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Goodman, DePiero, G. Smith, Ogg, Jerse, White, Schaffer, Willamowski,
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A B I L L

To amend sections 3313.533, 3319.26, 3319.31, and 1
3319.51 and to enact section 3319.302 of the 2
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, and to declare an emergency. 13

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

Section 1. That sections 3313.533, 3319.26, 3319.31, and 14
3319.51 be amended and section 3319.302 of the Revised Code be 15
enacted to read as follows: 16

Sec. 3313.533. (A) The board of education of a city, exempted 17
village, or local school district may adopt a resolution to 18

establish and maintain an alternative school in accordance with 19
this section. The resolution shall specify, but not necessarily be 20
limited to, all of the following: 21

(1) The purpose of the school, which purpose shall be to 22
serve students who are on suspension, who are having truancy 23
problems, who are experiencing academic failure, who have a 24
history of class disruption, or who are exhibiting other academic 25
or behavioral problems specified in the resolution; 26

(2) The grades served by the school, which may include any of 27
grades kindergarten through twelve; 28

(3) A requirement that the school be operated in accordance 29
with this section. The board of education adopting the resolution 30
under division (A) of this section shall be the governing board of 31
the alternative school. The board shall develop and implement a 32
plan for the school in accordance with the resolution establishing 33
the school and in accordance with this section. Each plan shall 34
include, but not necessarily be limited to, all of the following: 35

(a) Specification of the reasons for which students will be 36
accepted for assignment to the school and any criteria for 37
admission that are to be used by the board to approve or 38
disapprove the assignment of students to the school; 39

(b) Specification of the criteria and procedures that will be 40
used for returning students who have been assigned to the school 41
back to the regular education program of the district; 42

(c) An evaluation plan for assessing the effectiveness of the 43
school and its educational program and reporting the results of 44
the evaluation to the public. 45

(B) Notwithstanding any provision of Title XXXIII of the 46
Revised Code to the contrary, the alternative school plan may 47
include any of the following: 48

(1) A requirement that on each school day students must 49

attend school or participate in other programs specified in the
plan or by the chief administrative officer of the school for a
period equal to the minimum school day set by the state board of
education under section 3313.48 of the Revised Code plus any
additional time required in the plan or by the chief
administrative officer;

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

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

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

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

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

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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
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

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alternative school to which division (G) of this section applies 111
shall include only grades six through twelve. 112

(3) Notwithstanding anything in division (A)(3)(a) of this 113
section to the contrary, the characteristics of students who may 114
be assigned to an alternative school to which division (G) of this 115
section applies shall include only disruptive and low-performing 116
students. 117

Sec. 3319.26. The state board of education shall adopt rules 118
establishing the standards and requirements for obtaining an 119
alternative educator license for teaching in ~~grades seven to~~ 120
~~twelve, or the equivalent, in a designated~~ any specified grade 121
level or subject area. The rules shall require applicants for the 122
license to hold a minimum of a baccalaureate degree, to have 123
successfully completed three semester hours or the equivalent of 124
college coursework in the developmental characteristics of 125
~~adolescent youths~~ child development and three semester hours or 126
the equivalent in teaching methods, and to have passed an 127
examination in the subject area for which application is being 128
made. An alternative educator license shall be valid for two years 129
and shall not be renewable. 130

The rules shall require the holder of an alternative educator 131
license, as a condition of continuing to hold the license, to show 132
satisfactory progress in taking and successfully completing within 133
two years at least twelve additional semester hours, or the 134
equivalent, of college coursework in the principles and practices 135
of teaching in such topics as student development and learning, 136
pupil assessment procedures, curriculum development, classroom 137
management, and teaching methodology. 138

The rules shall provide for the granting of a provisional 139
educator license to a holder of an alternative educator license 140
upon successfully completing all of the following: 141

(A) Two years of teaching under the alternative license;	142
(B) The twelve semester hours, or the equivalent, of the additional college coursework described in this section;	143 144
(C) The assessment of subject matter content and professional knowledge that is required of other applicants for a provisional educator license. The standards for successfully completing this assessment and the manner of conducting the assessment shall be the same as for any other applicant for a provisional educator license.	145 146 147 148 149 150
<u>Sec. 3319.302. It is the intent of the general assembly that the state board of education shall administer this section without adopting any rules for its implementation.</u>	151 152 153
<u>Unless the provisions of division (B) or (C) of section 3319.31 of the Revised Code apply to an applicant, the state board of education shall issue a one-year conditional teaching permit to any applicant who meets the following conditions:</u>	154 155 156 157
<u>(A) Holds a bachelor's degree;</u>	158
<u>(B) Has successfully completed a basic skills test as prescribed by the state board;</u>	159 160
<u>(C) Has completed either as part of the applicant's degree program or separate from it the equivalent of at least fifteen semester hours of coursework in the teaching area or subject area in which licensure under this section is sought;</u>	161 162 163 164
<u>(D) Has completed the equivalent of a total of six semester hours of additional coursework in the areas of the teaching or subject area described in division (C) of this section, characteristics of student learning, diversity of learners, planning for instruction, instruction strategies, learning environments, communication, assessment, or student support. The coursework may have been completed through classes developed and</u>	165 166 167 168 169 170 171

offered by regional professional development providers, such as 172
special education regional resource centers, regional professional 173
development centers, educational service centers, local 174
educational agencies, professional organizations, and institutions 175
of higher education, provided the coursework is taken for credit 176
in collaboration with a college or university that has a teacher 177
education program approved by the state board. 178

(E) The applicant has entered into a written agreement with 179
the school district; community school; or nonprofit or for profit 180
entity operating an alternative school under section 3313.533 of 181
the Revised Code that will employ the applicant and the department 182
of education under which the district, school, or entity will 183
provide for the applicant a structured mentoring program in the 184
areas listed in division (D) of this section that is aligned with 185
the performance expectations prescribed by state board rule for 186
entry-year teachers. 187

(F) The applicant agrees to complete while employed under the 188
one-year teaching permit the equivalent of an additional three 189
semester hours of coursework in the teaching area or subject area 190
in which the individual is teaching and for which the individual 191
will seek an alternative educator license pursuant to division (G) 192
of this section. The individual's mentor prescribed in division 193
(E) of this section shall assist the individual in selecting 194
coursework to satisfy the requirement prescribed in this division. 195
The coursework may be completed through classes offered by 196
regional professional development providers, such as special 197
education regional resource centers, regional professional 198
development centers, educational service centers, local 199
educational agencies, professional organizations, and institutions 200
of higher education, if the coursework is taken for credit in 201
collaboration with a college or university that has a teacher 202
education program approved by the state board. 203

(G) The applicant agrees to seek at the conclusion of the 204
year in which the individual is employed under the one-year 205
teaching permit issued under this section an alternative educator 206
license issued under section 3319.26 of the Revised Code in the 207
teaching area or subject area in which the individual has been 208
teaching and plans to continue to teach. The applicant shall not 209
be reemployed by the school district; community school; or 210
nonprofit or for profit entity operating an alternative school 211
under section 3313.533 of the Revised Code or be employed by 212
another such district, school, or entity unless that alternative 213
educator license is issued to the applicant prior to the beginning 214
of the next school year. 215

(H) The applicant pays the fee established under section 216
3319.51 of the Revised Code. 217

Sec. 3319.31. (A) As used in this section and sections 218
3123.41 to 3123.50 and 3319.311 of the Revised Code, "license" 219
means a certificate, license, or permit described in division (B) 220
of section 3301.071 or in section 3301.074, 3319.088, ~~or~~ 3319.29, 221
or 3319.302 of the Revised Code. 222

(B) For any of the following reasons, the state board of 223
education, in accordance with Chapter 119. and section 3319.311 of 224
the Revised Code, may refuse to issue a license to an applicant, 225
may limit a license it issues to an applicant, or may suspend, 226
revoke, or limit a license that has been issued to any person: 227

(1) Engaging in an immoral act, incompetence, negligence, or 228
conduct that is unbecoming to the applicant's or person's 229
position; 230

(2) A plea of guilty to, a finding of guilt by a jury or 231
court of, or a conviction of any of the following: 232

(a) A felony; 233

(b) A violation of section 2907.04 or 2907.06 or division (A)	234
or (C) of section 2907.07 of the Revised Code;	235
(c) An offense of violence;	236
(d) A theft offense, as defined in section 2913.01 of the	237
Revised Code;	238
(e) A drug abuse offense, as defined in section 2925.01 of	239
the Revised Code, that is not a minor misdemeanor;	240
(f) A violation of an ordinance of a municipal corporation	241
that is substantively comparable to an offense listed in divisions	242
(B)(2)(a) to (e) of this section.	243
(C) The state board may take action under division (B) of	244
this section on the basis of substantially comparable conduct	245
occurring in a jurisdiction outside this state or occurring before	246
a person applies for or receives any license.	247
(D) The state board may adopt rules in accordance with	248
Chapter 119. of the Revised Code to carry out this section and	249
section 3319.311 of the Revised Code.	250
Sec. 3319.51. (A) The state board of education shall annually	251
establish the amount of the fees required to be paid under	252
division (B) of section 3301.071 and sections 3301.074, 3319.088,	253
and 3319.29, <u>and 3319.302</u> of the Revised Code. The amount of these	254
fees shall be such that they, along with any appropriation made to	255
the fund established under division (B) of this section, will be	256
sufficient to cover the annual estimated cost of administering the	257
sections of law listed under division (B) of this section.	258
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(B) There is hereby established in the state treasury the	260
state board of education licensure fund, which shall be used by	261
the state board of education solely to pay the cost of	262
administering sections 3301.071, 3301.074, 3319.088, 3319.22,	263

3319.28, 3319.29, 3319.291, 3319.301, 3319.302, and 3319.31 of the 264
Revised Code. The fund shall consist of the amounts paid into the 265
fund pursuant to division (B) of section 3301.071 and sections 266
3301.074, 3319.088, ~~and~~ 3319.29, and 3319.302 of the Revised Code 267
and any appropriations to the fund by the general assembly. 268

Section 2. That existing sections 3313.533, 3319.26, 3319.31, 269
and 3319.51 of the Revised Code are hereby repealed. 270

Section 3. This act is hereby declared to be an emergency 271
measure necessary for the immediate preservation of the public 272
peace, health, and safety. The reason for such necessity is that 273
giving immediate effect to the provisions of this act will permit 274
school district boards to take advantage of those provisions that 275
could increase the number of available persons to fill faculty 276
vacancies in time for the start of the next school year and, thus, 277
to help correct the current teacher shortage problem facing many 278
district boards. Therefore, this act shall go into immediate 279
effect. 280