

**LSC 130 1773-4**

**130th General Assembly**

**Regular Session**

**2013-2014**

**Sub. S. B. No. 229**

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**A BILL**

To amend sections 3301.079, 3313.608, 3319.02, 1  
3319.111, 3319.112, 3319.22, and 3333.048 and to 2  
enact sections 3301.132, 3319.113, 3319.114, 3  
3319.115, 3319.116, and 3319.117 of the Revised 4  
Code regarding educator performance evaluations. 5

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

Section 1. That sections 3301.079, 3313.608, 3319.02, 6  
3319.111, 3319.112, 3319.22, and 3333.048 be amended and sections 7  
3301.132, 3319.113, 3319.114, 3319.115, 3319.116, and 3319.117 of 8  
the Revised Code be enacted to read as follows: 9

Sec. 3301.079. (A)(1) The state board of education 10  
periodically shall adopt statewide academic standards with 11  
emphasis on coherence, focus, and rigor for each of grades 12  
kindergarten through twelve in English language arts, mathematics, 13  
science, and social studies. 14

(a) The standards shall specify the following: 15

(i) The core academic content and skills that students are 16  
expected to know and be able to do at each grade level that will 17  
allow each student to be prepared for postsecondary instruction 18  
and the workplace for success in the twenty-first century; 19

(ii) The development of skill sets that promote information, 20  
media, and technological literacy; 21

(iii) Interdisciplinary, project-based, real-world learning 22  
opportunities. 23

(b) Not later than July 1, 2012, the state board shall 24  
incorporate into the social studies standards for grades four to 25  
twelve academic content regarding the original texts of the 26  
Declaration of Independence, the Northwest Ordinance, the 27  
Constitution of the United States and its amendments, with 28  
emphasis on the Bill of Rights, and the Ohio Constitution, and 29  
their original context. The state board shall revise the model 30  
curricula and achievement assessments adopted under divisions (B) 31  
and (C) of this section as necessary to reflect the additional 32  
American history and American government content. The state board 33  
shall make available a list of suggested grade-appropriate 34  
supplemental readings that place the documents prescribed by this 35  
division in their historical context, which teachers may use as a 36  
resource to assist students in reading the documents within that 37  
context. 38

(2) After completing the standards required by division 39  
(A) (1) of this section, the state board shall adopt standards and 40  
model curricula for instruction in technology, financial literacy 41  
and entrepreneurship, fine arts, and foreign language for grades 42  
kindergarten through twelve. The standards shall meet the same 43  
requirements prescribed in division (A) (1) (a) of this section. 44

(3) The state board shall adopt the most recent standards 45  
developed by the national association for sport and physical 46  
education for physical education in grades kindergarten through 47  
twelve or shall adopt its own standards for physical education in 48  
those grades and revise and update them periodically. 49

The department of education shall employ a full-time physical 50  
education coordinator to provide guidance and technical assistance 51  
to districts, community schools, and STEM schools in implementing 52  
the physical education standards adopted under this division. The 53

superintendent of public instruction shall determine that the 54  
person employed as coordinator is qualified for the position, as 55  
demonstrated by possessing an adequate combination of education, 56  
license, and experience. 57

(4) When academic standards have been completed for any 58  
subject area required by this section, the state board shall 59  
inform all school districts, all community schools established 60  
under Chapter 3314. of the Revised Code, all STEM schools 61  
established under Chapter 3326. of the Revised Code, and all 62  
nonpublic schools required to administer the assessments 63  
prescribed by sections 3301.0710 and 3301.0712 of the Revised Code 64  
of the content of those standards. 65

(B) (1) The state board shall adopt a model curriculum for 66  
instruction in each subject area for which updated academic 67  
standards are required by division (A) (1) of this section and for 68  
each of grades kindergarten through twelve that is sufficient to 69  
meet the needs of students in every community. The model 70  
curriculum shall be aligned with the standards, to ensure that the 71  
academic content and skills specified for each grade level are 72  
taught to students, and shall demonstrate vertical articulation 73  
and emphasize coherence, focus, and rigor. When any model 74  
curriculum has been completed, the state board shall inform all 75  
school districts, community schools, and STEM schools of the 76  
content of that model curriculum. 77

(2) Not later than June 30, 2013, the state board, in 78  
consultation with any office housed in the governor's office that 79  
deals with workforce development, shall adopt model curricula for 80  
grades kindergarten through twelve that embed career connection 81  
learning strategies into regular classroom instruction. 82

(3) All school districts, community schools, and STEM schools 83  
may utilize the state standards and the model curriculum 84  
established by the state board, together with other relevant 85

resources, examples, or models to ensure that students have the 86  
opportunity to attain the academic standards. Upon request, the 87  
department shall provide technical assistance to any district, 88  
community school, or STEM school in implementing the model 89  
curriculum. 90

Nothing in this section requires any school district to 91  
utilize all or any part of a model curriculum developed under this 92  
section. 93

(C) The state board shall develop achievement assessments 94  
aligned with the academic standards and model curriculum for each 95  
of the subject areas and grade levels required by divisions (A) (1) 96  
and (B) (1) of section 3301.0710 of the Revised Code. 97

When any achievement assessment has been completed, the state 98  
board shall inform all school districts, community schools, STEM 99  
schools, and nonpublic schools required to administer the 100  
assessment of its completion, and the department shall make the 101  
achievement assessment available to the districts and schools. 102

(D) (1) The state board shall adopt a diagnostic assessment 103  
aligned with the academic standards and model curriculum for each 104  
of grades kindergarten through two in reading, writing, and 105  
mathematics and for grade three in reading and writing. The 106  
diagnostic assessment shall be designed to measure student 107  
comprehension of academic content and mastery of related skills 108  
for the relevant subject area and grade level. Beginning July 1, 109  
2015, the diagnostic assessments in reading either shall be based 110  
on the value-added progress dimension or shall be assessments of 111  
student academic growth measures developed by a vendor and that 112  
are on the list of student assessments approved by the state board 113  
under division (B) (2) of section 3319.112 of the Revised Code. Any 114  
diagnostic assessment shall not include components to identify 115  
gifted students. Blank copies of diagnostic assessments shall be 116  
public records. 117

(2) When each diagnostic assessment has been completed, the 118  
state board shall inform all school districts of its completion 119  
and the department shall make the diagnostic assessment available 120  
to the districts at no cost to the district. School districts 121  
shall administer the diagnostic assessment pursuant to section 122  
3301.0715 of the Revised Code beginning the first school year 123  
following the development of the assessment. 124

(E) The state board shall not adopt a diagnostic or 125  
achievement assessment for any grade level or subject area other 126  
than those specified in this section. 127

(F) Whenever the state board or the department consults with 128  
persons for the purpose of drafting or reviewing any standards, 129  
diagnostic assessments, achievement assessments, or model 130  
curriculum required under this section, the state board or the 131  
department shall first consult with parents of students in 132  
kindergarten through twelfth grade and with active Ohio classroom 133  
teachers, other school personnel, and administrators with 134  
expertise in the appropriate subject area. Whenever practicable, 135  
the state board and department shall consult with teachers 136  
recognized as outstanding in their fields. 137

If the department contracts with more than one outside entity 138  
for the development of the achievement assessments required by 139  
this section, the department shall ensure the interchangeability 140  
of those assessments. 141

(G) Whenever the state board adopts standards or model 142  
curricula under this section, the department also shall provide 143  
information on the use of blended or digital learning in the 144  
delivery of the standards or curricula to students in accordance 145  
with division (A) (4) of this section. 146

(H) The fairness sensitivity review committee, established by 147  
rule of the state board of education, shall not allow any question 148

on any achievement or diagnostic assessment developed under this 149  
section or any proficiency test prescribed by former section 150  
3301.0710 of the Revised Code, as it existed prior to September 151  
11, 2001, to include, be written to promote, or inquire as to 152  
individual moral or social values or beliefs. The decision of the 153  
committee shall be final. This section does not create a private 154  
cause of action. 155

(I) Not later than forty-five days prior to the adoption by 156  
the state board of updated academic standards under division 157  
(A) (1) of this section or updated model curricula under division 158  
(B) (1) of this section, the superintendent of public instruction 159  
shall present the academic standards or model curricula, as 160  
applicable, to the respective committees of the house of 161  
representatives and senate that consider education legislation. 162

(J) As used in this section: 163

(1) "Blended learning" means the delivery of instruction in a 164  
combination of time in a supervised physical location away from 165  
home and online delivery whereby the student has some element of 166  
control over time, place, path, or pace of learning. 167

(2) "Coherence" means a reflection of the structure of the 168  
discipline being taught. 169

(3) "Digital learning" means learning facilitated by 170  
technology that gives students some element of control over time, 171  
place, path, or pace of learning. 172

(4) "Focus" means limiting the number of items included in a 173  
curriculum to allow for deeper exploration of the subject matter. 174

(5) "Rigor" means more challenging and demanding when 175  
compared to international standards. 176

(6) "Vertical articulation" means key academic concepts and 177  
skills associated with mastery in particular content areas should 178

be articulated and reinforced in a developmentally appropriate 179  
manner at each grade level so that over time students acquire a 180  
depth of knowledge and understanding in the core academic 181  
disciplines. 182

Sec. 3301.132. (A) Not later than December 31, 2016, and each 183  
thirty-first day of December thereafter, the department of 184  
education shall submit a report to the general assembly in 185  
accordance with section 101.68 of the Revised Code, the governor, 186  
and the state board of education on the operation of teacher and 187  
principal evaluations under division (D) of section 3319.02 and 188  
section 3319.111 of the Revised Code. The department shall also 189  
make the report available to the general public on its web site. 190

The report shall include all of the following information at 191  
both the state level and by school district: 192

(1) The number of evaluations completed disaggregated by 193  
district, grade level, and subject or content area; 194

(2) The ratings of teachers evaluated disaggregated by 195  
district, grade level, and subject or content area; 196

(3) Teacher performance and student performance scores 197  
disaggregated by district, grade level, and subject or content 198  
area; 199

(4) The data, and analysis of that data, compiled by the data 200  
collection and monitoring system prescribed under division (B) of 201  
this section; 202

(5) The percentage of teachers at each rating level specified 203  
in division (B)(1) of section 3319.112 of the Revised Code 204  
disaggregated by evaluator; 205

(6) An analysis of improvement demonstrated by teachers on 206  
improvement plans prescribed by division (C)(4) of section 207  
3319.111 of the Revised Code; 208

(7) An analysis of the impact of strategies implemented as 209  
part of teacher improvement plans prescribed by division (C)(4) of 210  
section 3319.111 of the Revised Code; 211

(8) An analysis of the relationship between the teacher 212  
performance, student progress, and, where applicable, student 213  
survey portions of teacher evaluations under sections 3319.111 and 214  
3319.114 of the Revised Code. 215

(B) Not later than July 1, 2014, and each first day of July 216  
thereafter, the department shall request recommendations from 217  
school districts and schools regarding possible improvements to 218  
the teacher evaluation framework under section 3319.112 of the 219  
Revised Code. The department shall compile the recommendations and 220  
include them as part of the report required under division (A) of 221  
this section. 222

(C) Not later than July 1, 2014, the department shall 223  
implement a data collection and monitoring system to measure and 224  
monitor the implementation and functionality of the teacher and 225  
principal evaluation systems. The department shall use data from 226  
the monitoring system to evaluate the overall effectiveness of the 227  
evaluation systems at the state and district levels and to 228  
identify the aspects of the evaluation that are effective and the 229  
aspects that need improvement. The monitoring system shall include 230  
data collection that would be used to determine the following: 231

(1) Evaluator accuracy and reliability of evaluations among 232  
different raters; 233

(2) Accuracy and consistency of data used within evaluations; 234

(3) Consistency of the implementation of the evaluation 235  
system and adherence to the rules and standards of that system; 236

(4) Consistency of assessments used to measure student 237  
progress for evaluation purposes; 238



<u>(5) The use of evaluation results in informing professional development;</u>	239 240
<u>(6) The use of evaluation results in informing teacher and school improvement plans;</u>	241 242
<u>(7) School district compliance with the Revised Code and the Administrative Code.</u>	243 244
<u>(D) The department shall determine which components of the resident educator performance-based assessment as prescribed by rule of the state board of education for purposes of section 3319.223 of the Revised Code may be used as part of the educator evaluations required under section 3319.111 of the Revised Code.</u>	245 246 247 248 249
 <b>Sec. 3313.608. (A) (1)</b> Beginning with students who enter third grade in the school year that starts July 1, 2009, and until June 30, 2013, unless the student is excused under division (C) of section 3301.0711 of the Revised Code from taking the assessment described in this section, for any student who does not attain at least the equivalent level of achievement designated under division (A) (3) of section 3301.0710 of the Revised Code on the assessment prescribed under that section to measure skill in English language arts expected at the end of third grade, each school district, in accordance with the policy adopted under section 3313.609 of the Revised Code, shall do one of the following:	250 251 252 253 254 255 256 257 258 259 260 261
(a) Promote the student to fourth grade if the student's principal and reading teacher agree that other evaluations of the student's skill in reading demonstrate that the student is academically prepared to be promoted to fourth grade;	262 263 264 265
(b) Promote the student to fourth grade but provide the student with intensive intervention services in fourth grade;	266 267
(c) Retain the student in third grade.	268

(2) Beginning with students who enter third grade in the 269  
2013-2014 school year, unless the student is excused under 270  
division (C) of section 3301.0711 of the Revised Code from taking 271  
the assessment described in this section, no school district shall 272  
promote to fourth grade any student who does not attain at least 273  
the equivalent level of achievement designated under division 274  
(A) (3) of section 3301.0710 of the Revised Code on the assessment 275  
prescribed under that section to measure skill in English language 276  
arts expected at the end of third grade, unless one of the 277  
following applies: 278

(a) The student is a limited English proficient student who 279  
has been enrolled in United States schools for less than three 280  
full school years and has had less than three years of instruction 281  
in an English as a second language program. 282

(b) The student is a child with a disability entitled to 283  
special education and related services under Chapter 3323. of the 284  
Revised Code and the student's individualized education program 285  
exempts the student from retention under this division. 286

(c) The student demonstrates an acceptable level of 287  
performance on an alternative standardized reading assessment as 288  
determined by the department of education. 289

(d) All of the following apply: 290

(i) The student is a child with a disability entitled to 291  
special education and related services under Chapter 3323. of the 292  
Revised Code. 293

(ii) The student has taken the third grade English language 294  
arts achievement assessment prescribed under section 3301.0710 of 295  
the Revised Code. 296

(iii) The student's individualized education program or plan 297  
under section 504 of the "Rehabilitation Act of 1973," 87 Stat. 298  
355, 29 U.S.C. 794, as amended, shows that the student has 299

received intensive remediation in reading for two school years but 300  
still demonstrates a deficiency in reading. 301

(iv) The student previously was retained in any of grades 302  
kindergarten to three. 303

(e) (i) The student received intensive remediation for reading 304  
for two school years but still demonstrates a deficiency in 305  
reading and was previously retained in any of grades kindergarten 306  
to three. 307

(ii) A student who is promoted under division (A) (2) (e) (i) of 308  
this section shall continue to receive intensive reading 309  
instruction in grade four. The instruction shall include an 310  
altered instructional day that includes specialized diagnostic 311  
information and specific research-based reading strategies for the 312  
student that have been successful in improving reading among 313  
low-performing readers. 314

(B) (1) Beginning in the 2012-2013 school year, to assist 315  
students in meeting the third grade guarantee established by this 316  
section, each school district board of education shall adopt 317  
policies and procedures with which it annually shall assess the 318  
reading skills of each student, except those students with 319  
significant cognitive disabilities or other disabilities as 320  
authorized by the department on a case-by-case basis, enrolled in 321  
kindergarten to third grade by the thirtieth day of September and 322  
shall identify students who are reading below their grade level. 323  
Each district shall use the diagnostic assessment to measure 324  
reading ability for the appropriate grade level adopted under 325  
section 3301.079 of the Revised Code, or a comparable tool 326  
approved by the department of education, to identify such 327  
students. The assessments under this division either shall be 328  
based on the value-added progress dimension or shall be 329  
assessments of student academic growth measures developed by a 330  
vendor and that are on the list of student assessments approved by 331

the state board under division (B) (2) of section 3319.112 of the 332  
Revised Code. The policies and procedures shall require the 333  
students' classroom teachers to be involved in the assessment and 334  
the identification of students reading below grade level. 335

(2) For each student identified by the diagnostic assessment 336  
prescribed under this section as having reading skills below grade 337  
level, the district shall do both of the following: 338

(a) Provide to the student's parent or guardian, in writing, 339  
all of the following: 340

(i) Notification that the student has been identified as 341  
having a substantial deficiency in reading; 342

(ii) A description of the current services that are provided 343  
to the student; 344

(iii) A description of the proposed supplemental 345  
instructional services and supports that will be provided to the 346  
student that are designed to remediate the identified areas of 347  
reading deficiency; 348

(iv) Notification that if the student attains a score in the 349  
range designated under division (A) (3) of section 3301.0710 of the 350  
Revised Code on the assessment prescribed under that section to 351  
measure skill in English language arts expected at the end of 352  
third grade, the student shall be retained unless the student is 353  
exempt under division (A) of this section. The notification shall 354  
specify that the assessment under section 3301.0710 of the Revised 355  
Code is not the sole determinant of promotion and that additional 356  
evaluations and assessments are available to the student to assist 357  
parents and the district in knowing when a student is reading at 358  
or above grade level and ready for promotion. 359

(b) Provide intensive reading instruction services and 360  
regular diagnostic assessments to the student immediately 361  
following identification of a reading deficiency until the 362

development of the reading improvement and monitoring plan 363  
required by division (C) of this section. These intervention 364  
services shall include research-based reading strategies that have 365  
been shown to be successful in improving reading among 366  
low-performing readers and instruction targeted at the student's 367  
identified reading deficiencies. 368

(3) For each student retained under division (A) of this 369  
section, the district shall do all of the following: 370

(a) Provide intense remediation services until the student is 371  
able to read at grade level. The remediation services shall 372  
include intensive interventions in reading that address the areas 373  
of deficiencies identified under this section including, but not 374  
limited to, not less than ninety minutes of reading instruction 375  
per day, and may include any of the following: 376

(i) Small group instruction; 377

(ii) Reduced teacher-student ratios; 378

(iii) More frequent progress monitoring; 379

(iv) Tutoring or mentoring; 380

(v) Transition classes containing third and fourth grade 381  
students; 382

(vi) Extended school day, week, or year; 383

(vii) Summer reading camps. 384

(b) Establish a policy for the mid-year promotion of a 385  
student retained under division (A) of this section who 386  
demonstrates that the student is reading at or above grade level; 387

(c) Provide each student with a teacher who satisfies one or 388  
more of the criteria set forth in division (H) of this section. 389

The district shall offer the option for students to receive 390  
applicable services from one or more providers other than the 391

district. Providers shall be screened and approved by the district 392  
or the department of education. If the student participates in the 393  
remediation services and demonstrates reading proficiency in 394  
accordance with standards adopted by the department prior to the 395  
start of fourth grade, the district shall promote the student to 396  
that grade. 397

(4) For each student retained under division (A) of this 398  
section who has demonstrated proficiency in a specific academic 399  
ability field, each district shall provide instruction 400  
commensurate with student achievement levels in that specific 401  
academic ability field. 402

As used in this division, "specific academic ability field" 403  
has the same meaning as in section 3324.01 of the Revised Code. 404

(C) For each student required to be provided intervention 405  
services under this section, the district shall develop a reading 406  
improvement and monitoring plan within sixty days after receiving 407  
the student's results on the diagnostic assessment or comparable 408  
tool administered under division (B)(1) of this section. The 409  
district shall involve the student's parent or guardian and 410  
classroom teacher in developing the plan. The plan shall include 411  
all of the following: 412

(1) Identification of the student's specific reading 413  
deficiencies; 414

(2) A description of the additional instructional services 415  
and support that will be provided to the student to remediate the 416  
identified reading deficiencies; 417

(3) Opportunities for the student's parent or guardian to be 418  
involved in the instructional services and support described in 419  
division (C)(2) of this section; 420

(4) A process for monitoring the extent to which the student 421  
receives the instructional services and support described in 422

division (C) (2) of this section;	423
(5) A reading curriculum during regular school hours that	424
does all of the following:	425
(a) Assists students to read at grade level;	426
(b) Provides scientifically based and reliable assessment;	427
(c) Provides initial and ongoing analysis of each student's	428
reading progress.	429
(6) A statement that if the student does not attain at least	430
the equivalent level of achievement designated under division	431
(A) (3) of section 3301.0710 of the Revised Code on the assessment	432
prescribed under that section to measure skill in English language	433
arts expected by the end of third grade, the student may be	434
retained in third grade.	435
Each student with a reading improvement and monitoring plan	436
under this division who enters third grade after July 1, 2013,	437
shall be assigned to a teacher who satisfies one or more of the	438
criteria set forth in division (H) of this section.	439
The district shall report any information requested by the	440
department about the reading improvement monitoring plans	441
developed under this division in the manner required by the	442
department.	443
(D) Each school district shall report annually to the	444
department on its implementation and compliance with this section	445
using guidelines prescribed by the superintendent of public	446
instruction. The superintendent of public instruction annually	447
shall report to the governor and general assembly the number and	448
percentage of students in grades kindergarten through four reading	449
below grade level based on the diagnostic assessments administered	450
under division (B) of this section and the achievement assessments	451
administered under divisions (A) (1) (a) and (b) of section	452

3301.0710 of the Revised Code in English language arts, aggregated 453  
by school district and building; the types of intervention 454  
services provided to students; and, if available, an evaluation of 455  
the efficacy of the intervention services provided. 456

(E) Any summer remediation services funded in whole or in 457  
part by the state and offered by school districts to students 458  
under this section shall meet the following conditions: 459

(1) The remediation methods are based on reliable educational 460  
research. 461

(2) The school districts conduct assessment before and after 462  
students participate in the program to facilitate monitoring 463  
results of the remediation services. 464

(3) The parents of participating students are involved in 465  
programming decisions. 466

(F) Any intervention or remediation services required by this 467  
section shall include intensive, explicit, and systematic 468  
instruction. 469

(G) This section does not create a new cause of action or a 470  
substantive legal right for any person. 471

(H) (1) Except as provided under divisions (H) (2), (3), and 472  
(4) of this section, each student described in division (B) (3) or 473  
(C) of this section who enters third grade for the first time on 474  
or after July 1, 2013, shall be assigned a teacher who has at 475  
least one year of teaching experience and who satisfies one or 476  
more of the following criteria: 477

(a) The teacher holds a reading endorsement on the teacher's 478  
license and has attained a passing score on the corresponding 479  
assessment for that endorsement, as applicable. 480

(b) The teacher has completed a master's degree program with 481  
a major in reading. 482



(c) The teacher was rated "most effective" for reading instruction consecutively for the most recent two years based on assessments of student academic growth measures developed by a vendor and that is on the list of student assessments approved by the state board under division (B) (2) of section 3319.112 of the Revised Code.

(d) The teacher was rated "above expected value added," in reading instruction, as determined by criteria established by the department, for the most recent, consecutive two years.

(e) The teacher has earned a passing score on a rigorous test of principles of scientifically research-based reading instruction as approved by the state board.

(f) The teacher holds an educator license for teaching grades pre-kindergarten through three or four through nine issued on or after July 1, 2017.

(2) Notwithstanding division (H) (1) of this section, a student described in division (B) (3) or (C) of this section who enters third grade for the first time on or after July 1, 2013, may be assigned to a teacher with less than one year of teaching experience provided that the teacher meets one or more of the criteria described in divisions (H) (1) (a) to (f) of this section and that teacher is assigned a teacher mentor who meets the qualifications of division (H) (1) of this section.

(3) Notwithstanding division (H) (1) of this section, a student described in division (B) (3) or (C) of this section who enters third grade for the first time on or after July 1, 2013, but prior to July 1, 2016, may be assigned to a teacher who holds an alternative credential approved by the department or who has successfully completed training that is based on principles of scientifically research-based reading instruction that has been approved by the department. Beginning on July 1, 2014, the

alternative credentials and training described in division (H) (3) 514  
of this section shall be aligned with the reading competencies 515  
adopted by the state board of education under section 3301.077 of 516  
the Revised Code. 517

(4) Notwithstanding division (H) (1) of this section, a 518  
student described in division (B) (3) or (C) of this section who 519  
enters third grade for the first time on or after July 1, 2013, 520  
may receive reading intervention or remediation services under 521  
this section from an individual employed as a speech-language 522  
pathologist who holds a license issued by the board of 523  
speech-language pathology and audiology under Chapter 4753. of the 524  
Revised Code and a professional pupil services license as a school 525  
speech-language pathologist issued by the state board of 526  
education. 527

(5) A teacher, other than a student's teacher of record, may 528  
provide any services required under this section, so long as that 529  
other teacher meets the requirements of division (H) of this 530  
section and the teacher of record and the school principal agree 531  
to the assignment. Any such assignment shall be documented in the 532  
student's reading improvement and monitoring plan. 533

As used in this division, "teacher of record" means the 534  
classroom teacher to whom a student is assigned. 535

(I) Notwithstanding division (H) of this section, a teacher 536  
may teach reading to any student who is an English language 537  
learner, and has been in the United States for three years or 538  
less, or to a student who has an individualized education program 539  
developed under Chapter 3323. of the Revised Code if that teacher 540  
holds an alternative credential approved by the department or has 541  
successfully completed training that is based on principles of 542  
scientifically research-based reading instruction that has been 543  
approved by the department. Beginning on July 1, 2014, the 544  
alternative credentials and training described in this division 545

shall be aligned with the reading competencies adopted by the 546  
state board of education under section 3301.077 of the Revised 547  
Code. 548

(J) If, on or after ~~the effective date of this amendment~~ June 549  
4, 2013, a school district or community school cannot furnish the 550  
number of teachers needed who satisfy one or more of the criteria 551  
set forth in division (H) of this section for the 2013-2014 school 552  
year, the school district or community school shall develop and 553  
submit a staffing plan by June 30, 2013. The staffing plan shall 554  
include criteria that will be used to assign a student described 555  
in division (B) (3) or (C) of this section to a teacher, 556  
credentials or training held by teachers currently teaching at the 557  
school, and how the school district or community school will meet 558  
the requirements of this section. The school district or community 559  
school shall post the staffing plan on its web site for the 560  
applicable school year. 561

Not later than March 1, 2014, and on the first day of March 562  
in each year thereafter, a school district or community school 563  
that has submitted a plan under this division shall submit to the 564  
department a detailed report of the progress the district or 565  
school has made in meeting the requirements under this section. 566

A school district or community school may request an 567  
extension of a staffing plan beyond the 2013-2014 school year. 568  
Extension requests must be submitted to the department not later 569  
than the thirtieth day of April prior to the start of the 570  
applicable school year. The department may grant extensions valid 571  
through the 2015-2016 school year. 572

Until June 30, 2015, the department annually shall review all 573  
staffing plans and report to the state board not later than the 574  
thirtieth day of June of each year the progress of school 575  
districts and community schools in meeting the requirements of 576  
this section. 577

(K) The department of education shall designate one or more 578  
staff members to provide guidance and assistance to school 579  
districts and community schools in implementing the third grade 580  
guarantee established by this section, including any standards or 581  
requirements adopted to implement the guarantee and to provide 582  
information and support for reading instruction and achievement. 583

Sec. 3319.02. (A) (1) As used in this section, "other 584  
administrator" means any of the following: 585

(a) Except as provided in division (A) (2) of this section, 586  
any employee in a position for which a board of education requires 587  
a license designated by rule of the department of education for 588  
being an administrator issued under section 3319.22 of the Revised 589  
Code, including a professional pupil services employee or 590  
administrative specialist or an equivalent of either one who is 591  
not employed as a school counselor and spends less than fifty per 592  
cent of the time employed teaching or working with students; 593

(b) Any nonlicensed employee whose job duties enable such 594  
employee to be considered as either a "supervisor" or a 595  
"management level employee," as defined in section 4117.01 of the 596  
Revised Code; 597

(c) A business manager appointed under section 3319.03 of the 598  
Revised Code. 599

(2) As used in this section, "other administrator" does not 600  
include a superintendent, assistant superintendent, principal, or 601  
assistant principal. 602

(B) The board of education of each school district and the 603  
governing board of an educational service center may appoint one 604  
or more assistant superintendents and such other administrators as 605  
are necessary. An assistant educational service center 606  
superintendent or service center supervisor employed on a 607

part-time basis may also be employed by a local board as a 608  
teacher. The board of each city, exempted village, and local 609  
school district shall employ principals for all high schools and 610  
for such other schools as the board designates, and those boards 611  
may appoint assistant principals for any school that they 612  
designate. 613

(C) In educational service centers and in city, exempted 614  
village, and local school districts, assistant superintendents, 615  
principals, assistant principals, and other administrators shall 616  
only be employed or reemployed in accordance with nominations of 617  
the superintendent, except that a board of education of a school 618  
district or the governing board of a service center, by a 619  
three-fourths vote of its full membership, may reemploy any 620  
assistant superintendent, principal, assistant principal, or other 621  
administrator whom the superintendent refuses to nominate. 622

The board of education or governing board shall execute a 623  
written contract of employment with each assistant superintendent, 624  
principal, assistant principal, and other administrator it employs 625  
or reemploys. The term of such contract shall not exceed three 626  
years except that in the case of a person who has been employed as 627  
an assistant superintendent, principal, assistant principal, or 628  
other administrator in the district or center for three years or 629  
more, the term of the contract shall be for not more than five 630  
years and, unless the superintendent of the district recommends 631  
otherwise, not less than two years. If the superintendent so 632  
recommends, the term of the contract of a person who has been 633  
employed by the district or service center as an assistant 634  
superintendent, principal, assistant principal, or other 635  
administrator for three years or more may be one year, but all 636  
subsequent contracts granted such person shall be for a term of 637  
not less than two years and not more than five years. When a 638  
teacher with continuing service status becomes an assistant 639

superintendent, principal, assistant principal, or other 640  
administrator with the district or service center with which the 641  
teacher holds continuing service status, the teacher retains such 642  
status in the teacher's nonadministrative position as provided in 643  
sections 3311.77, 3319.08, and 3319.09 of the Revised Code. 644

A board of education or governing board may reemploy an 645  
assistant superintendent, principal, assistant principal, or other 646  
administrator at any regular or special meeting held during the 647  
period beginning on the first day of January of the calendar year 648  
immediately preceding the year of expiration of the employment 649  
contract and ending on the first day of June of the year the 650  
employment contract expires. 651

Except by mutual agreement of the parties thereto, no 652  
assistant superintendent, principal, assistant principal, or other 653  
administrator shall be transferred during the life of a contract 654  
to a position of lesser responsibility. No contract may be 655  
terminated by a board except pursuant to section 3319.16 of the 656  
Revised Code. No contract may be suspended except pursuant to 657  
section 3319.17 or 3319.171 of the Revised Code. The salaries and 658  
compensation prescribed by such contracts shall not be reduced by 659  
a board unless such reduction is a part of a uniform plan 660  
affecting the entire district or center. The contract shall 661  
specify the employee's administrative position and duties as 662  
included in the job description adopted under division (D) of this 663  
section, the salary and other compensation to be paid for 664  
performance of duties, the number of days to be worked, the number 665  
of days of vacation leave, if any, and any paid holidays in the 666  
contractual year. 667

An assistant superintendent, principal, assistant principal, 668  
or other administrator is, at the expiration of the current term 669  
of employment, deemed reemployed at the same salary plus any 670  
increments that may be authorized by the board, unless such 671

employee notifies the board in writing to the contrary on or 672  
before the fifteenth day of June, or unless such board, on or 673  
before the first day of June of the year in which the contract of 674  
employment expires, either reemploys such employee for a 675  
succeeding term or gives written notice of its intention not to 676  
reemploy the employee. The term of reemployment of a person 677  
reemployed under this paragraph shall be one year, except that if 678  
such person has been employed by the school district or service 679  
center as an assistant superintendent, principal, assistant 680  
principal, or other administrator for three years or more, the 681  
term of reemployment shall be two years. 682

(D) (1) Each board shall adopt procedures for the evaluation 683  
of all assistant superintendents, principals, assistant 684  
principals, and other administrators and shall evaluate such 685  
employees in accordance with those procedures. The procedures for 686  
the evaluation of principals and assistant principals shall 687  
conform to the framework developed by the state board of education 688  
under division (F) of section 3319.112 of the Revised Code and 689  
shall be based on principles comparable to the teacher evaluation 690  
policy adopted by the board under section 3319.111 of the Revised 691  
Code, but shall be tailored to the duties and responsibilities of 692  
principals and assistant principals and the environment in which 693  
they work. An evaluation based upon procedures adopted under this 694  
division shall be considered by the board in deciding whether to 695  
renew the contract of employment of an assistant superintendent, 696  
principal, assistant principal, or other administrator. 697

(2) The evaluation shall measure each assistant 698  
superintendent's, principal's, assistant principal's, and other 699  
administrator's effectiveness in performing the duties included in 700  
the job description and the evaluation procedures shall provide 701  
for, but not be limited to, the following: 702

(a) Each assistant superintendent, principal, assistant 703

principal, and other administrator shall be evaluated annually 704  
through a written evaluation process. 705

(b) The evaluation shall be conducted by the superintendent 706  
or designee. 707

(c) In order to provide time to show progress in correcting 708  
the deficiencies identified in the evaluation process, the 709  
evaluation process shall be completed as follows: 710

(i) In any school year that the employee's contract of 711  
employment is not due to expire, at least one evaluation shall be 712  
completed in that year. A written copy of the evaluation shall be 713  
provided to the employee no later than the end of the employee's 714  
contract year as defined by the employee's annual salary notice. 715

(ii) In any school year that the employee's contract of 716  
employment is due to expire, at least a preliminary evaluation and 717  
at least a final evaluation shall be completed in that year. A 718  
written copy of the preliminary evaluation shall be provided to 719  
the employee at least sixty days prior to any action by the board 720  
on the employee's contract of employment. The final evaluation 721  
shall indicate the superintendent's intended recommendation to the 722  
board regarding a contract of employment for the employee. A 723  
written copy of the evaluation shall be provided to the employee 724  
at least five days prior to the board's acting to renew or not 725  
renew the contract. 726

(3) Termination of an assistant superintendent, principal, 727  
assistant principal, or other administrator's contract shall be 728  
pursuant to section 3319.16 of the Revised Code. Suspension of any 729  
such employee shall be pursuant to section 3319.17 or 3319.171 of 730  
the Revised Code. 731

(4) Before taking action to renew or nonrenew the contract of 732  
an assistant superintendent, principal, assistant principal, or 733  
other administrator under this section and prior to the first day 734



of June of the year in which such employee's contract expires, the  
board shall notify each such employee of the date that the  
contract expires and that the employee may request a meeting with  
the board. Upon request by such an employee, the board shall grant  
the employee a meeting in executive session. In that meeting, the  
board shall discuss its reasons for considering renewal or  
nonrenewal of the contract. The employee shall be permitted to  
have a representative, chosen by the employee, present at the  
meeting.

(5) The establishment of an evaluation procedure shall not  
create an expectancy of continued employment. Nothing in division  
(D) of this section shall prevent a board from making the final  
determination regarding the renewal or nonrenewal of the contract  
of any assistant superintendent, principal, assistant principal,  
or other administrator. However, if a board fails to provide  
evaluations pursuant to division (D)(2)(c)(i) or (ii) of this  
section, or if the board fails to provide at the request of the  
employee a meeting as prescribed in division (D)(4) of this  
section, the employee automatically shall be reemployed at the  
same salary plus any increments that may be authorized by the  
board for a period of one year, except that if the employee has  
been employed by the district or service center as an assistant  
superintendent, principal, assistant principal, or other  
administrator for three years or more, the period of reemployment  
shall be for two years.

(E) On nomination of the superintendent of a service center a  
governing board may employ supervisors who shall be employed under  
written contracts of employment for terms not to exceed five years  
each. Such contracts may be terminated by a governing board  
pursuant to section 3319.16 of the Revised Code. Any supervisor  
employed pursuant to this division may terminate the contract of  
employment at the end of any school year after giving the board at

least thirty days' written notice prior to such termination. On 767  
the recommendation of the superintendent the contract or contracts 768  
of any supervisor employed pursuant to this division may be 769  
suspended for the remainder of the term of any such contract 770  
pursuant to section 3319.17 or 3319.171 of the Revised Code. 771

(F) A board may establish vacation leave for any individuals 772  
employed under this section. Upon such an individual's separation 773  
from employment, a board that has such leave may compensate such 774  
an individual at the individual's current rate of pay for all 775  
lawfully accrued and unused vacation leave credited at the time of 776  
separation, not to exceed the amount accrued within three years 777  
before the date of separation. In case of the death of an 778  
individual employed under this section, such unused vacation leave 779  
as the board would have paid to the individual upon separation 780  
under this section shall be paid in accordance with section 781  
2113.04 of the Revised Code, or to the estate. 782

(G) The board of education of any school district may 783  
contract with the governing board of the educational service 784  
center from which it otherwise receives services to conduct 785  
searches and recruitment of candidates for assistant 786  
superintendent, principal, assistant principal, and other 787  
administrator positions authorized under this section. 788

Sec. 3319.111. Notwithstanding section 3319.09 of the Revised 789  
Code, this section applies to any person who is employed under a 790  
teacher license issued under this chapter, or under a professional 791  
or permanent teacher's certificate issued under former section 792  
3319.222 of the Revised Code, and who spends at least fifty per 793  
cent of the time employed providing student instruction. However, 794  
this section does not apply to any person who is employed as a 795  
substitute teacher or as an instructor of adult education. 796

(A) Not later than July 1, 2013, the board of education of 797

each school district, in consultation with teachers employed by 798  
the board, shall adopt a standards-based teacher evaluation policy 799  
that conforms with the framework for evaluation of teachers 800  
developed under section 3319.112 of the Revised Code. The policy 801  
shall become operative at the expiration of any collective 802  
bargaining agreement covering teachers employed by the board that 803  
is in effect on September 29, 2011, and shall be included in any 804  
renewal or extension of such an agreement. 805

(B) When using measures of student academic growth as a 806  
component of a teacher's evaluation, those measures shall include 807  
the value-added progress dimension prescribed by section 3302.021 808  
of the Revised Code, or an alternative student academic progress 809  
measure if adopted under division (C) (1) (e) of section 3302.03 of 810  
the Revised Code, for which under either measure up to three years 811  
of value-added data as available shall be used. For teachers of 812  
grade levels and subjects for which the value-added progress 813  
dimension or alternative student academic progress measure is not 814  
applicable, the board shall administer assessments on the list 815  
developed under division (B) (2) of section 3319.112 of the Revised 816  
Code. 817

(C) (1) The board shall conduct an evaluation of each teacher 818  
employed by the board at least once each school year, except as 819  
provided in division (C) (2) of this section. The evaluation shall 820  
be completed by the first day of May and the teacher shall receive 821  
a written report of the results of the evaluation by the tenth day 822  
of May. 823

(2) ~~The (a) Beginning July 1, 2014, the board may elect, by~~ 824  
~~adoption of a resolution, to evaluate each teacher who received a~~ 825  
~~rating of accomplished on the teacher's most recent evaluation~~ 826  
~~conducted under this section once every two school years, so long~~ 827  
~~as the teacher's student academic growth measure is rated average~~ 828  
~~or higher under section 3319.113 of the Revised Code. In that~~ 829

~~case, the biennial evaluation~~

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(b) Beginning July 1, 2015, the board may evaluate each teacher who received a rating of skilled on the teacher's most recent evaluation conducted under this section once every two years, so long as the teacher's student academic growth measure is rated average or higher under section 3319.113 of the Revised Code.

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(c) For each teacher who is evaluated pursuant to division (C) (2) of this section, the evaluation shall be completed by the first day of May of the applicable school year, and the teacher shall receive a written report of the results of the evaluation by the tenth day of May of that school year.

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(d) Beginning July 1, 2014, the board may elect not to conduct an evaluation of a teacher who meets one of the following requirements:

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(i) The teacher was on leave from the school district for seventy per cent or more of the school year, as calculated by the board.

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(ii) The teacher has submitted notice of retirement and that notice has been accepted by the board not later than the first day of December of the school year in which the evaluation is otherwise scheduled to be conducted.

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(3) In any year that a teacher is not formally evaluated pursuant to division (C) of this section as a result of receiving a rating of accomplished or skilled on the teacher's most recent evaluation, an individual qualified to evaluate a teacher under division (D) of this section shall conduct at least one observation of the teacher and hold at least one conference with the teacher.

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(4) The board shall require a teacher who received a rating of effective, developing, or ineffective on the teacher's most

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recent evaluation to prepare and implement an improvement plan for 861  
use during the next school year. 862

(5) The board may elect, by adoption of a resolution, to 863  
evaluate its teachers on a more frequent basis than as required by 864  
division (C) of this section. 865

(D) Each evaluation conducted pursuant to this section shall 866  
be conducted by one or more of the following persons who hold a 867  
credential ~~established by~~ from the department of education for 868  
being an evaluator pursuant to division (A) of section 3319.115 of 869  
the Revised Code: 870

(1) A person who is under contract with the board pursuant to 871  
section 3319.01 or 3319.02 of the Revised Code and holds a license 872  
designated for being a superintendent, assistant superintendent, 873  
or principal issued under section 3319.22 of the Revised Code; 874

(2) A person who is under contract with the board pursuant to 875  
section 3319.02 of the Revised Code and holds a license designated 876  
for being a vocational director, administrative specialist, or 877  
supervisor in any educational area issued under section 3319.22 of 878  
the Revised Code; 879

(3) A person designated to conduct evaluations under an 880  
agreement entered into by the board, including an agreement 881  
providing for peer review entered into by the board and 882  
representatives of teachers employed by the board; 883

(4) A person who is employed by an entity contracted by the 884  
board to conduct evaluations and who holds a license designated 885  
for being a superintendent, assistant superintendent, principal, 886  
vocational director, administrative specialist, or supervisor in 887  
any educational area issued under section 3319.22 of the Revised 888  
Code or is qualified to conduct evaluations. 889

(E) Notwithstanding division (A) (3) of section 3319.112 of 890  
the Revised Code: 891

(1) The board shall require at least three formal observations of each teacher who is under consideration for nonrenewal and with whom the board has entered into a limited contract or an extended limited contract under section 3319.11 of the Revised Code.

(2) The board may elect, by adoption of a resolution, to require only one formal observation of a teacher who received a rating of accomplished on the teacher's most recent evaluation conducted under this section, provided the teacher completes a project that has been approved by the board to demonstrate the teacher's continued growth and practice at the accomplished level.

At least one formal observation of a teacher conducted pursuant to division (E) of this section shall be unannounced.

(F) The board shall include in its evaluation policy procedures for using the evaluation results for retention and promotion decisions and for removal of poorly performing teachers. Seniority shall not be the basis for a decision to retain a teacher, except when making a decision between teachers who have comparable evaluations.

(G) For purposes of section 3333.0411 of the Revised Code, the board annually shall report to the department of education the number of teachers for whom an evaluation was conducted under this section and the number of teachers assigned each rating prescribed under division (B)(1) of section 3319.112 of the Revised Code, aggregated by the teacher preparation programs from which and the years in which the teachers graduated. The department shall establish guidelines for reporting the information required by this division. The guidelines shall not permit or require that the name of, or any other personally identifiable information about, any teacher be reported under this division.

(H) Notwithstanding any provision to the contrary in Chapter

4117. of the Revised Code, ~~the requirements of this section~~ 923  
~~prevail over any conflicting provisions of a collective bargaining~~ 924  
~~agreement entered into on or after September 24, 2012.~~ 925

(1) The requirements of this section, as it existed prior to 926  
the effective date of this amendment, prevail over any conflicting 927  
provisions of agreements between employee organizations and public 928  
employers entered into between September 24, 2012, and the 929  
effective date of this amendment; 930

(2) The requirements of this section, as it exists on and 931  
after the effective date of this amendment, prevail over any 932  
conflicting provisions of agreements between employee 933  
organizations and public employers entered into on or after the 934  
effective date of this amendment. 935

Sec. 3319.112. (A) Not later than December 31, 2011, the 936  
state board of education shall develop a standards-based state 937  
framework for the evaluation of teachers. The state board may 938  
update the framework periodically by adoption of a resolution. The 939  
framework shall establish an evaluation system that does the 940  
following: 941

(1) Provides for multiple evaluation factors. ~~One~~ 942

(a) One factor shall be student academic growth which shall 943  
account for fifty per cent of each evaluation, except as otherwise 944  
prescribed by division (B) of section 3319.113 or in the 945  
alternative framework developed by the state board pursuant to 946  
division (B) of section 3319.114 of the Revised Code. When 947  
applicable to the grade level or subject area taught by a teacher, 948  
the value-added progress dimension established under section 949  
3302.021 of the Revised Code or an alternative student academic 950  
progress measure if adopted under division (C)(1)(e) of section 951  
3302.03 of the Revised Code shall be used in the student academic 952  
growth portion of an evaluation in proportion to the part of a 953

teacher's schedule of courses or subjects for which the 954  
value-added progress dimension is applicable. In either case, up 955  
to three years of value-added data, as available, shall be used. 956

Beginning July 1, 2015, student academic growth shall be 957  
measured using the assessments determined by the department under 958  
section 3319.116 of the Revised Code. 959

If a teacher's schedule is comprised only of courses or 960  
subjects for which the value-added progress dimension is 961  
applicable, one of the following applies: 962

~~(a)~~(i) Beginning with March 22, 2013, until June 30, 2014, 963  
the majority of the student academic growth factor of the 964  
evaluation shall be based on the value-added progress dimension. 965

~~(b)~~(ii) On or after July 1, 2014, the entire student academic 966  
growth factor of the evaluation shall be based on the value-added 967  
progress dimension. In calculating student academic growth for an 968  
evaluation, a student shall not be included if the student has 969  
forty-five or more excused or unexcused absences during the full 970  
academic year. 971

(b) The remainder of each evaluation shall account for the 972  
teacher performance measure of the evaluation, unless the district 973  
or school includes student surveys as an additional factor 974  
pursuant to section 3319.114 of the Revised Code. Teacher 975  
performance may include a combination of both of the following 976  
factors: 977

(i) Formal observations and reviews as required by division 978  
(A) (3) of this section; 979

(ii) Any other performance factors the board determines 980  
necessary and appropriate. 981

(2) Is aligned with the standards for teachers adopted under 982  
section 3319.61 of the Revised Code; 983



- (3) Requires observation of the teacher being evaluated, 984  
including at least two formal observations by the evaluator of at 985  
least thirty minutes each and classroom walkthroughs. At least 986  
one formal observation conducted by the evaluator shall be 987  
unannounced. 988
- (4) Assigns a rating on each evaluation in accordance with 989  
division (B) of ~~this~~ section 3319.113 or division (A)(2) of 990  
section 3319.114 of the Revised Code, whichever is applicable; 991
- (5) Requires each teacher to be provided with a written 992  
report of the results of the teacher's evaluation; 993
- (6) Identifies measures of student academic growth for grade 994  
levels and subjects for which the value-added progress dimension 995  
prescribed by section 3302.021 of the Revised Code ~~or~~, an 996  
alternative student academic progress measure if adopted under 997  
division (C)(1)(e) of section 3302.03 of the Revised Code, or an 998  
assessment selected by the department of education under section 999  
3319.116 of the Revised Code does not apply. Not later than July 1000  
1, 2016, the department shall develop a standardized framework for 1001  
assessing student academic growth under division (A)(6) of this 1002  
section. 1003
- (7) Implements a classroom-level, value-added program 1004  
developed by a nonprofit organization described in division (B) of 1005  
section 3302.021 of the Revised Code or an alternative student 1006  
academic progress measure if adopted under division (C)(1)(e) of 1007  
section 3302.03 of the Revised Code; 1008
- (8) Provides for professional development to accelerate and 1009  
continue teacher growth and provide support to poorly performing 1010  
teachers; 1011
- (9) Provides for the allocation of financial resources to 1012  
support professional development. 1013
- (B) For purposes of the framework developed under this 1014

section, the state board also shall do the following: 1015

(1) Develop specific standards and criteria that distinguish 1016  
between the following levels of performance for teachers and 1017  
principals for the purpose of assigning ratings on the evaluations 1018  
conducted under sections 3311.80, 3311.84, 3319.02, and 3319.111 1019  
of the Revised Code: 1020

(a) Accomplished; 1021

(b) Skilled; 1022

(c) Effective; 1023

(d) Developing; 1024

~~(d)~~ (e) Ineffective. 1025

(2) For grade levels and subjects for which the assessments 1026  
prescribed under sections 3301.0710 and 3301.0712 of the Revised 1027  
Code and the value-added progress dimension prescribed by section 1028  
3302.021 of the Revised Code, or alternative student academic 1029  
progress measure, do not apply, develop a list of student 1030  
assessments that measure mastery of the course content for the 1031  
appropriate grade level, which may include nationally normed 1032  
standardized assessments, industry certification examinations, or 1033  
end-of-course examinations. 1034

(C) The state board shall consult with experts, teachers and 1035  
principals employed in public schools, and representatives of 1036  
stakeholder groups in developing the standards and criteria 1037  
required by division (B)(1) of this section. 1038

(D) To assist school districts in developing evaluation 1039  
policies under sections 3311.80, 3311.84, 3319.02, and 3319.111 of 1040  
the Revised Code, the department shall do both of the following: 1041

(1) Serve as a clearinghouse of promising evaluation 1042  
procedures and evaluation models that districts may use; 1043

(2) Provide technical assistance to districts in creating 1044

evaluation policies.

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(E) Not later than June 30, 2013, the state board, in  
consultation with state agencies that employ teachers, shall  
develop a standards-based framework for the evaluation of teachers  
employed by those agencies. Each state agency that employs  
teachers shall adopt a standards-based teacher evaluation policy  
that conforms with the framework developed under this division.  
The policy shall become operative at the expiration of any  
collective bargaining agreement covering teachers employed by the  
agency that is in effect on September 24, 2012, and shall be  
included in any renewal or extension of such an agreement.  
However, this division does not apply to any person who is  
employed as a substitute teacher or as an instructor of adult  
education.

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(F) The state board shall develop a framework for the  
evaluation of principals and assistant principals that is  
comparable to the framework developed for teacher evaluations  
under division (A) of this section.

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(G) Notwithstanding any provision to the contrary in Chapter  
4117. of the Revised Code, the requirements of this section  
prevail over any conflicting provisions of a collective bargaining  
agreement entered into on or after the effective date of this  
amendment.

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Sec. 3319.113. (A) Not later than July 1, 2014, the  
department of education shall determine and designate all of the  
following for the purpose of teacher evaluations conducted under  
section 3319.111 of the Revised Code:

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(1) Five ranges of scores for the student academic growth  
measure described in division (A) (1) (a) of section 3319.112 of the  
Revised Code. Each range of scores shall be deemed to demonstrate  
a level of growth so that any student attaining a score within

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<u>such range has achieved one of the following levels of growth:</u>	1076
<u>(a) Most effective;</u>	1077
<u>(b) Above average;</u>	1078
<u>(c) Average;</u>	1079
<u>(d) Below average;</u>	1080
<u>(e) Least effective.</u>	1081
<u>(2) Five ranges of scores for alternative student academic</u>	1082
<u>progress measures adopted under division (C) (1) (e) of section</u>	1083
<u>3302.03 of the Revised Code. The ranges shall reflect the same</u>	1084
<u>levels of growth prescribed in division (A) (1) (a) to (e) of this</u>	1085
<u>section.</u>	1086
<u>(3) Four scores ranging from one to four, with one being the</u>	1087
<u>lowest and four being the highest, for the teacher performance</u>	1088
<u>measure described in division (A) (1) (b) of section 3319.112 of the</u>	1089
<u>Revised Code. Each score shall indicate a level of performance so</u>	1090
<u>that a teacher attaining a score of four has achieved the highest</u>	1091
<u>performance rating and a teacher achieving a score of one has</u>	1092
<u>achieved the lowest performance rating. If an evaluator assigns</u>	1093
<u>different scores on the observations and reviews required by</u>	1094
<u>division (A) (3) of section 3319.112 of the Revised Code, the</u>	1095
<u>average of the scores shall be used. If the score for the teacher</u>	1096
<u>performance measure is not equal to a whole number, that score</u>	1097
<u>shall be rounded to the nearest whole number.</u>	1098
<u>(B) (1) Beginning with the 2014-2015 school year, unless the</u>	1099
<u>district or school uses the alternative framework developed by the</u>	1100
<u>state board of education pursuant to division (B) of section</u>	1101
<u>3319.114 of the Revised Code, ratings assigned for teacher</u>	1102
<u>evaluations conducted under section 3319.111 of the Revised Code</u>	1103
<u>shall be calculated according to the student academic growth</u>	1104
<u>measure described in division (A) (1) or (2) of this section.</u>	1105

whichever is applicable, and the teacher performance measure 1106  
described in division (B) of this section. Ratings shall be 1107  
calculated according to the following table, where the first 1108  
column indicates the respective student academic growth measures, 1109  
the four columns to the right of that column indicate respective 1110  
whole number scores on the teacher performance measure, and each 1111  
designation of "A," "S," "E," "D," or "I" indicates a teacher's 1112  
rating resulting from the consideration of the two measures: 1113

<u>Student academic</u>	<u>Teacher performance measure</u>				1114
<u>growth measure</u>					1115
	4	3	2	1	1116
<u>Most effective</u>	A	A	E	E	1117
<u>Above average</u>	A	S	E	D	1118
<u>Average</u>	S	S	D	D	1119
<u>Below average</u>	E	D	D	I	1120
<u>Least effective</u>	D	D	I	I	1121

(2) As used in the table set forth in division (B) (1) of this 1122  
section: 1123

(a) "A" means accomplished, as described in division 1124  
(B) (1) (a) of section 3319.112 of the Revised Code. 1125

(b) "S" means skilled, as described in division (B) (1) (b) of 1126  
that section. 1127

(c) "E" means effective, as described in division (B) (1) (c) 1128  
of that section. 1129

(d) "D" means developing, as described in division (B) (1) (d) 1130  
of that section. 1131

(e) "I" means ineffective, as described in division (B) (1) (e) 1132  
of that section. 1133

(C) Notwithstanding any provision to the contrary in Chapter 1134

4117. of the Revised Code, the requirements of this section 1135  
prevail over any conflicting provisions of a collective bargaining 1136  
agreement entered into on or after the effective date of this 1137  
section. 1138

Sec. 3319.114. (A) Beginning with the 2015-2016 school year 1139  
and subject to approval by the superintendent of public 1140  
instruction, a district or school may choose to include student 1141  
surveys for grades four through twelve when evaluating teachers 1142  
under section 3319.111 of the Revised Code. If student surveys are 1143  
included, the district or school shall do both of the following: 1144

(1) Use at least one of the student survey instruments 1145  
approved by the department of education pursuant to division (C) 1146  
of this section when determining the student survey component of 1147  
teacher evaluations. 1148

(2) Calculate ratings assigned for teacher evaluations 1149  
according to the framework adopted by the state board of education 1150  
pursuant to division (B) of this section. 1151

(B) Not later than July 1, 2015, the state board shall 1152  
develop an alternative framework for the evaluation of teachers to 1153  
include student surveys. The framework shall include the same 1154  
scores described in division (A)(3) of section 3319.113 of the 1155  
Revised Code for the teacher performance measure and the same 1156  
ranges of scores described in divisions (A)(1) and (2) of that 1157  
section for the student academic growth measure. The framework 1158  
also shall give the following weights to each component when 1159  
determining the calculation of ratings assigned for teacher 1160  
evaluations: 1161

(1) Forty per cent for the teacher performance measure; 1162

(2) Forty per cent for the student academic growth measure; 1163

(3) Twenty per cent for student surveys. 1164

(C) Not later than March 31, 2015, the department shall 1165  
approve at least two student survey instruments for districts or 1166  
schools to use when determining the student survey component of 1167  
teacher evaluations. The student survey instruments shall be 1168  
empirically tested and validated. 1169

(D) Notwithstanding any provision to the contrary in Chapter 1170  
4117. of the Revised Code the requirements of this section prevail 1171  
over any conflicting provisions of a collective bargaining 1172  
agreement entered into on or after the effective date of this 1173  
section. 1174

Sec. 3319.115. (A) Beginning July 1, 2015, in order to 1175  
receive or to renew a credential from the department of education 1176  
for being an evaluator for the purpose of conducting teacher 1177  
evaluations under section 3319.111 of the Revised Code, each 1178  
individual shall meet both of the following criteria: 1179

(1) The individual shall be one of the persons described in 1180  
division (D) of section 3319.111 of the Revised Code. 1181

(2) The individual shall provide documentation to the 1182  
department verifying completion of one of the following forms of 1183  
training: 1184

(a) The training required under division (A) (1) (b) of section 1185  
3333.048 of the Revised Code. 1186

(b) The alternative training course offered by the department 1187  
under division (C) of this section, if the individual both: 1188

(i) Has not completed the training required under division 1189  
(A) (1) (b) of section 3333.048 of the Revised Code; 1190

(ii) Does not currently hold a credential for being an 1191  
evaluator from the department. 1192

(c) The online training provided by the department under 1193  
division (D) of this section, if the individual currently holds a 1194

credential for being an evaluator from the department. 1195

(B) Each individual that holds a credential for being an 1196  
evaluator from the department shall complete the online training 1197  
provided by the department, pursuant to division (D) of this 1198  
section, in the following manner: 1199

(1) If the individual was issued the credential prior to the 1200  
effective date of this section, the individual shall complete the 1201  
training not later than six months after the effective date of 1202  
this section. 1203

(2) If the individual was issued the credential on or after 1204  
the effective date of this section, the individual shall complete 1205  
the training not later than twenty-four months after the date on 1206  
which the credential was issued. 1207

Thereafter, each individual shall complete the online 1208  
training at least once every twenty-four months. 1209

(C) The department of education shall offer an alternative 1210  
training course that provides both instruction on the framework 1211  
for the evaluation of teachers developed under section 3319.112 of 1212  
the Revised Code and training on how to conduct such evaluations 1213  
pursuant to section 3319.111 of the Revised Code. The course shall 1214  
be delivered in-person and shall be available to any individual 1215  
that meets the criteria in division (A) (1) (b) of this section. 1216

(D) Not later than December 31, 2014, the department shall 1217  
develop and provide an online training course on teacher 1218  
evaluations for any individual who was issued a credential from 1219  
the department for being an evaluator. 1220

(E) Beginning with the 2015-2016 school year, the department 1221  
annually shall audit and assess each training program for 1222  
evaluators. At least once every three years, the department shall 1223  
take the necessary actions to ensure that the training for 1224  
evaluators statewide is consistent and accurate. 1225



(F) Notwithstanding any provision to the contrary in Chapter 4117. of the Revised Code, the requirements of this section prevail over any conflicting provisions of a collective bargaining agreement entered into on or after the effective date of this section.

Sec. 3319.116. Beginning July 1, 2015, each board of education of a city, local, and exempted village school district annually shall administer an assessment to students in each of grades kindergarten through twelve to determine a teacher's student academic growth measure under division (A) (1) (a) of section 3319.112 of the Revised Code in the categories of English language arts, mathematics, social studies, and science. The assessments shall be selected and provided by the department of education and shall be based on the value-added progress dimension or shall be assessments of student academic growth measures developed by a vendor and that are on the list of student assessments approved by the state board under division (B) (2) of section 3319.112 of the Revised Code. The assessments may include diagnostic assessments prescribed under section 3301.079, the achievement assessments prescribed under section 3301.0710, and assessments from the list developed under division (B) (2) of section 3319.112 of the Revised Code.

Sec. 3319.117. (A) Beginning July 1, 2015, no school district shall assign students to a teacher who has been rated ineffective under division (B) of section 3319.112 of the Revised Code for two consecutive school years.

(B) No student teacher shall be assigned to a teacher who was rated developing or ineffective for the previous school year.

(C) Any teacher who has at least ten years of teaching experience and receives a designation of either least effective

growth or below average growth on the student academic growth 1256  
portion of an evaluation conducted under section 3319.111 of the 1257  
Revised Code may be rated developing only once, in accordance with 1258  
division (B) of section 3319.113 of the Revised Code or under the 1259  
alternative framework developed by the state board of education 1260  
pursuant to division (B) of section 3319.114 of the Revised Code, 1261  
whichever is applicable. If the teacher receives a designation of 1262  
least effective growth or below average growth on the student 1263  
academic growth portion of any subsequent teacher evaluation, that 1264  
teacher shall be rated ineffective, regardless of the teacher 1265  
performance score received. 1266

(D) For purposes of this section, the result of a teacher's 1267  
evaluation shall remain attributed to that teacher even if that 1268  
teacher transfers to a different school within the same school 1269  
district or changes district of employment. 1270

(E) Notwithstanding any provision to the contrary in Chapter 1271  
4117. of the Revised Code, the requirements of this section 1272  
prevail over any conflicting provisions of a collective bargaining 1273  
agreement entered into on or after the effective date of this 1274  
section. 1275

**Sec. 3319.22.** (A) (1) The state board of education shall issue 1276  
the following educator licenses: 1277

(a) A resident educator license, which shall be valid for 1278  
four years, except that the state board, on a case-by-case basis, 1279  
may extend the license's duration as necessary to enable the 1280  
license holder to complete the Ohio teacher residency program 1281  
established under section 3319.223 of the Revised Code; 1282

(b) A professional educator license, which shall be valid for 1283  
five years and shall be renewable; 1284

(c) A senior professional educator license, which shall be 1285

valid for five years and shall be renewable; 1286

(d) A lead professional educator license, which shall be 1287  
valid for five years and shall be renewable. 1288

(2) The state board may issue any additional educator 1289  
licenses of categories, types, and levels the board elects to 1290  
provide. 1291

(3) The state board shall adopt rules establishing the 1292  
standards and requirements for obtaining each educator license 1293  
issued under this section. 1294

(B) The rules adopted under this section shall require at 1295  
least the following standards and qualifications for the educator 1296  
licenses described in division (A) (1) of this section: 1297

(1) An applicant for a resident educator license shall hold 1298  
at least a bachelor's degree from an accredited teacher 1299  
preparation program or be a participant in the teach for America 1300  
program and meet the qualifications required under section 1301  
3319.227 of the Revised Code. 1302

(2) An applicant for a professional educator license shall: 1303

(a) Hold at least a bachelor's degree from an institution of 1304  
higher education accredited by a regional accrediting 1305  
organization; 1306

(b) Have successfully completed the Ohio teacher residency 1307  
program established under section 3319.223 of the Revised Code, if 1308  
the applicant's current or most recently issued license is a 1309  
resident educator license issued under this section or an 1310  
alternative resident educator license issued under section 3319.26 1311  
of the Revised Code. 1312

(3) An applicant for a senior professional educator license 1313  
shall: 1314

(a) Hold at least a master's degree from an institution of 1315

higher education accredited by a regional accrediting organization; 1316  
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(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; 1318  
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(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. 1321  
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(4) An applicant for a lead professional educator license shall: 1325  
1326

(a) Hold at least a master's degree from an institution of higher education accredited by a regional accrediting organization; 1327  
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(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; 1330  
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(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; 1334  
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(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. 1337  
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(5) Beginning July 1, 2015, in addition to the applicable requirements of this section, any applicant for a license designated for a superintendent, assistant superintendent, principal, vocational director, administrative specialist, or 1342  
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supervisor in any educational area issued under this section shall 1346  
provide documentation to the state board verifying completion of 1347  
the evaluator training required under division (A) of section 1348  
3319.115 of the Revised Code. The state board shall not grant such 1349  
a license without proper documentation of the evaluator training. 1350

(C) The state board shall align the standards and 1351  
qualifications for obtaining a principal license with the 1352  
standards for principals adopted by the state board under section 1353  
3319.61 of the Revised Code. 1354

(D) If the state board requires any examinations for educator 1355  
licensure, the department of education shall provide the results 1356  
of such examinations received by the department to the chancellor 1357  
of the Ohio board of regents, in the manner and to the extent 1358  
permitted by state and federal law. 1359

(E) Any rules the state board of education adopts, amends, or 1360  
rescinds for educator licenses under this section, division (D) of 1361  
section 3301.07 of the Revised Code, or any other law shall be 1362  
adopted, amended, or rescinded under Chapter 119. of the Revised 1363  
Code except as follows: 1364

(1) Notwithstanding division (D) of section 119.03 and 1365  
division (A) (1) of section 119.04 of the Revised Code, in the case 1366  
of the adoption of any rule or the amendment or rescission of any 1367  
rule that necessitates institutions' offering preparation programs 1368  
for educators and other school personnel that are approved by the 1369  
chancellor of the Ohio board of regents under section 3333.048 of 1370  
the Revised Code to revise the curriculum of those programs, the 1371  
effective date shall not be as prescribed in division (D) of 1372  
section 119.03 and division (A) (1) of section 119.04 of the 1373  
Revised Code. Instead, the effective date of such rules, or the 1374  
amendment or rescission of such rules, shall be the date 1375  
prescribed by section 3333.048 of the Revised Code. 1376

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

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

Not later than the effective date of the rules adopted under this section, the board of education of each school district shall establish the structure for one or more local professional development committees to be operated by such school district. The committee structure so established by a district board shall remain in effect unless within thirty days prior to an anniversary of the date upon which the current committee structure was

established, the board provides notice to all affected district 1409  
employees that the committee structure is to be modified. 1410  
Professional development committees may have a district-level or 1411  
building-level scope of operations, and may be established with 1412  
regard to particular grade or age levels for which an educator 1413  
license is designated. 1414

Each professional development committee shall consist of at 1415  
least three classroom teachers employed by the district, one 1416  
principal employed by the district, and one other employee of the 1417  
district appointed by the district superintendent. For committees 1418  
with a building-level scope, the teacher and principal members 1419  
shall be assigned to that building, and the teacher members shall 1420  
be elected by majority vote of the classroom teachers assigned to 1421  
that building. For committees with a district-level scope, the 1422  
teacher members shall be elected by majority vote of the classroom 1423  
teachers of the district, and the principal member shall be 1424  
elected by a majority vote of the principals of the district, 1425  
unless there are two or fewer principals employed by the district, 1426  
in which case the one or two principals employed shall serve on 1427  
the committee. If a committee has a particular grade or age level 1428  
scope, the teacher members shall be licensed to teach such grade 1429  
or age levels, and shall be elected by majority vote of the 1430  
classroom teachers holding such a license and the principal shall 1431  
be elected by all principals serving in buildings where any such 1432  
teachers serve. The district superintendent shall appoint a 1433  
replacement to fill any vacancy that occurs on a professional 1434  
development committee, except in the case of vacancies among the 1435  
elected classroom teacher members, which shall be filled by vote 1436  
of the remaining members of the committee so selected. 1437

Terms of office on professional development committees shall 1438  
be prescribed by the district board establishing the committees. 1439  
The conduct of elections for members of professional development 1440

committees shall be prescribed by the district board establishing 1441  
the committees. A professional development committee may include 1442  
additional members, except that the majority of members on each 1443  
such committee shall be classroom teachers employed by the 1444  
district. Any member appointed to fill a vacancy occurring prior 1445  
to the expiration date of the term for which a predecessor was 1446  
appointed shall hold office as a member for the remainder of that 1447  
term. 1448

The initial meeting of any professional development 1449  
committee, upon election and appointment of all committee members, 1450  
shall be called by a member designated by the district 1451  
superintendent. At this initial meeting, the committee shall 1452  
select a chairperson and such other officers the committee deems 1453  
necessary, and shall adopt rules for the conduct of its meetings. 1454  
Thereafter, the committee shall meet at the call of the 1455  
chairperson or upon the filing of a petition with the district 1456  
superintendent signed by a majority of the committee members 1457  
calling for the committee to meet. 1458

(3) In the case of a school district in which an exclusive 1459  
representative has been established pursuant to Chapter 4117. of 1460  
the Revised Code, professional development committees shall be 1461  
established in accordance with any collective bargaining agreement 1462  
in effect in the district that includes provisions for such 1463  
committees. 1464

If the collective bargaining agreement does not specify a 1465  
different method for the selection of teacher members of the 1466  
committees, the exclusive representative of the district's 1467  
teachers shall select the teacher members. 1468

If the collective bargaining agreement does not specify a 1469  
different structure for the committees, the board of education of 1470  
the school district shall establish the structure, including the 1471  
number of committees and the number of teacher and administrative 1472



members on each committee; the specific administrative members to 1473  
be part of each committee; whether the scope of the committees 1474  
will be district levels, building levels, or by type of grade or 1475  
age levels for which educator licenses are designated; the lengths 1476  
of terms for members; the manner of filling vacancies on the 1477  
committees; and the frequency and time and place of meetings. 1478  
However, in all cases, except as provided in division (F) (4) of 1479  
this section, there shall be a majority of teacher members of any 1480  
professional development committee, there shall be at least five 1481  
total members of any professional development committee, and the 1482  
exclusive representative shall designate replacement members in 1483  
the case of vacancies among teacher members, unless the collective 1484  
bargaining agreement specifies a different method of selecting 1485  
such replacements. 1486

(4) Whenever an administrator's coursework plan is being 1487  
discussed or voted upon, the local professional development 1488  
committee shall, at the request of one of its administrative 1489  
members, cause a majority of the committee to consist of 1490  
administrative members by reducing the number of teacher members 1491  
voting on the plan. 1492

(G) (1) The department of education, educational service 1493  
centers, county boards of developmental disabilities, regional 1494  
professional development centers, special education regional 1495  
resource centers, college and university departments of education, 1496  
head start programs, and the Ohio education computer network may 1497  
establish local professional development committees to determine 1498  
whether the coursework proposed by their employees who are 1499  
licensed or certificated under this section or section 3319.222 of 1500  
the Revised Code, or under the former version of either section as 1501  
it existed prior to October 16, 2009, meet the requirements of the 1502  
rules adopted under this section. They may establish local 1503  
professional development committees on their own or in 1504

collaboration with a school district or other agency having 1505  
authority to establish them. 1506

Local professional development committees established by 1507  
county boards of developmental disabilities shall be structured in 1508  
a manner comparable to the structures prescribed for school 1509  
districts in divisions (F) (2) and (3) of this section, as shall 1510  
the committees established by any other entity specified in 1511  
division (G) (1) of this section that provides educational services 1512  
by employing or contracting for services of classroom teachers 1513  
licensed or certificated under this section or section 3319.222 of 1514  
the Revised Code, or under the former version of either section as 1515  
it existed prior to October 16, 2009. All other entities specified 1516  
in division (G) (1) of this section shall structure their 1517  
committees in accordance with guidelines which shall be issued by 1518  
the state board. 1519

(2) Any public agency that is not specified in division 1520  
(G) (1) of this section but provides educational services and 1521  
employs or contracts for services of classroom teachers licensed 1522  
or certificated under this section or section 3319.222 of the 1523  
Revised Code, or under the former version of either section as it 1524  
existed prior to October 16, 2009, may establish a local 1525  
professional development committee, subject to the approval of the 1526  
department of education. The committee shall be structured in 1527  
accordance with guidelines issued by the state board. 1528

**Sec. 3333.048.** (A) ~~Not later than one year after October 16,~~ 1529  
~~2009, the~~ The chancellor of the Ohio board of regents and the 1530  
superintendent of public instruction jointly shall do the 1531  
following: 1532

(1) In accordance with Chapter 119. of the Revised Code, 1533  
establish metrics and educator preparation programs for the 1534  
preparation of educators and other school personnel and the 1535

institutions of higher education that are engaged in their 1536  
preparation. The metrics and educator preparation programs shall 1537  
be aligned with the standards and qualifications for educator 1538  
licenses adopted by the state board of education under section 1539  
3319.22 of the Revised Code and the requirements of the Ohio 1540  
teacher residency program established under section 3319.223 of 1541  
the Revised Code. The metrics and educator preparation programs 1542  
also shall ~~ensure~~ do both of the following: 1543

(a) Ensure that educators and other school personnel are 1544  
adequately prepared to use the value-added progress dimension 1545  
prescribed by section 3302.021 of the Revised Code or the 1546  
alternative student academic progress measure if adopted under 1547  
division (C) (1) (e) of section 3302.03 of the Revised Code; 1548

(b) On and after July 1, 2015, for individuals seeking 1549  
licensure as a superintendent, assistant superintendent, 1550  
principal, vocational director, administrative specialist, or 1551  
supervisor in any educational area issued under section 3319.22 of 1552  
the Revised Code, ensure that those individuals are provided 1553  
instruction on the framework for the evaluation of teachers 1554  
developed under section 3319.112 of the Revised Code and training 1555  
on how to conduct such evaluations pursuant to section 3319.111 of 1556  
the Revised Code. 1557

(2) Provide for the inspection of institutions of higher 1558  
education desiring to prepare educators and other school 1559  
personnel. 1560

(B) ~~Not later than one year after October 16, 2009, the The~~ 1561  
chancellor shall approve institutions of higher education engaged 1562  
in the preparation of educators and other school personnel that 1563  
maintain satisfactory training procedures and records of 1564  
performance, as determined by the chancellor. 1565

(C) If the metrics established under division (A) (1) of this 1566

section require an institution of higher education that prepares 1567  
teachers to satisfy the standards of an independent accreditation 1568  
organization, the chancellor shall permit each institution to 1569  
satisfy the standards of either the national council for 1570  
accreditation of teacher education or the teacher education 1571  
accreditation council. 1572

(D) The metrics and educator preparation programs established 1573  
under division (A) (1) of this section may require an institution 1574  
of higher education, as a condition of approval by the chancellor, 1575  
to make changes in the curricula of its preparation programs for 1576  
educators and other school personnel. 1577

Notwithstanding division (D) of section 119.03 and division 1578  
(A) (1) of section 119.04 of the Revised Code, any metrics, 1579  
educator preparation programs, rules, and regulations, or any 1580  
amendment or rescission of such metrics, educator preparation 1581  
programs, rules, and regulations, adopted under this section that 1582  
necessitate institutions offering preparation programs for 1583  
educators and other school personnel approved by the chancellor to 1584  
revise the curricula of those programs shall not be effective for 1585  
at least one year after the first day of January next succeeding 1586  
the publication of the said change. This paragraph does not apply 1587  
to the requirement prescribed by division (A) (1) (b) of this 1588  
section. 1589

Each institution shall allocate money from its existing 1590  
appropriations to pay the cost of making the curricular changes. 1591

(E) The chancellor shall notify the state board of the 1592  
metrics and educator preparation programs established under 1593  
division (A) (1) of this section and the institutions of higher 1594  
education approved under division (B) of this section. The state 1595  
board shall publish the metrics, educator preparation programs, 1596  
and approved institutions with the standards and qualifications 1597  
for each type of educator license. 1598

(F) The graduates of institutions of higher education 1599  
approved by the chancellor shall be licensed by the state board in 1600  
accordance with the standards and qualifications adopted under 1601  
section 3319.22 of the Revised Code. 1602

Section 2. That existing sections 3301.079, 3313.608, 1603  
3319.02, 3319.111, 3319.112, 3319.22, and 3333.048 of the Revised 1604  
Code are hereby repealed. 1605

Section 3. Notwithstanding anything in the Revised Code to 1606  
the contrary, the board of education of a school district, the 1607  
governing authority of a community school established under 1608  
Chapter 3314. of the Revised Code, or the governing body of a STEM 1609  
school established under Chapter 3326. of the Revised Code that 1610  
has entered into a collective bargaining agreement with its 1611  
teachers under Chapter 4117. of the Revised Code may enter into a 1612  
separate memorandum of understanding with the exclusive 1613  
representative of its teachers stipulating that the value-added 1614  
progress dimension rating issued for the 2014-2015 school year to 1615  
assess student academic growth for purposes of teacher evaluations 1616  
under sections 3311.80, 3319.111, and 3319.112 of the Revised Code 1617  
will not be used when making decisions regarding the dismissal, 1618  
retention, tenure, or compensation of the district's or school's 1619  
teachers. If such a memorandum of understanding is entered into, 1620  
the district or school shall use a different measure of student 1621  
progress, approved by the Department of Education, for such 1622  
purposes. 1623

As used in this section, "value-added progress dimension" 1624  
means the value-added progress dimension prescribed by 3302.021 of 1625  
the Revised Code or an alternative student academic progress 1626  
measure if adopted under division (C) (1) (e) of section 3303.03 of 1627  
the Revised Code. 1628

Section 4. Section 3319.02 of the Revised Code is presented 1629  
in this act as a composite of the section as amended by both Sub. 1630  
H.B. 525 and Am. Sub. S.B. 316 of the 129th General Assembly. The 1631  
General Assembly, applying the principle stated in division (B) of 1632  
section 1.52 of the Revised Code that amendments are to be 1633  
harmonized if reasonably capable of simultaneous operation, finds 1634  
that the composite is the resulting version of the section in 1635  
effect prior to the effective date of the section as presented in 1636  
this act. 1637