

TRUMBULL COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

Policy

Section 3.13

CERTIFICATIONS/REGISTRATIONS/LICENSES

A. Standards:

1. Employees of the Board in job classifications requiring certification or registration, as determined by the Ohio Department of DD (department) or the Ohio Department of Education, must meet or exceed any-requirements prescribed for such positions. Each employee's classification specification as adopted by the Board shall include the certification or registration requirements for that classification.
2. For positions licensed by a state licensing authority pursuant to Ohio Revised Code Title 47, an applicant possessing or deemed eligible by the licensing authority for such license shall be deemed eligible for employment.
3. Employees are responsible for meeting the professional, educational, continuing education and/or experience requirements applicable to their position in order to maintain the proper state required certifications, licensures, and registrations.
4. The required fees for certification/registration/license applications, renewals, or for course work related to certification and licensing are the responsibility of individual employees.

B. Denial, Suspension, or Revocation of Certificate, Evidence of Registration or License:

1. An employee holding a certificate or evidence of registration may have such certificate or evidence of registration denied, suspended or revoked by the Department of DD if, after an ADJUDICATION hearing pursuant to Ohio Revised Code Chapter 119, the Department determines:
 - a. The employee is guilty of intemperate, immoral, or other conduct unbecoming to the employee's position;
 - b. The employee is guilty of incompetence or negligence within the scope of the employee's duties; or
 - c. The employee has been convicted of or pleaded guilty to any of the offenses listed or described in ORC 5126.28.
2. An employee holding a certificate or evidence of registration has a duty to timely report to the Superintendent any acts described in the preceding paragraph. Failure to make such timely report may result in discipline up to and including discharge. Upon receipt of information that an employee

holding a certificate or evidence of registration may have committed any of the acts described in the preceding paragraph, the Superintendent shall make an appropriate notification to the Department. For an employee holding an occupational or professional license or similar credentials, the Superintendent may request that the regulating state or federal agency supply the Board with a written report of any information pertaining to the employee's criminal records that the agency obtains in the course of conducting an investigation or in the process of reviewing the employee's license or other credentials.

3. If a Board employee's license/certificate/registration is permanently revoked or is not renewed, that person's employment shall be terminated subject to the procedures set forth below. If a required license/certificate/registration is suspended, the person's employment may be terminated.

C. Initial Hiring Without Certificate:

The Superintendent may employ, at the Superintendent's discretion, an individual pending the issuance of an initial certificate, registration or license if the person has met the requirements for such, as determined by the appropriate licensing authority, applied for certification, registration or licensure, and the application has not been denied.

D. Disciplinary Proceeding Subsequent to Non-Renewal, Revocation, Suspension and Expiration of Certificate, Evidence of Registration, or License:

1. The board may not employ or compensate a person who does not hold the certificate, evidence of registration or license required for his/her position, including First Aid/CPR training.
2. When an employee's certificate, evidence of registration, or license is non-renewed, revoked, suspended, or expires, the Board shall take the following actions:
 - a. Upon notification, the employee's immediate supervisor shall place the employee on administrative leave with pay.
 - b. The supervisor shall schedule a pre-disciplinary conference which shall be held no later than five (5) days after the date upon which the employee is placed on administrative leave.
 - c. If the employee fails to show proper certification, evidence of registration, or licensure at the pre-disciplinary conference, the employee shall be terminated if the certificate, evidence of registration or license was revoked, denied, or non-renewed by the applicable governmental agency.

- d. If the certificate, evidence of registration, or license has been suspended, the employee may explain the reason for the suspension of such certificate, evidence of registration, or license. In making a decision on whether to terminate the employee, the Board shall take into consideration the employee's explanation and the reasons for suspension of the certificate, evidence of registration, or license by the applicable governmental agency.
 - e. If the employee has allowed the certificate, evidence of registration, or license to expire, the employee must present evidence of proper certification, registration, or licensure at the pre-disciplinary conference. Failure to provide such evidence of proper certification, registration or licensure may result in immediate termination.
3. If the employee whose certificate, evidence of registration or license has expired obtains the required certificate, evidence of registration or license prior to the scheduled pre-disciplinary conference, the employee shall immediately notify his/her immediate supervisor. Upon verification of proper certification, registration or licensure, the employee will be returned to work in his/per position. The pre-disciplinary conference will be held as scheduled for the purpose of gathering facts for presentation to the superintendent, who will then determine further action, if any.
4. In cases where an employee's certificate, evidence of registration, or license has been suspended or has expired, the maximum period of time an employee may be placed on administrative leave with pay is thirty (30) calendar days. If the employee does not have a valid certificate, evidence of registration, or license at the end of the thirty (30) day period, absent extenuating circumstances, the employee shall be terminated.

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Reference:
O.A.C. 5123:2-5