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Widowfield**

A B I L L

To amend sections 3313.533, 3319.26, 3319.31, and 1
3319.51 and to enact sections 3319.227 and 3319.302 2
of the Revised Code to permit school districts that 3
establish certain alternative schools to contract 4
with nonprofit or for profit entities to operate 5
those schools, to provide additional standards for 6
alternative schools operated by nonprofit or for 7
profit entities, to change the grade levels for 8
which the alternative educator license may be 9
issued, to require the State Board of Education to 10
issue a one-year conditional teaching permit for 11
individuals intending to seek an alternative 12
educator license, to permit an individual holding 13
an educator license or certificate to teach in an 14
area or grade level different from the individual's 15
licensed or certificated area or grade level for 16
two years under certain conditions, and to declare 17
an emergency. 18

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3313.533, 3319.26, 3319.31, and 3319.51 be amended and sections 3319.227 and 3319.302 of the Revised Code be enacted to read as follows:

Sec. 3313.533. (A) The board of education of a city, exempted village, or local school district may adopt a resolution to establish and maintain an alternative school in accordance with this section. The resolution shall specify, but not necessarily be limited to, all of the following:

(1) The purpose of the school, which purpose shall be to serve students who are on suspension, who are having truancy problems, who are experiencing academic failure, who have a history of class disruption, or who are exhibiting other academic or behavioral problems specified in the resolution;

(2) The grades served by the school, which may include any of grades kindergarten through twelve;

(3) A requirement that the school be operated in accordance with this section. The board of education adopting the resolution under division (A) of this section shall be the governing board of the alternative school. The board shall develop and implement a plan for the school in accordance with the resolution establishing the school and in accordance with this section. Each plan shall include, but not necessarily be limited to, all of the following:

(a) Specification of the reasons for which students will be accepted for assignment to the school and any criteria for admission that are to be used by the board to approve or disapprove the assignment of students to the school;

(b) Specification of the criteria and procedures that will be

used for returning students who have been assigned to the school 46
back to the regular education program of the district; 47

(c) An evaluation plan for assessing the effectiveness of the 48
school and its educational program and reporting the results of 49
the evaluation to the public. 50

(B) Notwithstanding any provision of Title XXXIII of the 51
Revised Code to the contrary, the alternative school plan may 52
include any of the following: 53

(1) A requirement that on each school day students must 54
attend school or participate in other programs specified in the 55
plan or by the chief administrative officer of the school for a 56
period equal to the minimum school day set by the state board of 57
education under section 3313.48 of the Revised Code plus any 58
additional time required in the plan or by the chief 59
administrative officer; 60

(2) Restrictions on student participation in extracurricular 61
or interscholastic activities; 62

(3) A requirement that students wear uniforms prescribed by 63
the district board of education. 64

(C) In accordance with the alternative school plan, the 65
district board of education may employ teachers and nonteaching 66
employees necessary to carry out its duties and fulfill its 67
responsibilities or may contract with a nonprofit or for profit 68
entity to operate the alternative school, including the provision 69
of personnel, supplies, equipment, or facilities. 70

(D) An alternative school may be established in all or part 71
of a school building. 72

(E) If a district board of education elects under this 73
section, or is required by section 3313.534 of the Revised Code, 74
to establish an alternative school, the district board may join 75

with the board of education of one or more other districts to form
a joint alternative school by forming a cooperative education
school district under section 3311.52 or 3311.521 of the Revised
Code, or a joint educational program under section 3313.842 of the
Revised Code. The authority to employ personnel or to contract
with a nonprofit or for profit entity under division (C) of this
section applies to any alternative school program established
under this division.

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(F) Any individual employed as a teacher at an alternative
school operated by a nonprofit or for profit entity under this
section shall be licensed and shall be subject to background
checks, as described in section 3319.39 of the Revised Code, in
the same manner as an individual employed by a school district.

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(G) Division (G) of this section applies only to any
alternative school that is operated by a nonprofit or for profit
entity under contract with the school district.

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(1) In addition to the specifications authorized under
division (B) of this section, any plan adopted under that division
for an alternative school to which division (G) of this section
also applies shall include the following:

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(a) A description of the educational program provided at the
alternative school, which shall include:

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(i) Provisions for the school to be configured in clusters or
small learning communities;

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(ii) Provisions for the incorporation of education technology
into the curriculum;

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(iii) Provisions for accelerated learning programs in reading
and mathematics.

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(b) A method to determine the reading and mathematics level
of each student assigned to the alternative school and a method to

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continuously monitor each student's progress in those areas. The methods employed under this division shall be aligned with the curriculum adopted by the school district board of education under section 3313.60 of the Revised Code.

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(c) A plan for social services to be provided at the alternative school, such as, but not limited to, counseling services, psychological support services, and enrichment programs;

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(d) A plan for a student's transition from the alternative school back to a school operated by the school district.

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(2) Notwithstanding division (A)(2) of this section, any alternative school to which division (G) of this section applies shall include only grades six through twelve.

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(3) Notwithstanding anything in division (A)(3)(a) of this section to the contrary, the characteristics of students who may be assigned to an alternative school to which division (G) of this section applies shall include only disruptive and low-performing students.

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Sec. 3319.227. Notwithstanding any provision to the contrary in this chapter or in any educator licensing rule adopted by the state board of education under authority granted under this chapter, any individual who holds an educator license issued under section 3319.22 of the Revised Code or a teacher's certificate issued under former section 3319.22 of the Revised Code that has continuing effect under section 3319.222 of the Revised Code may be employed to teach in a grade level or in a subject or teaching area for which the individual's license or certificate is not valid for up to two school years, as long as the individual agrees that during that time the individual will enroll in, attend, and complete coursework required by rule of the state board for licensure to teach in that grade level or in that subject or

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teaching area. The necessary coursework may be completed through 136
classes developed and offered by regional professional development 137
providers, such as special education regional resource centers, 138
regional professional development centers, educational service 139
centers, local education agencies, professional organizations, and 140
institutions of higher education, provided the coursework is taken 141
for credit in collaboration with a college or university that has 142
a teacher education program approved by the state board. No person 143
shall teach in a grade level or subject or teaching area under 144
this section beyond two years until the person has completed all 145
coursework and tests prescribed by the state board for licensure 146
in that grade level or subject or teaching area. 147

Sec. 3319.26. The state board of education shall adopt rules 149
establishing the standards and requirements for obtaining an 150
alternative educator license for teaching in ~~grades seven to~~ 151
~~twelve, or the equivalent, in a designated~~ any specified grade 152
level or subject area. The rules shall require applicants for the 153
license to hold a minimum of a baccalaureate degree, to have 154
successfully completed three semester hours or the equivalent of 155
college coursework in the developmental characteristics of 156
~~adolescent youths~~ child development and three semester hours or 157
the equivalent in teaching methods, and to have passed an 158
examination in the subject area for which application is being 159
made. An alternative educator license shall be valid for two years 160
and shall not be renewable. 161

The rules shall require the holder of an alternative educator 162
license, as a condition of continuing to hold the license, to show 163
satisfactory progress in taking and successfully completing within 164
two years at least twelve additional semester hours, or the 165
equivalent, of college coursework in the principles and practices 166

of teaching in such topics as student development and learning, 167
pupil assessment procedures, curriculum development, classroom 168
management, and teaching methodology. 169

The rules shall provide for the granting of a provisional 170
educator license to a holder of an alternative educator license 171
upon successfully completing all of the following: 172

(A) Two years of teaching under the alternative license; 173

(B) The twelve semester hours, or the equivalent, of the 174
additional college coursework described in this section; 175

(C) The assessment of subject matter content and professional 176
knowledge that is required of other applicants for a provisional 177
educator license. The standards for successfully completing this 178
assessment and the manner of conducting the assessment shall be 179
the same as for any other applicant for a provisional educator 180
license. 181

Sec. 3319.302. It is the intent of the general assembly that 182
the state board of education shall administer this section without 183
adopting any rules for its implementation. 184

Unless the provisions of division (B) or (C) of section 185
3319.31 of the Revised Code apply to an applicant, the state board 186
of education shall issue a one-year conditional teaching permit to 187
any applicant who meets the following conditions: 188

(A) Holds a bachelor's degree; 189

(B) Has successfully completed a basic skills test as 190
prescribed by the state board; 191

(C) Has completed either as part of the applicant's degree 192
program or separate from it the equivalent of at least fifteen 193
semester hours of coursework in the teaching area or subject area 194
in which licensure under this section is sought; 195

(D) Has completed the equivalent of a total of six semester 196
hours of additional coursework in the areas of the teaching or 197
subject area described in division (C) of this section, 198
characteristics of student learning, diversity of learners, 199
planning for instruction, instruction strategies, learning 200
environments, communication, assessment, or student support. The 201
coursework may have been completed through classes developed and 202
offered by regional professional development providers, such as 203
special education regional resource centers, regional professional 204
development centers, educational service centers, local 205
educational agencies, professional organizations, and institutions 206
of higher education, provided the coursework is taken for credit 207
in collaboration with a college or university that has a teacher 208
education program approved by the state board. 209

(E) The applicant has entered into a written agreement with 210
the school district; community school; or nonprofit or for profit 211
entity operating an alternative school under section 3313.533 of 212
the Revised Code that will employ the applicant and the department 213
of education under which the district, school, or entity will 214
provide for the applicant a structured mentoring program in the 215
areas listed in division (D) of this section that is aligned with 216
the performance expectations prescribed by state board rule for 217
entry-year teachers. 218

(F) The applicant agrees to complete while employed under the 219
one-year teaching permit the equivalent of an additional three 220
semester hours of coursework in the teaching area or subject area 221
in which the individual is teaching and for which the individual 222
will seek an alternative educator license pursuant to division (G) 223
of this section. The individual's mentor prescribed in division 224
(E) of this section shall assist the individual in selecting 225
coursework to satisfy the requirement prescribed in this division. 226
The coursework may be completed through classes offered by 227

regional professional development providers, such as special 228
education regional resource centers, regional professional 229
development centers, educational service centers, local 230
educational agencies, professional organizations, and institutions 231
of higher education, if the coursework is taken for credit in 232
collaboration with a college or university that has a teacher 233
education program approved by the state board. 234

(G) The applicant agrees to seek at the conclusion of the 235
year in which the individual is employed under the one-year 236
teaching permit issued under this section an alternative educator 237
license issued under section 3319.26 of the Revised Code in the 238
teaching area or subject area in which the individual has been 239
teaching and plans to continue to teach. The applicant shall not 240
be reemployed by the school district; community school; or 241
nonprofit or for profit entity operating an alternative school 242
under section 3313.533 of the Revised Code or be employed by 243
another such district, school, or entity unless that alternative 244
educator license is issued to the applicant prior to the beginning 245
of the next school year. 246

(H) The applicant pays the fee established under section 247
3319.51 of the Revised Code. 248

Sec. 3319.31. (A) As used in this section and sections 249
3123.41 to 3123.50 and 3319.311 of the Revised Code, "license" 250
means a certificate, license, or permit described in division (B) 251
of section 3301.071 or in section 3301.074, 3319.088, ~~or~~ 3319.29, 252
or 3319.302 of the Revised Code. 253

(B) For any of the following reasons, the state board of 254
education, in accordance with Chapter 119. and section 3319.311 of 255
the Revised Code, may refuse to issue a license to an applicant, 256
may limit a license it issues to an applicant, or may suspend, 257
revoke, or limit a license that has been issued to any person: 258

(1) Engaging in an immoral act, incompetence, negligence, or conduct that is unbecoming to the applicant's or person's position;	259 260 261
(2) A plea of guilty to, a finding of guilt by a jury or court of, or a conviction of any of the following:	262 263
(a) A felony;	264
(b) A violation of section 2907.04 or 2907.06 or division (A) or (C) of section 2907.07 of the Revised Code;	265 266
(c) An offense of violence;	267
(d) A theft offense, as defined in section 2913.01 of the Revised Code;	268 269
(e) A drug abuse offense, as defined in section 2925.01 of the Revised Code, that is not a minor misdemeanor;	270 271
(f) A violation of an ordinance of a municipal corporation that is substantively comparable to an offense listed in divisions (B)(2)(a) to (e) of this section.	272 273 274
(C) The state board may take action under division (B) of this section on the basis of substantially comparable conduct occurring in a jurisdiction outside this state or occurring before a person applies for or receives any license.	275 276 277 278
(D) The state board may adopt rules in accordance with Chapter 119. of the Revised Code to carry out this section and section 3319.311 of the Revised Code.	279 280 281
Sec. 3319.51. (A) The state board of education shall annually establish the amount of the fees required to be paid under division (B) of section 3301.071 and sections 3301.074, 3319.088, and 3319.29, <u>and 3319.302</u> of the Revised Code. The amount of these fees shall be such that they, along with any appropriation made to the fund established under division (B) of this section, will be	282 283 284 285 286 287

sufficient to cover the annual estimated cost of administering the 288
sections of law listed under division (B) of this section. 289

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(B) There is hereby established in the state treasury the 291
state board of education licensure fund, which shall be used by 292
the state board of education solely to pay the cost of 293
administering sections 3301.071, 3301.074, 3319.088, 3319.22, 294
3319.28, 3319.29, 3319.291, 3319.301, 3319.302, and 3319.31 of the 295
Revised Code. The fund shall consist of the amounts paid into the 296
fund pursuant to division (B) of section 3301.071 and sections 297
3301.074, 3319.088, ~~and 3319.29~~, and 3319.302 of the Revised Code 298
and any appropriations to the fund by the general assembly. 299

Section 2. That existing sections 3313.533, 3319.26, 3319.31, 300
and 3319.51 of the Revised Code are hereby repealed. 301

Section 3. This act is hereby declared to be an emergency 302
measure necessary for the immediate preservation of the public 303
peace, health, and safety. The reason for such necessity is that 304
giving immediate effect to the provisions of this act will permit 305
school district boards to take advantage of those provisions that 306
could increase the number of available persons to fill faculty 307
vacancies in time for the start of the next school year and, thus, 308
to help correct the current teacher shortage problem facing many 309
district boards. Therefore, this act shall go into immediate 310
effect. 311