



Ohio Revised Code

Section 3319.113 Standards-based state framework for evaluation of school counselors.

Effective: October 3, 2023

Legislation: House Bill 33

(A) The state board of education shall develop a standards-based state framework for the evaluation of school counselors. The state board may update the framework periodically by adoption of a resolution. The framework shall establish an evaluation system that does the following:

- (1) Requires school counselors to demonstrate their ability to produce positive student outcomes using metrics, including those from the school or school district's report card issued under section 3302.03 of the Revised Code when appropriate;
- (2) Is aligned with the standards for school counselors adopted under section 3319.61 of the Revised Code and requires school counselors to demonstrate their ability in all the areas identified by those standards;
- (3) Requires that all school counselors be evaluated annually, except as otherwise appropriate for high-performing school counselors or as specified in division (D) of this section;
- (4) Assigns a rating on each evaluation in accordance with division (B) of this section;
- (5) Designates the personnel that may conduct evaluations of school counselors in accordance with this framework;
- (6) Requires that each school counselor be provided with a written report of the results of that school counselor's evaluation;
- (7) Provides for professional development to accelerate and continue school counselor growth and provide support to poorly performing school counselors.

(B)(1) The state board shall develop specific standards and criteria that distinguish between the



following levels of performance for school counselors for the purposes of assigning ratings on the evaluations conducted under this section:

- (a) Accomplished;
- (b) Skilled;
- (c) Developing;
- (d) Ineffective.

(2) The state board shall consult with experts, school counselors and principals employed in public schools, and representatives of stakeholder groups in developing the standards and criteria required by division (B)(1) of this section.

(C)(1) Not later than September 30, 2016, each school district board of education shall adopt a standards-based school counselor evaluation policy that conforms with the framework for the evaluation of school counselors developed under this section. The policy shall become operative at the expiration of any collective bargaining agreement covering school counselors employed by the board that is in effect on September 29, 2015, and shall be included in any renewal or extension of such an agreement.

(2) A district board shall include both of the following in its evaluation policy:

- (a) The implementation of the framework for the evaluation of school counselors developed under this section beginning in the 2016-2017 school year;
- (b) Procedures for using the evaluation results, beginning in the 2017-2018 school year, for both of the following:
 - (i) Decisions regarding retention and promotion of school counselors;
 - (ii) Removal of poorly performing school counselors.



(D) Beginning with the 2017-2018 school year, a district board may elect not to conduct an evaluation of a school counselor who meets one of the following requirements:

(1) The school counselor was on leave from the school district for fifty per cent or more of the school year, as calculated by the board.

(2) The school counselor 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.

(E) Each district board shall annually submit a report to the state board, in a form and manner prescribed by the state board, regarding its implementation of division (C) of this section. At no time shall the state board permit or require that the name or personally identifiable information of any school counselor be reported to the state board under this division.

(F) Notwithstanding any provision to the contrary in Chapter 4117. of the Revised Code, the requirements of this section prevail over any conflicting provision of a collective bargaining agreement entered into on or after September 29, 2015.