As Reported by the House Education Committee

131st General Assembly

Regular Session 2015-2016 Sub. H. B. No. 481

Representatives Thompson, Koehler Cosponsors: Representatives Becker, Hood, Zeltwanger, Brenner

A BILL

To amend section 3302.036 of the Revised Code and	1
to amend Sections 4 and 5 of Am. Sub. H.B. 7 of	2
the 131st General Assembly to revise the	3
requirements regarding student enrollment	4
reporting for public schools, scholarship	5
program eligibility relative to students who	6
choose not to take state assessments during the	7
2015-2016 school year, and Educational Choice	8
Scholarship Program eligibility.	9

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3302.036 of the Revised Code be	10
amended to read as follows:	11
Sec. 3302.036. (A) Notwithstanding anything in the Revised	12
Code to the contrary, the department of education shall not	13
assign an overall letter grade under division (C)(3) of section	14
3302.03 of the Revised Code for any school district or building	15
for the 2014-2015, 2015-2016, or 2016-2017 school years, may, at	16
the discretion of the state board of education, not assign an	17
individual grade to any component prescribed under division (C)	18

(3) of section 3302.03 of the Revised Code, and shall not rank 19 school districts, community schools established under Chapter 20 3314. of the Revised Code, or STEM schools established under 21 Chapter 3326. of the Revised Code under section 3302.21 of the 22 Revised Code for those school years. The report card ratings 23 issued for the 2014-2015, 2015-2016, or 2016-2017 school years 24 shall not be considered in determining whether a school district 25 or a school is subject to the sanctions or penalties listed in 26 division (B) of this section. However, the report card ratings 27 of any previous or subsequent years shall be considered in 28 determining whether a school district or building is subject to 29 sanctions or penalties. Accordingly, the report card ratings for 30 the 2014-2015, 2015-2016, or 2016-2017 school years shall have 31 no effect in determining those sanctions or penalties, but shall 32 not create a new starting point for determinations that are 33 based on ratings over multiple years. 34 (B) The provisions from which a district or school is 35 exempt under division (A) of this section shall be the 36 following: 37 (1) Any restructuring provisions established under this 38 chapter, except as required under the "No Child Left Behind Act 39 of 2001"; 40

(2) Provisions for the Columbus city school pilot project41under section 3302.042 of the Revised Code;42

(3) Provisions for academic distress commissions under
former section 3302.10 of the Revised Code as it existed prior
to the effective date of this amendment October 15, 2015. The
provisions of this section do not apply to academic distress
commissions under the version of that section as it exists on or
after the effective date of this amendment October 15, 2015.

(4) Provisions prescribing new buildings where students-	49
are eligible for the educational choice scholarships under-	50
section 3310.03 of the Revised Code;	51
(5)Provisions defining "challenged school districts" in	52
which new start-up community schools may be located, as	53
prescribed in section 3314.02 of the Revised Code;	54
(6)(5) Provisions prescribing community school closure	55
requirements under section 3314.35 or 3314.351 of the Revised	56
Code.	57
(C) Notwithstanding anything in the Revised Code to the	58
contrary and except as provided in Section 3 of H.B. 7 of the	59
131st general assembly, no school district, community school, or	60
STEM school shall utilize at any time during a student's	61
academic career a student's score on any assessment administered	62
under division (A) of section 3301.0710 or division (B)(2) of	63
section 3301.0712 of the Revised Code in the 2014-2015, 2015-	64
2016, or 2016-2017 school <u>year years as a factor in any decision</u>	65
to promote or to deny the student promotion to a higher grade	66
level or in any decision to grant course credit. No individual	67
student score reports on such assessments administered in the	68
2014-2015, 2015-2016, or 2016-2017 school years shall be	69
released, except to a student's school district or school or to	70
the student or the student's parent or guardian.	71
Section 2. That existing section 3302.036 of the Revised	72
Code is hereby repealed.	73
Section 3. That Sections 4 and 5 of Am. Sub. H.B. 7 of the	74
131st General Assembly be amended to read as follows:	75
Sec. 4. Notwithstanding anything in the Revised Code to	76

Sec. 4. Notwithstanding anything in the Revised Code to 76 the contrary, division (E)(3) of section 3317.03, division (L) 77

(3) of section 3314.08, and division (C) of section 3326.37 of 78 the Revised Code shall not apply in the case of a pupil who did 79 not take an assessment prescribed under division (A) of section 80 3301.0710 or division (B)(2) of section 3301.0712 of the Revised 81 Code that was administered during the 2014-2015 or 2015-2016 82 school year and was not excused pursuant to division (C)(1) or 83 (3) of section 3301.0711 of the Revised Code from taking that 84 assessment. 85

Sec. 5. (A) Notwithstanding anything in the Revised Code to the contrary, a student receiving a scholarship under a state scholarship program, as defined in section 3301.0711 of the Revised Code, who did not take an assessment prescribed under division (A) of section 3301.0710 or division (B)(2) of section 3301.0712 of the Revised Code that is administered in the 2014-2015 or 2015-2016 school year shall be considered to be an eligible student for purposes of the respective scholarship program, so long as the student satisfies all other prescribed conditions of the program.

(B) Notwithstanding anything in the Revised Code to the 96 contrary, division (A) of section 3310.14, section 3310.522, and 97 division (A)(11) of section 3313.976 of the Revised Code, and 98 paragraph (C) of rule 3301-103-04 of the Administrative Code 99 shall not apply in the case of a student who did not take an 100 assessment prescribed under division (A) of section 3301.0710 or 101 division (B)(2) of section 3301.0712 of the Revised Code that is 102 administered in the 2014-2015 or 2015-2016 school year. 103

Section 4. That existing Sections 4 and 5 of Am. Sub. H.B.1047 of the 131st General Assembly are hereby repealed.105

Section 5. Not later than thirty days after the effective106date of this section, the Department of Education shall update107

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the list of school districts and schools that are eligible for 108 the Educational Choice Scholarship Program in order to account 109 for the amendments to section 3302.036 of the Revised Code, as 110 amended by this act. 111

Section 6. Section 3302.036 of the Revised Code is 112 presented in this act as a composite of the section as amended 113 by both Am. Sub. H.B. 64 and Am. Sub. H.B. 70 of the 131st 114 General Assembly. The General Assembly, applying the principle 115 stated in division (B) of section 1.52 of the Revised Code that 116 amendments are to be harmonized if reasonably capable of 117 simultaneous operation, finds that the composite is the 118 resulting version of the section in effect prior to the 119 effective date of the section as presented in this act. 120

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