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H.B. 583
134th General Assembly

Fiscal Note & Local Impact Statement

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Version: As Introduced

Primary Sponsors: Reps. Bird and Jones

Local Impact Statement Procedure Required: No

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Highlights

- The bill provides school districts and other public schools with more flexibility in hiring substitute teachers through FY 2025 by requiring the State Board of Education to temporarily issue substitute teacher licenses to certain applicants without a bachelor's degree or, in some cases, any postsecondary degree and by allowing a student teacher or intern from a teacher preparation program to work as a substitute teacher under certain conditions.
- A greater pool of substitute teachers may decrease costs for some districts and schools that are dealing with a shortage in this area, as the costs of paying a substitute teacher may be lower than supplemental amounts paid to contract teachers to provide coverage.
- The bill may increase Ohio Department of Education administrative costs paid from the State Board of Education Licensure Fund (Fund 4L20) to process additional license applications. These costs will be more or less offset by a gain in license fee revenue paid by applicants.
- The annual cost of performing the Bureau of Criminal Investigation's background check activities and services may temporarily increase to some degree. These costs will be more or less offset by the fees charged to conduct a background check.

Detailed Analysis

Overview

Generally, educator licenses, permits, or certificates issued by the State Board of Education for teaching grades K-12, including serving as a substitute teacher, require at least a bachelor's degree. The bill requires the State Board to issue substitute educator licenses to

certain applicants without the need to possess a bachelor's degree or in some cases any postsecondary degree until June 30, 2025. The bill also allows a student teacher or intern from a teacher preparation program to work as a substitute teacher for up to five days, also until June 30, 2025. The bill declares an emergency and, thus, goes into immediate effect. The General Assembly enacted similar provisions permitting the employment and temporary licensure of substitute teachers who do not hold postsecondary degrees for the 2020-2021 and 2021-2022 school years in H.B. 409 of the 133rd General Assembly and S.B. 1 of the 134th General Assembly, respectively.

Fiscal effects

School districts and other public schools

The bill's less stringent criteria to obtain a substitute teaching license provides school districts and other public schools with more flexibility in hiring substitute teachers through FY 2025, temporarily increasing the pool of available substitute teachers. Additional substitute teachers may lead to a decrease in school district expenditures while the provisions are in effect. Some districts and schools may be addressing shortages of substitute teachers by assigning contract teachers to use their planning periods to cover classes in which a substitute teacher is not available. Contract teachers generally are paid supplemental amounts for each of these "substitute periods." The supplemental amounts appear to hover around \$25 per period based on a limited review of a number of school district collective bargaining agreements across a range of different district types. Considering a typical school day may consist of around eight periods more or less, this might equate to about \$200 per day. A substitute teacher, by contrast, earns an average of \$105 per full day.¹

Ohio Department of Education

The bill may lead to an increase in Ohio Department of Education (ODE) administrative costs to process additional license applications. ODE may also pay more in fees for the Retained Applicant Fingerprint Database (RAPBACK) continuous criminal record monitoring service if additional individuals become enrolled.² However, any additional cost will be more or less offset by a gain in license fee revenue paid by applicants. A one-year substitute teacher license carries a fee of \$25. Educator licensure fees are deposited into the State Board of Education Licensure Fund (Fund 4L20). These fees cover the costs of processing licensure applications (including RAPBACK fees), providing technical assistance related to licensure, and administering the educator disciplinary process, among other functions. As a point of reference, ODE has issued 4,123 active temporary substitute teaching licenses statewide in FY 2022 under the authority granted by S.B. 1, as of March 7, 2022.

¹ National Substitute Teachers Alliance, "[Frequently Asked Questions](https://nstasubs.org)," which is available on the Alliance's website: nstasubs.org.

² RAPBACK provides participating entities notice that an individual they have enrolled in the database has been arrested or convicted of a criminal offense. The Attorney General's (AGO) Bureau of Criminal Investigation charges participating agencies an initial fee for each individual entered in RAPBACK and an ongoing annual fee per individual, both of which are \$5. ODE pays the fees from Fund 4L20. Upon receipt, AGO deposits RAPBACK fees into the General Reimbursement Fund (Fund 1060).

Background checks

An applicant for a license under the bill will need to have current state and federal background checks on file with ODE. According to ODE, the checks can be no older than one year at the time ODE issues the credential. Background checks filed with ODE are valid for five years. The bill may temporarily affect the workload of the Attorney General's Bureau of Criminal Investigation (BCI) if the number of background checks requested each year increases as a result of the bill. Any associated increase in BCI's annual operating expenses will be more or less offset by the fees charged to conduct a check. BCI performs state-only background checks by comparing an individual's fingerprints against a database of criminal fingerprints to determine if there is a criminal record. BCI also administers federal background checks through the Federal Bureau of Investigation (FBI), which uses a national database to search for criminal history records. The base fees of the state-only and FBI background checks are \$22 and \$25.25, respectively. All of the fees are credited to the General Reimbursement Fund (Fund 1060),³ with \$23.25 of the FBI background check fee subsequently disbursed to the FBI.

³ The Attorney General uses the money credited to Fund 1060 to pay for operating expenses incurred in the provision of law enforcement services, legal representation, and overall office administration.