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*Bill Analysis*  
*Legislative Service Commission*

## **Sub. H.B. 196\***

124th General Assembly  
(As Reported by H. Education)

**Reps. Husted, D. Miller, Clancy, Peterson, Raga, DeWine, Goodman, DePiero, G. Smith, Ogg, Jerse, White, Schaffer, Willamowski, Schmidt, Gilb, Setzer, Webster, Barrett, Williams, Key, Faber, Allen, Woodard**

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### **BILL SUMMARY**

- Permits a school district board to contract with nonprofit or for profit entities to operate alternative schools in the district.
- Specifies standards for alternative schools that are operated by nonprofit or for profit entities.
- Changes the grade levels to which the alternative educator license applies from grades seven through twelve to all grades.
- Creates a one-year conditional teaching permit as a precursor to the alternative educator license.
- Declares an emergency.

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### **CONTENT AND OPERATION**

#### **Background**

School district boards are authorized to establish alternative schools to serve students in grades kindergarten through twelve 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."<sup>1</sup> The boards of the Big-Eight School Districts and the board of any

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\* *This analysis was prepared before the report of the House Education Committee appeared in the House Journal. Note that the list of co-sponsors and the legislative history may be incomplete.*

<sup>1</sup> R.C. 3313.533(A).

school district with a "significantly substandard graduation rate" are *required* to establish at least one such alternative school for their respective districts.<sup>2</sup> Each board that establishes an alternative school must develop and implement a plan for the school. The plan must include the qualifications for assignment of students to the school, the criteria and procedures that will be used to return students to their regular school, and procedures for evaluating the alternative school program and for reporting the results of the evaluation to the public. The plan also may include a requirement that students assigned to the school attend additional hours beyond the normal school day, restrictions on extracurricular activities, and a requirement that students wear uniforms as specified by district board.<sup>3</sup> Two or more school districts may join to form either a cooperative education school district or a joint education program to operate a joint alternative school.<sup>4</sup>

**Authorization for school districts to contract with nonprofit and for profit entities to operate alternative schools**

Under current law, school districts are authorized to employ teachers and nonteaching staff necessary to operate an alternative school. The statute appears to permit only a district board to operate the alternative school itself or to do so jointly with the board of another district.

The bill specifically permits a board, whether individually or jointly with another district board, to contract with a nonprofit or for profit entity to operate an alternative school, which operation may include the provision of personnel, supplies, equipment, or facilities.<sup>5</sup> The bill does specify, however, that anyone employed as a teacher at an alternative school operated by a nonprofit or for profit entity must be licensed and subject to a background check in the same manner as a teacher employed by a school district.<sup>6</sup> Such licensing might include any teaching certificate issued under former law and still valid; any provisional or professional educator license; or any of the limited licenses, permits, or certificates issued by the Department of Education, including an alternative educator license, an internship certificate, a 12-hour per week teaching permit, or the one-year

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<sup>2</sup> R.C. 3313.534, not in the bill. *The Big-Eight School Districts are Akron, Canton, Cincinnati, Columbus, Cleveland, Dayton, Toledo, and Youngstown. The Department of Education is required to define "significantly substandard graduation rate."*

<sup>3</sup> R.C. 3313.533(B).

<sup>4</sup> R.C. 3313.533(E).

<sup>5</sup> R.C. 3313.533(C) and (E).

<sup>6</sup> R.C. 3313.533(F).

conditional teaching permit created by the bill (see "*Creation of a one-year conditional teaching permit*" below).<sup>7</sup>

***Standards for alternative schools operated by nonprofit or for profit entities***

The bill specifies some standards for alternative schools operated by nonprofit or for profit entities that are either different from or in addition to those otherwise specified for alternative schools operated by a school district.

First, in addition to the specifications in current law, the plan adopted for any alternative school operated by a nonprofit or for profit entity must include the following items:

(1) A description of the educational program of the alternative school, which must specify provisions for the school to be configured in clusters or small learning communities, provisions for the incorporation of education technology into the curriculum, and provisions for accelerated learning programs in reading and mathematics;

(2) Methods to determine the reading and mathematics level of each student assigned to the alternative school and to continuously monitor each student's progress in those areas, both of which methods must be aligned with the district's curriculum;

(3) A plan for social services to be provided at the school, which can include (but is not limited to) such things as counseling services, psychological support services, and enrichment programs; and

(4) A plan for a student's transition from the alternative school back to a school operated by the school district.<sup>8</sup>

Second, admission to any alternative school that is operated by a nonprofit or for profit entity must be limited to disruptive or low-performing students in grades six through twelve.<sup>9</sup>

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<sup>7</sup> R.C. 3319.22 (not in the bill), 3319.26 (not in the bill), 3319.28, 3319.301 (not in the bill), and 3319.302.

<sup>8</sup> R.C. 3313.533(G)(1).

<sup>9</sup> R.C. 3313.533(G)(2) and (3).

**Increase in grade levels to which the alternative educator license applies**

Current law requires the State Board of Education to adopt rules establishing an "alternative educator license," which is an optional path for a person to follow in obtaining a regular teacher's license (known as either a provisional educator license or a professional educator license). Those rules must require applicants to satisfy the following requirements:

- (1) Possession of a bachelor's degree in the subject area to be taught;
- (2) Successful completion of three semester hours or the equivalent of college coursework in the "developmental characteristics of adolescent youths";
- (3) Successful completion of three semester hours or the equivalent of college coursework in teaching methods; and
- (4) Achievement of a passing score on an examination in the subject area to be taught.

The statute limits the alternative license to two years and prohibits its renewal. But it requires that the license holder be granted a "provisional educator license" upon successfully completing all of the following requirements:

- (1) Two years of teaching under the alternative license;
- (2) Successful completion within the two years of the alternative license period of at least 12 additional semester hours, or the equivalent, of college coursework in the principles and practices of teaching "in such topics as student development and learning, pupil assessment procedures, curriculum development, classroom management, and teaching methodology"; and
- (3) Assessment of subject matter content and professional knowledge as required of other applicants for a provisional educator license.<sup>10</sup>

Currently, the alternative educator license applies only to grades seven through twelve. Under the bill, an applicant who meets all of the other requirements may seek an alternative educator license in **any** specified grade level

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<sup>10</sup> *The State Board's rule (approved by the General Assembly through H.C.R. 41 of the 123rd General Assembly) establishes some additional requirements including (among other items) that the applicant's employer provide an approved mentoring program for the applicant (O.A.C. 3301-24-10).*

or subject area. The bill also specifies that the rule must require the applicant to hold "a minimum of" a bachelor's degree in the subject area to be taught.<sup>11</sup>

### **Creation of a one-year conditional teaching permit**

The bill creates a new step in the optional path to licensure. It creates a one-year conditional teaching permit which the State Board may issue without adopting any rules.<sup>12</sup> Specifically, the bill requires the State Board to issue the conditional license to any person who:

(1) Holds a bachelor's degree;

(2) Has successfully completed a basic skills test as prescribed by the State Board;

(3) Has completed either as part of the applicant's degree program or separate from it the equivalent of 15 semester hours of course work in the teaching or subject area for which the license is sought by the applicant;

(4) Has completed the equivalent of a total of six semester hours of additional course work in the following areas:

- Teaching or subject area;
- Characteristics of student learning;
- Diversity of learners;
- Planning for instruction;
- Instruction strategies;
- Learning environments;
- Communication;
- Assessment; or

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<sup>11</sup> R.C. 3319.26. Presumably, the State Board could require in its rule a degree higher than a bachelor's degree.

<sup>12</sup> R.C. 3319.302. The bill specifically states the intent of the General Assembly that the permit be issued without the adoption of rules.

- Student support.<sup>13</sup>

(5) Has entered into a written agreement with the Department of Education and the applicant's prospective employer under which the employer will provide a structured mentoring program for the applicant;

(6) Agrees to complete while employed under the conditional permit the equivalent of another three semester hours of course work in the applicant's teaching or subject area;<sup>14</sup>

(7) Agrees to seek at the conclusion of the year in which the applicant is employed under the conditional permit an alternative educator license, which would give the applicant two more years of licensed teaching experience while working toward a provisional license. The applicant may not be reemployed for the second year unless the applicant does in fact seek and receive the alternative educator license.<sup>15</sup>

(8) Pays an application fee specified by the State Board.

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## HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced Reported, H. Education	04-03-01 ---	p. 286 ---

H0196-RH.124/jc

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<sup>13</sup> *The bill provides that the course work may have been completed through classes developed and offered by regional professional development providers, such as special education regional resource centers, regional professional development centers, educational service centers, local educational agencies, professional organizations, and institutions of higher education, if the course work is taken for credit in collaboration with a college or university that has a teacher education program approved by the State Board.*

<sup>14</sup> *The additional course work may be provided in the same manner as listed for (4) above.*

<sup>15</sup> (See "**Increase in grade levels to which the alternative educator license applies**" above).