

STATE OF OHIO



DEPARTMENT OF REHABILITATION  
AND CORRECTION

SUBJECT: <b>Office of Enterprise Development Advisory Board and Partnerships</b>	PAGE <u> 1 </u> OF <u> 5 </u>  NUMBER: 02-REN-06
RULE/CODE REFERENCE: R.C. 5145.162	SUPERSEDES: New
RELATED ACA STANDARDS:	EFFECTIVE DATE: February 25, 2014
	APPROVED: 

**I. AUTHORITY**

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

**II. PURPOSE**

The purpose of this policy is to set forth policy and procedure which creates the Office of Enterprise Development (OED) Advisory Board to advise and assist the Department of Rehabilitation and Correction (DRC) Office of Enterprise Development with the creation of training programs and jobs for inmates and releasees through partnerships with private sector businesses.

**III. APPLICABILITY**

This policy applies to persons employed by the DRC, independent contractors providing a service to the department, inmates, and volunteers.

**IV. DEFINITIONS**

**Stakeholder** - A person, group or organization that has an interest or concern in a project that involves the OED.

**Partnership** - A relationship that exists between the OED and another individual, group, or organization that is characterized by mutual cooperation and responsibility for the achievement of a specified project goal.

**Partnership Proposal** - A written document sent from the stakeholder to the OED that clearly outlines the opportunity presented, the financial implications, the types of benefits that can be delivered, and the potential value to the DRC.

## V. POLICY

It is the policy of the Ohio Department of Rehabilitation and Correction that the Office of Enterprise Development (OED) will work to reduce recidivism and increase public safety for all Ohioans. OED shall reduce idleness of inmates by offering training programs and by increasing the number of jobs available to inmates while they are incarcerated; these jobs shall not impact employment opportunities for Ohioans. In addition, OED will create partnerships with private sector businesses. OED shall utilize these partnerships to assist in the training and development of inmates which will provide them transferrable job skills that prepares them for post-release employment.

## VI. PROCEDURES

### A. OED Advisory Board

#### 1. Purpose

The OED Advisory Board shall advise and assist the Department with the creation of training programs and jobs for inmates and releasees through partnerships with private sector business. The Board shall serve as an objective review and approval body for business proposals submitted to the OED.

#### 2. Membership

Per section 5145.162 of the Ohio Revised Code, membership of the OED Advisory board shall consist of the following:

- a. At least five appointed members and the Executive Director of the Correctional Institution Inspection Committee who shall serve as an ex officio member. The members and the chairperson shall be appointed by the Director.
- b. Each member shall have experience in labor relations, marketing, business management, or business.
- c. Each member of the OED Advisory Board will not receive compensation but may be reimbursed for expenses actually and necessarily incurred while performing official duties of the board. Members who are State employees shall be reimbursed for expenses pursuant to travel rules promulgated by the Office of Budget and Management.

#### 3. Meeting Procedures

The OED Advisory Board shall meet at least once every quarter or at the request of the Chairperson or the Director. Sixty percent of the members shall constitute a quorum. No transaction of the board's business shall be taken without the concurrence of a quorum of its members. The board may have committees with persons who are not members of the board but whose experience and expertise is relevant and useful to the work of the committee.

#### 4. Duties

The OED Advisory Board shall have the following duties:

- a. Solicit partnership proposals offering job training, apprenticeship, education programs, and employment opportunities for inmates and releasees.
- b. Provide information and input to the OED to support the job training and employment program of inmates and releasees and any additional, related duties as requested by the Director.
- c. Recommend any legislation, administrative rule, or Department policy change that the board believes is necessary to implement its purpose.
- d. Promote public awareness of OED and its employment program.
- e. Familiarize itself and the public with avenues to access the Office of Enterprise Development on employment program concerns.
- f. Advocate for the needs and concerns of the OED in local communities, counties, and the State of Ohio.
- g. Play an active role in the OED's efforts to reduce recidivism in the State of Ohio by doing all the following:
  - i. Provide input and make recommendations for the OED to monitor employment compliance and effectiveness;
  - ii. Make suggestions on the appropriate priorities for the OED's grant award criteria;
  - iii. Be a liaison between the OED and the constituents of the board members; and
  - iv. Work to develop constituent groups interested in employment issues.
- h. Aid in the employment program development process by playing a leadership role in professional associations by discussing employment program issues.

#### **B. Development of Partnerships**

1. Once a partnership has been identified the following steps shall be taken:
  - a. The partner is to complete the OED Partnership Proposal (DRC 1188 E) by:
    - i. Identifying what project (i.e., work location, job training, apprenticeship, education programs, and employment opportunities for inmates and releasees) is to be done;
    - ii. Explaining why this project needs to be done;
    - iii. Demonstrating that the partnership is qualified to perform the project;
    - iv. Explaining a management plan and technical approach;
    - v. Identifying the resources needed to complete the project within the stated time and cost; and
    - vi. Include information regarding the wages, if any that will be paid to the offenders for the work they complete.
  - b. The partnership proposal shall be forwarded by the DRC staff overseeing the specified project to the OED Administrator.

- c. The OED Administrator shall initially screen (e.g., research the company, interview company representatives, inquiries for clarity, site visits, meetings, and consult with subject matter experts) the partnership proposal to ensure it is a viable venture to pursue. However, if the project proposal is for community service then it will be referred for further action pursuant to Department Policy 04-CMJ-03, Community Service.
  - d. If so viable, the OED Administrator shall forward the partnership proposal to the OED Advisory Board who shall meet and conduct the final vetting of the proposal to ensure it meets any or all of the following guidelines:
    - i. Designed to reduce recidivism;
    - ii. Creates employment opportunities for inmates and/or releasees in the community;
    - iii. Increases inmate jobs at the Ohio Penal Industry and or at the penal institutions;
    - iv. Increases training, apprenticeship, and education opportunities for inmates;
    - v. Maintains existing jobs for Ohioans; and
    - vi. Inmate-made products will not be transported or imported (excluding agricultural purposes, if approved by the OED Administrator) in violation of 18 U.S.C.A. section 1761.
  - e. Partnership and stakeholders, if any, shall be asked to attend the OED Advisory Board meeting to explain its proposal.
  - f. The OED Advisory Board shall determine whether to recommend the implementation of the proposal to the Deputy Director of the Office of Administration who will make the final determination whether to pursue implementation of the proposal.
2. Upon approval of a partnership, a Memorandum of Understanding or a contract (e.g., any transaction of funds/monies) shall be drafted by the partnership and the Division of Legal Services with input of the OED Administrator, and approval by the Director or designee which shall include, but is not limited to, the following provisions:
- a. Partnerships contact information;
  - b. The background of the project and what it entails;
  - c. The scope of the project and who will perform it and who will use what it provides;
  - d. Specified activities and implementation of activities;
  - e. Funding issues;
  - f. Roles and responsibilities of the parties;
  - g. A time line, if desired;
  - h. Duration of the project;
  - i. Information regarding any transaction of funds to include inmate pay; and
  - j. Date and signatures of the parties.

### **C. Retroactive Partnerships**

Partnerships that have been developed prior to the effective date of this policy are to be reported to the Office of Enterprise Development as soon as identified.

**D. Inmate Compensation**

## 1. Compensation

Even though they are not assigned to Ohio Penal Industries, inmates participating in a partnership may receive from the stakeholder compensation and benefits pursuant to rule 5120-3-05 of the Ohio Administrative Code (OAC) unless the MOU or contract states otherwise.

## 2. Distribution of Compensation

Inmates participating in a partnership may be subject to distribution of their compensation pursuant to rule 5120-3-09 of the OAC.

## 3. Savings of Compensation

The Managing Officer or designee shall establish a mandatory savings program for inmates participating in a partnership which shall not exceed five dollars per week with a maximum balance of one hundred dollars. The balance in the savings account shall be paid upon the inmate's release in lieu of the release payment pursuant to rule 5120-3-08 of the OAC.

## 4. Prison Industry Enhancement Program

If products created by DRC inmates are to be transported or sold across state lines then inmates shall be paid wages as in accordance with the Prison Industry Enhancement Program or PIE.

**Related Department Forms:**

OED Partnership Proposal    DRC 1188