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Applies to: Faculty, staff, and final candidates for faculty and staff positions

**1. What is the Declaration Regarding Material Assistance/Non-assistance Terrorist Organization (DMA)?**

The DMA form is a document that must be completed by all final candidates for public employment to certify that they have not provided material assistance to a terrorist organization. The DMA and its requirements are found as a provision in Senate Bill 9 and signed into law by Governor Taft in January 2006. The requirements are also pursuant to Ohio Revised Code Sections 2909.32, 2909.33 and 2909.34. The form was developed as an additional tool for the state to deter and prosecute terrorism in Ohio.

**2. What is required to be in compliance with the DMA?**

All final candidates for employment for faculty and staff positions must receive a copy of the most current terrorist exclusion list (TEL) and complete a DMA form prior to their first day of work certifying they have not provided material assistance to a terrorist organization. All offers are contingent upon submission of a DMA form to the hiring manager.

**3. Who must complete a DMA form?**

All final candidates and all faculty and staff new employees hired since April 14, 2006 must complete and submit a DMA form to the hiring manager.

**4. Are temporary or term employees required to receive a copy of the TEL complete and submit the DMA form?**

Yes. According to the Ohio Revised Code, all individuals hired as employees through the usual university process since April 14, 2006 are covered by the statute and must submit a DMA form.

**5. Are returning retirees required to receive a copy of the TEL and sign the DMA form?**

Returning retirees are considered new employees, and must submit a DMA form.

**6. Are student employees and graduate associates required to receive a copy of the TEL and sign the DMA form?**

Student employees and graduate associates are not required to complete the form.

**7. Are graduate students required to complete the DMA form?**

Graduate students are not required to complete the form.

**8. What happens if an individual refuses to sign the form or refuses to answer all of the questions?**

If an individual does not sign the form or fails to answer yes or no to all questions on the DMA form, this is considered a positive or yes response.

**9. What action should a department take if it receives a positive response on a DMA form?**

If a department receives a “yes” response on a DMA form, this would appear to make that individual ineligible for hire. The department must contact the Office of Legal Affairs before taking any action.

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**10. If an employee transfers to another department, is the employee required to complete the DMA form in the new department?**

No, employees who transfer between departments are not required to complete the DMA form. A copy of the original completed DMA form should be forwarded to the new department in their personnel file.

**11. What is the course of action if an applicant or employee is ineligible for hire or re-hire?**

Individuals who are denied employment as a result of a “yes” response on the DMA form may appeal their ineligibility through the [Ohio Department of Public Safety](#).

**12. How should completed DMA forms be maintained?**

A copy of the DMA form is to be placed in the employee’s personnel file. The original should be maintained by the College/VP Unit HRP in a separate file with the other personnel records.

**13. Do I ever need to update my DMA?**

Any time your answers change, you must file a new DMA form with your department HRP.

**14. Are individuals in no salary appointments required to complete and submit a DMA form?**

Individuals in auxiliary/no salary or emeritus faculty/no salary appointments are not required to complete and submit a DMA form, for two reasons. First, individuals in these appointments are not the “final candidate” for any position; in actuality, they have not applied for any employment. Second, individuals in these appointments are not receiving any money from Ohio State. This latter point is critical as one of the driving factors that the state legislature raised was that “no funds from the State of Ohio should go to someone who would then support terrorist activities.”

**15. What about individuals in no salary ROTC appointments...are they required to complete and submit a DMA form?**

Individuals in no salary appointments involving ROTC are not required to complete the DMA form. Although they are performing functions for Ohio State, they are paid by the military; their specific employing military body is the office that must request a completed DMA form.

**16. Are no salary emeritus faculty required to complete and submit a DMA form?**

No. The DMA form is not required of individuals who are not compensated by Ohio State.

**17. Are emeritus faculty who return to teach at Ohio State required to complete and submit a DMA form?**

If faculty members are compensated, they are required to complete and submit a DMA form.

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**18. Are employees who transfer from one department to another required to complete and submit a DMA form?**

No. Individuals hired as Ohio State employees before April 14, 2006 and who have transferred from one unit to another within the university after April 14, 2006 are not required to complete a DMA form. Regardless of our internal structure, we are all considered “Ohio State employees” and thus the transfer is not seen as a “new” hire by Ohio State as an employer.

**19. Are employees who are hired after April 14, 2006, who transfer from one department to another required to complete and submit a DMA form?**

No. Individuals hired after April 14, 2006 and who transfer to another unit within the university do not need to complete and submit a new DMA, unless their answers have changed. A copy of the initially completed DMA form must follow the employee to the new employing unit as part of their personnel file.

**20. Is a student working between quarters and not enrolled required to complete a DMA form?**

No. The individual is considered to be in student status in between quarters unless units are notified otherwise.

**21. Is a student who works one quarter beyond graduation (individual is not enrolled, but still on a student title), required to complete a DMA form?**

No. The DMA form will not be required during the one quarter beyond graduation when the student is still on a student title. It is not expected that units will retain individuals in student titles beyond the one quarter. If and when the individual applies for a regular position she/he is required to complete a DMA form.

**22. Are units required to seek retroactive completion of the DMA form from employees who were hired after April 14, 2006 but are no longer employed?**

No. Units will not be required to pursue former employees. Ohio State will make good faith efforts to show compliance with the State of Ohio requirement during the period subsequent to the enactment of the law.

**23. Should the TEL be included in the personnel file along with a copy of the DMA form?**

No. There is no need to include the TEL in the personnel file.