

A primer on new teacher tenure, license rules

by Jessica L. Spears
staff attorney

As we anticipate the outcome of the 2012-13 biennial budget, we can't forget the provisions of the 2010-11 budget that only recently became effective. House Bill (HB) 1, which was signed into law in July 2009 included changes to Ohio's teacher licensure structure. These HB 1 provisions became effective on Jan. 1, 2011. This article summarizes the newly effective teacher tenure rules, the Ohio Resident Educator Program and the licensure structure.

Teacher tenure

The new tenure eligibility law became effective for teachers who become licensed for the first time after Jan. 1, 2011. All other teachers continue under the old tenure rules, with one exception. Teachers first licensed only as substitute teachers prior to Jan. 1, 2011, will be subject to the new tenure rules under HB 1 if they become licensed as regular classroom

teachers after Jan. 1, 2011.

The relevant state statutes on teacher tenure include Ohio Revised Code (RC) 3319.08 and 3319.11.

Section (D) of RC 3319.08 now provides that a continuing contract shall be granted to the following teachers:

- any teacher holding a professional, permanent or life teacher's certificate;
- any teacher initially issued a teacher's certificate or educator license *prior* to Jan. 1, 2011, who holds a professional educator license, senior professional educator license or lead professional educator license, and who has completed the applicable master's degree and/or graduate coursework;
- any teacher initially issued an educator license *on or after* Jan. 1, 2011, who has held a professional educator license, senior professional educator license or lead professional

educator license for at least seven years, and who has completed the applicable master's degree and/or graduate coursework.

Any collective bargaining agreement entered into after Oct. 16, 2009, must comply with the new teacher tenure law.

And don't forget about RC 3319.11. In addition to meeting the requirements set forth in RC 3319.08, to be eligible for continuing contract status, a teacher must have taught for at least three of the last five years in the district, or must have

attained continuing contract status elsewhere and served two years in the district.

Ohio Resident Educator Program

In accordance with HB 1, codified at RC 3319.223, the superintendent of public instruction and the chancellor of



Jessica L. Spears

How Do We Create Original Designs?
We To Our Clients

CREATIVE



North Fork Local Schools

Need: Distinctive Entrance

BRIDGEPORT EXEMPTED VILLAGE SCHOOLS



ORIGINAL

Need: Rich Athletic Heritage

UNIQUE



Jackson City Schools

Need: Preserving a Community Icon

MCB
MCDONALD, CASSELL & BASSETT, INC.
ARCHITECTS & PLANNERS

600 W Spring Street | Columbus, Ohio 43215
614.628.0630 | www.mcb-inc.com

the Ohio Board of Regents were directed to jointly establish, no later than Jan. 1, 2011, the Ohio teacher residency program (Ohio Resident

Educator Program), a four-year, entry-level program for classroom teachers. Per the legislative mandate, the teacher residency program includes at least the

following components: mentoring by teachers who hold a lead professional educator license; counseling to ensure that program participants receive needed professional development; and measures of appropriate progression through the program.

In June 2010, the Ohio Department of Education (ODE) released a helpful licensure FAQ document, which addresses the Ohio Resident Educator Program. A copy is available for download at <http://links.ohioschoolboards.org/95475>.

Some highlights of the FAQ document include:

- Any teacher who has been issued a two-year provisional teaching license with an effective date of July 1, 2010, or earlier, whose first year of employment in their licensure area is the 2011-12 school year or later, will need to apply for a four-year resident educator license in order to complete the four-year Ohio Resident Educator Program.
- New Ohio teacher graduates may apply for an initial provisional teaching license during the 2010-11 school year if the requested effective date of the license is July 1, 2010, or, beginning Jan. 1, 2011, they may apply for a four-year resident educator license with a July 1, 2011, effective date.
- Any initial teaching license issued with a July 1, 2011, effective date must be a four-year resident educator license.

Restructured teacher licensure created by HB 1

ODE also has developed a chart outlining the new license structure, as well as all other existing licenses, certificates and permits that are issued by ODE. The chart can be downloaded at <http://links.ohioschoolboards.org/92422>. The new license structure is

summarized below.

As the new budget process begins in

As the new budget process begins in 2011, it is important to incorporate these "new" recently effective provisions of the previous budget bill.

2011, it is important to incorporate these "new" recently effective provisions of the previous budget bill into a current understanding of teacher tenure and teacher licensure restructuring. Should you or any of your staff have any questions about the new licensure, please contact the ODE Office of Educator Licensure at (877) 644-6338 or contact your board's legal counsel. □

"According to law" is designed to provide authoritative general information, sometimes with commentary. It should not be relied upon as legal advice. If legal advice is required, the services of an attorney should be obtained.

New teacher licensure at a glance

Resident educator license (RC 3319.22)

- Valid for four years
- Requires at least a bachelor's degree from an accredited teacher preparation program

Alternative resident educator license (RC 3319.26)

- Valid for four years
- Applies to grades four-12 subjects and K-12 intervention specialists

Professional educator license (RC 3319.22)

- Valid for five years
- Renewable
- Requires at least a bachelor's degree and successful completion of the Ohio teacher residency program

Senior professional educator license (RC 3319.22; Ohio Administrative Code (OAC) 3301-24-16)

- Valid for five years
- Renewable
- Requires a master's degree
- Must have nine years of experience under a standard teaching license or certificate, of which at least five years are under a

professional/permanent license/certificate

- Must show demonstration of effective practice at the accomplished or distinguished level of performance as defined in the Ohio Standards for the Teaching Profession (shown by successful completion of the Master Teacher portfolio)

Lead professional educator license (RC 3319.22, OAC 3301-24-17)

- Valid for five years
- Renewable
- Requires a master's degree
- Must have nine years of experience under a standard teaching license or certificate, of which at least five years are under a professional/permanent license/certificate or senior professional educator license
- Must show demonstration of effective practice at the distinguished level of performance as defined in the Ohio Standards for the Teaching Profession (shown by holding active National Board Certification *or* successful completion of the Master Teacher portfolio and the Teacher Leader Endorsement)