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Bill Analysis

Legislative Service Commission

Proposed Sub. S.B. 2

125th General Assembly
(LSC 125 0712-1)

Sens. Robert Gardner, Prentiss, Mumper, Goodman, Harris, Spada, Carnes, Blessing, Armbruster

BILL SUMMARY

- Creates an Educator Standards Board to develop and submit to the State Board of Education statewide educator standards and carry out other functions recommended by the Governor's Commission on Teaching Success.
- Directs the Department of Education to establish a state office within the Department to support the Educator Standards Board.
- Requires school districts to use professional development standards developed by the Educator Standards Board.
- Directs the State Board of Education and the Joint Council of the Department of Education and the Ohio Board of Regents to create guidelines for the evaluation of principals and teachers.
- Eliminates the authority of the State Board of Education to issue internship certificates.
- Requires the State Board of Education to create an alternative principal license.
- Establishes a Credential Review Board, appointed by the State Board of Education, to perform duties with respect to assessing alternative pathway educators and out-of-state educators.
- Requires the Ohio School Facilities Commission, when reviewing design plans, to consider whether the plans reflect designs recommended by the Governor's Commission on Teaching Success.

- Obligates the Board of Regents to develop regional articulation agreements for teacher education programs among state institutions of higher education by December 31, 2004.
- Directs the Legislative Office of Education Oversight to study minimum teacher salaries in Ohio and selected other states and report findings by December 31, 2003.
- Requires the Department of Education to develop several pilot programs recommended by the Governor's Commission on Teaching Success.
- Charges the Department of Education with defining a "hard to staff" school within 90 days of the bill's effective date.
- Creates a Governor's Task Force on Regional Service Delivery.
- Implements other recommendations of the Governor's Commission on Teaching Success.

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CONTENT AND OPERATION

Background

Amended Substitute Senate Bill 1 of the 124th General Assembly directed the Governor to appoint individuals to a Governor's Commission on Teaching Success. The Governor charged the Commission with examining and making recommendations of how to improve teaching quality in Ohio and how to attract and retain high-quality educators so that students are successful in meeting Ohio's academic standards. In 2003, the Commission issued a report containing 15 recommendations of how to improve teacher quality in Ohio.¹ This bill implements many of the recommendations suggested by the Commission.

The Educator Standards Board

(R.C. 3319.60 and 3319.61)

As recommended by the Commission, the bill establishes an Educator Standards Board. The State Board of Education is to appoint members to the standards board, from nominations submitted by stakeholder groups, within 120 days of the bill's effective date. Stakeholder groups must submit all nominations within 60 days of the bill's effective date. The standards board is comprised of the following 17 individuals:

(1) Seven classroom teachers employed in a public school district: two teachers in a secondary school, two teachers in a middle school, two teachers in an elementary school, and one teacher who serves on a local professional development committee. At least one of these seven teachers must be certified by the National Board for Professional Teaching Standards. The Ohio Education Association and the Ohio Federation of Teachers submit nominations for these members in a number that is proportionate to the number of teachers each organization represents.

¹ *The final report of the Governor's Commission on Teaching Success is available at: <http://www.teaching-success.org/documents/AchievingMore.pdf>.*



(2) One classroom teacher employed by a chartered, nonpublic school. Stakeholder groups selected by the State Board of Education submit nominations for this member.

(3) Four school administrators: a secondary school principal, a middle school principal, an elementary school principal, and a school district superintendent. Stakeholder groups selected by the State Board of Education submit nominations for these members.

(4) One person who is a member of a school district board of education. Stakeholder groups selected by the State Board of Education submit nominations for this member.

(5) Two persons who are employed by institutions of higher education that offer approved teacher preparation programs. The Ohio Board of Regents, in consultation with appropriate stakeholder groups, submits nominations for these members.

(6) The Superintendent of Public Instruction or the Superintendent's designee, as a nonvoting, ex officio member.

(7) The Chancellor of the Ohio Board of Regents or the Chancellor's designee, as a nonvoting, ex officio member.

The bill provides that initial terms of office are four years for eight members and two years for seven members. At the first meeting, members are to draw lots to determine who will serve a four-year term and who will serve a two-year term. All terms after the initial terms are four-year terms. Members are only eligible to serve two four-year terms. Members are to receive no compensation for their services other than actual and necessary expenses incurred in the discharge of official duties (R.C. 3319.60).

Educator Standards Board to develop educator standards

The bill directs the Educator Standards Board to work with the Joint Council of the State Board of Education and the Ohio Board of Regents to develop statewide educator standards in three areas:

- (1) Teacher and principal standards;
- (2) Standards for the renewal of educator licenses; and
- (3) Standards for educator professional development.

Standards for teachers and principals. Standards for teachers and principals must reflect what teachers and principals are expected to know and be able to do at all stages of their careers. To accomplish this requirement, the standards must be aligned with the student academic content standards, be primarily based on educator performance instead of years of experience or certain courses completed, and must rely on evidence-based factors.²

Standards for teachers. In addition, the Educator Standards Board and the Joint Council must develop standards for teachers that are aligned with the Interstate New Teacher Assessment and Support Consortium Standards; differentiate among novice, experienced, and advanced teachers; rely on competencies that can be measured; rely on content knowledge, teaching skills, discipline-specific teaching methods, and requirements for professional development; and are aligned with a system of professional development and feedback that enables teachers to meet the teacher standards developed by the Educator Standards Board.³

Standards for principals. Standards for principals must be aligned with the Interstate School Leaders Licensing Consortium Standards (R.C. 3319.61(A)).⁴

Deadline. By August 31, 2004, the Educator Standards Board must submit recommendations of these standards to the State Board of Education. The State Board must then review and adopt standards based on these recommendations (R.C. 3319.61(C)). There is no explicit deadline for the State Board to do so. Presumably, the State Board would amend its educator licensing rules to incorporate any of the standards it accepted.

Other duties. In addition to developing educator standards, the bill requires the Educator Standards Board to carry out several other functions. One of these responsibilities given the Board is to collaborate with colleges and universities that offer approved teacher preparation programs for the purpose of aligning teacher preparation programs with the educator standards developed by the Board and the statewide student academic content standards.

² *The State Board of Education adopts the statewide student academic content standards pursuant to R.C. 3301.079 (not in the bill).*

³ *The draft beginning teacher standards of the Interstate New Teacher Assessment and Support Consortium can be located at <http://www.ccsso.org/intascst.html>. The Consortium has also developed discipline-specific standards that are located at <http://www.ccsso.org/intaspub.html>.*

⁴ *The Interstate School Leaders Licensing Consortium Standards are located at <http://www.ccsso.org/pdfs/isllcstd.pdf>.*

Second, the Educator Standards Board is responsible for monitoring compliance with the educator standards. If the standards are not met, the bill directs the Board to recommend appropriate corrective action to the State Board of Education.

Third, the bill directs the Educator Standards Board to research, develop, and recommend policies regarding the teaching and school administration professions.

Fourth, the Educator Standards Board must define a "master teacher" in a manner that can be used uniformly by all school districts (R.C. 3319.61(B)). Once this definition is determined, school districts will be required to report the number of their master teachers, which will then appear on their state report cards. (See "*Reporting the number of master teachers in a school district*," below.)

State office of educator standards

(R.C. 3319.62)

To provide administrative assistance to the Educator Standards Board, the bill directs the Ohio Department of Education to establish a state office of educator standards. The bill specifies that the office is to be created within the Department's Center for the Teaching Profession. The Department is authorized to employ a director for the office and any other staff that may be necessary for the operation of the office. However, in staffing this office, the Department is to use current staff members when "appropriate."

Transitioning the duties of the Ohio Teacher Education and Licensure Advisory Commission to the Educator Standards Board

(Section 6)

Currently, an Ohio Teacher Education and Licensure Advisory Commission is housed within the Ohio Department of Education. The general purpose of the Commission is to provide advice and counsel to the State Board of Education on any matters relating to teacher education and licensing. The bill requires that the duties of the Commission be transitioned to the Educator Standards Board. It does not prescribe a timeline for doing so.

Reporting the number of master teachers in a school district

(R.C. 3301.0714(B)(2)(d) and 3302.03(D)(4))

Once the Educator Standards Board develops a definition of a "master teacher," the bill requires school districts to report to the State Board of Education

the number of master teachers employed by each district and each school building. This reporting is to be accomplished through the education management information system (EMIS) (R.C. 3301.0714(B)(2)(d)).

After the number of master teachers for each school district and school building is available through EMIS, the bill directs the Department of Education to include this information on the school district and school building report cards (R.C. 3302.03(D)(4)).

Use of the Educator Standards Board's professional development standards

(R.C. 3302.04(B), 3319.075, and 3319.22(C)(1))

After the State Board of Education adopts professional development standards based on recommendations of the Educator Standards Board, the bill requires all school districts to use the standards for the following purposes:

- (1) To guide the design of teacher education programs that serve both teacher candidates and experienced teachers;
- (2) To guide school-based professional development that is aligned with student achievement;
- (3) To determine what types of professional development the district and schools within the district should provide to teachers;
- (4) To guide expenditures of state and federal funding for professional development;
- (5) To develop criteria for decision making by local professional development committees;
- (6) To ensure that third-party providers of instructional services use or meet the professional developments standards; and
- (7) To guide all licensed school personnel in developing their own plans for professional growth (R.C. 3319.075).

If a district is in continuous improvement, academic watch, or academic emergency under the state's performance rating system for school districts, then the district must include an analysis of how the district is utilizing the professional development standards in its continuous improvement plan (R.C. 3302.04(B)).⁵

⁵ A continuous improvement school district is one that meets 9 to 12 of the 17 performance indicators adopted by the State Board of Education (or the equivalent

Local professional development committees

Current law mandates that each school district and chartered nonpublic school establish local professional development committees. The statutory function of these committees is to review coursework completed by educators for the renewal of educator licenses and determine whether the coursework satisfies the criteria for license renewal. To assist the committees adjust their review of coursework so that the content of the professional development standards is incorporated, the bill requires the Department of Education to provide technical assistance to the committees (R.C. 3319.22(C)(1)).

Guidelines for the evaluation of teachers and principals

(R.C. 3302.04(D) and 3319.112)

The bill requires the State Board of Education, in consultation with the Joint Council of the Department of Education and the Ohio Board of Regents, to develop guidelines for the evaluation of teachers and principals. These guidelines must include the following six principles:

(1) A school district should evaluate the performance of teachers on a regular basis.

(2) A school district should adopt an evaluation system that is fair, credible, and evidence-based. Additionally, the system should include multiple measures of a teacher's or principal's use of knowledge and skills and of student's academic progress.

(3) A school district's evaluation system should be aligned with the teacher and principal standards adopted by the State Board of Education based on recommendations of the Educator Standards Board.

(4) A school district's evaluation system should provide clear statements of expectations for professional performance.

number of indicators if the State Board adopts more than 17 total indicators). An academic watch district meets 6 to 8 of the 17 performance indicators and an academic emergency district meets 5 or fewer of the 17 indicators. (R.C. 3302.03.)

Continuing law requires each continuous improvement, academic watch, and academic emergency district to develop a three-year continuous improvement plan containing an analysis of the reasons for the district's failure to meet any of the performance indicators that it did not meet. The plan must also describe the strategies and resources the district will use to correct the deficiencies.

(5) A teacher's or principal's evaluation should suggest professional development that would enhance future performance in areas that do not meet expected performance levels.

(6) A school district should regularly review and revise, as necessary, the criteria included in the district's evaluation system so that effectiveness is ensured.

Once the guidelines are developed, the State Board must inform school districts of the guidelines so that the districts may use the guidelines to create or modify evaluation systems if they so choose. In addition, the bill requires the Department of Education to serve as a clearinghouse of promising evaluation procedures and models. School districts, then, may use this information to modify evaluation systems in a manner that reflects a standards-based method of evaluation. A district that modifies its evaluation system for this purpose may request technical assistance from the Department.

In conducting mandatory site evaluations of school districts and buildings in academic watch and academic emergency under the state's performance rating system, the Department must examine whether the teacher and principal evaluation systems in place reflect the State Board's guidelines (R.C. 3302.04(D)).⁶

Creation and elimination of certain educator licenses

Creation of an alternative principal license

(R.C. 3319.26)

The bill directs the State Board of Education to adopt rules that establish an alternative principal license. The rules must include a requirement that an applicant for an alternative principal license must have obtained, at least, classroom teaching experience.

⁶ Under continuing law, the Department must initiate a site evaluation of an academic emergency school district or building within 120 days following the assignment of the rating. In addition, the Department must undertake a site evaluation of any academic watch or academic emergency district or building that does not show satisfactory improvement or fails to submit required information to the Department. All site evaluations must examine (1) if teachers are properly licensed for the subject areas they teach, (2) student-teacher ratios, (3) compliance with minimum requirements for instruction time, and (4) availability of resources necessary to implement the curriculum.

Elimination of internship certificates

(repealed R.C. 3319.28; R.C. 3307.01, 3319.09, 3319.11, 3319.111, 3319.29, 3319.36, 3319.39, and 3319.51)

The bill eliminates the authority of the State Board to issue internship certificates, as the State Board is no longer issuing them. Under continuing law, however, individuals can still pursue an alternative path to licensure by obtaining a one-year conditional teaching permit leading to an alternative educator license. A provisional educator license may be issued after two years of teaching under the alternative license.⁷

Background

Current law authorizes the State Board of Education to issue temporary internship certificates valid for teaching grades seven through 12 in the subjects named in the certificate (R.C. 3319.28).⁸ These certificates are an alternative route to full licensure for individuals who did not complete a traditional teacher preparation program while in college. Internship certificates are valid for one year and renewable for one additional year. Applicants for internship certificates must meet the following criteria:

(1) Possession of a bachelor's degree in the subject area for which certification is sought;

(2) At least three years of successful experience deemed essential for effective teaching, such as instructional experience or work with school-age youth;

(3) Passing scores on exams of knowledge of general education and knowledge of the subject area in which certification is sought;

(4) Satisfactory completion of at least six semester hours of coursework in a pre-service course of study designed to introduce students to the principles and practices of teaching.

Approval of an application for an internship certificate cannot be granted unless the applicant has been offered a teaching contract by the superintendent of a school district or educational service center (ESC) and the hiring district has established an internship supervision program approved by the State Board. If

⁷ See R.C. 3319.26 and 3319.302.

⁸ See also O.A.C. 3301-21-10, 3301-21-11, 3301-23-30, and 3301-23-31.

granted, the certificate is only valid for teaching in the district that has offered employment.

Renewal of an internship certificate is contingent upon successful completion of the first year under the internship certificate with satisfactory evaluations, completion of at least six additional semester hours of coursework in the principles and practices of teaching, and a continuing contract with the employing district. Teachers who renew their internship certificates must complete the prescribed course of study in teaching methodology with another six semester hours of coursework in their second year under the certificates. However, anyone who has taught for one year under an internship certificate may upgrade the certificate to a provisional educator license, rather than renew the certificate, if the following criteria are met:

(1) Successful completion of a maximum of 18 semester hours of coursework in the principles and practices of teaching, which includes both the pre-service coursework and the 12 additional hours required for completion of the prescribed curriculum;

(2) Satisfactory evaluations under an internship supervision program;

(3) A passing score on an exam that measures knowledge of professional education, such as student assessment and curriculum development.

Establishment of a Credential Review Board

(R.C. 3319.65)

The bill directs the State Board of Education to establish a Credential Review Board, which must carry out any duties the State Board assigns with respect to assessing individuals pursuing alternative entries into the teaching profession and out-of-state teachers who wish to teach in Ohio. The Review Board is also authorized to conduct other functions, as the State Board considers appropriate.

Engaging National Board certified teachers

(R.C. 3319.56)

The bill requires the Department of Education to identify, and post on the Department's web site, promising practices in Ohio and other states for engaging teachers certified by the National Board of Professional Teaching Standards and teachers who qualify as master teachers, as that term is defined by the Educator

Standards Board, in ways that add value beyond their own classrooms.⁹ Examples of promising practices may include placing such teachers in key roles in peer review programs, having them mentor other teachers, or having them develop curricula or instructional technology applications.

The Ohio School Facilities Commission's review of design plans

(R.C. 3318.031)

When a school district is eligible to participate in one of the facilities assistance programs administered by the Ohio School Facilities Commission (such as the Classroom Facilities Assistance Program or the Expedited Local Partnership Program), the Commission is responsible for reviewing a district's design plans. Current law authorizes the Commission to require changes in a design plan if the Commission believes such changes would advance or improve student or staff safety. Examples of such changes may include location and number of exits, standards for lead safety, and location of restrooms.

The bill directs the Commission to also consider whether design plans support smaller classes and smaller schools, provide sufficient space for training new teachers or collaboration among teaching personnel, provide adequate space for teacher planning, provide adequate space for parent involvement activities, and provide sufficient space for innovative partnerships between schools and health and social service agencies. However, the bill does not require the Commission to require changes in design plans that fail to reflect any or all of these attributes.

Articulation agreements for teacher education programs

(R.C. 3333.161)

Currently, Ohio has an Articulation and Transfer Policy, developed by the Ohio Board of Regents, that is intended to ensure that credits will transfer between state institutions of higher education.¹⁰ Under the policy, the transfer of credits and the application of those credits to the transferring student's program of study is

⁹ *In order for a teacher to be certified by the National Board of Professional Teaching Standards, the teacher must pass a national exam of teaching skills. Once the exam is passed, a teacher is certified by the National Board, and certification is valid for ten years.*

¹⁰ *The Policy is available through the Ohio Board of Regents' web site: <http://www.regents.state.oh.us>. The General Assembly required the development of the Policy in Am. Sub. S.B. 268 and Am. Sub. H.B. 111 of the 118th General Assembly.*

dependent on whether the transferring student has completed an associate degree, the student's grade point average, and what courses the student has completed.

In addition, the Policy requires state institutions to develop a "transfer module," which is a set of general education curriculum courses that represent a common body of knowledge required at all state institutions (e.g., English composition, mathematics, social and behavioral sciences, arts and humanities, and natural and physical sciences). A student who completes the transfer module courses at one institution can transfer those courses to another state institution and have those courses fulfill the corresponding general education courses at the receiving institution.

The bill explicitly requires the Board of Regents, by December 31, 2004, to adopt rules for the development of regional articulation agreements between Ohio's two-year state colleges (community colleges, state community colleges, university branches, and technical colleges) and state universities for transfer students pursuing teacher education programs. By only requiring the development of regional articulation agreements, the bill contemplates the ability of a student taking courses intended to lead to a teaching degree at a two-year college to transfer the credits to a state university within the same geographic region, but not necessarily to a state university in a different region of the state. For example, a regional articulation agreement may address the ability of a student attending Columbus State Community College to transfer teacher education preparatory courses to The Ohio State University but likely would not include Kent State University as a party to the agreement.

The rules adopted by the Board of Regents must require parties to a regional articulation agreement to develop a transfer module for teacher education that includes appropriate introductory level courses. The appropriateness of such courses is to be determined by faculty members of parties to the agreement. Second, a regional articulation agreement must identify, as part of the transfer module for teacher education, appropriate foundation general studies courses that are consistent with the student academic content standards adopted by the State Board of Education. Third, a regional articulation agreement must clearly identify university faculty who are partnered with faculty at two-year colleges. Finally, a regional articulation agreement must be available to students, faculty, and staff members.

In addition to requiring the Board of Regents to adopt rules defining regional articulation agreements, the bill requires the Board, by December 31, 2004, to submit formal recommendations to the General Assembly for how to implement a statewide articulation agreement system for teacher education programs.



Study of minimum teacher starting salaries by the Legislative Office of Education Oversight

(Section 3)

The bill directs the Legislative Office of Education Oversight (LOEO) to study minimum starting salaries for teachers with bachelor degrees. In conducting this study, the LOEO must select several states that are demographically and economically similar to Ohio or compete with Ohio for new teachers because of geographic proximity. Then, LOEO must determine the minimum compensation levels for beginning teachers in these states, calculate the average compensation for beginning teachers in these states, and project the average compensation for beginning teachers in these states in the 2007-2008 academic year. The LOEO must perform the same calculations for Ohio, as well.

The LOEO must submit results of the study to the Governor and members of the General Assembly by December 31, 2003.

Proposals for pilot programs

The bill specifies that the Ohio Department of Education must develop proposals for several pilot programs.

Career ladder programs

(Section 4)

A career ladder program, as defined by the bill, is a performance-based multilevel system of teaching positions or compensation levels within a school district or school building. The Department is directed to develop a career ladder program comprised of three components, on a pilot basis.

One of the components of this pilot career ladder program must be "knowledge and skills based." A teacher participating in this component would progress through tiers as the teacher demonstrates increased levels of knowledge and skills. Such tiers could be designated as novice teacher, accomplished teacher, advanced teacher, and master teacher. As a teacher advances through the tiers, the teacher's compensation would increase.

The second component of the career ladder program must be "responsibility-based." A teacher participating in this program would be able to fulfill additional responsibilities such as mentoring other teachers, serving as a teacher leader or an adjunct faculty member at a college or university, or developing curriculum. In exchange for extended job responsibilities, a teacher would receive additional compensation.

The third career ladder component must be based on student progress. A teacher participating in this component of the program would receive supplemental compensation based on measures of student progress.

Pilot program for increased clinical experiences for educators of teachers

(Section 5)

The bill directs the Department of Education to develop, in collaboration with the Ohio Board of Regents, a pilot program *proposal* that would pair a school district with a college or university that offers an approved teacher preparation program.¹¹ Under the pilot program, faculty members of the college or university should engage in additional clinical experiences such as spending more time in the school district's buildings and classrooms. Also, the bill specifies that participation in the program requires a college or university to provide incentives to faculty members to share with their colleagues what they have learned through participation in the program. Such sharing of knowledge could be through publications or other appropriate learning experiences.

Definition of a "hard to staff" school

(Section 7)

Within 90 days of the bill's effective date, the Department of Education is required to develop a definition of a "hard to staff" school. The bill specifies that the definition should reflect the extent to which a school has high rates of teacher turnover, high proportions of under-prepared teachers, high rates of student poverty, and low rates of student performance. The Department is also required to examine definitions and models of hard to staff schools used by other states.¹²

Governor's task force on regional service delivery

(Section 8)

Currently, there exist numerous regional service agencies (RSAs) in Ohio, such as educational service centers, regional professional development centers, area media centers, data acquisition sites, special education resource centers, and

¹¹ *The State Board of Education approves teacher preparation programs under R.C. 3319.23, not in the bill.*

¹² *Many of the recommendations of the Governor's Commission are intended to target "hard to staff" schools and thus a definition is considered necessary to identify these schools.*

educational technology centers. In general, the purpose of a RSA is to provide professional development or technical assistance to school districts.

The bill creates a Governor's Task Force on Regional Service Delivery that is given the charge of developing a plan for aligning and restructuring Ohio's system of RSAs. The Task Force is required to submit a report of its recommendations to the Governor by March 31, 2004. Upon submission of this report, the Task Force ceases to exist.

The bill directs the Governor to appoint various educational stakeholders to the Task Force. These stakeholder appointees must at least represent members of the General Assembly; the business community; consumers of regional services such as teachers, principals, school district superintendents, and other school personnel; and providers of regional services.

Once the Governor appoints members to the Task Force, the bill requires the Task Force to perform the following functions:

(1) Identify essential educational services that must be provided to each school district;

(2) Investigate models of effective regional service delivery in Ohio and other states;

(3) Make recommendations regarding how Ohio's RSAs should be configured, including how many regions and RSAs should exist and what the appropriate governance and accountability structures of such agencies should reflect; and

(4) Recommend how Ohio should transition from the current RSA configuration to the configuration recommended by the Task Force.

Provision of non-instructional services to students

(Section 9)

The bill states that it is the intent of the General Assembly that school districts and state health and social service agencies collaborate to provide special physical, mental and emotional services to students, as appropriate. Teachers, then, would be able to concentrate on providing instructional services to students.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	01-23-03	p. 64

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