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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

S.B. 219  
135<sup>th</sup> General Assembly

## Fiscal Note & Local Impact Statement

[Click here for S.B. 219's Bill Analysis](#)

**Version:** As Introduced

**Primary Sponsor:** Sen. Ingram

**Local Impact Statement Procedure Required:** No

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### Highlights

- The bill restores former law, in effect prior to H.B. 33 of the 135<sup>th</sup> General Assembly, regarding educator license grade bands by expanding the number of grade bands from two (grades pre-K through 8 or grades 6 through 12) to three (grades pre-K through 5, grades 4 through 9, or grades 7 through 12).
- Restoring the educator license grade bands in effect prior to H.B. 33 of the 135<sup>th</sup> General Assembly may decrease school district and other public school flexibility in responding to certain staffing needs. The State Board of Education may incur minimal administrative costs to revert to the prior grade band specifications.
- The bill avoids costs for state institutions of higher education to align teacher preparation programs to the educator license grade bands in H.B. 33. It also avoids administrative costs for the State Board to oversee development of revised educator licensure tests.

### Detailed Analysis

The bill restores former law, in effect prior to H.B. 33 of the 135<sup>th</sup> General Assembly, regarding educator license grade bands by requiring the State Board of Education, when issuing resident, professional, senior professional, and lead professional educator licenses, to specify whether the educator is licensed to teach grades pre-K through 5, grades 4 through 9, or grades 7 through 12. Current law enacted in H.B. 33 specifies only two grade bands: pre-K through grade 8 or grades 6 through 12. The rules implementing the H.B. 33 provisions are not yet in effect. The State Board voted to approve the rule change implementing H.B. 33's grade band provisions in April 2024. The rules rename the resident educator license to the primary resident educator license and secondary resident educator license, which coincide with the two grade bands established in that act. The rule was filed with the Joint Committee on Agency Rule Review

(JCARR) on April 9, 2024, and is scheduled for a public hearing on May 13, 2024. According to JCARR's rule review timelines, the earliest possible effective date for the rule is June 24, 2024.

The H.B. 33 change was expected to provide school districts and other public schools with greater flexibility in responding to staffing needs by allowing teachers to move between more grade levels without having to obtain an additional certification. Based on LBO discussions with the Buckeye Association of School Administrators (BASA) and the State Board, in restoring previous law, the bill carries no discernible cost to school districts and other public schools but may reduce this flexibility. However, the bill includes a provision, already enacted in H.B. 101 of the 135<sup>th</sup> General Assembly, that allows districts and schools to designate educators to teach up to two grade levels outside the grade bands for which they are licensed for up to two years at a time, which may assist with staffing flexibility. The State Board of Education may incur minimal administrative costs to restore the previous license structure and the administrative rules that governed it. The State Board funds its operations through educator license fees deposited into the State Board of Education Licensure Fund (Fund 4L20). License fees for teachers generally equate to \$40 per year with differing validity ranges. Most teacher licenses generally are valid from two to five years depending on the type of license.

Under continuing law, educator preparation programs at higher education institutions must be approved by the Ohio Department of Higher Education (ODHE) to offer programs leading to specific types of educator licenses. The bill avoids the costs that state institutions of higher education may incur for work associated with aligning teacher preparation programs with the educator license grade bands enacted in H.B. 33 and to pay for any additional program reauthorization costs. Institutions are responsible for all costs associated with the program review and reauthorization process (remittances from the institutions pay for ODHE reimbursements to consultants who review and evaluate degree programs).

In addition to completing an educator preparation program, prospective educators generally must pass licensure tests prescribed by the State Board that assess a candidate's knowledge of pedagogy and content knowledge. Vendors provide and score the tests, which are supported by testing fees paid by the candidates taking them. The bill avoids potential administrative costs the State Board may incur to oversee the development of revised tests aligned to the grade bands in H.B. 33.