

*Community Schools Guidance Letter #2010-3*  
*Effective date: June 29, 2010, 2010*  
*Updated November 27, 2013*

## Licensure and HQT Requirements for Community Schools

### Objective

To address Ohio licensure and Highly Qualified Teacher (HQT) requirements for community schools.

### Definitions

- **Community School:** means a public school created under Chapter 3314. of the Revised Code, independent of any school district and part of the state's program of education. Community Schools (often called "Charter Schools" in other states) are part of the state's system of public education, offering an education that is regarded as equivalent to that of Ohio's traditional public schools and private schools approved by the state department of education. Community schools are public nonprofit, nonsectarian schools that operate independently of any school district but under a contract with an authorized sponsoring entity that is established by statute or approved by the Ohio Department of Education. Community Schools are public schools of choice and are state and federally funded. There are two types of community schools: new start-up community schools and conversion community schools.
- **New start-up community schools** are established in a contract between a sponsoring entity established by statute or approved by ODE and the governing body of the community school. New start-up community schools are limited in their location to what are referred to as "challenged school districts." These districts include the eight largest urban school districts, as well as districts in academic emergency, academic watch, and districts in the original pilot project area, Lucas County. A new start-up community schools also must have an "operator" in place before the sponsor can enter into a contract to open a new start-up community school. An "operator" is a person or organization that has previously managed the daily operations of another community school in Ohio, or charter school out of state, and can demonstrate that the other community or charter school was academically successful by virtue of a state rating.
- **Conversion community schools:** Community schools that are created by converting all or a portion of an existing traditional public school, including a joint vocational school, or building operated by an educational service center (ESC) to a community school. Conversion community schools may be opened by any school district in the state, and they are considered to be districts for many purposes. Because community schools are by law "independent of any school district" (O.R.C. 3314.01 (B)), once created, conversion community schools operate independently from the sponsoring school district or ESC.

- **District conversion community schools** are created by converting all or a portion of an existing traditional public school or building to a community school. Conversion community schools may be opened by any school district in the state. Conversion community schools operate independently of the sponsoring district and are considered their own district for many purposes.
- **ESC conversion community schools** are created when an ESC converts all or part of a building that it owns or operates into a community school. ESC-sponsored conversion community schools may be opened in any district in the state in which the ESC owns or operates a facility.
- **Joint Vocational School District (JVSD) conversion community schools** are created when a joint vocational school district converts all or part of a building that it owns or operates into a community school. Joint vocational school district-sponsored conversion community schools may be opened in any district in the state in which the joint vocational school district owns or operates a facility.
- **Internet- or computer-based community school** is a community school established under this chapter in which the enrolled students work primarily from their residences on assignments in non-classroom based learning opportunities provided via an internet- or other computer-based instructional method that does not rely on regular classroom instruction or via comprehensive instructional methods that include internet-based, other computer-based, and non-computer based learning opportunities.
- **Sponsor:** An entity able to establish a community school. A sponsor has legal obligations to provide sufficient technical assistance, oversight and monitoring, including taking steps to intervene in a school's operations, to ensure that the community schools it sponsors meet all legally mandated fiscal, academic and operational requirements. Sponsors are called authorizers in other states, as their entering into contracts legally authorizes the establishment of the charter or community school.
- **Highly Qualified Teacher (HQT)<sup>1</sup>:** For community schools, HQT is a federally required designation given to Ohio teachers who have at least a bachelor's degree, a teaching certificate/license other than a short-term substitute or non-tax, and the ability to demonstrate their subject area expertise in the core academic subjects they teach (English, language arts, reading, science, mathematics, government and civics, history, economics, geography, music, visual arts, dance, drama, foreign language).  
**Note:** HQT (Highly Qualified Teachers) must be reported through EMIS for the teachers of record as stated; additionally, all other teaching staff (not listed in EMIS as teacher of record) including intervention specialists and tutors of core academic subjects must have their HQ status on file at the community school as outlined in the HQT Toolkit. The community school must have a policy/procedures for collecting, verifying and maintaining teachers' (and tutors') HQT evidence in compliance with their records and retention policies. Community schools must also collect, verify, and maintain the records for Qualified Instructional Paraprofessionals. For questions or concerns about what type of HQ evidence (for teachers, tutors, and paraprofessionals) must be collected/verified/maintained, the community school administrator should refer to Highly Qualified Teacher (HQT) Toolkit

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<sup>1</sup> All community school special education teachers and intervention specialists must meet the HQT requirements consistent with traditional public schools.

available at ODE HQT Toolkit page. (<http://education.ohio.gov/Topics/School-Improvement/No-Child-Left-Behind/Highly-Qualified-Teacher-HQT-Toolkit-2013-2014> )

***The Operating Standards for Ohio Schools serving Children with Disabilities includes or references HQT requirements for special education teachers and related service personnel.***

- **Special Education Teachers (Intervention Specialists)**

Rule 3301-51-01(B)(27)(b)(i) When used with respect to any public elementary school or secondary school special education teacher teaching in the state, highly qualified requires that: (a) The teacher has obtained full state certification as a special education teacher (including certification obtained through alternative routes to certification), or passed the state special education teacher licensing examination, and holds a license to teach in the state as a special education teacher, “highly qualified” means that the teacher meets the certification or licensing requirements, if any, set forth in the state’s community school law; (b) The teacher has not had special education certification or licensure requirements waived on an emergency, temporary, or provisional basis; and (c) The teacher holds at least a bachelor’s degree.

- **Special Education Teachers (Intervention Specialists) teaching multiple subjects**

Rule 3301-51-01(B)(27)(d) Requirements for special education teachers **teaching multiple subjects** 3301-51-01 - 24 - Subject to paragraph (B)(27)(e) of this rule, when used with respect to a special education teacher who teaches two or more core academic subjects **exclusively to children with disabilities**, “highly qualified” means that the teacher may either: (i) Meet the applicable requirements of Section 9101 of the ESEA and 34 C.F.R. 200.56(b) or (c) (July 1, 2007); (ii) In the case of a teacher who is not new to the profession, demonstrate competence in all the core academic subjects in which the teacher teaches in the same manner as is required for an elementary, middle, or secondary school teacher who is not new to the profession under 34 C.F.R. 200.56(c) (July 1, 2007) which may include a single, high objective uniform state standard of evaluation (HOUSSE) covering multiple subjects; or (iii) In the case of a new special education teacher who teaches multiple subjects and who is highly qualified in mathematics, language arts, or science, demonstrate, not later than two years after the date of employment, competence in the other core academic subjects in which the teacher teaches in the same manner as is required for an elementary, middle, or secondary school teacher under 34 C.F.R. 200.56(c) (July 1, 2007), which may include a single HOUSSE covering multiple subjects.

- **Related Service Personnel**

Rule 3301-51-09(H)(1) Personnel shall have appropriate certification or licensure as defined by Chapter 3301-24 of the Administrative Code. Rule 3301-51-09(H)(2)(a) and (b) The qualifications under paragraph (H)(1) of this rule must include qualifications for related services personnel and paraprofessionals that: (a) Are consistent with state-approved or state-recognized certification, licensing, registration, or other comparable requirements that apply to the professional discipline in which those personnel are providing special education or related services; and (b) Ensure that related services personnel who deliver services in their discipline or profession: (i) Meet the requirements of paragraph (H)(2)(a) of this rule; and (ii) Have not had certification or licensure requirements waived on an emergency, temporary, or provisional basis;

Rule 3301-51-09(H)(2)(c) and (d) (c) Require that personnel serving as physical therapists are licensed pursuant to Chapter 4755. of the Revised Code to practice physical therapy; physical therapist assistants are licensed pursuant to Chapter 4755. of the Revised Code to assist in the provision of physical therapy services under the supervision of a licensed physical therapist; and physical therapists and physical therapist assistants practice in accordance with sections 4755.40 to 4755.56 of the Revised Code and Chapters 4755-21 to 4755-29 of the Administrative Code. (d) Require that personnel serving as occupational therapists are licensed pursuant to Chapter 4755. of the Revised Code to practice occupational therapy; occupational therapy assistants are licensed pursuant to Chapter 4755. of the Revised Code to assist in the provision of occupational therapy services under the supervision of a licensed occupational therapist; and occupational therapists and occupational therapy assistants practice in accordance with sections 4755.04 to 4755.13 of the Revised Code and Chapters 4755-1 to 4755-9 of the Administrative code.

## **Policy**

Community schools are required to meet ODE licensure and federal HQT requirements.

## **Guidance**

The U.S. Department of Education (USDOE) requires all recipients of federal grant funds to meet state licensure standards, including federal HQT requirements, except when applied to public charter school teachers. It also requires charter school teachers to meet the certification and licensure standards set forth in each state's public charter school law.

Although Ohio's community school law permits some flexibility in HQT definition of fully licensed teachers for community schools per ORC 3319.074 (A) (2), ODE requires all community school teachers to meet HQT requirements for the core academic classes they are assigned to teach in a community school.

A long-term substitute license is issued for a specific teaching area in which a person has completed the necessary prerequisite coursework for the teaching area that is requested. Community schools should use HQT Worksheet Section 2: to answer the question: Do you hold a license, other than a short term substitute license. Long-term substitute teaching licenses are issued as one-year licenses or as five-year licenses. The only difference in the licenses is the cost.

Ohio law allows schools to employ staff who hold a bachelor's degree to teach in specific areas of expertise such as music, art or specialty areas for a maximum of 12 hours per week; however, this person will not meet HQT requirements. Also, The 12 hour permit is only for NON LICENSED OR NON CERTIFICATED people. Anyone who holds a teaching license is not eligible for a 12 hour permit.

Community schools in Ohio have an element of flexibility regarding Section 2 on the HQT worksheet, except for special education teachers and intervention specialists.<sup>2</sup>

**Attachment 1** includes specific information on Licensure and HQT requirements for community schools.

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<sup>2</sup> HQT Worksheet Section 2: Do you hold full state certification/licensure in your teaching assignment?

## Community School Special Education Teachers and Intervention Specialists

An analysis<sup>3</sup> of special education licensure requirements for community schools revealed that community schools are not exempt from the special education teacher and intervention specialist licensure provisions and requirements of Ohio law.<sup>4</sup>

Community schools are required to provide special education services in accordance with Ohio Revised Code (ORC) Chapter 3323. Ohio's *Operating Standards for Educational Agencies serving Children with Disabilities* require special education teachers and intervention specialists to be adequately prepared and trained, have content knowledge and skills, and hold appropriate licensure as defined by Ohio Administrative Code (OAC) 3301-24.

Community school special education teachers, intervention specialists and related service personnel are required to meet ODE licensure and HQT requirements consistent with special education teachers, intervention specialists and related service personnel of traditional public schools.

Related service personnel must have qualifications consistent with state-approved or state-recognized certification, licensing, registration or other comparable requirements that apply to the professional discipline in which those personnel are providing special education or related services, which includes meeting ODE's Pupil Services Licensure requirements.

To prevent undue hardships on some community schools, these requirements may be phased in as noted in **Attachment 2**, *Community School Four-year Phased-in Implementation Plan Timeline*, which provides specific dates and requirements for special education teachers and intervention specialists.

### References

Ohio Revised Code Chapter 3314  
Ohio Revised Code 3314.19, 3323.11, 3319.301  
Ohio Administrative Code 3301-51-09 Delivery of services (H)(2), (I)(2), (H)(3),  
Ohio Administrative Code 3301-24 Licensing and Education Programs

### Attachments

1. Educator Licensure Credential Table
2. Community School Four-year Phased-in Implementation Plan Timeline

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<sup>3</sup> Prompted by clarifications of Ohio Revised Code (ORC) 3323.11 as amended by HB 119 in September 2007.

<sup>4</sup> ORC 3323 Education of Children with Disabilities, per Research Memorandum (R-125-1824).

## Attachment 1

### Educator Licensure Credential Table

Below is an Educator Licensure Credential Table that addresses questions associated with specific licenses and transitions for community school teachers.

First-time applicants for licenses, certificates or permits issued by ODE are required to have Ohio Bureau of Criminal Identification and Investigation (BCI) and Federal Bureau of Investigation (FBI) criminal background checks on file at ODE. Both background checks must have been completed within 365 days of the date of application.

House Bill (HB) 1 changed certain background check requirements for licensed educators in Ohio effective Jan. 1, 2010, resulting in fewer checks being needed for many educators who hold multiple credentials, or who hold only credentials of fewer than five years' duration. As a result of HB 1, all educator criminal background checks are now on a five-year cycle. Major changes are:

- Educators who are *renewing* a license or permit, have lived continuously in the state of Ohio for the previous five years *and* have a BCI background check on file with ODE will need to complete *only* an FBI criminal background check once every five years. (Previously, the law required BCI and FBI checks whenever they renewed.) Educators who are renewing a license or permit and who *have not lived continuously* in the state for the past five years will need to complete both a BCI and FBI background check once every five years.
- Educators with *multiple licenses* only need to submit the required background checks when they are applying for the renewal of the license or permit that is of the *longest duration*.
- Educators who hold an *eight-year professional certificate, permanent certificate or non-tax certificate* are still required to submit the required background checks once every five years. Certificate holders who have lived continuously in Ohio for those five years, however, will only need to submit FBI background checks.
- *Initial applicants* for their first educator license must complete both BCI and FBI criminal background checks. These checks need to be less than 365 days old to be considered valid for licensing purposes.
- Educators who currently hold a license or permit and are applying for an initial license in a different field only need to have an FBI background check less than five years old if they answer "Yes" to the residency question. If they answer "No," they must have *both* a BCI and FBI background check less than five years old

| Type of License, Certificate or Permit       | Valid as teacher of record in community school? | Subject to HQT requirements? | BCI/FBI background check required? | Citation/Comments                          |
|--|---|------------------------------|------------------------------------|--|
| Permanent Teaching Certificate               | Yes   | √                            | √                                  | HQT status reported in area of instruction |
| Eight Year Professional Teaching Certificate | Yes   | √                            | √                                  | HQT status reported in area of instruction |

| Type of License, Certificate or Permit  | Valid as teacher of record in community school? | Subject to HQT requirements? | BCI/FBI background check required? | Citation/Comments   |
|---|---|------------------------------|------------------------------------|---|
| Five Year Professional Teaching License, Senior Professional Educator License or Lead Professional Educator License | Yes   | √                            | √                                  | HQT status reported in area of instruction <a href="http://education.ohio.gov">education.ohio.gov</a> , search keywords: <i>licensure applications</i>  |
| Two Year Provisional Teaching License   | Yes   | √                            | √                                  | HQT status reported in area of instruction <a href="http://education.ohio.gov">education.ohio.gov</a> , search keywords : <i>licensure applications</i>   |
| Long Term Substitute License (excluding career-technical)   | Yes   | √                            | √                                  | HQT status reported in area of instruction <a href="http://education.ohio.gov">education.ohio.gov</a> , search keywords: <i>licensure applications</i>  |
| Short Term Substitute License   | No  |                              | √                                  | Valid for teaching up to five days in a given teaching assignment<br>HQT status not required<br><a href="http://education.ohio.gov">education.ohio.gov</a> , search keywords: <i>licensure applications</i> |

|  |     |   |   |  |
|--|-----|---|---|--|
| Four Year Resident Educator License  | Yes | √ | √ | HQT status reported in area of instruction <a href="http://education.ohio.gov">education.ohio.gov</a> , search keywords: <i>licensure applications</i>                                       |
| Alternative Resident Educator License (non career-technical)                                       | Yes | √ | √ | HQT status reported in area of instruction – <a href="http://education.ohio.gov">education.ohio.gov</a> , search keywords: <i>licensure applications</i>                                     |
| Alternative Resident Educator License (career-technical workforce development- formerly “route B”) | Yes |   | √ | HQT required if teaching related academic content area and proper endorsements – <a href="http://education.ohio.gov">education.ohio.gov</a> , search keywords: <i>licensure applications</i> |
| Supplemental Teaching License  | Yes | √ | √ | HQT required in area of instruction – <a href="http://education.ohio.gov">education.ohio.gov</a> , search keywords: <i>licensure applications</i>  |

| Type of License, Certificate or Permit   | Valid as teacher of record in community school? | Subject to HQT requirements? | BCI/FBI background check required? | Citation/Comments  |
|--|---|------------------------------|------------------------------------|--|
| One Year Out-of-State Educator License or Visiting International Teacher License | Yes   | √                            | √                                  | If teacher of record, must meet HQT requirements – <a href="http://education.ohio.gov">education.ohio.gov</a> , search keywords: <i>licensure applications</i>   |
| 12 Hour Teaching Permit  | No  |                              | √                                  | Must have a bachelor's degree. May teach in specific area for a maximum of 12 hours per week (see application) – <a href="http://education.ohio.gov">education.ohio.gov</a> , search keywords: <i>licensure applications</i> |

|                                  |    |  |   |  |
|----------------------------------|----|--|---|--|
| Pupil activity supervisor permit | No |  | √ | Valid for coaching and supervising extracurricular activities. Not valid for teaching – <a href="http://education.ohio.gov">education.ohio.gov</a> , search keywords: <i>licensure applications</i>  |
| Educational Aide permit          | No |  | √ | Paraprofessionals who directly assist teachers with classroom activities; requires HS diploma or GED; must be ESEA qualified by passing Parapro or by having two years of study at an accredited institution of higher education or Associate Degree (or higher) from an accredited institution if position is funded by Title monies – <a href="http://education.ohio.gov">education.ohio.gov</a> , search keywords: <i>educational aide permit</i> |
| Student monitor aide permit      | No |  | √ | Requires high school diploma or GED; does not directly assist teachers with classroom tasks – <a href="http://education.ohio.gov">education.ohio.gov</a> , search keywords: <i>licensure applications</i>  |

- Note 1:** Schools that have difficulty filling an intervention specialist (IS) position may hire a licensed teacher who is willing to apply for a supplemental IS license and work toward an IS license.
- Note 2:** Career-Technical Workforce Development teachers are required to hold licenses appropriate to the subject matter they teach and have proper endorsements.
- Note 3:** Related service personnel must have qualifications consistent with state-approved or state-recognized certification, licensing, registration or other comparable requirements that apply to the professional discipline in which those personnel are providing special education or related services, which includes meeting ODE's Pupil Services Licensure requirements. Related service personnel are not included in the *Community School Four-year Phased-in Implementation Plan* exemption to meet ODE's Pupil Services Licensure requirement.

## Attachment 2

### Community School Four-year Phased-in Implementation Plan Timeline *Employing special education teachers and intervention specialists*

#### 2009-10

- Current special education teachers and intervention specialists who do not presently hold intervention specialist licensure may continue to teach on a long-term substitute or out-of-field license but must agree to work towards receiving an appropriate license.<sup>5</sup>
- Current special education teachers and intervention specialists who meet requirements for the alternative educator license or supplemental license must pursue appropriate license.

#### 2010-11, 2011-12

- Current special education teachers and intervention specialists who have either an alternative license or one-year supplemental license must continue to work toward receiving full licensure.
- All newly hired special education teachers and intervention specialists must possess appropriate license.

#### 2012-13

- All special education teachers and intervention specialists must possess appropriate license. EMIS checks instituted.

### Related Service Providers

Related service personnel such as Speech/Language Pathologist, Occupational Therapist, Physical Therapist and School Nurse are professionals who must have qualifications consistent with state-approved or state-recognized certification, licensing, registration or other comparable requirements that apply to the professional discipline in which those personnel are providing special education or related services, which includes meeting ODE's Pupil Services Licensure requirements.<sup>6</sup> Related service personnel are not included in the *Community School Four-year Phased-in Implementation Plan* exemption to meet ODE's Pupil Services Licensure requirement.

### Resources

Federal Title I, II-A, Individuals with Disabilities Education Act and Public Charter Schools Program professional development funds can be used to help special education teachers and intervention specialists meet the new licensure requirements.

For additional information on HQT, consult the Ohio Department of Education Web page at [education.ohio.gov](http://education.ohio.gov), search keyword: *HQT*.

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<sup>5</sup> Appropriate licensure for working as an intervention specialist or special education teacher is defined as one of the following: a two-year provisional, four-year resident educator or five-year professional IS license, an alternative resident educator license for IS, a supplemental teaching license for IS, or an eight-year professional or permanent teaching certificate for education of the handicapped.

<sup>6</sup> Per Ohio Administrative Code 3301-51-09(H)(2).