

3304:1-21-01           **Definitions.**

The following terms are used throughout Chapter 3304:1-21 of the Administrative Code.

- (A) "Blind/legally blind" means a physical condition in which the central visual acuity is not more than 20/200 in the better eye with correcting lenses; or in which the visual acuity with proper correction, if better than 20/200, is accompanied by a limit to the field of vision in the better eye to such a degree that its widest diameter subtends an angle of no greater than twenty degrees as defined in paragraph (B) of section 3304.28 of the Ohio Revised Code.
- (B) "BSVI" (i.e., bureau of services for the visually impaired) or "bureau," in addition to the definition in paragraph (B) of rule 3304-1-01 of the Administrative Code, means the designated Ohio agency responsible for implementing the provisions of the Randolph-Sheppard Act and its amendments and sections 3304.28 to 3304.35 of the Ohio Revised Code. The "rehabilitation services commission" (RSC) is the agency responsible for overseeing BSVI.
- ~~(C) "BE area manager" means the BSVI employee who reports directly to the director of BSVI or the director's designee and is the principal field manager for the BE program in an assigned area of the state.~~
- ~~(D)~~(C) "Bureau-grantor agreement" means the signed agreement between BSVI and a grantor for a business enterprise (BE) facility.
- ~~(E)~~(D) "Bureau-operator agreement" means ~~the~~ a permanent or temporary agreement between BSVI and the operator of a facility.
- (E) "Business Enterprise assistant manager" means the BSVI employee who reports directly to the assistant director/BE program manager of BSVI or the director's designee and is the principal field manager for the BE program in an assigned area of the state.
- ~~(F) "Bureau temporary operator agreement" means the agreement between BSVI and a temporary operator of a facility.~~
- ~~(G)~~(F) "~~Bureau proxy operator agreement~~Business Enterprise program" (BEP) or "business enterprises program" means the agreement between program of services within BSVI and an operator who is managing any other BE facility, in addition to the location where the bureau operator agreement is in place responsible to carry out the provisions of 34 C.F.R. part 395 of the Randolph-Sheppard Act and Ohio Revised Code 3304.28 to 3304.35.
- ~~(H)~~(G) "Business ~~enterprise~~Enterprise specialistprogram coordinator" or "BE ~~specialist~~training coordinator" means the BSVI employee ~~assigned to provide~~

~~consulting services to the operator or temporary operator to maximize efficiency and monitor and enforce operator compliance with applicable statutes, ordinances, codes, and rules who shall coordinate training for applicants qualified in accordance with rule 3304:1-21-02 of the Administrative Code and develop in-service and upward mobility training programs in addition to other duties assigned to the position.~~

~~(H)~~(H) "~~Business enterprise~~Enterprise supervisor~~program manager~~" or "~~BE supervisor~~program manager" means ~~the~~that BSVI staff person assigned to supervise one or more BE specialists and who reports directly to the ~~BE area manager~~director of BSVI and is responsible for the general oversight and management of the business enterprise program throughout the state.

~~(I)~~(I) "~~Business enterprise~~Enterprise program manager~~rules~~" or "~~BE program manager~~" means the BSVI staff person who reports directly to the director of BSVI and is responsible for the general oversight of complete set of administrative rules governing the business enterprise program, in the state which have been promulgated in accordance with Chapter 119. of the Revised Code. The BE administrative rules are set forth in Chapter 3304:1-21 of the Ohio Administrative Code.

~~(J)~~(J) "~~Business enterprise~~Enterprise program coordinator~~specialist~~" or "~~BE training coordinator~~specialist" means the BSVI employee who shall coordinate training for applicants qualified in accordance with rule 3304:1-21-02 of the Administrative Code and develop in-service assigned to provide consulting services to the operator or temporary operator to maximize efficiency, income and performance, to include, although not limited to, the general areas in the job description and upward mobility training programs monitor and enforce operator compliance with applicable statutes, ordinances, codes, and rules.

~~(K)~~(K) "~~Business enterprise~~Enterprise program~~supervisor~~" or "~~business enterprises program~~BE supervisor" (~~BEP or BE~~) means the program of services provided by ~~that~~ BSVI under the auspices of the Randolph Sheppard Act (34 Code of Federal Regulations part 395) staff person assigned by the program manager to supervise one or more BE specialists and perform special projects, Ohio Law (Ohio Revised Code 3304:28) who reports directly to the BE assistant manager.

~~(L)~~(L) "~~Business enterprise~~Electoral district" means any of the complete set of administrative rules governing the business enterprise program which have been promulgated in accordance with Chapter 119. of the Revised Code seven geographical areas as defined by the bureau from which representatives and alternates of the Ohio vendors representative committee are elected.

~~(N)~~ "Co-manager" means an operator who shares the duties and responsibilities of the

~~operator of a facility with one or more other operators.~~

~~(M)~~(M) "Facility" or "vending facility" means automatic vending machines, cafeterias, snack bars, cart services, shelters, counters, and such other appropriate auxiliary equipment as may be prescribed by federal regulations as being necessary for the sale of newspapers, periodicals, confections, tobacco products, ~~food~~foods, beverages, and other articles or services dispensed automatically or manually and prepared on or off the premises, including the vending or exchange of chances for the state lottery.

(N) "Facility announcement" means a notice that is sent to all licensees announcing a current or forthcoming permanent operator position available in an existing or newly developed business enterprise program facility.

~~(P)~~(O) "Federal property" means any building, land, or other real property owned, leased, or occupied within the state by any department, agency, or instrumentality of the United States, or any other instrumentality wholly owned by the United States.

~~(P)~~(P) "Grantor" means the person who is responsible for the property housing a BE facility.

(Q) "Grantor required payment" means any commission, assessment or other financial obligation of the operator required by the bureau-grantor agreement.

(R) "Inventory adjustment charge" means a reimbursement to the bureau or operator resulting from a difference between the value of facility goods on hand at the time of the closing inventory and the value of BSVI provided inventory.

~~(S)~~(S) "License" means a written ~~instrument~~document issued by BSVI to a person authorizing such person to operate a facility on federal or other property.

~~(S)~~(T) "Licensee" means any person licensed by BSVI to operate a facility after successfully meeting the bureau's requirements for such license.

~~(T) "Multi-manager facility" means a facility that has more than one operator.~~

(U) "Ohio ~~vendors representative committee~~Vendors Representative Committee" (OVRC) means the group of operators who ~~have been~~are blind elected from their respective districts in accordance with rule 3304:1-21-12 of the Administrative Code.

(V) "Operator" or "facility manager" means a licensee ~~operating~~who is authorized to operate a facility through a signed bureau-permanent-operator agreement and/or bureau-temporary-operator agreement.

~~(W)~~ "Proxy operator" means a licensee managing more than one location, with one location under a bureau operator agreement and other locations under bureau proxy agreements in accordance with paragraph (C)(9) of rule 3304:1-21-03 of the Administrative Code.

~~(X)~~ "Rehabilitation services commission" (RSC) is the agency responsible for overseeing the bureau of services for the visually impaired (BSVI), the state licensing agency for the Randolph Sheppard Act.

~~(Y)~~(W) "State property" means "governmental property" as is defined in division (C) of section 3304.28 of the Revised Code.

~~(Z)~~ "Temporary operator" means the person selected in accordance with paragraph (C)(9) of rule 3304:1-21-03 of the Administrative Code.

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Certification

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Date

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