

ORC Ann. 3331.01

Current with Legislation passed by the 132nd General Assembly and filed with the Secretary of State through file 105 (SB 81), except for file 96 (HB 87).

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§ 3331.01 Issuance of certificates.

(A) As used in this chapter:

(1) “Superintendent” or “superintendent of schools” of a school district means the person employed as the superintendent or that person’s designee.

(2) “Chief administrative officer” means the chief administrative officer of a nonpublic or community school or that person’s designee.

(B)

(1) Except as provided in division (B)(2) of this section, an age and schooling certificate may be issued only by the superintendent of the city, local, joint vocational, or exempted village school district in which the child in whose name such certificate is issued resides or by the chief administrative officer of the nonpublic or community school the child attends, and only upon satisfactory proof that the child to whom the certificate is issued is at least fourteen years of age.

(2) A child who resides in this state shall apply for an age and schooling certificate to the superintendent of the school district in which the child resides, or to the chief administrative officer of the school that the child attends. Residents of other states who work in Ohio shall apply to the superintendent of the school district in which the place of employment is located, as a condition of employment or service.

(C) Any such age and schooling certificate may be issued only upon satisfactory proof that the employment contemplated by the child is not prohibited by any law regulating the employment of such children. [Section 4113.08 of the Revised Code](#) does not apply to such employer in respect to such child while engaged in an employment legal for a child of the age stated therein.

(D) Age and schooling certificate forms shall be approved by the state board of education, including forms submitted electronically. Forms shall not display the social security number of the child. Except as otherwise provided in this section, every application for an age and schooling certificate must be signed in the presence of the officer issuing it by the child in whose name it is issued.

(E) A child shall furnish the superintendent or chief administrative officer all information required by this chapter in support of the issuance of a certificate.

(F) On and after September 1, 2002, each superintendent and chief administrative officer who issues an age and schooling certificate shall file electronically the certificate with the director of commerce in accordance with rules adopted by the director of administrative services pursuant to [section 1306.21 of the Revised Code](#). On and after September 1, 2002, only electronically filed certificates are valid to satisfy the requirements of Chapter 4109. of the Revised Code.

History

GC § 4851; 120 v 475(568); Bureau of Code Revision, 10-1-53; 126 v 655(691) (Eff 1-3-56); 131 v H 950 (Eff 7-1-67); 137 v H 883 (Eff 1-12-79); 138 v S 36 (Eff 1-18-80); 139 v S 140 (Eff 7-1-81); [145 v H 552](#) (Eff 6-9-94); [146 v H 117](#) (Eff 9-29-95); [149 v H 402](#) (Eff 8-28-2002); [149 v H 364](#), Eff 4-8-2003; [2011 HB 153](#), § 101.01, eff. Sept. 29, 2011.

Annotations

Notes

Amendment Notes

The 2011 amendment deleted the second sentence of (A)(1), which read: “In the case of a local school district, such designee may be the superintendent of the educational service center to which the school district belongs.”

Notes to Decisions

Generally

As a general rule, individuals under the age of fourteen are not allowed to work in Ohio. [Warden v. Ohio Dep't of Natural Res., 2012-Ohio-3854, 2012 Ohio Misc. LEXIS 109 \(Ohio Ct. Cl. 2012\)](#).

Opinion Notes

ATTORNEY GENERAL OPINIONS

“Age and schooling certificates” referred to in [R.C. 4109.01](#) can be issued under R.C. Chapter 3331, as legitimate cause therefor arises. Their implementation and use must be governed by any other applicable code section, including [R.C. 4109.01](#), 4109.10 and 4109.12, and the prohibitions contained therein against employment of minors under eighteen years of age in certain specified occupations: 1967 Ohio Op. Att’y Gen. No. 127 (1967).

A school superintendent is under no statutory compulsion to issue an age and schooling certificate to a former student who has the assurance of employment, but should consider such fact along with all other relevant factors in the determination of whether the requirements of [R.C. 3331.01](#), have been met; such determination is left to the sole discretion of the school superintendent: 1970 Ohio Op. Att’y Gen. No. 026 (1970).

The superintendent of schools cannot refuse to issue an age and schooling certificate, if in accordance with the provisions of GC § 7766 (see now [R.C. 3331.01](#)), satisfactory proof is presented to him that the child is over sixteen years of age, has satisfactorily passed a test for the completion of the work of the seventh grade, and the contemplated employment is not prohibited by any law regulating employment of children, and that all requirements set forth in GC § 7766-1 (see now [R.C. 3331.02](#)) have been complied with, providing, however, that the employment or work for which the age and schooling certificate is requested is such work or employment that requires an age and schooling certificate: (decided under former analogous section) 1938 OAG No. 1737 (1938).

An application by a father for an age and schooling certificate for his minor child for the reason that the services of the minor are necessary in the operation of the parents' farm, because of the illness of the mother, is not a request for an age and schooling certificate for work or employment that requires an age and schooling certificate: 1938 OAG No. 1737 (1938).

No boy under sixteen or girl under eighteen may be employed in a theatre except on the stage thereof, as allowed by law: 1944 OAG No. 6952 (1944).

Research References & Practice Aids

Cross-References to Related Sections

Appeal, RC § [3331.08](#).

Cooperative education school districts, RC § [3311.52](#).

Duties of teacher and superintendent upon child's withdrawal from school or habitual absence, RC § [3321.13](#).

Joint vocational school district board, RC § [3311.19](#).

Limited certificates, RC § [3331.06](#).

Requirements for certificate, RC § [3331.02](#).

Restrictions where minor withdraws from school or is habitually absent, RC § [4507.061](#).

School attendance required until child receives an age and schooling certificate, RC § [3321.03](#).

Ohio Administrative Code

County school district plan to ensure provisions for issuance of age and schooling certificate. **3 Ohio Sch. Law:** [OAC 3301-38-11](#).

Practice Manuals and Treatises

Ohio Transaction Guide: Family Law & Forms § 4.27 Employment of Minors

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