

Occupational Licensing Review Testimony

House State and Local Government Committee
Representative Scott Wiggam, Chair
September 11, 2019

Chairman Wiggam, Vice Chair Ginter, Ranking Member Kelly and members of the House State and Local Government Committee, my name is Marjorie Yano and I am the Director of the Office of Policy and Legislative Affairs at the Ohio Department of Education. Thank you for the opportunity to present information regarding the licensing responsibilities of the State Board of Education and Department of Education.

The State Board of Education is established under Article VI of the Ohio Constitution, with its powers and duties to be prescribed by law. Among its duties, the State Board is responsible for adopting rules regarding the standards and requirements for obtaining educator licenses and with the issuance of such licenses.¹ This includes licensing for many types of educators, including teachers, principals, superintendents, paraprofessionals, educational aides, pupil services providers, and coaches. In addition, the State Board also has authority and responsibility to investigate licensees for potential misconduct² and to refuse to issue, suspend, revoke or limit licenses based on misconduct.³

Within the Ohio Department of Education, two offices have primary responsibility for supporting the Board in fulfilling its licensing responsibilities: the Office of Educator Licensure and the Office of Professional Conduct. The Office of Educator Licensure includes 15 staff members who process applications and issue licenses and credentials. In 2018, this Office received 160,137 application requests and issued 137,006 credentials. The average time to review an application varies from one to seven days, depending on the time of year.

The Office of Professional Conduct has 30 staff members who are responsible for investigating complaints against licensees and applicants. This Office also oversees the Department's participation in the state's Rapback system and reviews criminal background checks for licensees and applicants. In 2018, 14,696 referrals for investigation were received by the office resulting in 1,354 investigations conducted. In that same year, 1,185 cases were disposed of, including 535 disciplinary actions. The Office has seen an increasing caseload over the last five years and expects this upward trend to continue.

As outlined in our questionnaire, the State Board issues 41 different credential types to different types of educators. Federal law – including the Every Student Succeeds Act (ESSA) and the Individuals with Disabilities

¹ ORC 3319.22

² ORC 3319.311

³ ORC 3319.31

Education Act (IDEA) – requires states and schools to implement a licensing scheme in order to draw down federal education funds. As such, all 50 states currently require licensure and/or certification of teachers. The different types of licenses offered by the State Board reflects the variety of professionals that work within Ohio’s education system and the differing qualifications needed to fulfill these roles. The State Board is sensitive to changes in the education landscape and periodically reviews our list of licenses and has proposed – by rule amendment – the elimination of licenses that no longer serve a purpose.⁴

The Credential Review Board, which is supported by Department of Education staff, serves as a mechanism to assess alternative routes to licensure and to help candidates for licensure develop individualized plans to earn a license. Using a holistic, flexible and solutions-based approach, the Credential Review Board considers factors such as an applicant’s experience, academic qualifications, and professional accomplishments that may serve as the basis for meeting licensure requirements through alternative means. Since the Credential Review Board first convened in June 2005, the board has reviewed approximately 1,233 individual cases and the Department continues to believe that this Board serves an important role in helping individuals seeking alternative routes to educator licensure.

In addition to the federal requirements to have a system for certifying teachers, licensure also serves two other important purposes: first, licensure ensures that individuals who work within our schools and interact with children receive an adequate background check and are enrolled in the state’s Rapback system. The disciplinary history for every individual licensed by the State Board is available for review by schools, districts and members of the public. Without this safeguard in place, few to no protections would exist to stop individuals with a record of misconduct from moving from school to school and continue predatory behavior. Second, teachers are the most important school-based factor affecting student achievement, and it is essential to staff Ohio’s schools with excellent teachers. Standards for licensure support the success of both students and educators. Licensure plays an important role in ensuring that our children are learning from high quality professionals that have been trained in a specific content area and grade appropriate pedagogy.

Licensing fees range from \$20 to \$200 – and vary depending on the license type and the duration of the license.⁵ These fees are deposited into the Teacher Licensure Fund, which is used to pay the costs of administering requirements related to the issuing and renewing of licenses – including the operations of the Office of Licensure, Office of Professional Conduct and some expenses within the Office of Educator Effectiveness. Revenue from licensing fees has averaged approximately \$10.95M over the last 10 years. The State Board is interested in operating its licensure system in the most effective and efficient manner, with the goal of keeping costs reasonable for licensees.

⁴ E.g., educational technologist aide permit, career technical worksite teacher/coordinator endorsement, driver’s education endorsement.

⁵ <http://education.ohio.gov/Topics/Teaching/Licensure/Additional-Information/Complete-List-of-Applications>

The Department of Education believes that our current licensing structure is meeting the needs of educators, schools and families by offering a variety of license types that meaningfully account for the various types of individuals that work daily with Ohio's students. This system ensures that those individuals who are working in our schools have been thoroughly vetted through our background check system and have the proper qualifications to ensure students are receiving quality and appropriate education. And we seek to run our licensing operations efficiently and effectively and to be good stewards of licensing fees. We appreciate the opportunity to share more about educator licensing in the state of Ohio and would be happy to answer any questions the committee has at this time.