

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 3301-23-41

Rule Type: Amendment

Rule Title/Tagline: Twelve hour or forty hour temporary teaching permit for qualified nonlicensed individuals.

Agency Name: Department of Education

Division:

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I. Rule Summary

1. Is this a five year rule review? Yes
 - A. What is the rule's five year review date? 8/20/2021
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 3301.07, 3319.22, 3326.13
5. What statute(s) does the rule implement or amplify? 3319.301, 3326.13
6. What are the reasons for proposing the rule?

Five year rule review. This rule provides the requirements by which an unlicensed individual can obtain a permit which allows the educator to teach in the subject named on the permit for twelve hours per week, except individuals teaching in a STEM school or teaching an industry-recognized credential program offered at a dropout recovery community school may teach for not more than forty hours per week.

7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

This rule outlines the requirements by which an unlicensed individual can obtain a permit which allows the educator to teach in the subject named on the permit for twelve hours per week, except individuals teaching in a STEM school or teaching an industry-recognized credential program offered at a dropout recovery community school may teach for not more than forty hours per week. The language in this rule has been updated to align with the changes made in section 3319.301 of the Ohio Revised Code in Senate Bill 89 of the 133rd General Assembly.

8. **Does the rule incorporate material by reference?** No
9. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

Not Applicable

10. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

Not Applicable

II. Fiscal Analysis

11. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

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Not applicable

12. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

There is a cost to apply for, or renew, a license issued by the Ohio Department of Education. The cost varies depending on the license type and ranges from \$25 to \$200. This cost is incurred directly by the applicant or educator.

13. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B).** No

14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No
15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

All licensure fees collected by the Ohio Department of Education are used to fund the operations of the Office of Education Licensure which is responsible for the licensure of all educators, Office of Professional Conduct which is responsible for the investigatory and disciplinary proceedings against licensed educators, and portions of the Office of Educator Effectiveness directly serving licensed educators.

III. Common Sense Initiative (CSI) Questions

16. Was this rule filed with the Common Sense Initiative Office? No
17. Does this rule have an adverse impact on business? No
- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No
 - B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No
 - C. Does this rule require specific expenditures or the report of information as a condition of compliance? No
 - D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes
- A. How many new regulatory restrictions do you propose adding? 1

OAC 3301-23-41(B): An individual assigned to teach a career-technical class must show evidence...

B. How many existing regulatory restrictions do you propose removing? 2

OAC 3301-24-08(A)(2)(a): The local professional development committee shall be composed of teachers...

OAC 3301-24-08(A)(2)(b): Whenever the coursework plan of an administrator, school treasurer, or school business manager is being discussed or voted upon, the local professional development committee shall, at the request of one of its administrative members...