

As Reported by the Senate Education Committee

**129th General Assembly
Regular Session
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S. B. No. 81

Senator Cates

**Cosponsors: Senators Lehner, Seitz, LaRose, Jones, Beagle, Obhof, Faber,
Hite**

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A BILL

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:

Section 1. 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

Sec. 3319.22. (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 19
valid for five years and shall be renewable. 20

(2) The state board may issue any additional educator 21
licenses of categories, types, and levels the board elects to 22
provide. 23

(3) The state board shall adopt rules establishing the 24
standards and requirements for obtaining each educator license 25
issued under this section. 26

(B) The rules adopted under this section shall require at 27
least the following standards and qualifications for the educator 28
licenses described in division (A)(1) of this section: 29

(1) An applicant for a resident educator license shall hold 30
at least a bachelor's degree from an accredited teacher 31
preparation program or be a participant in the teach for America 32
program and meet the qualifications required under section 33
3319.227 of the Revised Code. 34

(2) An applicant for a professional educator license shall: 35

(a) Hold at least a bachelor's degree from an institution of 36
higher education accredited by a regional accrediting 37
organization; 38

(b) Have successfully completed the Ohio teacher residency 39
program established under section 3319.223 of the Revised Code, if 40
the applicant's current or most recently issued license is a 41
resident educator license issued under this section or an 42
alternative resident educator license issued under section 3319.26 43
of the Revised Code. 44

(3) An applicant for a senior professional educator license 45
shall: 46

(a) Hold at least a master's degree from an institution of 47

higher education accredited by a regional accrediting organization;	48 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 licensure, the department of education shall provide the results of such examinations received by the department to the chancellor of the Ohio board of regents, in the manner and to the extent permitted by state and federal law.

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

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

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

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

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 207
bargaining agreement specifies a different method of selecting 208
such replacements. 209

(4) Whenever an administrator's coursework plan is being 210
discussed or voted upon, the local professional development 211
committee shall, at the request of one of its administrative 212
members, cause a majority of the committee to consist of 213
administrative members by reducing the number of teacher members 214
voting on the plan. 215

(G)(1) The department of education, educational service 216
centers, county boards of developmental disabilities, regional 217
professional development centers, special education regional 218
resource centers, college and university departments of education, 219
head start programs, the eTech Ohio commission, and the Ohio 220
education computer network may establish local professional 221
development committees to determine whether the coursework 222
proposed by their employees who are licensed or certificated under 223
this section or section 3319.222 of the Revised Code, or under the 224
former version of either section as it existed prior to ~~the~~ 225
~~effective date of this amendment~~ October 16, 2009, meet the 226
requirements of the rules adopted under this section. They may 227
establish local professional development committees on their own 228
or in collaboration with a school district or other agency having 229
authority to establish them. 230

Local professional development committees established by 231
county boards of developmental disabilities shall be structured in 232
a manner comparable to the structures prescribed for school 233
districts in divisions (F)(2) and (3) of this section, as shall 234
the committees established by any other entity specified in 235
division (G)(1) of this section that provides educational services 236
by employing or contracting for services of classroom teachers 237

licensed or certificated under this section or section 3319.222 of 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 269
under section 3319.22 or 3319.227 of the Revised Code or an 270
alternative resident educator license issued under section 3319.26 271
of the Revised Code shall participate in the teacher residency 272
program. Successful completion of the program shall be required to 273
qualify any such person for a professional educator license issued 274
under section 3319.22 of the Revised Code. 275

Sec. 3319.227. (A) Notwithstanding any other provision of the 276
Revised Code or any rule adopted by the state board of education 277
to the contrary, the state board shall issue a resident educator 278
license under section 3319.22 of the Revised Code to each person 279
who is assigned to teach in this state as a participant in the 280
teach for America program and who meets the following conditions: 281

(1) Holds a bachelor's degree from an accredited institution 283
of higher education; 284

(2) Maintained a cumulative undergraduate grade point average 285
of at least 2.5 out of 4.0, or its equivalent; 286

(3) Has passed an examination prescribed by the state board 287
in the subject area to be taught; 288

(4) Has successfully completed the summer training institute 289
operated by teach for America. 290

(B) The state board shall issue a resident educator license 291
under this section for teaching in any grade level or subject area 292
for which a person may obtain a resident educator license under 293
section 3319.22 of the Revised Code. 294

(C) Notwithstanding any other provision of the Revised Code 295
or any rule adopted by the state board to the contrary, the state 296
board shall issue a resident educator license under section 297

3319.22 of the Revised Code to any applicant who has completed at 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