

As Passed by the Senate

**126th General Assembly
Regular Session
2005-2006**

Sub. H. B. No. 107

**Representatives Setzer, Webster, Seitz, Kearns, Distel, C. Evans, Chandler,
Combs, Domenick, D. Evans, Flowers, Hagan**

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A B I L L

To amend section 3319.23 of the Revised Code, to 1
amend Section 4 of Am. Sub. S.B. 2 of the 125th 2
General Assembly, and to amend Section 206.09.12 3
of Am. Sub. H.B. 66 of the 126th General Assembly 4
to require the State Board of Education to adopt 5
standards that require the curricula of teacher 6
preparation programs to be aligned with the state 7
academic content standards, the State Board's 8
minimum standards for schools, and the value-added 9
progress dimension developed by the Department of 10
Education; to extend the deadline for the 11
Department and the Educator Standards Board to 12
propose a career ladder program for teachers; and 13
to set aside \$247,000 in each of fiscal years 2006 14
and 2007 for the Center for Learning Excellence. 15

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

Section 1. That section 3319.23 of the Revised Code be 16
amended to read as follows: 17

Sec. 3319.23. (A) The state board of education shall 18
establish standards and courses of study for the preparation of 19

teachers, shall provide for the inspection of institutions 20
desiring to prepare teachers, shall approve such institutions as 21
maintain satisfactory training procedures, and shall properly 22
license the graduates of such approved courses and institutions. 23
If the standards adopted by the state board under this section 24
require an institution also to satisfy the standards of an 25
independent accreditation organization, the state board shall 26
permit each institution to satisfy the standards of either the 27
national council for accreditation of teacher education or the 28
teacher education accreditation council. 29

(B) The standards and courses of study adopted by the state 30
board under division (A) of this section shall require each 31
institution, as a condition for approval to prepare teachers, to 32
make changes in the curricula of the institution's teacher 33
preparation program, as the state board determines is necessary, 34
so that: 35

(1) By July 1, 2006, the curricula, including instruction in 36
methods, best practices, and materials, are aligned with the 37
academic content standards adopted under section 3301.079 of the 38
Revised Code and the minimum standards for elementary and 39
secondary schools prescribed by the state board pursuant to 40
division (D) of section 3301.07 of the Revised Code; 41

(2) Within one hundred eighty days after the department of 42
education implements the value-added progress dimension, as 43
required under section 3302.021 of the Revised Code, the 44
curricula, including methods of interpreting data, are aligned 45
with that value-added progress dimension. 46

Division (C)(2) of this section does not apply to any 47
standards, rules, or regulations adopted, amended, or rescinded in 48
order to comply with division (B) of this section. 49

Each institution shall allocate money from its existing 50

appropriations to pay the cost of making the changes required by 51
the state board under division (B) of this section. 52

(C)(1) The standards and courses of study for the preparation 53
of teachers together with the standards, rules, and regulations 54
set for each kind of license and for the renewal and conversion 55
thereof shall be adopted and published by the board in accordance 56
with Chapter 119. of the Revised Code. ~~Notwithstanding~~ 57

(2) Notwithstanding division (D) of section 119.03 and 58
division (A)(1) of section 119.04 of the Revised Code, any 59
standards, courses of study, rules, and regulations, or any 60
amendment or rescission of such standards, courses of study, 61
rules, and regulations, adopted by the board under this section 62
that necessitate institutions offering teacher preparation 63
programs approved by the board to revise the curriculum of those 64
programs shall not be effective for at least one year from the 65
first day of January next succeeding the publication of the said 66
change. 67

Section 2. That existing section 3319.23 of the Revised Code 68
is hereby repealed. 69

Section 3. That Section 4 of Am. Sub. S.B. 2 of the 125th 70
General Assembly be amended to read as follows: 71

Sec. 4. As used in this section, "career ladder program" 72
means a performance-based multilevel system of teaching positions 73
or compensation levels within a school district or district 74
building. 75

The Educator Standards Board ~~established by this act~~ and the 76
Department of Education jointly shall develop a proposal for a 77
career ladder program. The Educator Standards Board and the 78
Department also shall determine the estimated cost of implementing 79

the proposal and how the Department would reallocate its resources 80
to cover the costs of implementation. Within ~~eighteen~~ twenty-four 81
months after the Educator Standards Board convenes for its initial 82
meeting, the Board and the Department shall make a report to the 83
General Assembly describing their proposal for a career ladder 84
program, including estimated costs for implementation and the 85
manner in which the Department would pay for those costs. 86

Section 4. That existing Section 4 of Am. Sub. S.B. 2 of the 87
125th General Assembly is hereby repealed. 88

Section 5. That Section 206.09.12 of Am. Sub. H.B. 66 of the 89
126th General Assembly be amended to read as follows: 90

Sec. 206.09.12. COMPUTER/APPLICATION/NETWORK DEVELOPMENT 91

The foregoing appropriation item 200-420, 92
Computer/Application/Network Development, shall be used to support 93
the development and implementation of information technology 94
solutions designed to improve the performance and services of the 95
Department of Education. Funds may be used for personnel, 96
maintenance, and equipment costs related to the development and 97
implementation of these technical system projects. Implementation 98
of these systems shall allow the Department to provide greater 99
levels of assistance to school districts and to provide more 100
timely information to the public, including school districts, 101
administrators, and legislators. 102

ALTERNATIVE EDUCATION PROGRAMS 103

There is hereby created the Alternative Education Advisory 104
Council, which shall consist of one representative from each of 105
the following agencies: the Ohio Department of Education; the 106
Department of Youth Services; the Ohio Department of Alcohol and 107
Drug Addiction Services; the Department of Mental Health; the 108

Office of the Governor or, at the Governor's discretion, the 109
Office of the Lieutenant Governor; the Office of the Attorney 110
General; and the Office of the Auditor of State. 111

Of the foregoing appropriation item 200-421, Alternative 112
Education Programs, up to \$6,227,310 in each fiscal year shall be 113
used for the renewal of successful implementation grants and for 114
competitive matching grants to the 21 urban school districts as 115
defined in division (O) of section 3317.02 of the Revised Code as 116
it existed prior to July 1, 1998, and up to ~~\$6,408,074~~ \$6,161,074 117
in each fiscal year shall be used for the renewal of successful 118
implementation grants and for competitive matching grants to rural 119
and suburban school districts for alternative educational programs 120
for existing and new at-risk and delinquent youth. Programs shall 121
be focused on youth in one or more of the following categories: 122
those who have been expelled or suspended, those who have dropped 123
out of school or who are at risk of dropping out of school, those 124
who are habitually truant or disruptive, or those on probation or 125
on parole from a Department of Youth Services facility. Grants 126
shall be awarded according to the criteria established by the 127
Alternative Education Advisory Council in 1999. Grants shall be 128
awarded only to programs in which the grant will not serve as the 129
program's primary source of funding. These grants shall be 130
administered by the Department of Education. 131

The Department of Education may waive compliance with any 132
minimum education standard established under section 3301.07 of 133
the Revised Code for any alternative school that receives a grant 134
under this section on the grounds that the waiver will enable the 135
program to more effectively educate students enrolled in the 136
alternative school. 137

Of the foregoing appropriation item 200-421, Alternative 138
Education Programs, up to \$422,281 in each fiscal year may be used 139
for program administration, monitoring, technical assistance, 140

support, research, and evaluation. Any unexpended balance may be used to provide additional matching grants to urban, suburban, or rural school districts as outlined above.

Of the foregoing appropriation item 200-421, Alternative Education Programs, \$247,000 in each fiscal year shall be used to contract with the Center for Learning Excellence at The Ohio State University to provide technical support for the project and the completion of formative and summative evaluation of the grants.

Of the foregoing appropriation item 200-421, Alternative Education Programs, up to \$675,000 in fiscal year 2006 and up to \$500,000 in fiscal year 2007 may be used by the Department of Education to administer the Educational Choice Scholarship Pilot Program established under section 3310.02 of the Revised Code.

Of the foregoing appropriation item 200-421, Alternative Education Programs, \$75,000 in each fiscal year shall be used to support the Toledo Tech Academy.

Of the foregoing appropriation item 200-421, Alternative Education Programs, \$100,000 in each fiscal year shall be used for the Youth Opportunities United, Inc.

SCHOOL MANAGEMENT ASSISTANCE

Of the foregoing appropriation item 200-422, School Management Assistance, up to \$1,315,000 in each fiscal year shall be used by the Auditor of State in consultation with the Department of Education for expenses incurred in the Auditor of State's role relating to fiscal caution, fiscal watch, and fiscal emergency activities as defined in Chapter 3316. of the Revised Code and may also be used to conduct performance audits consistent with the recommendations of the Governor's Blue Ribbon Task Force on Financing Student Success, with priority given to districts in fiscal distress. Expenses include duties related to the completion of performance audits for school districts that the Superintendent

of Public Instruction determines are employing fiscal practices or 172
experiencing budgetary conditions that could produce a state of 173
fiscal watch or fiscal emergency. 174

The remainder of foregoing appropriation item 200-422, School 175
Management Assistance, shall be used by the Department of 176
Education to provide fiscal technical assistance and inservice 177
education for school district management personnel and to 178
administer, monitor, and implement the fiscal watch and fiscal 179
emergency provisions under Chapter 3316. of the Revised Code. 180

POLICY ANALYSIS 181

The foregoing appropriation item 200-424, Policy Analysis, 182
shall be used by the Department of Education to support a system 183
of administrative, statistical, and legislative education 184
information to be used for policy analysis. Staff supported by 185
this appropriation shall administer the development of reports, 186
analyses, and briefings to inform education policymakers of 187
current trends in education practice, efficient and effective use 188
of resources, and evaluation of programs to improve education 189
results. The database shall be kept current at all times. These 190
research efforts shall be used to supply information and analysis 191
of data to the General Assembly and other state policymakers, 192
including the Office of Budget and Management and the Legislative 193
Service Commission. 194

The Department of Education may use funding from this 195
appropriation item to purchase or contract for the development of 196
software systems or contract for policy studies that will assist 197
in the provision and analysis of policy-related information. 198
Funding from this appropriation item also may be used to monitor 199
and enhance quality assurance for research-based policy analysis 200
and program evaluation to enhance the effective use of education 201
information to inform education policymakers. 202

TECH PREP CONSORTIA SUPPORT 203

The foregoing appropriation item 200-425, Tech Prep Consortia Support, shall be used by the Department of Education to support state-level activities designed to support, promote, and expand tech prep programs. Use of these funds shall include, but not be limited to, administration of grants, program evaluation, professional development, curriculum development, assessment development, program promotion, communications, and statewide coordination of tech prep consortia. 204
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OHIO EDUCATIONAL COMPUTER NETWORK 212

The foregoing appropriation item 200-426, Ohio Educational Computer Network, shall be used by the Department of Education to maintain a system of information technology throughout Ohio and to provide technical assistance for such a system in support of the State Education Technology Plan under section 3301.07 of the Revised Code. 213
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Of the foregoing appropriation item 200-426, Ohio Educational Computer Network, up to \$18,136,691 in each fiscal year shall be used by the Department of Education to support connection of all public school buildings and participating chartered nonpublic schools to the state's education network, to each other, and to the Internet. In each fiscal year the Department of Education shall use these funds to assist data acquisition sites or school districts with the operational costs associated with this connectivity. The Department of Education shall develop a formula and guidelines for the distribution of these funds to the data acquisition sites or individual school districts. As used in this section, "public school building" means a school building of any city, local, exempted village, or joint vocational school district, any community school established under Chapter 3314. of the Revised Code, any educational service center building used for 219
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instructional purposes, the Ohio School for the Deaf and the Ohio
School for the Blind, or high schools chartered by the Ohio
Department of Youth Services and high schools operated by Ohio
Department of Rehabilitation and Corrections' Ohio Central School
System.

Of the foregoing appropriation item 200-426, Ohio Educational
Computer Network, up to \$1,700,000 in each fiscal year shall be
used for the Union Catalog and InfOhio Network.

Of the foregoing appropriation item 200-426, Ohio Educational
Computer Network, up to \$8,338,468 in each fiscal year shall be
used, through a formula and guidelines devised by the department,
to subsidize the activities of designated data acquisition sites,
as defined by State Board of Education rules, to provide school
districts and chartered nonpublic schools with computer-based
student and teacher instructional and administrative information
services, including approved computerized financial accounting,
and to ensure the effective operation of local automated
administrative and instructional systems.

Of the foregoing appropriation item 200-426, Ohio Educational
Computer Network, up to \$769,223 in each fiscal year shall be used
for the INFOhio Network to support the provision of electronic
resources with priority given to resources that support the
teaching of state academic content standards to all public
schools. Consideration shall be given by the Department of
Education to coordinating the allocation of these moneys with the
efforts of Libraries Connect Ohio, whose members include OhioLINK,
the Ohio Public Information Network, and the State Library of
Ohio.

The remainder of appropriation item 200-426, Ohio Educational
Computer Network, shall be used to support development,
maintenance, and operation of a network of uniform and compatible

computer-based information and instructional systems. This 265
technical assistance shall include, but not be restricted to, 266
development and maintenance of adequate computer software systems 267
to support network activities. In order to improve the efficiency 268
of network activities, the Department and data acquisition sites 269
may jointly purchase equipment, materials, and services from funds 270
provided under this appropriation for use by the network and, when 271
considered practical by the Department, may utilize the services 272
of appropriate state purchasing agencies. 273

ACADEMIC STANDARDS 274

Of the foregoing appropriation item 200-427, Academic 275
Standards, up to \$747,912 in each fiscal year shall be used to 276
provide funds to school districts that have one or more teachers 277
participating in the teachers-on-loan program. 278

Of the foregoing appropriation item 200-427, Academic 279
Standards, \$150,000 in each fiscal year shall be used by the 280
Department in combination with funding earmarked for this purpose 281
in the Board of Regents' budget under appropriation item 235-321, 282
Operating Expenses. Such funding shall be used to support Ohio's 283
Partnership for Continued Learning at the direction of the Office 284
of the Governor. Ohio's Partnership for Continued Learning 285
replaces and broadens the former Joint Council of the Department 286
of Education and the Board of Regents. The Partnership shall 287
advise and make recommendations to promote collaboration among 288
relevant state entities in an effort to help local communities 289
develop coherent and successful "P-16" learning systems. The 290
Governor, or the Governor's designee, shall serve as the 291
chairperson. 292

Of the foregoing appropriation item 200-427, Academic 293
Standards, \$1,000,000 in each fiscal year shall be used for 294
Project Lead the Way leadership and management oversight and 295

initial and continuing support of Project Lead the Way workforce 296
development programs in participating school districts. Project 297
Lead the Way is a program that supports students interested in 298
pursuing engineering professions and stimulates growth of career 299
pathways that meet business and industry workforce needs. 300

Of the foregoing appropriation item 200-427, Academic 301
Standards, up to \$2,600,000 in each fiscal year shall be used for 302
intensive teacher professional development institutes that focus 303
on classroom implementation of the mathematics standards. 304

Of the foregoing appropriation item 200-427, Academic 305
Standards, \$200,000 in each fiscal year may be used to support the 306
Ohio Resource Center for Math and Science. 307

Of the foregoing appropriation item 200-427, Academic 308
Standards, up to \$282,000 in each fiscal year shall be used for 309
the JASON Expedition project that provides statewide access to 310
JASON Expedition content. Funds shall be used to provide 311
professional development training for teachers participating in 312
the project, statewide management, and a seventy-five per cent 313
subsidy for statewide licensing of JASON Expedition content with 314
priority given to content aligned with state academic content 315
standards for approximately 90,000 middle school students 316
statewide. 317

Of the foregoing appropriation item 200-427, Academic 318
Standards, \$285,000 in each fiscal year shall be used for the Ohio 319
Science Institute (OSCI). 320

The remainder of appropriation item 200-427, Academic 321
Standards, shall be used by the Department of Education to develop 322
and communicate to school districts academic content standards and 323
curriculum models. 324

Section 6. That existing Section 206.09.12 of Am. Sub. H.B. 325

66 of the 126th General Assembly is hereby repealed. 326

Section 7. Sections 5 to 7 of this act, and the items of law 327
of which Sections 5 to 7 of this act are composed, are not subject 328
to the referendum. Therefore, under Ohio Constitution, Article II, 329
Section 1d and section 1.471 of the Revised Code, Sections 5 to 7 330
of this act, and the items of law of which Sections 5 to 7 of this 331
act are composed, go into immediate effect when this act becomes 332
law. 333