, and 26 weeks thereafter, a person may apply for permanent partial disability payments (*R.C. 4123.56*)

noncomplying employer - an employer who defaults on or fails to make premium payments and who is thereby not entitled to the benefits and protection of the Workers' Compensation Law; in addition to the right to seek workers' compensation benefits, the employee of a noncomplying employer, or his or her personal representative if an injury results in death, may seek to recover common law damages (*R.C. 4123.75*)

PP or PPD (permanent partial disability) - a certain amount of permanent damage, referred to as residual damage, that remains as a result of an injury; the payment of a permanent partial award is designed to pay some compensation for residual disability (*R.C. 4123.57 and 4123.61*)

WORKERS' COMPENSATION

premium - the fixed periodic payment that an employer makes into the workers' compensation system to fund the system and to receive the benefit of immunity from a damage suit by an injured employee

private fund/public fund - the private fund consists of money paid into the State Insurance Fund by private sector employers as required by the Workers' Compensation Law whereas the public fund consists of money paid by public employers as required by that Law (*R.C. 4123.30*)

PT or PTD (permanent total disability) - an injured worker's inability to perform sustained remunerative employment due to the allowed condition(s) in the worker's claim; the payment of PT benefits is to compensate the injured worker for impairment of earning capacity and is payable for life (*R.C. 4123.58 and 4123.61*)

QHP (Qualified Health Plan) - a managed care program established under the Workers' Compensation Law that the Bureau of Workers' Compensation specifies is for self-insuring employers and their employees (*R.C. 4121.44 and 4121.442*)

SAWW (statewide average weekly wage) - see **Unemployment Compensation**

scheduled losses - a list in statute that authorizes the payment of compensation for the loss or loss of use of specified body parts (*R.C. 4123.57(B)*)

self-insuring employer - an employer that the Administrator of Workers' Compensation has determined has sufficient financial ability to pay workers' compensation benefits directly to or on behalf of injured workers or their dependents (*R.C. 4123.01(G) and 4123.35*)

SHO (staff hearing officer) - a full-time employee of the Industrial Commission who must be admitted to the practice of law in Ohio and who has original jurisdiction in the following matters: (1) applications for permanent total disability awards and reconsideration of those awards, (2) appeals from an order of a district hearing officer, (3) applications for additional awards for violation of a specific safety rule, and (4) reviews of settlement agreements (*R.C. 4121.35*)

state fund employer - an employer who pays premiums on a regular schedule into the State Insurance Fund for workers' compensation coverage

State Insurance Fund - the fund to which employers pay workers' compensation premiums and from which claims are paid to injured workers; is comprised of the private fund and the public fund

subrogation - the legal process by which the Administrator of Workers' Compensation or a self-insuring employer recoups money from a third party against whom a claimant has a cause of action in order to be reimbursed for money that the Administrator or self-insuring employer pays out on a workers' compensation claim (*R.C. 4123.93 and 4123.931*)

surplus fund - an uncommitted reserve in the State Insurance Fund that is set aside to maintain the solvency of the Fund; when the balance in the Fund is discussed, most often it is in terms of the "surplus" (*R.C. 4123.34(B)*)

TT or TTD (temporary total disability) - a disability that temporarily prevents a worker from returning to the worker's position of employment (*R.C. 4123.56*)

VSSR (violation of specific safety requirements) - an award made pursuant to the Ohio Constitution that can pay an injured worker up to an additional 50% of the maximum compensation provided by law if the employer is found to be in violation of a specific safety requirement (*Section 35, Article II, Ohio Constitution*)

wage loss compensation - the dollar amount of the diminishment in wages that is sustained by an injured worker who has returned to employment, but not to his or her former position of employment; the extent of the diminishment must be the direct result of physical or psychiatric restrictions, or both, caused by the impairment that is causally related to an injury or occupational disease in the injured worker's allowed claim (*R.C. 4123.56(B)*)

Symbols

1% limitation, *181*
 10-mill limitation, *181*
 209(b) state, *151*
 20-mill floor, *181*
 3.3-mill cap. *See* excess cost supplement

A

abatement, *171, 181*
 absent voter's ballot (absentee ballot), *99*
 absentee ballot. *See* absent voter's ballot
 abused child, *23*
 Accelerated Urban School Building Assistance Program, *85*
 access charge, *195*
 access line, *195*
 accomplice liability. *See* complicity
 accrual basis, *13*
 accumulated contributions, *175*
 achievement tests, *85*
 acquiring corporation, *39*
 ADA (Americans with Disabilities Act of 1990), *107*
 Adam Walsh Act (Adam Walsh Child Protection and Safety Act of 2006), *57*
 Adam Walsh Child Protection and Safety Act of 2006. *See* Adam Walsh Act
 ADAMH board (board of alcohol, drug addiction, and mental health services), *159*
 ADAP (AIDS Drug Assistance Program), *123*
 ADC and AFDC (Aid to Dependent Children and Aid to Families with Dependent Children), *205*

ADEA (Age Discrimination in Employment Act of 1967), *107*
 ademption. *See* ademption doctrine
 ademption doctrine (ademption), *47*
 adequate parental care, *141*
 adequate yearly progress. *See* AYP
 adjusted appropriation, *13*
 adjusted gross income, *181*
 administrative assessments, *209*
 administrative law judge. *See* ALJ
 administrative license suspension. *See* ALS
 administrative offset, *77*
 administrative review, *23*
 administrator D.B.N.. *See* administrator de bonis non (administrator D.B.N.), *47*
 adoption assessor, *23*
 ADR (alternative dispute resolution), *107*
 adult care facility, *5*
 adult family home, *5*
 adult foster home, *5*
 adult group home, *5*
 adult protective services, *5*
 adult-supervised living arrangement, *205*
 advance directive (durable power of attorney, living will for health care, DNR order), *123*
 Advanced Energy Projects Program, *81*
 advanced practice nurse. *See* APN
 adverse possession, *47*
 affirmative action, *107*
 affirmative defense, *57*

affordable housing, 133
 AFIS (Automated Fingerprint Identification System), 57
 AG, 1
 ag check-off program. *See* agricultural commodity marketing program
 ag co-op. *See* agricultural cooperative
 ag district. *See* agricultural district
 age and schooling certificate, 107
 age and service retirement, 175
 Age Discrimination in Employment Act of 1967. *See* ADEA
 aged, blind, and disabled, 151
 agency shop, 35
 aggregates mining, 163
 aggregator, 195
 agricultural commodity handling (grain warehousing), 9
 agricultural commodity marketing program (ag check-off program), 9
 agricultural cooperative (ag co-op), 9
 agricultural district (ag district), 9
 agricultural easement, 9
 agricultural labor camp, 9
 Aid to Dependent Children and Aid to Families with Dependent Children. *See* ADC and AFDC
 AIDS Drug Assistance Program. *See* ADAP
 ALI (appropriation line item), 13
 ALI (automatic location identification), 195

 ALJ (administrative law judge), 107

 allied offenses of similar import, 57
 allocation of parental rights and responsibilities, 77
 all-purpose vehicle. *See* APV
 ALS (administrative license suspension), 129
 alt reg. *See* alternative regulation
 alternate assessment, 85
 alternate base period, 191
 alternative dispute resolution. *See* ADR
 alternative graduation requirement, 85
 alternative regulation (alt reg), 195
 alternative retirement plan. *See* ARP
 ambient air, 111
 ambulatory surgical facility, 123
 amercement, 47
 Americans with Disabilities Act of 1990. *See* ADA
 amortization, 13
 amortization period, 175
 ancillary administration, 47
 ANI (automatic number identification), 195
 animal feeding facility, 10
 annexation and detachment, 149
 annuity, 175
 anticipation notes, 181
 antidegradation policy, 111
 anti-gang law. *See* Criminal Gang Activity Law
 any willing provider law, 137
 APN (advanced practice nurse), 123
 appraisal (reappraisal), 181
 appropriation, 13

 appropriation line item. *See* ALI

appropriation of property;
 taking of property;
 condemnation of property.
 See eminent domain
 APV (all-purpose vehicle), 129
 aquaculture, 163
 area agency on aging, 5
 area-wide TIF. *See* incentive
 district
 ARP (alternative retirement
 plan), 175
 arraignment, 57
 arrearage, 77
 articles, 39
 articles of incorporation, 39
 assessed value. *See* taxable
 value
 assessment rate, 182
 assigned risk plan, 137
 assistance group, 205
 assisted living facility, 5
 Assisted Living Program, 151
 ATPS (automated title
 processing system), 129
 attaching of lien, 145
 attachment, 47
 attempt, 57
 Autism Scholarship Program, 85
 Automated Fingerprint
 Identification System. *See*
 AFIS
 automated title processing
 system. *See* ATPS
 automatic location
 identification. *See* ALI
 automatic number
 identification. *See* ANI
 automatic tabulating
 equipment, 99
 auxiliary services payments, 85
 average weekly wage. *See* AWW
 AWW (average weekly wage),
 191, 209
 AYP (adequate yearly progress),
 86

B

bad time, 57
 bag limit, 163
 bargaining unit, 35
 base load, 195
 base load capacity, 195
 base period, 191
 base-cost funding, 86
 BAT (best available technology),
 111
 BBS (Board of Building
 Standards), 21
 bed tax (lodging tax), 182
 beer, 147
 behavioral health organization.
 See BHO
 beneficiary, 175
 benefit year, 191
 benefits/compensation, 209
 best available technology. *See*
 BAT
 BFOQ (bona fide occupational
 qualification), 107
 BHO (behavioral health
 organization), 159
 biennium, 13
 big-eight school districts, 86
 bindover (transfer to adult
 court/relinquishment of
 jurisdiction for purpose of
 criminal prosecution), 141
 birth record, 123
 birth registry, 77
 blighted area, 81
 Blue Book, 13
 BMV, 1
 board of alcohol, drug
 addiction, and mental health
 services. *See* ADAMH board
 Board of Building Standards. *See*
 BBS
 board of elections, 99
 board of revision, 182
 Board of Tax Appeals. *See* BTA

body corporate and politic (in modern idiom, political corporation), 149

bona fide executive, administrative, or professional capacity, 108

bona fide occupational qualification. *See* BFOQ

bond, 13

bond counsel, 14

bond rating, 14

boot camp. *See* shock incarceration

bridge formula, 129

brine, 163

brownfield, 111

brownfields program. *See* VAP

BTA (Board of Tax Appeals), 182

Budget Stabilization Fund. *See* Rainy Day Fund

bulk power, 195

Bureau of Underground Storage Tank Regulations. *See* BUSTR

business trust, 47

BUSTR (Bureau of Underground Storage Tank Regulations), 111

BWC, 1

C

C-92 form, 209

CAFF (concentrated animal feeding facility), 10

CAFO (concentrated animal feeding operation), 10

calamity day, 86

canal lands, 163

Cancer Incidence Surveillance System, 123

candidate, 99

canvass of election returns (official count), 99

capital and maintenance fund, 86

capital appropriation, 14

capital reappropriation, 14

capitation, 151

career-technical education (vocational education), 86

caretaker parent, 23

Carnegie unit, 86

carryover property, 182

CAS (Central Accounting System), 14

case plan, 23

case registry, 77

cash bond order, 77

castle doctrine, 58

casual sale, 182

CAT (commercial activity tax), 182

categorically needy, 151

category one offense, 141

category two offense, 141

CAUV (current agricultural use valuation), 182

CBCF (community based correctional facility), 58

CBL (core budget level), 14

CCDBG (Child Care Development Block Grant Act of 1990), 23

CDL (commercial driver's license), 129

CEDA (cooperative economic development agreement), 81

Centers for Medicare and Medicaid Services. *See* CMS

Central Accounting System. *See* CAS

CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act—Superfund, SARA, Community Right-to-Know), 111

certificate of need. *See* CON

certificate of occupancy, 21

certificated security, 39

certified employee, 33

- certified nonresidential building department, *21*
- certified nurse practitioner. *See* CNP
- certified nurse-midwife. *See* CNM
- certified registered nurse anesthetist. *See* CRNA
- certified residential building department, *21*
- CFC (covered families and children), *151*
- challenge subsidy, *86*
- charge-off, *87*, *See* local share charge-off ("local share" of base-cost funding), *87*
- charge-off supplement (gap aid), *87*
- charter millage, *183*
- charter school. *See* community school
- charter school (community school), *87*
- chartered nonpublic school, *87*
- chief election officer, *99*
- child, *141*
- child care, *23*
- Child Care Development Block Grant Act of 1990. *See* CCDBG
- child care resource and referral service organization. *See* R & R
- child day camp, *24*
- child day-care center, *24*
- child support enforcement agency. *See* CSEA
- child support schedule, *77*
- child welfare adjudication, *24*
- Children's Buy-In Program, *151*
- Children's Health Insurance Program. *See* CHIP
- Children's Ohio Eligibility Determination Instrument, Ohio Eligibility Determination Instrument. *See* COEDI/OEDI
- Children's Trust Fund, *24*
- CHIP (Children's Health Insurance Program), *151*
- Choices Medicaid Waiver Program, *152*
- CIC (community improvement corporation), *81*
- CIIC, *1*
- CIP (continuous improvement plan), *87*
- circuit breaker, *183*
- citation, *171*
- civil service, *33*
- civil service township, *33*
- class A permit, *147*
- class B permit, *147*
- class C permit, *147*
- class D permit, *147*
- class F permit, *147*
- Class I property (residential/agricultural real property), *183*
- Class II property (nonresidential/nonagricultural real property), *183*
- class of service (customer class), *195*
- class S permit, *147*
- classified service, *33*
- classified shares, *39*
- Classroom Facilities Assistance Program, *87*
- clear cutting, *163*
- CLEC (competitive local exchange carrier), *196*
- Cleveland Voucher Program (Pilot Project Scholarship Program), *87*
- client district, *88*
- clinical counselor, *123*
- clinical nurse specialist. *See* CNS
- close corporation agreement, *39*
- closed shop, *35*
- closure, *111*
- CMS (Centers for Medicare and Medicaid Services), *152*

CNM (certified nurse-midwife), 123

CNP (certified nurse practitioner), 124

CNS (clinical nurse specialist), 124

coastal erosion area, 163

codicil, 47

CODIS (Combined DNA Index System), 58

COEDI/OEDI (Children's Ohio Eligibility Determination Instrument, Ohio Eligibility Determination Instrument), 159

cogeneration, 196

cogenerator, 196

COLA (cost of living adjustment), 175

collateral benefits, 48

collective bargaining, 35

combination, 39

Combined DNA Index System. *See* CODIS

commercial activity tax. *See* CAT

commercial driver's license. *See* CDL

Commission on Minority Health, 124

common carrier, 196

Communications Interception Law (Wiretapping Law), 58

community based correctional facility. *See* CBCF

community control sanction, 58

community corrections, 58

community improvement corporation. *See* CIC

community justice, 58

community reinvestment area. *See* CRA

community residential sanction, 58

community school. *See* charter school

community school (charter school), 88

Community School Classroom Facilities Loan Guarantee Program, 88

community service work, 59

community spouse, 152

community urban redevelopment corporation, 81

community water system, 112

community-based long-term care services, 5

companionship and visitation rights, 77

comparable worth, 108

comparative negligence, 48

competitive local exchange carrier. *See* CLEC

complicity (accomplice liability), 59

Comprehensive Environmental Response, Compensation, and Liability Act—Superfund, SARA, Community Right-to-Know. *See* CERCLA

compulsory school age, 88

CON (certificate of need), 124

concentrated animal feeding facility. *See* CAFF

concentrated animal feeding operation. *See* CAFO

conciliator, 35

concurrent planning, 24

condition, 173

Condominium Law, 133

conduit entity. *See* pass-through entity

conscious presence, 48

conservancy district, 163

conservation easement, 163

consideration, 173

consolidation, 40

conspiracy, 59

constant dollars. *See* real dollars

constituent corporation, 40

- constituent entity, *40*
- construction and demolition
 - debris, *112*
- consult agreement, *124*
- Consumer Price Index. *See* CPI
- consumer reporting agency
 - (credit bureau; credit reporting agency), *119*
- Consumer Sales Practices Act, *119*
- continuous improvement plan.
 - See* CIP
- contraband, *59*
- contract carrier, *196*
- contract farming, *10*
- contribution, *99*
- contributions, *191*
- contributory employer, *191*
- control share acquisition, *40*
- controlled substance, *59*
- controlled substance schedules, *59*
- conversion rights, *40*
- co-op (electric cooperative, rural electric cooperative), *196*
- cooperative economic development agreement. *See* CEDA
- coordination of benefits, *175*
- core budget level. *See* CBL
- corporate separation, *196*
- Corrupt Activity Law (RICO, racketeering laws, organized crime laws), *59*
- corrupting another with drugs, *60*
- cost of living adjustment. *See* COLA
- cost-of-doing-business factor, *88*
- countable income, *205*
- county budget commission, *183*
- county family and children first council, *24*
- county family services planning committee, *205*
- county home, *6*
- county veterans service officer, *203*
- covered employment, *191*
- covered families and children.
 - See* CFC
- CPI (Consumer Price Index), *14*
- CRA (community reinvestment area), *81*
- cramming, *196*
- credit bureau; credit reporting agency. *See* consumer reporting agency
- credit services organization, *119*
- credit union share guaranty corporation, *119*
- Crime Victims Rights Law, *60*
- Criminal Gang Activity Law (anti-gang law), *60*
- criminal jurisdiction, *60*
- criminal venue, *60*
- critical natural resource area, *163*
- CRNA (certified registered nurse anesthetist), *124*
- CSEA (child support enforcement agency), *77*
- CSRAB, *1*
- culpable mental state (mens rea, level of intent), *60*
- cumulative voting rights, *40*
- current agricultural use valuation. *See* CAUV
- current expense appropriation, *14*
- custodial fund of the Treasurer of State, *14*
- custodian, *141*
- customer class. *See* class of service
- cy pres doctrine, *48*

D

- DA (Disability Assistance), *205*

dangerous dog, 10
dangerous drug, 60
dangerous ordnance, 61
DAS, 1
day fine, 61
day reporting, 61
DD-214 (Department of Defense form 214), 203
Death Benefit Fund (Ohio Public Safety Officers Death Benefit), 176
debt collector, 119
debt service, 15
declaration. *See* living will
declaration of candidacy, 99
declaratory judgment, 48
deduction notice, 78
default service, 196
deferral agency, 108
deferred retirement option plan. *See* DROP
defined benefit plan, 176
defined contribution plan, 176
delayed price agreement, 10
delinquent child, 141
demand charge, 196
demand-side management, 197
Department of Defense form 214. *See* DD-214
Department of Housing and Urban Development. *See* HUD
dependent child, 24
deposition, 48
depreciation, 15
DeRolph decision (DeRolph, et al. v. State), 88
DeRolph, et al. v. State. *See* DeRolph decision
designated agency, 100
designated homicide, assault, or kidnapping offense, 61
detention, 61, 142

detention facility, 61, 142
developmental center, 159

diagnosis related groups. *See* DRG
direct debt limit, 183
direct recording electronic voting machine. *See* DRE
Disability Assistance. *See* DA
disability benefit, 176
Disability Financial Assistance Program, 205
Disability Medical Assistance Program. *See* DMA
disability/impairment, 209
Disabled Workers' Relief Fund. *See* DWRF
disadvantaged pupil impact aid. *See* DPIA
disbursement, 15
discovery, 48
discretionary serious youthful offender, 142
discretionary SYO, 142
disparate impact, 108
dispensing optician, 124
disposition, 24
disproportionate share hospital, 152
disregards, 205
distressed area, 81
distributed generation, 197
DMA (Disability Medical Assistance Program), 205
DNA database, 61
DNR, 1
DNR order (do-not-resuscitate order), 125
DOD, 1
domestic violence, 78
do-not-resuscitate order. *See* DNR order
dormant judgment, 48
DPIA (disadvantaged pupil impact aid), 88
DPS, 1
DRC, 1
DRE (direct recording electronic voting machine), 100

DRG (diagnosis related groups),
152

driving under [license]
suspension. *See* DUS

DROP (deferred retirement
option plan), 176

drug, 62

drunk driving; DUI. *See* OVI

dual enrollment program, 88

durable power of attorney for
health care, 125

durable power of attorney,
living will for health care, DNR
order. *See* advance directive

DUS (driving under [license]
suspension), 129

DVS, 1

DWRF (Disabled Workers' Relief
Fund), 209

DYS, 1

E

Early and Periodic Screening,
Diagnosis, and Treatment
Program. *See* EPSDT

early intervention. *See* EI

earmark, 15

earnable salary, 176

earned credits, 62

E-Check. *See* motor vehicle
inspection and maintenance
program

economic harm, 62

Ed Choice (Educational Choice
Scholarship Pilot Program), 89

Edison Center, 82

education management
information system. *See* EMIS

Educational Choice Scholarship
Pilot Program. *See* Ed Choice

educational service center. *See*
ESC

EEOC (Equal Employment
Opportunity Commission),
108

effective tax rate, 183

E-HEAP (Emergency Home
Energy Assistance Program),
197

EI (early intervention), 159

election contest, 100

election night count. *See*
unofficial count

elector or qualified elector, 100

electric cooperative, rural
electric cooperative. *See*
co-op

electric services company, 197

eligible list, 33

Emergency Home Energy
Assistance Program. *See* E-
HEAP

emergency levy, 184

Emergency Medical Services
Board, 125

emergency
purposes/contingencies
appropriation, 15

eminent domain (appropriation
of property; taking of
property; condemnation of
property), 149

EMIS (education management
information system), 89

employee organization (labor
union), 35

Employee Retirement Income
Security Act of 1974. *See*
ERISA

employer pick-up, 176

employment-at-will, 108

empowerment zones, 82

encumbrance, 15

Energy Conservation Program.
See H.B. 264 Program

enterprise zone, 82

environmental audit, 112

Environmental Review Appeals
Commission. *See* ERAC

EPA, 1

EPSDT (Early and Periodic Screening, Diagnosis, and Treatment Program), 152
Equal Employment Opportunity Commission. *See* EEOC
Equal Pay Act, 108
equalization, 89, 184
equipment, 15
equity list (percentile ranking), 89
equivalent offense, 62
ERAC (Environmental Review Appeals Commission), 112
ERISA (Employee Retirement Income Security Act of 1974), 137
ESC (educational service center), 89
e-school, 89
escorted visit, 62
estate recovery program, 152
estoppel, 49
eTech Ohio, 89
ethnic intimidation, 62
Eviction Law. *See* Forcible Entry and Detainer Law
Exceptional Needs School Facilities Assistance Program, 90
excess cost supplement (3.3-mill cap), 90
exchange (local exchange, telephone exchange), 197
excise tax, 184
excited utterance. *See* res gestae
executive budget, 15
exempt employee, 35
existing structures code, 21
Expedited Local Partnership Program, 90
expenditure, 100
expenditures, 15
experience rate, 192
express terms of shares, 40
extended benefits, 192

Extension Service, OSU Extension. *See* Ohio Cooperative Extension Service

F

Facilities Establishment Program, 82
FACSIS (Family and Children Services Information System), 25
FAGI (federal adjusted gross income), 184
fair access to insurance requirements plan. *See* FAIR plan
Fair Credit Reporting Act, 119
fair housing laws, 133
Fair Labor Standards Act. *See* FLSA
fair market rent. *See* FMR
FAIR plan (fair access to insurance requirements plan), 137
fair share fee, 36
Family and Children Services Information System. *See* FACSIS
Family and Medical Leave Act. *See* FMLA
Family Educational Rights and Privacy Act. *See* FERPA
family or household member, 78
family support services, 159
FAPE (free appropriate public education), 90
FDIC (Federal Deposit Insurance Corporation), 119
federal adjusted gross income. *See* FAGI
Federal Deposit Insurance Corporation. *See* FDIC
Federal Insurance Contributions Act. *See* FICA
federal Medicaid assistance percentage. *See* FMAP

federal poverty guidelines
 (federal poverty levels), 152
 federal poverty levels. *See*
 federal poverty guidelines
 federal special revenue fund, 15
 fee-for-service, 153
 feticide. *See* unlawful
 termination of another's
 pregnancy
 FICA (Federal Insurance
 Contributions Act), 176
 fiduciary, 177
 final average salary, 177
 financial audit, 16
 Financial Modernization Act of
 1999 (Gramm-Leach-Bliley
 Act), 120
 financial responsibility. *See* FR
 financial sanction, 63
 fiscal caution, school district in
 state of, 90
 fiscal emergency, school district
 in state of, 90
 fiscal watch, school district in
 state of, 91
 fiscal year. *See* FY
 floodplain, 164
 FLSA (Fair Labor Standards Act),
 109
 flue gas desulfurization system
 (scrubber), 112
 FMAP (federal Medicaid
 assistance percentage), 153
 FMLA (Family and Medical
 Leave Act), 109
 FMR (fair market rent), 133
 food service operation, 125
 force account, 129
 forcible entry and detainer
 action, 49
 Forcible Entry and Detainer Law
 (Eviction Law), 133
 Forfeiture Laws, 63
 formula ADM, 91
 formula amount, 91
 foster home, 25

FR (financial responsibility), 129
 fractional share, 40
 franchise permit fee, 153
 franchise tax, 184
 free appropriate public
 education. *See* FAPE
 FTE (full-time equivalent)
 employee, 16
 full-time equivalent employee.
See FTE employee
 fund, 16
 fund balance, 16
 fund group, 16
 FY (fiscal year), 16

G

GA (General Assistance), 206
 game, 164
 gap aid. *See* charge-off
 supplement
 garnishment, 49
 GARVEE (Grant Anticipated
 Revenue Vehicle), 129
 gas cost recovery. *See* GCR
 gathering system, 197
 GCR (gas cost recovery), 197
 GED (Ohio high school
 equivalence diploma), 91
 General Assistance. *See* GA
 general duty clause, 171
 general obligation bond, 16
 General Revenue Fund. *See* GRF
 general services fund, 16
 good samaritan statute, 49
 GRADS (Graduation, Reality, and
 Dual-role Skills), 91
 Graduation, Reality, and Dual-
 role Skills. *See* GRADS
 grain marketing program, 10
 grain warehousing. *See*
 agricultural commodity
 handling
 Gramm-Leach-Bliley Act. *See*
 Financial Modernization Act
 of 1999
 grant agreement, 206

Grant Anticipated Revenue Vehicle. *See* GARVEE
Great Lakes-St. Lawrence River Basin Water Resources Compact, 164
green power, 197
greenhouse gases, 197
GRF (General Revenue Fund), 16
gross receipts tax (public utility excise tax), 184
gross tax rate, 184
gross vehicle weight. *See* GVW
ground water stress area, 164
group rating, 209
guaranty associations, 137
guardian, 142
guardian ad litem, 25
Gun-Free Schools Act, 91
GVW (gross vehicle weight), 130

H

H.B. 264 Program (Energy Conservation Program), 91
H.B. 920 credit (tax reduction factor law), 184
habeas corpus, 63
habilitation, 159
harmful intoxicant, 63
harmful to juveniles (material or performance), 63
Hatch Act, 33
HAVA (Help America Vote Act of 2002), 100
having physical control of a vehicle while under the influence, 63
hazardous waste, 112
HCAP (Hospital Care Assurance Program), 153
HCBS (home and community-based services), 153
health care facility, 125
health district, 125
Health Insurance Portability and Accountability Act of 1996. *See* HIPAA

health insuring corporation. *See* HIC
Health Partnership Program. *See* HPP
Healthy Families, 153
Healthy Start, 153
HEAP (Home Energy Assistance Program), 198
Help America Vote Act of 2002. *See* HAVA
HIC (health insuring corporation), 137
higher education institution certified under Chapter 1713. of the Revised Code, 92
highly qualified teacher, 92
HIPAA (Health Insurance Portability and Accountability Act of 1996), 137
holographic will, 49
home and community-based services. *See* HCBS
Home Energy Assistance Program. *See* HEAP
home for the aging, 6
home health agency, 126
home study, 25
Home Weatherization Assistance Program. *See* HWAP
homestead exemption, 185
honorable discharge, 203
hospice program, 153
Hospital Care Assurance Program. *See* HCAP
hostile work environment, 109
household sewage treatment system, 112
Housing Tax-Credit Program, 133
housing trust fund fee, 133
HPP (Health Partnership Program), 210
HUD (Department of Housing and Urban Development), 134

HWAP (Home Weatherization Assistance Program), 198

I

IC (Industrial Commission of Ohio), 210

ICC (International Code Council, Inc.), 21

ICF/MR (intermediate care facility for the mentally retarded), 153

IDEA (Individuals with Disabilities Education Act) (special education), 92

IEP (individualized education program), 92

ignition interlock, 130

ILEC (incumbent local exchange company), 198

implied consent, 130, 164

importuning, 64

improvement, 185

in modern idiom, political corporation. *See* body corporate and politic

incentive district (area-wide TIF), 185

Income Tax Reduction Fund. *See* ITRF

incompetent to stand trial. *See* IST

incorporation, 149

incumbent local exchange company. *See* ILEC

independent candidate, 100

independent expenditure, 100

independent producer, 198

independent social worker, 126

independent system operator. *See* ISO

independent transmission, 198

indicator checklist, 25

indirect debt limit, 185

individual options waiver. *See* IO waiver

individualized education program. *See* IEP

Individuals with Disabilities Education Act. *See* IDEA

Industrial Commission of Ohio. *See* IC

industrialized unit, 21

infectious waste (medical waste), 112

in-home aide, 25

initiative petition, 101

injunction, 49

in-kind contribution, 101

Innovation Ohio Loan Program, 82

inside millage (unvoted millage), 185

insolvent, 40

instrumentality, 149

insurance premium finance company, 120

intangible personal property, 185

integrated resource planning. *See* IRP

intent language, 17

interested shares, 41

interim appropriation, 17

intermediate care facility for the mentally retarded. *See* ICF/MR

International Code Council, Inc. *See* ICC

International Registration Plan. *See* IRP

interpleader, 49

interrogatories, 49

Interstate Compact for the Placement of Children, 26

Interstate Compact on the Placement of Children, 26

intervention in lieu of conviction, 64

intoxicating liquor, 148

investor-owned utility. *See* IOU

IO waiver (individual options waiver), 154
IOU (investor-owned utility), 198
IRP (integrated resource planning), 198
IRP (International Registration Plan), 130
ISO (independent system operator), 198
isolated wetland, 113
issuing public corporation, 41
IST (incompetent to stand trial), 64
ITRF (Income Tax Reduction Fund), 17

J

jacklighting, 164
jail time credit, 64
Jarod's Law (School Health and Safety Network), 92
JCARR, 2
JEDD (joint economic development district), 82
jet skis. *See* personal watercraft
JLEC, 2
Job Search and Readiness Program, 206
joint economic development district. *See* JEDD
joint economic development zone, 83
joint vocational school district. *See* JVSD
judicial notice, 50
judicial release, 64
junior shares of a class, 41
juvenile traffic offender, 142
JVSD (joint vocational school district), 92

K

kilowatt-hour tax, 186
kinship care, 26

kinship care navigator program, 26
knowingly, 64

L

Labor Management Relations Act. *See* LMRA
labor union. *See* employee organization
land conveyance bill, 173
landline company (wireline company), 199
language appropriation, 17
lapse, 17

LATA (local access and transport area), 199
law enforcement officer, 65
LEAP (Learning, Earning, and Parenting Program), 206
Learnfare, 206
Learning, Earning, and Parenting Program. *See* LEAP
lease-purchase agreement (rent-to-own contract), 120
LEC (local exchange company, local exchange carrier), 199
legal custody, 26
legal length of commercial fish, 164
Legal Rights Service, 160
LEP (limited English proficient), 92
LEPC (local emergency planning committee), 113
lesser included offense, 65
letter of credit, 120
letters of administration, 50
letters testamentary, 50
level one waiver, 154
lien, 145
lien by operation of law, 145
lien release, 145
lifeline service, 199

limited English proficient. *See* LEP

limited home rule townships.
See township home rule

limited practitioners of
medicine, 126

linked deposit program, 120

LIO, 2

liquidation price, 41

lis pendens, 50

LISO, 2

litter stream products tax, 186

Little Hatch Act, 33

living maintenance, 210

living will (declaration), 126

LMRA (Labor Management
Relations Act) (Taft-Hartley
Act), 36

local access and transport area.
See LATA

local air pollution control
authority, 113

local emergency planning
committee. *See* LEPC

local exchange company, local
exchange carrier. *See* LEC

local exchange, telephone
exchange. *See* exchange

local option election, 148

local residential building
regulation, 22

local share (charge-off), 93

lodging tax. *See* bed tax

long-arm jurisdiction, 50

long-term care consultation, 6

long-term care consumer
guide, 6

long-term care facility, 6

long-term care insurance. *See*
LTC

Long-term Care Ombudsperson
Program, 6

longwall mining, 164

look back period, 154

lost workday injury rate. *See*
LWDI

Low- and Moderate-Income
Housing Trust Fund, 134

low-level radioactive waste, 113

LSC, 2

LTC (long-term care insurance),
138

lump sum award or settlement,
210

lump-sum appropriation, 17

lump-sum payment collection,
78

LWDI (lost workday injury rate),
171

M

MACSIS (Multi-Agency
Community Services
Information System), 160

maintenance, 17

major drug offender, 65

majority share acquisition, 41

mandamus, 50

mandated benefit, 138

mandatory serious youthful
offender, 143

mandatory SYO, 143

marital deduction, 186

marking device, 101

Martin Settlement, 160

maximum medical
improvement. *See* MMI

Mcf tax, 186

mechanic's lien, 145

Med Board. *See* State Medical
Board

Medicaid, 154

Medical Assistance Program,
154

medical only claim/lost time
claim, 210

medical savings account, 138

medical waste. *See* infectious
waste

medically needy, 154

Medicare, 154

Medicare Part A, 155

Medicare Part B, 155
Medicare Part D, 155
Megan's Law. *See* SORN Law
mens rea, level of intent. *See*
 culpable mental state
mental health courts, 65
mental retardation and
 developmental disabilities.
 See MR/DD
merchant plant, 199
merger, 41
merit rating, 210
metropolitan housing authority.
 See MHA
metropolitan park district (park
 district), 165
metropolitan planning
 organization. *See* MPO
MEWA (multiple employer
 welfare arrangement), 138
MFP (Money Follows the
 Person), 155
MHA (metropolitan housing
 authority), 134
Midwest Interstate Compact on
 Low-Level Radioactive Waste,
 113
mill, 186
mine subsidence, 165
mineral rights, 165
minimum mark-up, 148
minimum safe level. *See* MSL
minority business enterprise, 83
MMI (maximum medical
 improvement), 210
mobile source, 113
model curriculum, 93
Money Follows the Person. *See*
 MFP
money purchase benefit, 177
money transmitter, 120
monocell facility, 113
monofill facility, 113
Mortgage Brokers and Loan
 Officers Law, 120
Mortgage Loan Law, 121

most favored nation clause
 (most favored rate clause),
 138
most favored rate clause. *See*
 most favored nation clause
motor fuel tax, 186
motor vehicle inspection and
 maintenance program (E-
 Check), 114
MPO (metropolitan planning
 organization), 130
MR/DD (mental retardation and
 developmental disabilities),
 160
MSL (minimum safe level), 192
Multi-Agency Community
 Services Information System.
 See MACSIS
multiple children assessment,
 26
multiple employer welfare
 arrangement. *See* MEWA
municipal corporation, 149
municipal home rule, 149
municipal school district, 93
mutualized account, 192

N

NAAQS (national ambient air
 quality standards), 114
NAEP (National Assessment of
 Educational Progress), 93
NAIC (National Association of
 Insurance Commissioners),
 138
national ambient air quality
 standards. *See* NAAQS
National Assessment of
 Educational Progress. *See*
 NAEP
National Association of
 Insurance Commissioners. *See*
 NAIC
National Guard Scholarship
 Program, 203

- National Labor Relations Act.
See NLRA
- National Labor Relations Board.
See NLRB
- national pollutant discharge
 elimination system permit.
See NPDES permit
- National Voter Registration Act
 of 1993. *See* NVRA
- Natural Resources Conservation
 Service. *See* NRCS
- Nature Works (Parks and
 Natural Resources Capital
 Improvements), 165
- neglected child, 26
- negligently, 66
- net metering, 199
- new hires directory, 78
- new trial. *See* trial de novo
- nexus, 186
- NGRI (not guilty by reason of
 insanity), 66
- NLRA (National Labor Relations
 Act), 36
- NLRB (National Labor Relations
 Board), 36
- No Child Left Behind Act, 93
- no wake area, 165
- nominating petition, 101
- nonchartered nonpublic school
 (08 school), 93
- noncomplying employer, 210
- nonconforming use, 150
- nonpartisan ballot, 101
- nonpartisan candidate, 101
- nonpoint source, 114
- nonrefundable tax credit, 187
- nonresidential parent, 78
- nonresidential sanction, 66
- nonresidential/nonagricultural
 real property. *See* Class II
 property
- not guilty by reason of insanity.
See NGRI
- notice of commencement, 145
- notice of furnishing, 145
- NPDES permit (national
 pollutant discharge
 elimination system permit),
 114
- NRCS (Natural Resources
 Conservation Service), 165
- nuncupative will, 50
- nurse aide registry, 7
- nursing facility, 155
- nursing home, 7
- NVRA (National Voter
 Registration Act of 1993), 101
- O**
- OAKS (Ohio Administrative
 Knowledge System), 17
- OAQDA (Ohio Air Quality
 Development Authority), 114
- OARDC (Ohio Agricultural
 Research and Development
 Center), 11
- OBA, 2
- obligee, 78
- obligor, 79
- OBM, 2
- obscene, 66
- OCOG (Ohio College
 Opportunity Grant), 94
- OCRC (Ohio Civil Rights
 Commission), 109
- ODA, 2
- ODADAS, 2
- ODE, 2
- ODH, 2
- ODI, 2
- ODJFS, 2
- ODMRDD, 3
- ODOT, 3
- offense of violence, 66
- office-type ballot, 102
- official count. *See* canvass of
 election returns
- off-site facility, 114
- OGT (Ohio Graduation Tests), 94
- OHFA (Ohio Housing Finance
 Agency), 134

Ohio Administrative Knowledge System. *See* OAKS

Ohio Agricultural Research and Development Center. *See* OARDC

Ohio Air Quality Development Authority. *See* OAQDA

Ohio Ballot Board, *102*

Ohio Civil Rights Commission. *See* OCRC

Ohio College Opportunity Grant. *See* OCOG

Ohio Cooperative Extension Service (Extension Service, OSU Extension), *11*

Ohio Core curriculum, *94*

Ohio Deferred Compensation Program, *177*

Ohio Elections Commission, *102*

Ohio Graduation Tests. *See* OGT

Ohio high school equivalence diploma. *See* GED

Ohio Home Care waiver, *155*

Ohio Housing Finance Agency. *See* OHFA

Ohio Instructional Grant. *See* OIG

Ohio Landlord and Tenant Law for Manufactured Home Parks, *134*

Ohio Landlord and Tenant Law for Residential Premises, *134*

Ohio Nonresidential Building Code, *22*

Ohio Parental Leave Law, *109*

Ohio Police and Fire Pension Fund. *See* OP&F

Ohio Public Safety Officers Death Benefit. *See* Death Benefit Fund

Ohio Residential Building Code, *22*

Ohio Retirement Study Council. *See* ORSC

Ohio Tax Credit Authority, *187*

Ohio Water Development Authority. *See* OWDA

Ohio Works First. *See* OWF

OIG, *3*

OIG (Ohio Instructional Grant), *94*

Older Americans Act of 1965, *7*

OLIG, *3*

Olmstead decision, *160*

on-site facility, *114*

OP&F (Ohio Police and Fire Pension Fund), *177*

open access, *199*

open adoption, *27*

open container law, *148*

open enrollment, interdistrict, *94*

open enrollment, intradistrict, *94*

operating a vehicle after underage alcohol consumption. *See* OVUAC

operating a vehicle under the influence. *See* OVI

operating funds, *17*

optical scan ballot, *102*

option rights. *See* options

optional benefit plan, *177*

options (option rights), *41*

ORSC, *3*

ORSC (Ohio Retirement Study Council), *177*

out-of-home care, *143*

outside counsel. *See* special counsel

OVI (operating a vehicle under the influence) (drunk driving; DUI), *67*

OVUAC (operating a vehicle after underage alcohol consumption) (underage drunk driving; underage DUI), *67*

OWDA (Ohio Water Development Authority), *114*

OWF (Ohio Works First), *206*

P

- PACE (Program of All-Inclusive Care for the Elderly), 155
- paper township, 150
- par value, 42
- parent. *See* parent corporation
- parent cooperative child day-care center, 27
- parent corporation (parent), 42
- parent/provider inspected limited certification. *See* PPI limited certification
- parenting time rights, 79
- parity aid, 95
- park district. *See* metropolitan park district
- Parks and Natural Resources Capital Improvements. *See* Nature Works
- partial birth abortion, brain suction abortion. *See* partial birth feticide
- partial birth feticide (partial birth abortion, brain suction abortion), 67
- partial lump sum option. *See* PLOP
- party candidate, 102
- PASRR (preadmission screening and resident reviews), 156
- PASSPORT (preadmission screening system providing options and resources today), 156
- pass-through entity (conduit entity), 187
- pass-through entity tax. *See* withholding tax
- payment standard, 206
- PCPA (private child placing agency), 27
- PCR (post conviction relief), 67
- PCSA (public children services agency), 27
- peace officer, 67
- peer review committee, 50
- PEG (public, educational, or governmental) channel, 199
- pension, 177
- Percentage of Income Payment Plan Program. *See* PIPP
- percentile ranking. *See* equity list
- peremptory challenge, 51
- perfecting a lien, 145
- performance audit, 18
- performance based budgeting, 18
- permanency hearing, 27
- permanency plan, 27
- permanent custody, 27
- permanent employee, 34
- permanent partial disability. *See* PP or PPD
- permanent total disability. *See* PT or PTD
- permit to install. *See* PTI
- permit to operate. *See* PTO
- PERRP (Public Employment Risk Reduction Program), 171
- PERS (Public Employees Retirement System), 178
- PERS law enforcement division. *See* PERS-LE
- PERS-LE (PERS law enforcement division), 178
- person living as a spouse, 79
- personal care services, 7
- personal history record, 178
- personal services, 18
- personal watercraft (jet skis), 165
- phantom revenue, 95
- physical harm to persons, 68
- physical harm to property, 68
- physician assistant, 126
- piercing the corporate veil, 42
- piggyback tax, 187
- Pilot Project Scholarship Program. *See* Cleveland Voucher Program

PIPP (Percentage of Income Payment Plan Program), 200

plan of cooperation, 206

planned permanent living arrangement, 143

PLOP (partial lump sum option), 178

PNA (private noncustodial agency), 28

point source, 114

points, 130

political party, 102

political subdivision, 150

pooling, 165

possibility of reverter (reverter), 173

post conviction relief. *See* PCR

post-closure, 115

post-release control, 68

Post-Secondary Enrollment Options. *See* PSEO

pour-over trust, 51

poverty-based assistance, 95

power of termination. *See* right of re-entry

PP or PPD (permanent partial disability), 211

PPI limited certification (parent/provider inspected limited certification), 28

praecipe, 51

PRC (Prevention, Retention, and Contingency), 207

preadmission screening and resident reviews. *See* PASRR

preadmission screening system providing options and resources today. *See* PASSPORT

precinct, 102

predatory lending, 121

pre-emptive rights, 42

prefinalization assessment, 28

preliminary hearing, 68

premium, 211

prescriber, 126

prescriptive authority, 126

presidential primary election, 103

presumed decedent, 51

presumption, 68

pretermitted heir, 51

prevailing wage, 109

Prevention, Retention, and Contingency. *See* PRC

primary election, 103

prime farmland, 11

priority of liens, 145

private child placing agency. *See* PCPA

private fund/public fund, 211

private institution exempt from regulation under Chapter 3332. of the Revised Code, 95

private noncustodial agency. *See* PNA

private water system, 115

privilege, 69

privileged communication, 51

probable cause (reasonable cause or reasonable grounds), 69

probationary driver's license, 131

process, 51

processing charge, 79

program budgeting, 18

Program of All-Inclusive Care for the Elderly. *See* PACE

program series, 18

proof beyond a reasonable doubt (reasonable doubt), 69

proprietary school, 95

protection order (temporary protection order, civil protection order), 69

protective child care, 28

protective supervision, 143

provider, 156

provider of last resort, 200

provisional ballot, 103

provisional employee, 34

proxy, 42
 "prudent person" investment standard, 178
 PSAP (public safety answering point), 200
 PSEO (Post-Secondary Enrollment Options), 95
 PT or PTD (permanent total disability), 211
 PTI (permit to install), 115
 PTO (permit to operate), 115
 public children services agency.
 See PCSA
 public, educational, or governmental channel. *See* PEG channel
 Public Employees Retirement System. *See* PERS
 Public Employment Risk Reduction Program. *See* PERRP
 Public Health Council, 127
 public housing, 134
 public registry-qualified juvenile offender registrant, 69
 public safety answering point.
 See PSAP
 public utility excise tax. *See* gross receipts tax
 public water system, 115
 publicly funded child care, 28
 PUCO, 3
 pulverized debris, 115
 purchase of service credit, 178
 purposely, 69
 putative father registry, 28

Q

QDWI (qualified disabled and working individual), 156
 QHP (Qualified Health Plan), 211
 QI (qualifying individual), 156
 QMB (qualified Medicare beneficiary), 156

qualified disabled and working individual. *See* QDWI
 Qualified Health Plan. *See* QHP
 qualified Medicare beneficiary.
 See QMB
 qualified retirement plan, 178
 qualifying individual. *See* QI
 qualifying week, 192
 quality assurance program, 51
 quality-of-care standards, 127
 quarterly report, 192
 question or issue, 103
 questions and issues ballot, 103
 quo warranto-proceedings
 against a corporation, 52
 quo warranto-proceedings
 against a person, 52
 quota system, 148

R

R & R (child care resource and referral service organization), 29
 Rainy Day Fund (Budget Stabilization Fund), 18
 rate base, 200
 rate case, 200
 rate of return regulation, 200
 rate regulation, 200
 RCRA (Resource Conservation and Recovery Act), 115
 real dollars (constant dollars), 18
 real property, 187
 real property transfer tax, 187
 reappraisal. *See* appraisal
 reasonable cause or reasonable grounds. *See* probable cause
 reasonable doubt. *See* proof beyond a reasonable doubt
 reasonable efforts requirement, 29
 reasonable use of water, 165
 rebuttable presumption, 52
 receivership, 52
 recidivism, 70

reciprocity, 169
 recklessly, 70
 reclamation, 166
 Reclamation Commission, 166
 record date, 42
 record expungement, 70
 record sealing, 70
 recount, 103
 Recovery of Offender's Profits Law. *See* Son of Sam Law
 redemption of shares, 42
 reemployed retirant, 179
 referendum petition, 103
 refundable tax credit, 187
 refunding bond, 18
 regional transmission organization. *See* RTO
 regional water and sewer district, 166
 regular municipal election, 103
 regular state election, 104
 reimbursement ceiling, 29
 reimbursing employer, 192
 reinsurance, 138
 related services, 95
 remainder, 53
 rent-to-own contract. *See* lease-purchase agreement
 replevin, 53
 res gestae (excited utterance), 53
 reseller, 200
 reserve, 179
 reserve balance account, 188
 residential care facility, 7
 residential parent and legal custodian, 79
 Residential State Supplement Program, 7
 residential treatment, 70
 residential/agricultural real property. *See* Class I property
 Residents' Bill of Rights, 8
 residual parental rights, privileges, and responsibilities, 29
 resort area tax, 188
 Resource Conservation and Recovery Act. *See* RCRA
 resources, 156
 respite care, 157
 restorative justice, 70
 Retail Installment Sales Act. *See* RISA
 retained applicant fingerprint database, 70
 retire a share, 42
 retirement incentive plan, 179
 retirement allowance, 179
 revenue bond, 18
 revenue decoupling, 200
 revenue requirement, 200
 reverter. *See* possibility of reverter
 revivor of judgment, 53
 RICO, racketeering laws, organized crime laws. *See* Corrupt Activity Law
 right of re-entry (power of termination), 173
 right-to-farm law, 11
 riparian rights, 166
 RISA (Retail Installment Sales Act), 121
 risk management program, 116
 rollback, 188
 rollover, 179
 room and pillar mining, 166
 rotary fund, special account. *See* special revenue fund
 RSC, 3
 RTO (regional transmission organization), 201

S

S corporation, 188
 SACWIS (Statewide Automated Child Welfare Information System), 29
 sanctions, 207
 sanitary district, 166
 satellite facility, 116

- SAWW (statewide average weekly wage), 193
- scheduled losses, 211
- school district, 96
- School Employees Retirement System. *See* SERS
- school foundation program, 96
- School Health and Safety Network. *See* Jarod's Law
- scrip, 43
- scrubber. *See* flue gas desulfurization system
- seasonal employment/seasonal employer, 193
- second chance trust fund, 53
- section 1115 waiver, 157
- Section 8 Housing Program, 135
- secured transaction, 121
- security, 43
- seek work order, 79
- self-generator, 201
- self-insuring employer, 211
- self-sufficiency contract, 207
- Seniors to Sophomores Program, 96
- SERB (State Employment Relations Board), 36
- serial bond, 18
- serious physical harm to persons, 71
- serious physical harm to property, 71
- serious youthful offender. *See* SYO
- SERS (School Employees Retirement System), 179
- service credit, 179
- SETS (Support Enforcement Tracking System), 79
- severance tax, 188
- sewage treatment system, 116
- sewerage system, 116
- sex offender, 71
- Sex Offender Registration and Notification Law. *See* SORN Law
- sexual activity, 71
- sexual conduct, 71
- sexual contact, 71
- sexual predator, 71
- sexually oriented offense, 72
- sexually violent offense, 72
- shared parenting, 79
- shelter, 143
- SHO (staff hearing officer), 211
- shock incarceration (boot camp), 72
- short term loan, 121
- SHPRS (State Highway Patrol Retirement System), 179
- sickness and accident insurance, 139
- SID (special improvement district), 150
- single federal postcard application, 104
- skilled nursing care, 8
- skilled nursing facility, 157
- slamming, 201
- SLMB (specified low-income Medicare beneficiary), 157
- small business register, 83
- small flow on-site sewage treatment system, 116
- Small Loan Law, 121
- Social Security offset provision, 179
- Social Security windfall provision, 180
- social worker, 127
- sole parental rights and responsibilities, 79
- solid waste, 116
- solid waste management district, 116
- Son of Sam Law (Recovery of Offender's Profits Law), 72
- SORN Law (Sex Offender Registration and Notification Law) (Megan's Law), 73
- SOS, 3
- special assessments, 188

special contract, 201
special counsel (outside counsel), 53
special education. *See* IDEA
special education weights, 96
special election, 104
special improvement district. *See* SID
special levy, 188
special needs child, 29
special purpose appropriation, 19
special revenue fund (rotary fund, special account), 19
specified low-income Medicare beneficiary. *See* SLMB
spend down, 157
spirituous liquor, 148
split parental rights and responsibilities, 80
spoil bank, 166
spoliated will, 53
sponsor, 8
spot price, 201
SSI (state share of instruction), 96
SSI (Supplemental Security Income), 207
staff hearing officer. *See* SHO
standard renewal procedure, 169
standard service offer, 201
State Employment Relations Board. *See* SERB
state fund employer, 212
State Highway Patrol Retirement System. *See* SHPRS
state infrastructure bank, 131
State Insurance Fund, 212
State Medical Board (Med Board), 127
state plan state, 171
state share, 96
state share of instruction. *See* SSI
State Teachers Retirement System. *See* STRS
state-assisted colleges and universities, 96
stated capital, 43
stated prison term, 73
statement of candidacy, 104
Statewide Automated Child Welfare Information System. *See* SACWIS
statewide average weekly wage. *See* SAWW
stationary source, 116
statute against perpetuities, 53
statute of descent and distribution, 53
statute of limitations, 54
statute of repose, 54
statutory agent, 43
statutory lien, 146
STEM, 97
STEM school, 97
STRS (State Teachers Retirement System), 180
Student Choice Grant, 97
submerged land lease, 166
subrogation, 54, 212
subsidiary. *See* subsidiary corporation
subsidiary corporation (subsidiary), 43
Subsidized Employment Plan, 207
subsidy appropriation, 19
super fine, 73
supersedeas bond, 54
supplemental appropriation, 19
Supplemental Security Income. *See* SSI
Support Enforcement Tracking System. *See* SETS
support order, 80
support order default, 80
supported living, 161
surplus fund, 212
surviving corporation, 43

surviving entity, 43
 survivor benefits, 180
 SYO (serious youthful offender),
 143

T

Taft-Hartley Act. *See* LMRA
 TANF (Temporary Assistance for
 Needy Families), 207
 TANF carve-out programs, 207
 tangible personal property, 188
 tariff, 201
 TAX, 3
 tax budget, 189
 tax certificate, 189
 tax expenditure, 19
 tax increment financing. *See* TIF
 tax list and duplicate, 189
 tax reduction factor law. *See*
 H.B. 920 credit
 tax reduction factors, 189
 tax refund intercept, 80
 tax year, 189
 taxable value (assessed value),
 189
 taxable year, 189
 taxing authority, 189
 technology investment tax
 credit, 83
 telemedicine, 127
 Temporary Assistance for Needy
 Families. *See* TANF
 temporary custody, 30
 temporary protection order,
 civil protection order. *See*
 protection order
 temporary total disability. *See*
 TT or TTD
 temporary variance, 171
 tender offer, 44
 term limit, 104
 testamentary trustee, 54
 textbook and instructional
 materials fund, 97
 theft offense, 73

third grade reading guarantee,
 97
 thorough and efficient clause,
 97
 TID (transportation
 improvement district), 131
 Tier I/Tier II/Tier III sex
 offender/child-victim
 offender, 74
 TIF (tax increment financing),
 189
 time limits, 207
 tipped employees, 109
 Title I (Title I of the Elementary
 and Secondary Education Act,
 also referred to as ESEA), 97
 Title IV-A, 208
 Title IV-D case, 80
 Title IV-E, 30
 Title IX (Title IX of the Education
 Amendments of 1972), 98
 Title VII of the Civil Rights Act of
 1964, 110
 Title XIX of the Social Security
 Act, 157
 Title XVIII of the Social Security
 Act, 157

 Title XX, 208
 Title XXI of the Social Security
 Act, 157
 TMDL (total maximum daily
 load), 117
 TOD (transfer-on-death), 54
 tolling of statute of limitations,
 54
 tort, 54
 total maximum daily load. *See*
 TMDL
 Total Operating Fund, 19
 township home rule (limited
 home rule townships), 150
 TRAC (Transportation Review
 Advisory Committee), 131
 transfer, 144
 transfer agent, 44

transfer facility, 117
transfer to adult
 court/relinquishment of
 jurisdiction for purpose of
 criminal prosecution. *See*
 bindover
transferee corporation, 44
transfer-on-death. *See* TOD
transferor corporation, 44
transitional aid, 98
transitional child care, 30
transitional control, 74
transitional Medicaid, 157
transitions waiver, 158
transportation improvement
 district. *See* TID
Transportation Logistics and
 Distribution Infrastructure
 Projects Program, 83
Transportation Review Advisory
 Committee. *See* TRAC
treasury shares, 44
treatment foster home, 30
trial de novo (new trial), 54
true value in money, 190
TT or TTD (temporary total
 disability), 212
type A family day-care home, 30
type B family day-care home, 30

U

UCC (Uniform Commercial
 Code), 121
ultra vires, 44
unbundling, 201
uncertificated security, 44
unclaimed funds, 122
unclassified service, 34
underage drunk driving;
 underage DUI. *See* OVUAC
underwriter, 19
Unemployment Compensation
 Fund, 193
unfair and deceptive act or
 practice in the business of
 insurance, 139

unfair labor practice, 36
unfunded actuarial accrued
 liability, 180
Uniform Bond Law (Uniform
 Public Securities Law), 19
Uniform Commercial Code. *See*
 UCC
Uniform Depository Act, 122
Uniform Public Securities Law.
 See Uniform Bond Law
uniform rule, 190
union shop, 37
unissued shares, 44
universal service, 201
University System of Ohio, 98
unlawful termination of
 another's pregnancy
 (feticide), 74
unofficial count (election night
 count), 104
unruly child, 144
unvoted millage. *See* inside
 millage
urban school district (Urban-21
 district), 98
urban township, 150
Urban-21 district. *See* urban
 school district
use groups, 22
use tax, 190
usury, 122
utilization review, 139

V

value-added progress
 dimension, 98
VAP (voluntary action program)
 (brownfields program), 117
vendor, 190
venire, 55
venue, 55
vertical integration, 11
vesting, 180
veterans service commission,
 203
vexatious litigator, 74

viable, 74
viatical settlement, 139
vicious dog, 11
video parity, 201
video service authorization, 201
violation of specific safety requirements. *See* VSSR
violent sex offense, 75
vocational education. *See* career-technical education
voluntary action program. *See* VAP
voluntary permanent surrender, 30
voluntary protection program. *See* VPP
voter identification, 104
voter verified paper audit trail. *See* VVPAT
voting machine, 104
voting residence, 105
voting rights, 45
voting shares, 45
voting trust, 45
voucher, 19
VPP (voluntary protection program), 171
VSSR (violation of specific safety requirements), 212
VVPAT (voter verified paper audit trail), 105

W

wage loss compensation, 212
Wagner-Peyser Act, 193

waiting week, 193
waiver, 158
War Orphans Scholarships, 203
warrant, 20
well log, 167
wellhead protection, 117
Wellness Block Grant, 31
wetlands, 117
wetlands mitigation, 117
WIA (Workforce Investment Act of 1998), 193
wireless service, 202
wireline company. *See* landline company
wireline service, 202
Wiretapping Law. *See* Communications Interception Law
withdrawal directive, 80
withholding notice, 80
withholding tax (pass-through entity tax), 190
Work Experience Program, 208
work release, 75
Workforce Investment Act of 1998. *See* WIA
writ, 55
write-in candidate, 105
wrongful discharge, 110

Z

zero based budgeting, 20