



## Ohio Revised Code

### Section 3302.151 Exemption from third-grade reading guarantee, teacher licensing, mentoring, and class size restrictions.

Effective: September 30, 2021

Legislation: House Bill 82

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(A) Notwithstanding anything to the contrary in the Revised Code, a school district that qualifies under division (D) of this section shall be exempt from all of the following:

(1) The teacher qualification requirements under the third-grade reading guarantee, as prescribed under divisions (B)(3)(c) and (H) of section 3313.608 of the Revised Code. This exemption does not relieve a teacher from holding a valid Ohio license in a subject area and grade level determined appropriate by the board of education of that district.

(2) The mentoring component of the Ohio teacher residency program established under division (A)(1) of section 3319.223 of the Revised Code, so long as the district utilizes a local approach to train and support new teachers;

(3) Any provision of the Revised Code or rule or standard of the state board of education prescribing a minimum or maximum class size;

(4) Any provision of the Revised Code or rule or standard of the state board requiring teachers to be licensed specifically in the grade level in which they are teaching, except unless otherwise prescribed by federal law. This exemption does not apply to special education teachers. Nor does this exemption relieve a teacher from holding a valid Ohio license in the subject area in which that teacher is teaching and at least some grade level determined appropriate by the district board.

(B)(1) Notwithstanding anything to the contrary in the Revised Code, including sections 3319.30 and 3319.36 of the Revised Code, the superintendent of a school district that qualifies under division (D) of this section may employ an individual who is not licensed as required by sections 3319.22 to 3319.30 of the Revised Code, but who is otherwise qualified based on experience, to teach classes in the district, so long as the board of education of the school district approves the individual's employment and provides mentoring and professional development opportunities to that individual,



as determined necessary by the board.

(2) As a condition of employment under this section, an individual shall be subject to a criminal records check as prescribed by section 3319.391 of the Revised Code. In the manner prescribed by the department of education, the individual shall submit the criminal records check to the department and shall register with the department during the period in which the individual is employed by the district. The department shall use the information submitted to enroll the individual in the retained applicant fingerprint database, established under section 109.5721 of the Revised Code, in the same manner as any teacher licensed under sections 3319.22 to 3319.31 of the Revised Code.

(3) An individual employed pursuant to this division is subject to Chapter 3307. of the Revised Code.

If the department receives notification of the arrest or conviction of an individual employed under division (B) of this section, the department shall promptly notify the employing district and may take any action authorized under sections 3319.31 and 3319.311 of the Revised Code that it considers appropriate. No district shall employ any individual under division (B) of this section if the district learns that the individual has plead guilty to, has been found guilty by a jury or court of, or has been convicted of any of the offenses listed in division (C) of section 3319.31 of the Revised Code.

(C) Notwithstanding anything to the contrary in the Revised Code, noncompliance with any of the requirements listed in divisions (A) or (B) of this section shall not disqualify a school district that qualifies under division (D) of this section from receiving funds under Chapter 3317. of the Revised Code.

(D) In order for a city, local, or exempted village school district to qualify for the exemptions described in this section, the school district shall meet all of the following benchmarks on the most recent report card issued for that district under section 3302.03 of the Revised Code:

(1) The district received at least eighty-five per cent of the total possible points for the performance index score calculated under division (C)(1)(b) or (D)(1)(c) of that section;

(2) The district received a grade of an "A" for performance indicators met under division (C)(1)(c) of



that section. However, division (D)(2) of this section shall not apply for the 2021-2022 school year or any school year thereafter.

(3) The district has a four-year adjusted cohort graduation rate of at least ninety-three per cent and a five-year adjusted cohort graduation rate of at least ninety-five per cent, as calculated under division (C)(1)(d) or divisions (D)(1)(e) and (D)(1)(f) of that section.

(E) A school district that meets the requirements prescribed by division (D) of this section shall be qualified for the exemptions prescribed by this section for three school years, beginning with the school year in which the qualifying report card is issued.

(F) As used in this section, "license" has the same meaning as in section 3319.31 of the Revised Code.