

# **As Reported by the House Education Committee**

**129th General Assembly**

**Regular Session**  
**2011-2012**

**Sub. H. B. No. 21**

**Representative Combs**

**Cosponsors: Representatives Roegner, Newbold, Stebelton**

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## **A B I L L**

To amend sections 3319.22 and 3319.223 and to enact	1
section 3319.227 of the Revised Code to qualify	2
Teach for America participants for a resident	3
educator license.	4

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

<b>Section 1.</b> That sections 3319.22 and 3319.223 be amended and	5
section 3319.227 of the Revised Code be enacted to read as	6
follows:	7

<b>Sec. 3319.22.</b> (A)(1) The state board of education shall issue	8
the following educator licenses:	9

(a) A resident educator license, which shall be valid for	10
four years, except that the state board, on a case-by-case basis,	11
may extend the license's duration as necessary to enable the	12
license holder to complete the Ohio teacher residency program	13
established under section 3319.223 of the Revised Code;	14

(b) A professional educator license, which shall be valid for	15
five years and shall be renewable;	16

(c) A senior professional educator license, which shall be	17
valid for five years and shall be renewable;	18

(d) A lead professional educator license, which shall be valid for five years and shall be renewable.	19 20
(2) The state board may issue any additional educator licenses of categories, types, and levels the board elects to provide.	21 22 23
(3) The state board shall adopt rules establishing the standards and requirements for obtaining each educator license issued under this section.	24 25 26
(B) The rules adopted under this section shall require at least the following standards and qualifications for the educator licenses described in division (A)(1) of this section:	27 28 29
(1) An applicant for a resident educator license shall hold at least a bachelor's degree from an accredited teacher preparation program <u>or be a participant in the teach for America program and meet the qualifications required under section 3319.227 of the Revised Code.</u>	30 31 32 33 34
(2) An applicant for a professional educator license shall:	35
(a) Hold at least a bachelor's degree from an institution of higher education accredited by a regional accrediting organization;	36 37 38
(b) Have successfully completed the Ohio teacher residency program established under section 3319.223 of the Revised Code, if the applicant's current or most recently issued license is a resident educator license issued under this section or an alternative resident educator license issued under section 3319.26 of the Revised Code.	39 40 41 42 43 44
(3) An applicant for a senior professional educator license shall:	45 46
(a) Hold at least a master's degree from an institution of higher education accredited by a regional accrediting	47 48

organization;	49
(b) Have previously held a professional educator license issued under this section or section 3319.222 or under former section 3319.22 of the Revised Code;	50 51 52
(c) Meet the criteria for the accomplished or distinguished level of performance, as described in the standards for teachers adopted by the state board under section 3319.61 of the Revised Code.	53 54 55 56
(4) An applicant for a lead professional educator license shall:	57 58
(a) Hold at least a master's degree from an institution of higher education accredited by a regional accrediting organization;	59 60 61
(b) Have previously held a professional educator license or a senior professional educator license issued under this section or a professional educator license issued under section 3319.222 or former section 3319.22 of the Revised Code;	62 63 64 65
(c) Meet the criteria for the distinguished level of performance, as described in the standards for teachers adopted by the state board under section 3319.61 of the Revised Code;	66 67 68
(d) Either hold a valid certificate issued by the national board for professional teaching standards or meet the criteria for a master teacher or other criteria for a lead teacher adopted by the educator standards board under division (F)(4) or (5) of section 3319.61 of the Revised Code.	69 70 71 72 73
(C) The state board shall align the standards and qualifications for obtaining a principal license with the standards for principals adopted by the state board under section 3319.61 of the Revised Code.	74 75 76 77
(D) If the state board requires any examinations for educator	78

licensure, the department of education shall provide the results 79  
of such examinations received by the department to the chancellor 80  
of the Ohio board of regents, in the manner and to the extent 81  
permitted by state and federal law. 82

(E) Any rules the state board of education adopts, amends, or 83  
rescinds for educator licenses under this section, division (D) of 84  
section 3301.07 of the Revised Code, or any other law shall be 85  
adopted, amended, or rescinded under Chapter 119. of the Revised 86  
Code except as follows: 87

(1) Notwithstanding division (D) of section 119.03 and 88  
division (A)(1) of section 119.04 of the Revised Code, in the case 89  
of the adoption of any rule or the amendment or rescission of any 90  
rule that necessitates institutions' offering preparation programs 91  
for educators and other school personnel that are approved by the 92  
chancellor of the Ohio board of regents under section 3333.048 of 93  
the Revised Code to revise the curriculum of those programs, the 94  
effective date shall not be as prescribed in division (D) of 95  
section 119.03 and division (A)(1) of section 119.04 of the 96  
Revised Code. Instead, the effective date of such rules, or the 97  
amendment or rescission of such rules, shall be the date 98  
prescribed by section 3333.048 of the Revised Code. 99

(2) Notwithstanding the authority to adopt, amend, or rescind 100  
emergency rules in division (F) of section 119.03 of the Revised 101  
Code, this authority shall not apply to the state board of 102  
education with regard to rules for educator licenses. 103

(F)(1) The rules adopted under this section establishing 104  
standards requiring additional coursework for the renewal of any 105  
educator license shall require a school district and a chartered 106  
nonpublic school to establish local professional development 107  
committees. In a nonpublic school, the chief administrative 108  
officer shall establish the committees in any manner acceptable to 109  
such officer. The committees established under this division shall 110

determine whether coursework that a district or chartered 111  
nonpublic school teacher proposes to complete meets the 112  
requirement of the rules. The department of education shall 113  
provide technical assistance and support to committees as the 114  
committees incorporate the professional development standards 115  
adopted by the state board of education pursuant to section 116  
3319.61 of the Revised Code into their review of coursework that 117  
is appropriate for license renewal. The rules shall establish a 118  
procedure by which a teacher may appeal the decision of a local 119  
professional development committee. 120

(2) In any school district in which there is no exclusive 121  
representative established under Chapter 4117. of the Revised 122  
Code, the professional development committees shall be established 123  
as described in division (F)(2) of this section. 124

Not later than the effective date of the rules adopted under 125  
this section, the board of education of each school district shall 126  
establish the structure for one or more local professional 127  
development committees to be operated by such school district. The 128  
committee structure so established by a district board shall 129  
remain in effect unless within thirty days prior to an anniversary 130  
of the date upon which the current committee structure was 131  
established, the board provides notice to all affected district 132  
employees that the committee structure is to be modified. 133  
Professional development committees may have a district-level or 134  
building-level scope of operations, and may be established with 135  
regard to particular grade or age levels for which an educator 136  
license is designated. 137

Each professional development committee shall consist of at 138  
least three classroom teachers employed by the district, one 139  
principal employed by the district, and one other employee of the 140  
district appointed by the district superintendent. For committees 141  
with a building-level scope, the teacher and principal members 142

shall be assigned to that building, and the teacher members shall 143  
be elected by majority vote of the classroom teachers assigned to 144  
that building. For committees with a district-level scope, the 145  
teacher members shall be elected by majority vote of the classroom 146  
teachers of the district, and the principal member shall be 147  
elected by a majority vote of the principals of the district, 148  
unless there are two or fewer principals employed by the district, 149  
in which case the one or two principals employed shall serve on 150  
the committee. If a committee has a particular grade or age level 151  
scope, the teacher members shall be licensed to teach such grade 152  
or age levels, and shall be elected by majority vote of the 153  
classroom teachers holding such a license and the principal shall 154  
be elected by all principals serving in buildings where any such 155  
teachers serve. The district superintendent shall appoint a 156  
replacement to fill any vacancy that occurs on a professional 157  
development committee, except in the case of vacancies among the 158  
elected classroom teacher members, which shall be filled by vote 159  
of the remaining members of the committee so selected. 160

Terms of office on professional development committees shall 161  
be prescribed by the district board establishing the committees. 162  
The conduct of elections for members of professional development 163  
committees shall be prescribed by the district board establishing 164  
the committees. A professional development committee may include 165  
additional members, except that the majority of members on each 166  
such committee shall be classroom teachers employed by the 167  
district. Any member appointed to fill a vacancy occurring prior 168  
to the expiration date of the term for which a predecessor was 169  
appointed shall hold office as a member for the remainder of that 170  
term. 171

The initial meeting of any professional development 172  
committee, upon election and appointment of all committee members, 173  
shall be called by a member designated by the district 174

superintendent. At this initial meeting, the committee shall 175  
select a chairperson and such other officers the committee deems 176  
necessary, and shall adopt rules for the conduct of its meetings. 177  
Thereafter, the committee shall meet at the call of the 178  
chairperson or upon the filing of a petition with the district 179  
superintendent signed by a majority of the committee members 180  
calling for the committee to meet. 181

(3) In the case of a school district in which an exclusive 182  
representative has been established pursuant to Chapter 4117. of 183  
the Revised Code, professional development committees shall be 184  
established in accordance with any collective bargaining agreement 185  
in effect in the district that includes provisions for such 186  
committees. 187

If the collective bargaining agreement does not specify a 188  
different method for the selection of teacher members of the 189  
committees, the exclusive representative of the district's 190  
teachers shall select the teacher members. 191

If the collective bargaining agreement does not specify a 192  
different structure for the committees, the board of education of 193  
the school district shall establish the structure, including the 194  
number of committees and the number of teacher and administrative 195  
members on each committee; the specific administrative members to 196  
be part of each committee; whether the scope of the committees 197  
will be district levels, building levels, or by type of grade or 198  
age levels for which educator licenses are designated; the lengths 199  
of terms for members; the manner of filling vacancies on the 200  
committees; and the frequency and time and place of meetings. 201  
However, in all cases, except as provided in division (F)(4) of 202  
this section, there shall be a majority of teacher members of any 203  
professional development committee, there shall be at least five 204  
total members of any professional development committee, and the 205  
exclusive representative shall designate replacement members in 206

the case of vacancies among teacher members, unless the collective bargaining agreement specifies a different method of selecting such replacements.	207 208 209
(4) Whenever an administrator's coursework plan is being discussed or voted upon, the local professional development committee shall, at the request of one of its administrative members, cause a majority of the committee to consist of administrative members by reducing the number of teacher members voting on the plan.	210 211 212 213 214 215
(G)(1) The department of education, educational service centers, county boards of developmental disabilities, regional professional development centers, special education regional resource centers, college and university departments of education, head start programs, the eTech Ohio commission, and the Ohio education computer network may establish local professional development committees to determine whether the coursework proposed by their employees who are licensed or certificated under this section or section 3319.222 of the Revised Code, or under the former version of either section as it existed prior to <del>the effective date of this amendment October 16, 2009</del> , meet the requirements of the rules adopted under this section. They may establish local professional development committees on their own or in collaboration with a school district or other agency having authority to establish them.	216 217 218 219 220 221 222 223 224 225 226 227 228 229 230
Local professional development committees established by county boards of developmental disabilities shall be structured in a manner comparable to the structures prescribed for school districts in divisions (F)(2) and (3) of this section, as shall the committees established by any other entity specified in division (G)(1) of this section that provides educational services by employing or contracting for services of classroom teachers licensed or certificated under this section or section 3319.222 of	231 232 233 234 235 236 237 238

the Revised Code, or under the former version of either section as 239  
it existed prior to ~~the effective date of this amendment October~~ 240  
16, 2009. All other entities specified in division (G)(1) of this 241  
section shall structure their committees in accordance with 242  
guidelines which shall be issued by the state board. 243

(2) Any public agency that is not specified in division 244  
(G)(1) of this section but provides educational services and 245  
employs or contracts for services of classroom teachers licensed 246  
or certificated under this section or section 3319.222 of the 247  
Revised Code, or under the former version of either section as it 248  
existed prior to ~~the effective date of this amendment October 16,~~ 249  
2009, may establish a local professional development committee, 250  
subject to the approval of the department of education. The 251  
committee shall be structured in accordance with guidelines issued 252  
by the state board. 253

**Sec. 3319.223.** (A) Not later than January 1, 2011, the 254  
superintendent of public instruction and the chancellor of the 255  
Ohio board of regents jointly shall establish the Ohio teacher 256  
residency program, which shall be a four-year, entry-level program 257  
for classroom teachers. The teacher residency program shall 258  
include at least the following components: 259

(1) Mentoring by teachers who hold a lead professional 260  
educator license issued under section 3319.22 of the Revised Code; 261

(2) Counseling to ensure that program participants receive 262  
needed professional development; 263

(3) Measures of appropriate progression through the program. 264

(B) The teacher residency program shall be aligned with the 265  
standards for teachers adopted by the state board of education 266  
under section 3319.61 of the Revised Code and best practices 267  
identified by the superintendent of public instruction. 268

(C) Each person who holds a resident educator license issued under section 3319.22 <u>or 3319.227</u> of the Revised Code or an alternative resident educator license issued under section 3319.26 of the Revised Code shall participate in the teacher residency program. Successful completion of the program shall be required to qualify any such person for a professional educator license issued under section 3319.22 of the Revised Code.	269 270 271 272 273 274 275
<u><b>Sec. 3319.227.</b></u> (A) Notwithstanding any other provision of the Revised Code or any rule adopted by the state board of education to the contrary, the state board shall issue a resident educator license under section 3319.22 of the Revised Code to each person who is assigned to teach in this state as a participant in the teach for America program and who meets the following conditions:	276 277 278 279 280 281 282
(1) Holds a bachelor's degree from an accredited institution of higher education;	283 284
(2) Maintained a cumulative undergraduate grade point average of at least 2.5 out of 4.0, or its equivalent;	285 286
(3) Has passed an examination prescribed by the state board in the subject area to be taught;	287 288
(4) Has successfully completed the summer training institute operated by teach for America.	289 290
(B) The state board shall issue a resident educator license under this section for teaching in any grade level or subject area for which a person may obtain a resident educator license under section 3319.22 of the Revised Code.	291 292 293 294
(C) Notwithstanding any other provision of the Revised Code or any rule adopted by the state board to the contrary, the state board shall issue a resident educator license under section 3319.22 of the Revised Code to any applicant who has completed at	295 296 297 298

least two years of teaching in another state as a participant in 299  
the teach for America program and meets all of the conditions of 300  
divisions (A)(1) to (4) of this section. The state board shall 301  
credit an applicant under this division as having completed two 302  
years of the teacher residency program under section 3319.223 of 303  
the Revised Code. 304

**Section 2.** That existing sections 3319.22 and 3319.223 of the 305  
Revised Code are hereby repealed. 306

**Section 3.** Section 3319.22 of the Revised Code is presented 307  
in this act as a composite of the section as amended by both Am. 308  
Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly. The 309  
General Assembly, applying the principle stated in division (B) of 310  
section 1.52 of the Revised Code that amendments are to be 311  
harmonized if reasonably capable of simultaneous operation, finds 312  
that the composite is the resulting version of the section in 313  
effect prior to the effective date of the section as presented in 314  
this act. 315