

Licensed Employees
ORC 3319.31(C); OAC 3301-20-01(A)(10)

DISQUALIFYING OFFENSES – NOT ELIGIBLE FOR REHABILITATION

Violent offenses:

- 2903.01 (aggravated murder)
- 2903.02(murder)
- 2903.03 (voluntary manslaughter)
- 2903.04 (involuntary manslaughter)
- 2903.041 (reckless homicide)
- 2903.11 (felonious assault)
- 2903.12 (aggravated assault)
- 2903.15 (permitting child abuse)
- 2905.01(kidnapping)
- 2905.02(abduction)
- 2905.05 (criminal child enticement)
- 2905.11(extortion)
- 2909.02 (aggravated arson)
- 2911.01 (aggravated robbery)
- 2911.02(robbery)
- 2911.11 (aggravated burglary)
- 2917.01 (inciting to violence)
- 2917.02 (aggravated riot)
- 2917.03(riot)
- 2917.31 (inducing panic)
- 2921.03(intimidation)
- 2921.04 (intimidation of attorney, victim or witness in criminal case)
- 2921.34(escape)
- 2923.122 (illegal conveyance or possession of deadly weapon or dangerous ordnance or illegal possession of an object indistinguishable from a firearm in school safety zone)
- 2923.123 (illegal conveyance of deadly weapon or dangerous ordnance into courthouse, illegal possession or control in a courthouse)
- 2923.161 (improperly discharging firearm at or into a habitation; school related offenses)
- 2923.21 (improperly furnishing firearms to minor)
- 2923.17 (unlawful possession of dangerous ordnance; illegally manufacturing or processing explosives) of the Revised Code;
- 2919.22 (endangering children)
- 2909.22 (soliciting or providing support for act of terrorism)
- 2909.23 (making terroristic threat)
- 2909.24(terrorism)
- 2917.33 (unlawful possession or use of a hoax weapon of mass destruction)
- 2927.24 (contaminating substance for human consumption or use; contamination with hazardous chemical, biological, or radioactive substance; spreading false report)
- 3716.11 (placing harmful objects in food/confection)
- 2921.05(retaliation)
- 2919.12 (unlawful abortion)
- 2919.121 (performing or inducing unlawful abortion upon minor)
- 2919.13 (abortion manslaughter)
- 2919.23 (interference of custody)
- 2905.04 (child stealing)

Theft offenses and other offenses against public administration:

- 2911.12(burglary)
- 2913.44 (personating an officer)
- 2921.41 (theft in office)
- 2921.11(perjury)
- 2921.02(bribery)

Drug abuse offenses:

- 2925.02 (corrupting another with drugs)
- 2925.03 (trafficking in drugs)
- 2925.04 (illegal manufacture of drugs or cultivation of marihuana)
- 2925.041 (illegal assembly or possession of chemicals for the manufacture of drugs)
- 2925.05 (funding of drug or marihuana trafficking)
- 2925.06 (illegal administration or distribution of anabolic steroids)
- 2925.13 (permitting drug abuse)
- 2925.22 (deception to obtain a dangerous drug)
- 2925.23 (illegal possession of drug documents)
- 2925.24 (tampering with drugs)
- 2925.32 (trafficking in harmful intoxicants; improperly dispensing or distributing nitrous oxide)
- 2925.36 (illegal dispensing of drug samples)
- 2925.37 (possession of counterfeit controlled substances)

Sexually-oriented offenses:

- 2907.02(rape)
- 2907.03 (sexual battery)
- 2907.04 (unlawful sexual conduct with a minor)
- 2907.05 (gross sexual imposition)
- 2907.06 (sexual imposition)
- 2907.07(importuning)
- 2907.21 (compelling prostitution)
- 2907.22 (promoting prostitution)
- 2907.23(procuring)
- 2907.24 (soliciting; after positive HIV test)
- 2907.241 (loitering to engage in solicitation; solicitation after positive HIV test)
- 2907.25 (prostitution; after positive HIV test)
- 2907.31 (disseminating matter harmful to juveniles)
- 2907.311 (displaying matter harmful to juveniles)
- 2907.32 (pandering obscenity)
- 2907.321 (pandering obscenity involving a minor)
- 2907.322 (pandering sexually oriented material involving a minor)
- 2907.33 (deception to obtain matter harmful to juveniles)
- 2907.34 (compelling acceptance of objectionable materials)
- 2907.323 (illegal use of a minor in nudity-oriented material or performance)
- 2907.12 (felonious sexual penetration)

Licensed Employees
ORC 3319.39(B)(1); ORC 3319.31(B)(2)

DISQUALIFYING OFFENSES – ELIGIBLE FOR REHABILITATION

- 2903.13 (assault)
- 2903.16 (failing to provide for a functionally impaired person)
- 2903.21 (aggravated menacing)
- 2903.211 (menacing by stalking)
- 2903.22 (menacing)
- 2903.34 (patient use or neglect)
- 2907.08 (voyeurism)
- 2907.09 (public indecency)
- 2909.03 (arson)
- 2911.13 (breaking and entering)
- 2911.31 (safecracking)
- 2911.32 (tampering with coin machines)
- 2913.02 (theft)
- 2913.03 (unauthorized use of a vehicle)
- 2913.04 (unauthorized use of property, computer, cable or telecommunications property or service)
- 2913.041 (possession or sale of unauthorized cable television device)
- 2913.05 (telecommunications fraud)
- 2913.06 (unlawful use of telecommunications device)
- 2913.11 (passing bad checks)
- 2913.21 (misuse of credit cards)
- 2913.31 (forgery, identification card offenses)
- 2925.12 (felony possession of drug abuse instruments)
- 2913.32 (criminal simulation)
- 2913.33 (making or using slugs)
- 2913.34 (trademark counterfeiting)
- 2913.40 (Medicaid fraud)
- 2913.41 (defrauding a livery or hostelry)
- 2913.42 (tampering with records)
- 2913.43 (securing writings by deception)
- 2913.45 (defrauding creditors)
- 2913.47 (insurance fraud)
- 2913.48 (workers' compensation fraud)
- 2913.51 (receiving stolen property)
- 2913.81 (denying access to a computer system or services)
- 2915.05 (cheating, corrupting sports)
- 2915.06 (skill-based amusement machine prohibited conduct)
- 2919.24 (contributing to unruliness or delinquency of a child)
- 2919.25 (domestic violence)
- 2923.12 (carrying concealed weapons)
- 2923.13 (having weapons while under disability)
- 2925.11 (possession of a controlled substance that is not a minor drug possession offense)
- 2925.31 (felony abuse of harmful intoxicants)

Rehabilitation Conditions:

1. At the time of the offense, the victim was under 18 years old or enrolled as a student in the district.
2. If the offense was a felony, at least five years have elapsed since the applicant was fully discharged from imprisonment, probation, or parole or the applicant has had the record of his/her guilty plea, finding of guilt or conviction sealed or expunged. If the offense was a misdemeanor, at least five years have elapsed since the date of conviction or the applicant has had the record of his/her guilty plea, finding of guilt or conviction sealed or expunged.
3. The applicant is not a "repeat offender" of any of the offenses listed in 3319.39(B)(1) or 3319.31. A sealed or expunged conviction shall not be counted for purposes of this paragraph. See OAC 3301-20-01(E)(2)(c) for a definition of "repeat offender."
4. The applicant provides written confirmation of his/her efforts at rehabilitation and the results of those efforts. Written confirmation may include a statement by a court, parole officer, probation officer and/or counselor that the applicant has been rehabilitated.
5. The applicant's hiring or licensure would not jeopardize the health, safety, or welfare of the persons served by the district. The district must consider the following factors:
 - a. The nature and seriousness of the crime;
 - b. The extent of the applicant's past criminal activity;
 - c. The age of the applicant when the crime was committed;
 - d. The amount of time that has elapsed since the applicant's last criminal activity;
 - e. The conduct and work activity of the applicant before and after the criminal activity;
 - f. Whether the applicant has completed the terms of his probation or deferred adjudication;
 - g. Evidence of rehabilitation;
 - h. Whether the applicant fully disclosed the crime to the state board, the department and the district;
 - i. Whether employment or licensure will have a negative impact on the local education community;
 - j. Whether employment or licensure will have a negative impact on the state-wide education community; and
 - k. Any other factors the state board, district, or superintendent considers relevant.

Teachers

ORC 3319.39(B)(3); ORC 3319.31(B)(2)

DISQUALIFYING OFFENSES – NOT ELIGIBLE FOR REHABILITATION

- A felony not listed in RC 3319.31(C)

Violent Offenses

- 2903.13 (assault)
- 2903.21 (aggravated menacing)
- 2903.211 (menacing by stalking)
- 2903.22 (menacing)
- 2909.03 (arson)
- 2919.25 (domestic violence)
- 2923.161 (improperly discharging a firearm)

Theft Offenses

- 2911.13 (breaking and entering)
- 2911.31 (safecracking)
- 2911.32 (tampering with coin machines)
- 2913.02 (theft)
- 2913.03 (unauthorized use of a vehicle)
- 2913.04 (unauthorized use of property, computer, cable or telecommunications property or service)
- 2913.041 (possession or sale of unauthorized cable television device)
- 2913.05 (telecommunications fraud)
- 2913.06 (unlawful use of telecommunications device)
- 2913.11 (passing bad checks)
- 2913.21 (misuse of credit cards)
- 2913.31 (forgery, identification card offenses)
- 2913.32 (criminal simulation)
- 2913.33 (making or using slugs)
- 2913.34 (trademark counterfeiting)
- 2913.40 (Medicaid fraud)
- 2913.42 (tampering with records)
- 2913.43 (securing writings by deception)
- 2913.45 (defrauding creditors)
- 2913.47 (insurance fraud)
- 2913.48 (workers' compensation fraud)
- 2913.51 (receiving stolen property)
- 2915.05 (cheating, corrupting sports)
- 2921.41 (theft in office)
- 2913.41 (defrauding a livery or hostelry)
- 2913.81 (denying access to a computer system or services)
- 2915.06 (skill-based amusement machine prohibited conduct)

Drug Offenses

- 2913.02(A) (theft of drugs; not a minor misdemeanor)
- 2925.11 (possession of a controlled substance that is not a minor drug possession offense)
- 2925.12 (felony possession of drug abuse instruments)
- 2925.31 (felony abuse of harmful intoxicants)

Non-licensed Employees
OAC 3301-20-03(A)(6)

DISQUALIFYING OFFENSES – NOT ELIGIBLE FOR REHABILITATION

Sexually-oriented offenses:

- 2907.02(rape)
- 2907.03 (sexual battery)
- 2907.04 (unlawful sexual conduct with a minor)
- 2907.05 (gross sexual imposition)
- 2907.06 (sexual imposition)
- 2907.07(importuning)
- 2907.21 (compelling prostitution)
- 2907.22 (promoting prostitution)
- 2907.23(procuring)
- 2907.25 (prostitution; after positive HIV test)
- 2907.31 (disseminating matter harmful to juveniles)
- 2907.32 (pandering obscenity)
- 2907.321 (pandering obscenity involving a minor)
- 2907.322 (pandering sexually oriented matter involving a minor)
- 2907.323 (illegal use of a minor in nudity-oriented material or performance)
- 2907.12 (felonious sexual penetration)

Child-related violent offenses:

- 2905.01(kidnapping)
- 2905.02(abduction)
- 2905.05 (criminal child enticement)
- 2919.23 (interference of custody)
- 2905.04 (child stealing)
- 2919.22 (endangering children)

Violent offenses:

- 2903.01 (aggravated murder)
- 2903.02(murder)
- 2903.03 (voluntary manslaughter)
- 2903.04 (involuntary manslaughter)

DISQUALIFYING OFFENSES – ELIGIBLE FOR REHABILITATION

Within 20 years

- 2903.11 (felonious assault)
- 2903.12 (aggravated assault)
- 2911.01 (aggravated robbery)
- 2911.02(robbery)
- 2911.11 (aggravated burglary)
- 2923.161 (improper discharge firearm at or into habitation; school-related offenses)
- 3716.11 (placing harmful objects in food/confection)
- 2919.12 (unlawful abortion)

Within 10 years

- 2925.02 (corrupting another with drugs)
- 2925.03 (trafficking in drugs)
- 2925.04 (illegal manufacture of drugs or cultivation of marihuana)
- 2925.05 (funding of drug or marihuana trafficking)
- 2925.06 (illegal administration or distribution of anabolic steroids)
- 2911.12(burglary)

Within 5 years

- 2903.13(assault)
- 2903.16 (failing to provide for a functionally impaired person)
- 2903.21 (aggravated menacing)
- 2903.34 (patient use or neglect)
- 2907.08(voyeurism)
- 2907.09 (public indecency)
- 2919.22 (endangering children)
- 2919.24 (contributing to unruliness or delinquency of a child)
- 2919.25 (domestic violence)
- 2923.12 (carrying concealed weapons)
- 2923.13 (having weapons while under disability)
- 2925.11 (possession of a controlled substance that is not a minor drug possession offense)

Transportation Employees
OAC 3301-83-23(A)(6)

DISQUALIFYING OFFENSES – NOT ELIGIBLE FOR REHABILITATION

Sexually-oriented offenses:

- 2907.02 (rape)
- 2907.03 (sexual battery)
- 2907.04 (unlawful sexual conduct with a minor)
- 2907.05 (gross sexual imposition)
- 2907.06 (sexual imposition)
- 2907.07 (importuning)
- 2907.21 (compelling prostitution)
- 2907.22 (promoting prostitution)
- 2907.23 (procuring)
- 2907.25 (prostitution; after positive HIV test)
- 2907.31 (disseminating matter harmful to juveniles)
- 2907.32 (pandering obscenity)
- 2907.321 (pandering obscenity involving a minor)
- 2907.322 (pandering sexually oriented matter involving a minor)
- 2907.323 (illegal use of a minor in nudity-oriented material or performance)
- 2907.12 (felonious sexual penetration)

Child-related violent offenses:

- 2905.01 (kidnapping)
- 2905.02 (abduction)
- 2905.05 (criminal child enticement)
- 2919.23 (interference of custody)
- 2905.04 (child stealing)
- 2919.22 (endangering children)

Violent offenses:

- 2903.01 (aggravated murder)
- 2903.02 (murder)
- 2903.03 (voluntary manslaughter)
- 2903.04 (involuntary manslaughter)
- 2903.06 (vehicular manslaughter and assault)
- 2903.08 (vehicular manslaughter and assault)
- 2903.09 (vehicular manslaughter and assault)
- 2909.24 (terrorism)

DISQUALIFYING OFFENSES – ELIGIBLE FOR REHABILITATION

Within 20 years

- 2903.11 (felonious assault)
- 2903.12 (aggravated assault)
- 2911.01 (aggravated robbery)
- 2911.02 (robbery)
- 2911.11 (aggravated burglary)
- 2923.161 (improper discharge firearm at or into habitation; school-related offenses)
- 3716.11 (placing harmful objects in food/confection)
- 2919.12 (unlawful abortion)

Within 10 years

- 2925.02 (corrupting another with drugs)
- 2925.03 (trafficking in drugs)
- 2925.04 (illegal manufacture of drugs or cultivation of marihuana)
- 2925.05 (funding of drug or marihuana trafficking)
- 2925.06 (illegal administration or distribution of anabolic steroids)
- 2911.12 (burglary)

Within 6 years

- 4511.19 (operating a motor vehicle under the influence)
- 4511.20 (reckless operation)
- 4510.11 (driving under suspension)
- 4510.14 (driving under OVI suspension)
- 4511.194 (physical control while under the influence)

Within 5 years

- 2903.13 (assault)
- 2903.16 (failing to provide for a functionally impaired person)
- 2903.21 (aggravated menacing)
- 2903.34 (patient use or neglect)
- 2907.08 (voyeurism)
- 2907.09 (public indecency),
- 2919.22 (endangering children)
- 2919.24 (contributing to unruliness or delinquency of a child)
- 2919.25 (domestic violence)
- 2923.12 (carrying concealed weapons)
- 2923.13 (having weapons while under disability)
- 2925.11 (possession of a controlled substance that is not a minor drug possession offense)

Within 1 year

- 4511.75 (violation of school bus warning lights)
- 4511.21.2 (school zone speed limit) while operating a school vehicle
- 4511.62 (railroad crossing violation)