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Representative Brenner

Cosponsors: Representatives Amstutz, Bishoff, Blessing, Boose, Brown, Buchy, Burkley, Cera, Conditt, Craig, Cupp, Derickson, Dever, Fedor, Ginter, Green, Grossman, Hackett, Hagan, Hambley, Hayes, Henne, Hill, Johnson, G., Johnson, T., Koehler, Kraus, Kunze, LaTourette, Lepore-Hagan, Maag, O'Brien, M., Patterson, Rogers, Ruhl, Ryan, Schaffer, Slaby, Smith, R., Sweeney, Terhar, Young, Speaker Rosenberger

A BILL

To amend sections 3301.079, 3301.0710, 3301.0711, 1
3301.0712, 3301.0715, 3302.02, 3302.03, 3302.13, 2
3313.608, and 3319.111 and to enact sections 3
3301.132, 3301.80, and 3313.903 of the Revised 4
Code and to amend Sections 10 and 13 of Am. Sub. 5
H.B. 487 of the 130th General Assembly with 6
regard to the administration of state primary 7
and secondary education assessments. 8

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

Section 1. That sections 3301.079, 3301.0710, 3301.0711, 9
3301.0712, 3301.0715, 3302.02, 3302.03, 3302.13, 3313.608, and 10
3319.111 be amended and sections 3301.132, 3301.80, and 3313.903 11
of the Revised Code be enacted to read as follows: 12

Sec. 3301.079. (A) (1) The state board of education 13
periodically shall adopt statewide academic standards with 14
emphasis on coherence, focus, and essential knowledge and that 15

are more challenging and demanding when compared to 16
international standards for each of grades kindergarten through 17
twelve in English language arts, mathematics, science, and 18
social studies. 19

(a) The state board shall ensure that the standards do all 20
of the following: 21

(i) Include the essential academic content and skills that 22
students are expected to know and be able to do at each grade 23
level that will allow each student to be prepared for 24
postsecondary instruction and the workplace for success in the 25
twenty-first century; 26

(ii) Include the development of skill sets that promote 27
information, media, and technological literacy; 28

(iii) Include interdisciplinary, project-based, real-world 29
learning opportunities; 30

(iv) Instill life-long learning by providing essential 31
knowledge and skills based in the liberal arts tradition, as 32
well as science, technology, engineering, mathematics, and 33
career-technical education; 34

(v) Be clearly written, transparent, and understandable by 35
parents, educators, and the general public. 36

(b) Not later than July 1, 2012, the state board shall 37
incorporate into the social studies standards for grades four to 38
twelve academic content regarding the original texts of the 39
Declaration of Independence, the Northwest Ordinance, the 40
Constitution of the United States and its amendments, with 41
emphasis on the Bill of Rights, and the Ohio Constitution, and 42
their original context. The state board shall revise the model 43
curricula and achievement assessments adopted under divisions 44

(B) and (C) of this section as necessary to reflect the 45
additional American history and American government content. The 46
state board shall make available a list of suggested grade- 47
appropriate supplemental readings that place the documents 48
prescribed by this division in their historical context, which 49
teachers may use as a resource to assist students in reading the 50
documents within that context. 51

(c) When the state board adopts or revises academic 52
content standards in social studies, American history, American 53
government, or science under division (A) (1) of this section, 54
the state board shall develop such standards independently and 55
not as part of a multistate consortium. 56

(2) After completing the standards required by division 57
(A) (1) of this section, the state board shall adopt standards 58
and model curricula for instruction in technology, financial 59
literacy and entrepreneurship, fine arts, and foreign language 60
for grades kindergarten through twelve. The standards shall meet 61
the same requirements prescribed in division (A) (1) (a) of this 62
section. 63

(3) The state board shall adopt the most recent standards 64
developed by the national association for sport and physical 65
education for physical education in grades kindergarten through 66
twelve or shall adopt its own standards for physical education 67
in those grades and revise and update them periodically. 68

The department of education shall employ a full-time 69
physical education coordinator to provide guidance and technical 70
assistance to districts, community schools, and STEM schools in 71
implementing the physical education standards adopted under this 72
division. The superintendent of public instruction shall 73
determine that the person employed as coordinator is qualified 74

for the position, as demonstrated by possessing an adequate 75
combination of education, license, and experience. 76

(4) When academic standards have been completed for any 77
subject area required by this section, the state board shall 78
inform all school districts, all community schools established 79
under Chapter 3314. of the Revised Code, all STEM schools 80
established under Chapter 3326. of the Revised Code, and all 81
nonpublic schools required to administer the assessments 82
prescribed by sections 3301.0710 and 3301.0712 of the Revised 83
Code of the content of those standards. Additionally, upon 84
completion of any academic standards under this section, the 85
department shall post those standards on the department's web 86
site. 87

(B) (1) The state board shall adopt a model curriculum for 88
instruction in each subject area for which updated academic 89
standards are required by division (A) (1) of this section and 90
for each of grades kindergarten through twelve that is 91
sufficient to meet the needs of students in every community. The 92
model curriculum shall be aligned with the standards, to ensure 93
that the academic content and skills specified for each grade 94
level are taught to students, and shall demonstrate vertical 95
articulation and emphasize coherence, focus, and rigor. When any 96
model curriculum has been completed, the state board shall 97
inform all school districts, community schools, and STEM schools 98
of the content of that model curriculum. 99

(2) Not later than June 30, 2013, the state board, in 100
consultation with any office housed in the governor's office 101
that deals with workforce development, shall adopt model 102
curricula for grades kindergarten through twelve that embed 103
career connection learning strategies into regular classroom 104

instruction. 105

(3) All school districts, community schools, and STEM 106
schools may utilize the state standards and the model curriculum 107
established by the state board, together with other relevant 108
resources, examples, or models to ensure that students have the 109
opportunity to attain the academic standards. Upon request, the 110
department shall provide technical assistance to any district, 111
community school, or STEM school in implementing the model 112
curriculum. 113

Nothing in this section requires any school district to 114
utilize all or any part of a model curriculum developed under 115
this section. 116

(C) The state board shall develop achievement assessments 117
aligned with the academic standards and model curriculum for 118
each of the subject areas and grade levels required by divisions 119
(A) (1) and (B) (1) of section 3301.0710 of the Revised Code. 120

When any achievement assessment has been completed, the 121
state board shall inform all school districts, community 122
schools, STEM schools, and nonpublic schools required to 123
administer the assessment of its completion, and the department 124
shall make the achievement assessment available to the districts 125
and schools. 126

(D) (1) The state board shall adopt a diagnostic assessment 127
aligned with the academic standards and model curriculum for 128
each of grades kindergarten through ~~two~~ three in reading, ~~—~~ 129
~~writing, — and for grade two in mathematics and for grade three~~ 130
~~in reading and writing.~~ The diagnostic assessment shall be 131
designed to measure student comprehension of academic content 132
and mastery of related skills for the relevant subject area and 133

grade level. Any diagnostic assessment shall not include 134
components to identify gifted students. Blank copies of 135
diagnostic assessments shall be public records. The department 136
of education shall specify not less than two mathematics 137
diagnostic assessments that are approved for identifying 138
students as gifted in the specific academic ability field of 139
mathematics under Chapter 3324. of the Revised Code and for the 140
student academic growth component of teacher evaluations 141
conducted in accordance with sections 3319.111, 3319.112, and 142
3319.114 of the Revised Code. 143

(2) When each diagnostic assessment has been completed, 144
the state board shall inform all school districts of its 145
completion and the department shall make the diagnostic 146
assessment available to the districts at no cost to the 147
district. School districts shall administer the diagnostic 148
assessment pursuant to section 3301.0715 of the Revised Code 149
beginning the first school year following the development of the 150
assessment. 151

(E) The state board shall not adopt a diagnostic or 152
achievement assessment for any grade level or subject area other 153
than those specified in this section. 154

(F) Whenever the state board or the department consults 155
with persons for the purpose of drafting or reviewing any 156
standards, diagnostic assessments, achievement assessments, or 157
model curriculum required under this section, the state board or 158
the department shall first consult with parents of students in 159
kindergarten through twelfth grade and with active Ohio 160
classroom teachers, other school personnel, and administrators 161
with expertise in the appropriate subject area. Whenever 162
practicable, the state board and department shall consult with 163

teachers recognized as outstanding in their fields. 164

If the department contracts with more than one outside 165
entity for the development of the achievement assessments 166
required by this section, the department shall ensure the 167
interchangeability of those assessments. 168

(G) Whenever the state board adopts standards or model 169
curricula under this section, the department also shall provide 170
information on the use of blended or digital learning in the 171
delivery of the standards or curricula to students in accordance 172
with division (A) (4) of this section. 173

(H) The fairness sensitivity review committee, established 174
by rule of the state board of education, shall not allow any 175
question on any achievement or diagnostic assessment developed 176
under this section or any proficiency test prescribed by former 177
section 3301.0710 of the Revised Code, as it existed prior to 178
September 11, 2001, to include, be written to promote, or 179
inquire as to individual moral or social values or beliefs. The 180
decision of the committee shall be final. This section does not 181
create a private cause of action. 182

(I) (1) (a) The English language arts academic standards 183
review committee is hereby created to review academic content 184
standards in the subject of English language arts. The committee 185
shall consist of the following members: 186

(i) Three experts who are residents of this state and who 187
primarily conduct research, provide instruction, currently work 188
in, or possess an advanced degree in the subject area. One 189
expert shall be appointed by each of the president of the 190
senate, the speaker of the house of representatives, and the 191
governor; 192

(ii) One parent or guardian appointed by the president of the senate;	193 194
(iii) One educator who is currently teaching in a classroom, appointed by the speaker of the house of representatives;	195 196 197
(iv) The chancellor of the Ohio board of regents, or the chancellor's designee;	198 199
(v) The state superintendent, or the superintendent's designee, who shall serve as the chairperson of the committee.	200 201
(b) The mathematics academic standards review committee is hereby created to review academic content standards in the subject of mathematics. The committee shall consist of the following members:	202 203 204 205
(i) Three experts who are residents of this state and who primarily conduct research, provide instruction, currently work in, or possess an advanced degree in the subject area. One expert shall be appointed by each of the president of the senate, the speaker of the house of representatives, and the governor;	206 207 208 209 210 211
(ii) One parent or guardian appointed by the speaker of the house of representatives;	212 213
(iii) One educator who is currently teaching in a classroom, appointed by the president of the senate;	214 215
(iv) The chancellor, or the chancellor's designee;	216
(v) The state superintendent, or the superintendent's designee, who shall serve as the chairperson of the committee.	217 218
(c) The science academic standards review committee is	219

hereby created to review academic content standards in the 220
subject of science. The committee shall consist of the following 221
members: 222

(i) Three experts who are residents of this state and who 223
primarily conduct research, provide instruction, currently work 224
in, or possess an advanced degree in the subject area. One 225
expert shall be appointed by each of the president of the 226
senate, the speaker of the house of representatives, and the 227
governor; 228

(ii) One parent or guardian appointed by the president of 229
the senate; 230

(iii) One educator who is currently teaching in a 231
classroom, appointed by the speaker of the house of 232
representatives; 233

(iv) The chancellor, or the chancellor's designee; 234

(v) The state superintendent, or the superintendent's 235
designee, who shall serve as the chairperson of the committee. 236

(d) The social studies academic standards review committee 237
is hereby created to review academic content standards in the 238
subject of social studies. The committee shall consist of the 239
following members: 240

(i) Three experts who are residents of this state and who 241
primarily conduct research, provide instruction, currently work 242
in, or possess an advanced degree in the subject area. One 243
expert shall be appointed by each of the president of the 244
senate, the speaker of the house of representatives, and the 245
governor; 246

(ii) One parent or guardian appointed by the speaker of 247

the house of representatives;	248
(iii) One educator who is currently teaching in a classroom, appointed by the president of the senate;	249 250
(iv) The chancellor, or the chancellor's designee;	251
(v) The state superintendent, or the superintendent's designee, who shall serve as the chairperson of the committee.	252 253
(2) (a) Each committee created in division (I) (1) of this section shall review the academic content standards for its respective subject area to ensure that such standards are clear, concise, and appropriate for each grade level and promote higher student performance, learning, subject matter comprehension, and improved student achievement. Each committee also shall review whether the standards for its respective subject area promote essential knowledge in the subject, lifelong learning, the liberal arts tradition, and college and career readiness and whether the standards reduce remediation.	254 255 256 257 258 259 260 261 262 263
(b) Each committee shall determine whether the assessments submitted to that committee under division (I) (4) of this section are appropriate for the committee's respective subject area and meet the academic content standards adopted under this section and community expectations.	264 265 266 267 268
(c) <u>Not later than September 30, 2015, each academic standards review committee shall submit its review and determinations made under division (I) (2) of this section to the state board and the department of education.</u>	269 270 271 272
(3) The department of education shall provide administrative support for each committee created in division (I) (1) of this section. Members of each committee shall be reimbursed for reasonable and necessary expenses related to the	273 274 275 276

operations of the committee. Members of each committee shall 277
serve at the pleasure of the appointing authority. 278

(4) Notwithstanding anything to the contrary in division 279
(N) of section 3301.0711 of the Revised Code, the department 280
shall submit to the appropriate committee created under division 281
(I) (1) of this section copies of the questions and corresponding 282
answers on the relevant assessments required by section 283
3301.0710 of the Revised Code on the first day of July following 284
the school year that the assessments were administered. The 285
department shall provide each committee with the entire content 286
of each relevant assessment, including corresponding answers. 287

The assessments received by the committees are not public 288
records of the committees and are not subject to release by the 289
committees to any other person or entity under section 149.43 of 290
the Revised Code. However, the assessments shall become public 291
records in accordance with division (N) of section 3301.0711 of 292
the Revised Code. 293

(J) Not later than forty-five days prior to the adoption 294
by the state board of updated academic standards under division 295
(A) (1) of this section or updated model curricula under division 296
(B) (1) of this section, the superintendent of public instruction 297
shall present the academic standards or model curricula, as 298
applicable, to the respective committees of the house of 299
representatives and senate that consider education legislation. 300

(K) As used in this section: 301

(1) "Blended learning" means the delivery of instruction 302
in a combination of time in a supervised physical location away 303
from home and online delivery whereby the student has some 304
element of control over time, place, path, or pace of learning. 305

(2) "Coherence" means a reflection of the structure of the discipline being taught. 306
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(3) "Digital learning" means learning facilitated by technology that gives students some element of control over time, place, path, or pace of learning. 308
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(4) "Focus" means limiting the number of items included in a curriculum to allow for deeper exploration of the subject matter. 311
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(5) "Vertical articulation" means key academic concepts and skills associated with mastery in particular content areas should be articulated and reinforced in a developmentally appropriate manner at each grade level so that over time students acquire a depth of knowledge and understanding in the core academic disciplines. 314
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Sec. 3301.0710. The state board of education shall adopt rules establishing a statewide program to assess student achievement. The state board shall ensure that all assessments administered under the program are aligned with the academic standards and model curricula adopted by the state board and are created with input from Ohio parents, Ohio classroom teachers, Ohio school administrators, and other Ohio school personnel pursuant to section 3301.079 of the Revised Code. 320
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The assessment program shall be designed to ensure that students who receive a high school diploma demonstrate at least high school levels of achievement in English language arts, mathematics, science, and social studies. 328
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(A) (1) The state board shall prescribe all of the following: 332
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(a) Two statewide achievement assessments, one each 334

designed to measure the level of English language arts and 335
mathematics skill expected at the end of third grade; 336

(b) Three statewide achievement assessments, one each 337
designed to measure the level of English language arts, 338
mathematics, and social studies skill expected at the end of 339
fourth grade; 340

(c) Three statewide achievement assessments, one each 341
designed to measure the level of English language arts, 342
mathematics, and science skill expected at the end of fifth 343
grade; 344

(d) Three statewide achievement assessments, one each 345
designed to measure the level of English language arts, 346
mathematics, and social studies skill expected at the end of 347
sixth grade; 348

(e) Two statewide achievement assessments, one each 349
designed to measure the level of English language arts and 350
mathematics skill expected at the end of seventh grade; 351

(f) Three statewide achievement assessments, one each 352
designed to measure the level of English language arts, 353
mathematics, and science skill expected at the end of eighth 354
grade. 355

Beginning with the 2015-2016 school year, each assessment 356
prescribed under division (A)(1) of this section shall be 357
administered as an end-of-year summative assessment. 358

(2) The state board shall determine and designate at least 359
five ranges of scores on each of the achievement assessments 360
described in divisions (A)(1) and (B)(1) of this section. Each 361
range of scores shall be deemed to demonstrate a level of 362
achievement so that any student attaining a score within such 363

range has achieved one of the following: 364

- (a) An advanced level of skill; 365
- (b) An accelerated level of skill; 366
- (c) A proficient level of skill; 367
- (d) A basic level of skill; 368
- (e) A limited level of skill. 369

(3) For the purpose of implementing division (A) of 370
section 3313.608 of the Revised Code, the state board shall 371
determine and designate a level of achievement, not lower than 372
the level designated in division (A)(2)(e) of this section, on 373
the third grade English language arts assessment for a student 374
to be promoted to the fourth grade. The state board shall review 375
and adjust upward the level of achievement designated under this 376
division each year the test is administered until the level is 377
set equal to the level designated in division (A)(2)(c) of this 378
section. 379

(B)(1) The assessments prescribed under division (B)(1) of 380
this section shall collectively be known as the Ohio graduation 381
tests. The state board shall prescribe five statewide high 382
school achievement assessments, one each designed to measure the 383
level of reading, writing, mathematics, science, and social 384
studies skill expected at the end of tenth grade. The state 385
board shall designate a score in at least the range designated 386
under division (A)(2)(c) of this section on each such assessment 387
that shall be deemed to be a passing score on the assessment as 388
a condition toward granting high school diplomas under sections 389
3313.61, 3313.611, 3313.612, and 3325.08 of the Revised Code 390
until the assessment system prescribed by section 3301.0712 of 391
the Revised Code is implemented in accordance with division (B) 392

(2) of this section. 393

(2) The state board shall prescribe an assessment system 394
in accordance with section 3301.0712 of the Revised Code that 395
shall replace the Ohio graduation tests beginning with students 396
who enter the ninth grade for the first time on or after July 1, 397
2014. 398

(3) The state board may enter into a reciprocal agreement 399
with the appropriate body or agency of any other state that has 400
similar statewide achievement assessment requirements for 401
receiving high school diplomas, under which any student who has 402
met an achievement assessment requirement of one state is 403
recognized as having met the similar requirement of the other 404
state for purposes of receiving a high school diploma. For 405
purposes of this section and sections 3301.0711 and 3313.61 of 406
the Revised Code, any student enrolled in any public high school 407
in this state who has met an achievement assessment requirement 408
specified in a reciprocal agreement entered into under this 409
division shall be deemed to have attained at least the 410
applicable score designated under this division on each 411
assessment required by division (B)(1) or (2) of this section 412
that is specified in the agreement. 413

Beginning with assessments administered on or after July 414
1, 2015, the duration of the administration for each elementary 415
summative end-of-year assessment prescribed by division (A) of 416
this section shall not exceed three hours per assessment, and 417
the duration of the administration for each high school end-of- 418
course examination prescribed by division (B)(2) of section 419
3301.0712 of the Revised Code shall not exceed three hours per 420
year. The limitations prescribed by this paragraph shall not 421
apply to assessments for students with disabilities, the English 422

language arts assessment prescribed by division (A)(1)(a) of 423
section 3301.0710 of the Revised Code or any related diagnostic 424
assessment for students who failed to attain a passing score on 425
that English language arts achievement assessment, the 426
nationally standardized assessments that measure college and 427
career readiness as prescribed by division (B)(1) of section 428
3301.0712 of the Revised Code, or substitute examinations as 429
prescribed by division (B)(4) of section 3301.0712 of the 430
Revised Code. 431

(C) The superintendent of public instruction shall 432
designate dates and times for the administration of the 433
assessments prescribed by divisions (A) and (B) of this section. 434

In prescribing administration dates pursuant to this 435
division, the superintendent shall designate the dates in such a 436
way as to allow a reasonable length of time between the 437
administration of assessments prescribed under this section and 438
any administration of the national assessment of educational 439
progress given to students in the same grade level pursuant to 440
section 3301.27 of the Revised Code or federal law. 441

(D) The state board shall prescribe a practice version of 442
each Ohio graduation test described in division (B)(1) of this 443
section that is of comparable length to the actual test. 444

(E) Any committee established by the department of 445
education for the purpose of making recommendations to the state 446
board regarding the state board's designation of scores on the 447
assessments described by this section shall inform the state 448
board of the probable percentage of students who would score in 449
each of the ranges established under division (A)(2) of this 450
section on the assessments if the committee's recommendations 451
are adopted by the state board. To the extent possible, these 452

percentages shall be disaggregated by gender, major racial and 453
ethnic groups, limited English proficient students, economically 454
disadvantaged students, students with disabilities, and migrant 455
students. 456

Sec. 3301.0711. (A) The department of education shall: 457

(1) Annually furnish to, grade, and score all assessments 458
required by divisions (A) (1) and (B) (1) of section 3301.0710 of 459
the Revised Code to be administered by city, local, exempted 460
village, and joint vocational school districts, except that each 461
district shall score any assessment administered pursuant to 462
division (B) (10) of this section. Each assessment so furnished 463
shall include the data verification code of the student to whom 464
the assessment will be administered, as assigned pursuant to 465
division (D) (2) of section 3301.0714 of the Revised Code. In 466
furnishing the practice versions of Ohio graduation tests 467
prescribed by division (D) of section 3301.0710 of the Revised 468
Code, the department shall make the tests available on its web 469
site for reproduction by districts. In awarding contracts for 470
grading assessments, the department shall give preference to 471
Ohio-based entities employing Ohio residents. 472

(2) Adopt rules for the ethical use of assessments and 473
prescribing the manner in which the assessments prescribed by 474
section 3301.0710 of the Revised Code shall be administered to 475
students. 476

(B) Except as provided in divisions (C) and (J) of this 477
section, the board of education of each city, local, and 478
exempted village school district shall, in accordance with rules 479
adopted under division (A) of this section: 480

~~(1) Administer~~ (a) Until the 2015-2016 school year, 481

administer the English language arts assessments prescribed 482
under division (A) (1) (a) of section 3301.0710 of the Revised 483
Code twice annually to all students in the third grade who have 484
not attained the score designated for that assessment under 485
division (A) (2) (c) of section 3301.0710 of the Revised Code. 486

(b) For the 2015-2016 school year, and for each school 487
year thereafter, administer the English language arts assessment 488
prescribed under division (A) (1) (a) of section 3301.0710 of the 489
Revised Code once annually to all students in the third grade. 490
The department shall not require districts to administer the 491
assessment described in division (B) (1) (b) of this section in 492
the fall. 493

The department shall identify and approve at least two 494
assessments that can be used for multiple purposes, including a 495
diagnostic assessment administered to third-grade students under 496
section 3301.0715 of the Revised Code, an assessment that 497
permits a student to demonstrate an acceptable level of 498
performance for purposes of the third grade reading guarantee as 499
prescribed under division (A) (2) (c) of section 3313.608 of the 500
Revised Code, and an assessment used to identify students as 501
gifted in specific academic ability fields in reading, writing, 502
or both, under Chapter 3324. of the Revised Code. 503

(2) Administer the mathematics assessment prescribed under 504
division (A) (1) (a) of section 3301.0710 of the Revised Code at 505
least once annually to all students in the third grade. 506

(3) Administer the assessments prescribed under division 507
(A) (1) (b) of section 3301.0710 of the Revised Code at least once 508
annually to all students in the fourth grade. 509

(4) Administer the assessments prescribed under division 510

(A) (1) (c) of section 3301.0710 of the Revised Code at least once 511
annually to all students in the fifth grade. 512

(5) Administer the assessments prescribed under division 513
(A) (1) (d) of section 3301.0710 of the Revised Code at least once 514
annually to all students in the sixth grade. 515

(6) Administer the assessments prescribed under division 516
(A) (1) (e) of section 3301.0710 of the Revised Code at least once 517
annually to all students in the seventh grade. 518

(7) Administer the assessments prescribed under division 519
(A) (1) (f) of section 3301.0710 of the Revised Code at least once 520
annually to all students in the eighth grade. 521

(8) Except as provided in division (B) (9) of this section, 522
administer any assessment prescribed under division (B) (1) of 523
section 3301.0710 of the Revised Code as follows: 524

(a) At least once annually to all tenth grade students and 525
at least twice annually to all students in eleventh or twelfth 526
grade who have not yet attained the score on that assessment 527
designated under that division; 528

(b) To any person who has successfully completed the 529
curriculum in any high school or the individualized education 530
program developed for the person by any high school pursuant to 531
section 3323.08 of the Revised Code but has not received a high 532
school diploma and who requests to take such assessment, at any 533
time such assessment is administered in the district. 534

(9) In lieu of the board of education of any city, local, 535
or exempted village school district in which the student is also 536
enrolled, the board of a joint vocational school district shall 537
administer any assessment prescribed under division (B) (1) of 538
section 3301.0710 of the Revised Code at least twice annually to 539

any student enrolled in the joint vocational school district who 540
has not yet attained the score on that assessment designated 541
under that division. A board of a joint vocational school 542
district may also administer such an assessment to any student 543
described in division (B) (8) (b) of this section. 544

(10) If the district has a three-year average graduation 545
rate of not more than seventy-five per cent, administer each 546
assessment prescribed by division (D) of section 3301.0710 of 547
the Revised Code in September to all ninth grade students who 548
entered ninth grade prior to July 1, 2014. 549

Except as provided in section 3313.614 of the Revised Code 550
for administration of an assessment to a person who has 551
fulfilled the curriculum requirement for a high school diploma 552
but has not passed one or more of the required assessments, the 553
assessments prescribed under division (B) (1) of section 554
3301.0710 of the Revised Code shall not be administered after 555
the date specified in the rules adopted by the state board of 556
education under division (D) (1) of section 3301.0712 of the 557
Revised Code. 558

(11) Administer the assessments prescribed by division (B) 559
(2) of section 3301.0710 and section 3301.0712 of the Revised 560
Code in accordance with the timeline and plan for implementation 561
of those assessments prescribed by rule of the state board 562
adopted under division (D) (1) of section 3301.0712 of the 563
Revised Code. 564

(C) (1) (a) In the case of a student receiving special 565
education services under Chapter 3323. of the Revised Code, the 566
individualized education program developed for the student under 567
that chapter shall specify the manner in which the student will 568
participate in the assessments administered under this section. 569

The individualized education program may excuse the student from 570
taking any particular assessment required to be administered 571
under this section if it instead specifies an alternate 572
assessment method approved by the department of education as 573
conforming to requirements of federal law for receipt of federal 574
funds for disadvantaged pupils. To the extent possible, the 575
individualized education program shall not excuse the student 576
from taking an assessment unless no reasonable accommodation can 577
be made to enable the student to take the assessment. 578

(b) Any alternate assessment approved by the department 579
for a student under this division shall produce measurable 580
results comparable to those produced by the assessment it 581
replaces in order to allow for the student's results to be 582
included in the data compiled for a school district or building 583
under section 3302.03 of the Revised Code. 584

(c) Any student enrolled in a chartered nonpublic school 585
who has been identified, based on an evaluation conducted in 586
accordance with section 3323.03 of the Revised Code or section 587
504 of the "Rehabilitation Act of 1973," 87 Stat. 355, 29 588
U.S.C.A. 794, as amended, as a child with a disability shall be 589
excused from taking any particular assessment required to be 590
administered under this section if a plan developed for the 591
student pursuant to rules adopted by the state board excuses the 592
student from taking that assessment. In the case of any student 593
so excused from taking an assessment, the chartered nonpublic 594
school shall not prohibit the student from taking the 595
assessment. 596

(2) A district board may, for medical reasons or other 597
good cause, excuse a student from taking an assessment 598
administered under this section on the date scheduled, but that 599

assessment shall be administered to the excused student not 600
later than nine days following the scheduled date. The district 601
board shall annually report the number of students who have not 602
taken one or more of the assessments required by this section to 603
the state board not later than the thirtieth day of June. 604

(3) As used in this division, "limited English proficient 605
student" has the same meaning as in 20 U.S.C. 7801. 606

No school district board shall excuse any limited English 607
proficient student from taking any particular assessment 608
required to be administered under this section, except that any 609
limited English proficient student who has been enrolled in 610
United States schools for less than one full school year shall 611
not be required to take any reading, writing, or English 612
language arts assessment. However, no board shall prohibit a 613
limited English proficient student who is not required to take 614
an assessment under this division from taking the assessment. A 615
board may permit any limited English proficient student to take 616
an assessment required to be administered under this section 617
with appropriate accommodations, as determined by the 618
department. For each limited English proficient student, each 619
school district shall annually assess that student's progress in 620
learning English, in accordance with procedures approved by the 621
department. 622

The governing authority of a chartered nonpublic school 623
may excuse a limited English proficient student from taking any 624
assessment administered under this section. However, no 625
governing authority shall prohibit a limited English proficient 626
student from taking the assessment. 627

(D) (1) In the school year next succeeding the school year 628
in which the assessments prescribed by division (A) (1) or (B) (1) 629

of section 3301.0710 of the Revised Code or former division (A) 630
(1), (A) (2), or (B) of section 3301.0710 of the Revised Code as 631
it existed prior to September 11, 2001, are administered to any 632
student, the board of education of any school district in which 633
the student is enrolled in that year shall provide to the 634
student intervention services commensurate with the student's 635
performance, including any intensive intervention required under 636
section 3313.608 of the Revised Code, in any skill in which the 637
student failed to demonstrate at least a score at the proficient 638
level on the assessment. 639

(2) Following any administration of the assessments 640
prescribed by division (D) of section 3301.0710 of the Revised 641
Code to ninth grade students, each school district that has a 642
three-year average graduation rate of not more than seventy-five 643
per cent shall determine for each high school in the district 644
whether the school shall be required to provide intervention 645
services to any students who took the assessments. In 646
determining which high schools shall provide intervention 647
services based on the resources available, the district shall 648
consider each school's graduation rate and scores on the 649
practice assessments. The district also shall consider the 650
scores received by ninth grade students on the English language 651
arts and mathematics assessments prescribed under division (A) 652
(1) (f) of section 3301.0710 of the Revised Code in the eighth 653
grade in determining which high schools shall provide 654
intervention services. 655

Each high school selected to provide intervention services 656
under this division shall provide intervention services to any 657
student whose results indicate that the student is failing to 658
make satisfactory progress toward being able to attain scores at 659
the proficient level on the Ohio graduation tests. Intervention 660

services shall be provided in any skill in which a student 661
demonstrates unsatisfactory progress and shall be commensurate 662
with the student's performance. Schools shall provide the 663
intervention services prior to the end of the school year, 664
during the summer following the ninth grade, in the next 665
succeeding school year, or at any combination of those times. 666

(E) Except as provided in section 3313.608 of the Revised 667
Code and division (M) of this section, no school district board 668
of education shall utilize any student's failure to attain a 669
specified score on an assessment administered under this section 670
as a factor in any decision to deny the student promotion to a 671
higher grade level. However, a district board may choose not to 672
promote to the next grade level any student who does not take an 673
assessment administered under this section or make up an 674
assessment as provided by division (C) (2) of this section and 675
who is not exempt from the requirement to take the assessment 676
under division (C) (3) of this section. 677

(F) No person shall be charged a fee for taking any 678
assessment administered under this section, except that a school 679
district or school may charge a student for an advanced 680
placement or international baccalaureate examination. 681

(G) (1) Each school district board shall designate one 682
location for the collection of assessments administered in the 683
spring under division (B) (1) of this section and those 684
administered under divisions (B) (2) to (7) of this section. Each 685
district board shall submit the assessments to the entity with 686
which the department contracts for the scoring of the 687
assessments as follows: 688

(a) If the district's total enrollment in grades 689
kindergarten through twelve during the first full school week of 690

October was less than two thousand five hundred, not later than 691
the Friday after all of the assessments have been administered; 692

(b) If the district's total enrollment in grades 693
kindergarten through twelve during the first full school week of 694
October was two thousand five hundred or more, but less than 695
seven thousand, not later than the Monday after all of the 696
assessments have been administered; 697

(c) If the district's total enrollment in grades 698
kindergarten through twelve during the first full school week of 699
October was seven thousand or more, not later than the Tuesday 700
after all of the assessments have been administered. 701

However, any assessment that a student takes during the 702
make-up period described in division (C) (2) of this section 703
shall be submitted not later than the Friday following the day 704
the student takes the assessment. 705

(2) The department or an entity with which the department 706
contracts for the scoring of the assessment shall send to each 707
school district board a list of the individual scores of all 708
persons taking an assessment prescribed by division (A) (1) or 709
(B) (1) of section 3301.0710 of the Revised Code within sixty 710
days after its administration, but in no case shall the scores 711
be returned later than the fifteenth day of June following the 712
administration. For assessments administered under this section 713
by a joint vocational school district, the department or entity 714
shall also send to each city, local, or exempted village school 715
district a list of the individual scores of any students of such 716
city, local, or exempted village school district who are 717
attending school in the joint vocational school district. 718

(H) Individual scores on any assessments administered 719

under this section shall be released by a district board only in 720
accordance with section 3319.321 of the Revised Code and the 721
rules adopted under division (A) of this section. No district 722
board or its employees shall utilize individual or aggregate 723
results in any manner that conflicts with rules for the ethical 724
use of assessments adopted pursuant to division (A) of this 725
section. 726

(I) Except as provided in division (G) of this section, 727
the department or an entity with which the department contracts 728
for the scoring of the assessment shall not release any 729
individual scores on any assessment administered under this 730
section. The state board shall adopt rules to ensure the 731
protection of student confidentiality at all times. The rules 732
may require the use of the data verification codes assigned to 733
students pursuant to division (D)(2) of section 3301.0714 of the 734
Revised Code to protect the confidentiality of student scores. 735

(J) Notwithstanding division (D) of section 3311.52 of the 736
Revised Code, this section does not apply to the board of 737
education of any cooperative education school district except as 738
provided under rules adopted pursuant to this division. 739

(1) In accordance with rules that the state board shall 740
adopt, the board of education of any city, exempted village, or 741
local school district with territory in a cooperative education 742
school district established pursuant to divisions (A) to (C) of 743
section 3311.52 of the Revised Code may enter into an agreement 744
with the board of education of the cooperative education school 745
district for administering any assessment prescribed under this 746
section to students of the city, exempted village, or local 747
school district who are attending school in the cooperative 748
education school district. 749

(2) In accordance with rules that the state board shall 750
adopt, the board of education of any city, exempted village, or 751
local school district with territory in a cooperative education 752
school district established pursuant to section 3311.521 of the 753
Revised Code shall enter into an agreement with the cooperative 754
district that provides for the administration of any assessment 755
prescribed under this section to both of the following: 756

(a) Students who are attending school in the cooperative 757
district and who, if the cooperative district were not 758
established, would be entitled to attend school in the city, 759
local, or exempted village school district pursuant to section 760
3313.64 or 3313.65 of the Revised Code; 761

(b) Persons described in division (B) (8) (b) of this 762
section. 763

Any assessment of students pursuant to such an agreement 764
shall be in lieu of any assessment of such students or persons 765
pursuant to this section. 766

(K) (1) (a) Except as otherwise provided in division (K) (1) 767
(a) or (K) (1) (c) of this section, each chartered nonpublic 768
school for which at least sixty-five per cent of its total 769
enrollment is made up of students who are participating in state 770
scholarship programs shall administer the elementary assessments 771
prescribed by section 3301.0710 of the Revised Code. In 772
accordance with procedures and deadlines prescribed by the 773
department, the parent or guardian of a student enrolled in the 774
school who is not participating in a state scholarship program 775
may submit notice to the chief administrative officer of the 776
school that the parent or guardian does not wish to have the 777
student take the elementary assessments prescribed for the 778
student's grade level under division (A) of section 3301.0710 of 779

the Revised Code. If a parent or guardian submits an opt-out 780
notice, the school shall not administer the assessments to that 781
student. This option does not apply to any assessment required 782
for a high school diploma under section 3313.612 of the Revised 783
Code. 784

(b) If a chartered nonpublic school is educating students 785
in grades nine through twelve, it shall administer the 786
assessments prescribed by divisions (B) (1) and (2) of section 787
3301.0710 of the Revised Code as a condition of compliance with 788
section 3313.612 of the Revised Code. 789

(c) A chartered nonpublic school may submit to the 790
superintendent of public instruction a request for a waiver from 791
administering the elementary assessments prescribed by division 792
(A) of section 3301.0710 of the Revised Code. The state 793
superintendent shall approve or disapprove a request for a 794
waiver submitted under division (K) (1) (c) of this section. No 795
waiver shall be approved for any school year prior to the 2015- 796
2016 school year. 797

To be eligible to submit a request for a waiver, a 798
chartered nonpublic school shall meet the following conditions: 799

(i) At least ninety-five per cent of the students enrolled 800
in the school are children with disabilities, as defined under 801
section 3323.01 of the Revised Code, or have received a 802
diagnosis by a school district or from a physician, including a 803
neuropsychiatrist or psychiatrist, or a psychologist who is 804
authorized to practice in this or another state as having a 805
condition that impairs academic performance, such as dyslexia, 806
dyscalculia, attention deficit hyperactivity disorder, or 807
Asperger's syndrome. 808

(ii) The school has solely served a student population 809
described in division (K) (1) (c) (i) of this section for at least 810
ten years. 811

(iii) The school provides to the department at least five 812
years of records of internal testing conducted by the school 813
that affords the department data required for accountability 814
purposes, including diagnostic assessments and nationally 815
standardized norm-referenced achievement assessments that 816
measure reading and math skills. 817

(d) Any chartered nonpublic school that is not subject to 818
division (K) (1) (a) of this section may participate in the 819
assessment program by administering any of the assessments 820
prescribed by division (A) of section 3301.0710 of the Revised 821
Code. The chief administrator of the school shall specify which 822
assessments the school will administer. Such specification shall 823
be made in writing to the superintendent of public instruction 824
prior to the first day of August of any school year in which 825
assessments are administered and shall include a pledge that the 826
nonpublic school will administer the specified assessments in 827
the same manner as public schools are required to do under this 828
section and rules adopted by the department. 829

(2) The department of education shall furnish the 830
assessments prescribed by section 3301.0710 or 3301.0712 of the 831
Revised Code to each chartered nonpublic school that is subject 832
to division (K) (1) (a) of this section or participates under 833
division (K) (1) (b) of this section. 834

(L) (1) The superintendent of the state school for the 835
blind and the superintendent of the state school for the deaf 836
shall administer the assessments described by sections 3301.0710 837
and 3301.0712 of the Revised Code. Each superintendent shall 838

administer the assessments in the same manner as district boards 839
are required to do under this section and rules adopted by the 840
department of education and in conformity with division (C) (1) 841
(a) of this section. 842

(2) The department of education shall furnish the 843
assessments described by sections 3301.0710 and 3301.0712 of the 844
Revised Code to each superintendent. 845

(M) Notwithstanding division (E) of this section, a school 846
district may use a student's failure to attain a score in at 847
least the proficient range on the mathematics assessment 848
described by division (A) (1) (a) of section 3301.0710 of the 849
Revised Code or on an assessment described by division (A) (1) 850
(b), (c), (d), (e), or (f) of section 3301.0710 of the Revised 851
Code as a factor in retaining that student in the current grade 852
level. 853

(N) (1) In the manner specified in divisions (N) (3), (4), 854
and (6) of this section, the assessments required by division 855
(A) (1) of section 3301.0710 of the Revised Code shall become 856
public records pursuant to section 149.43 of the Revised Code on 857
the thirty-first day of July following the school year that the 858
assessments were administered. 859

(2) The department may field test proposed questions with 860
samples of students to determine the validity, reliability, or 861
appropriateness of questions for possible inclusion in a future 862
year's assessment. The department also may use anchor questions 863
on assessments to ensure that different versions of the same 864
assessment are of comparable difficulty. 865

Field test questions and anchor questions shall not be 866
considered in computing scores for individual students. Field 867

test questions and anchor questions may be included as part of 868
the administration of any assessment required by division (A) (1) 869
or (B) of section 3301.0710 and division (B) of section 870
3301.0712 of the Revised Code. 871

(3) Any field test question or anchor question 872
administered under division (N) (2) of this section shall not be 873
a public record. Such field test questions and anchor questions 874
shall be redacted from any assessments which are released as a 875
public record pursuant to division (N) (1) of this section. 876

(4) This division applies to the assessments prescribed by 877
division (A) of section 3301.0710 of the Revised Code. 878

(a) The first administration of each assessment, as 879
specified in former section 3301.0712 of the Revised Code, shall 880
be a public record. 881

(b) For subsequent administrations of each assessment 882
prior to the 2011-2012 school year, not less than forty per cent 883
of the questions on the assessment that are used to compute a 884
student's score shall be a public record. The department shall 885
determine which questions will be needed for reuse on a future 886
assessment and those questions shall not be public records and 887
shall be redacted from the assessment prior to its release as a 888
public record. However, for each redacted question, the 889
department shall inform each city, local, and exempted village 890
school district of the statewide academic standard adopted by 891
the state board under section 3301.079 of the Revised Code and 892
the corresponding benchmark to which the question relates. The 893
preceding sentence does not apply to field test questions that 894
are redacted under division (N) (3) of this section. 895

(c) The administrations of each assessment in the 2011- 896

2012, 2012-2013, and 2013-2014 school years shall not be a public record.

(5) Each assessment prescribed by division (B)(1) of section 3301.0710 of the Revised Code shall not be a public record.

(6) Beginning with the spring administration for the 2014-2015 school year, questions on the assessments prescribed under division (A) of section 3301.0710 and division (B)(2) of section 3301.0712 of the Revised Code and the corresponding preferred answers that are used to compute a student's score shall become a public record as follows:

(a) Forty per cent of the questions and preferred answers on the assessments on the thirty-first day of July following the administration of the assessment;

(b) Twenty per cent of the questions and preferred answers on the assessment on the thirty-first day of July one year after the administration of the assessment;

(c) The remaining forty per cent of the questions and preferred answers on the assessment on the thirty-first day of July two years after the administration of the assessment.

The entire content of an assessment shall become a public record within three years of its administration.

The department shall make the questions that become a public record under this division readily accessible to the public on the department's web site. Questions on the spring administration of each assessment shall be released on an annual basis, in accordance with this division.

(0) As used in this section:

(1) "Three-year average" means the average of the most recent consecutive three school years of data.

(2) "Dropout" means a student who withdraws from school before completing course requirements for graduation and who is not enrolled in an education program approved by the state board of education or an education program outside the state. "Dropout" does not include a student who has departed the country.

(3) "Graduation rate" means the ratio of students receiving a diploma to the number of students who entered ninth grade four years earlier. Students who transfer into the district are added to the calculation. Students who transfer out of the district for reasons other than dropout are subtracted from the calculation. If a student who was a dropout in any previous year returns to the same school district, that student shall be entered into the calculation as if the student had entered ninth grade four years before the graduation year of the graduating class that the student joins.

(4) "State scholarship programs" means the educational choice scholarship pilot program established under sections 3310.01 to 3310.17 of the Revised Code, the autism scholarship program established under section 3310.41 of the Revised Code, the Jon Peterson special needs scholarship program established under sections 3310.51 to 3310.64 of the Revised Code, and the pilot project scholarship program established under sections 3313.974 to 3313.979 of the Revised Code.

Sec. 3301.0712. (A) The state board of education, the superintendent of public instruction, and the chancellor of the Ohio board of regents shall develop a system of college and work ready assessments as described in division (B) of this section

to assess whether each student upon graduating from high school 955
is ready to enter college or the workforce. Beginning with 956
students who enter the ninth grade for the first time on or 957
after July 1, 2014, the system shall replace the Ohio graduation 958
tests prescribed in division (B) (1) of section 3301.0710 of the 959
Revised Code as a measure of student academic performance and 960
one determinant of eligibility for a high school diploma in the 961
manner prescribed by rule of the state board adopted under 962
division (D) of this section. 963

(B) The college and work ready assessment system shall 964
consist of the following: 965

(1) Nationally standardized assessments that measure 966
college and career readiness and are used for college admission. 967
The assessments shall be selected jointly by the state 968
superintendent and the chancellor, and one of which shall be 969
selected by each school district or school to administer to its 970
students. The assessments prescribed under division (B) (1) of 971
this section shall be administered to all eleventh-grade 972
students in the spring of the school year. 973

(2) ~~Seven-Five~~ end-of-course examinations, one in each of 974
the areas of English language arts I, ~~English language arts II,~~ 975
science, Algebra I, ~~geometry,~~ American history, and American 976
government. The end-of-course examinations shall be selected 977
jointly by the state superintendent and the chancellor in 978
consultation with faculty in the appropriate subject areas at 979
institutions of higher education of the university system of 980
Ohio. 981

Not later than March 1, 2016, the state board shall 982
compile a list of multiple assessments that are equivalent to 983
the end-of-course examinations prescribed under division (B) (2) 984

of this section that school districts, public schools, and 985
chartered nonpublic schools may use instead of the end-of-course 986
examinations prescribed under that division. Not later than 987
March 1, 2016, the state board also shall identify a table of 988
corresponding score equivalents that correlate to the levels 989
listed in division (B)(5)(a) of this section for all end-of- 990
course examinations adopted under division (B)(2) of this 991
section. The state board may update or revise the list of 992
equivalent examinations. Beginning with the 2016-2017 school 993
year, a school district or school shall notify the department of 994
education which assessment or assessments the district or school 995
selects for each subject area not later than the fifteenth day 996
of September of each school year. For any equivalent 997
examination, the state board may require the entity that scores 998
that examination to provide the student score data on that 999
equivalent examination on behalf of the district or school, for 1000
purposes of calculating measures for the state report card under 1001
section 3302.03 of the Revised Code. 1002

Advanced placement examinations and international 1003
baccalaureate examinations, as prescribed under section 1004
3313.6013 of the Revised Code, in the areas of science, American 1005
history, and American government may be used as substitute end- 1006
of-course examinations in accordance with division (B)(4)(a)(i) 1007
of this section. Final course grades for courses taken under any 1008
other advanced standing program, as prescribed under section 1009
3313.6013 of the Revised Code, in the areas of science, American 1010
history, and American government may be used in lieu of end-of- 1011
course examinations in accordance with division (B)(4)(a)(ii) of 1012
this section. 1013

(3)(a) Not later than July 1, 2013, each school district 1014
board of education shall adopt interim end-of-course 1015

examinations that comply with the requirements of divisions (B) 1016
(3) (b) (i) and (ii) of this section to assess mastery of American 1017
history and American government standards adopted under division 1018
(A) (1) (b) of section 3301.079 of the Revised Code and the topics 1019
required under division (M) of section 3313.603 of the Revised 1020
Code. Each high school of the district shall use the interim 1021
examinations until the state superintendent and chancellor 1022
select end-of-course examinations in American history and 1023
American government under division (B) (2) of this section. 1024

(b) Not later than July 1, 2014, the state superintendent 1025
and the chancellor shall select the end-of-course examinations 1026
in American history and American government. 1027

(i) The end-of-course examinations in American history and 1028
American government shall require demonstration of mastery of 1029
the American history and American government content for social 1030
studies standards adopted under division (A) (1) (b) of section 1031
3301.079 of the Revised Code and the topics required under 1032
division (M) of section 3313.603 of the Revised Code. 1033

(ii) At least twenty per cent of the end-of-course 1034
examination in American government shall address the topics on 1035
American history and American government described in division 1036
(M) of section 3313.603 of the Revised Code. 1037

(4) (a) Notwithstanding anything to the contrary in this 1038
section, beginning with the 2014-2015 school year, both of the 1039
following shall apply: 1040

(i) If a student is enrolled in an appropriate advanced 1041
placement or international baccalaureate course, that student 1042
shall take the advanced placement or international baccalaureate 1043
examination in lieu of the science, American history, or 1044

American government end-of-course examinations prescribed under 1045
division (B) (2) of this section. The state board shall specify 1046
the score levels for each advanced placement examination and 1047
international baccalaureate examination for purposes of 1048
calculating the minimum cumulative performance score that 1049
demonstrates the level of academic achievement necessary to earn 1050
a high school diploma. 1051

(ii) If a student is enrolled in an appropriate course 1052
under any other advanced standing program, as described in 1053
section 3313.6013 of the Revised Code, that student shall not be 1054
required to take the science, American history, or American 1055
government end-of-course examination, whichever is applicable, 1056
prescribed under division (B) (2) of this section. Instead, that 1057
student's final course grade shall be used in lieu of the 1058
applicable end-of-course examination prescribed under that 1059
section. The state superintendent, in consultation with the 1060
chancellor, shall adopt guidelines for purposes of calculating 1061
the corresponding final course grades that demonstrate the level 1062
of academic achievement necessary to earn a high school diploma. 1063

Division (B) (4) (a) (ii) of this section shall apply only to 1064
courses for which students receive transcribed credit, as 1065
defined in division (U) of section 3365.01 of the Revised Code. 1066
It shall not apply to remedial or developmental courses. 1067

(b) No student shall take a substitute examination or 1068
examination prescribed under division (B) (4) (a) of this section 1069
in place of the end-of-course examinations in English language 1070
arts I, ~~English language arts II, or Algebra I, or geometry~~ 1071
prescribed under division (B) (2) of this section. 1072

(c) The state board shall consider additional assessments 1073
that may be used, beginning with the 2016-2017 school year, as 1074

substitute examinations in lieu of the end-of-course	1075
examinations prescribed under division (B) (2) of this section.	1076
(5) The state board shall do all of the following:	1077
(a) Determine and designate at least five ranges of scores	1078
on each of the end-of-course examinations prescribed under	1079
division (B) (2) of this section, and substitute examinations	1080
prescribed under division (B) (4) of this section. Each range of	1081
scores shall be considered to demonstrate a level of achievement	1082
so that any student attaining a score within such range has	1083
achieved one of the following:	1084
(i) An advanced level of skill;	1085
(ii) An accelerated level of skill;	1086
(iii) A proficient level of skill;	1087
(iv) A basic level of skill;	1088
(v) A limited level of skill.	1089
(b) Determine a method by which to calculate a cumulative	1090
performance score based on the results of a student's end-of-	1091
course examinations or substitute examinations;	1092
(c) Determine the minimum cumulative performance score	1093
that demonstrates the level of academic achievement necessary to	1094
earn a high school diploma;	1095
(d) Develop a table of corresponding score equivalents for	1096
the end-of-course examinations and , <u>substitute examinations,</u>	1097
<u>and equivalent examinations</u> in order to calculate student	1098
performance consistently across the different examinations.	1099
<u>A score of two on an advanced placement examination or a</u>	1100
<u>score of three on an international baccalaureate examination</u>	1101

shall be considered equivalent to a proficient level of skill as 1102
specified under division (B) (5) (a) (iii) of this section. 1103

(6) (a) A student who meets both of the following 1104
conditions shall not be required to take an end-of-course 1105
examination: 1106

(i) The student received high school credit prior to July 1107
1, 2015, for a course for which the end-of-course examination is 1108
prescribed. 1109

(ii) The examination was not available for administration 1110
prior to July 1, 2015. 1111

Receipt of credit for the course described in division (B) 1112
(6) (a) (i) of this section shall satisfy the requirement to take 1113
the end-of-course examination. A student exempted under division 1114
(B) (6) (a) of this section may take the applicable end-of-course 1115
examination at a later date. 1116

(b) For purposes of determining whether a student who is 1117
exempt from taking an end-of-course examination under division 1118
(B) (6) (a) of this section has attained the cumulative score 1119
prescribed by division (B) (5) (c) of this section, such student 1120
shall select either of the following: 1121

(i) The student is considered to have attained a 1122
proficient score on the end-of-course examination from which the 1123
student is exempt; 1124

(ii) The student's final course grade shall be used in 1125
lieu of a score on the end-of-course examination from which the 1126
student is exempt. 1127

The state superintendent, in consultation with the 1128
chancellor, shall adopt guidelines for purposes of calculating 1129

the corresponding final course grades and the minimum cumulative 1130
performance score that demonstrates the level of academic 1131
achievement necessary to earn a high school diploma. 1132

(7) (a) Notwithstanding anything to the contrary in this 1133
section, the state board may replace the algebra I end-of-course 1134
examination prescribed under division (B) (2) of this section 1135
with an algebra II end-of-course examination, beginning with the 1136
2016-2017 school year for students who enter ninth grade on or 1137
after July 1, 2016. 1138

(b) If the state board replaces the algebra I end-of- 1139
course examination with an algebra II end-of-course examination 1140
as authorized under division (B) (7) (a) of this section, both of 1141
the following shall apply: 1142

(i) A student who is enrolled in an advanced placement or 1143
international baccalaureate course in algebra II shall take the 1144
advanced placement or international baccalaureate examination in 1145
lieu of the algebra II end-of-course examination. 1146

(ii) A student who is enrolled in an algebra II course 1147
under any other advanced standing program, as described in 1148
section 3313.6013 of the Revised Code, shall not be required to 1149
take the algebra II end-of-course examination. Instead, that 1150
student's final course grade shall be used in lieu of the 1151
examination. 1152

(c) If a school district or school utilizes an integrated 1153
approach to mathematics instruction, the district or school may 1154
~~do either or both of the following:~~ 1155

~~(i) Administer administer an integrated mathematics I end- 1156
of-course examination in lieu of the prescribed algebra I end- 1157
of-course examination.~~ 1158

~~(ii) Administer an integrated mathematics II end-of-course examination in lieu of the prescribed geometry end-of-course examination.~~ 1159
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(8) (a) For students entering the ninth grade for the first time on or after July 1, 2014, but prior to July 1, 2015, the assessment in the area of science shall be physical science or biology. For students entering the ninth grade for the first time on or after July 1, 2015, the assessment in the area of science shall be biology. 1162
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(b) Until July 1, 2019, the department of education shall make available the end-of-course examination in physical science for students who entered the ninth grade for the first time on or after July 1, 2014, but prior to July 1, 2015, and who wish to retake the examination. 1168
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(c) Not later than July 1, 2016, the state board shall adopt rules prescribing the requirements for the end-of-course examination in science for students who entered the ninth grade for the first time on or after July 1, 2014, but prior to July 1, 2015, and who have not met the requirement prescribed by section 3313.618 of the Revised Code by July 1, 2019, due to a student's failure to satisfy division (A) (2) of section 3313.618 of the Revised Code. 1173
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(9) Neither the state board nor the department of education shall develop or administer an end-of-course examination in the area of world history. 1181
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(C) The state board shall convene a group of national experts, state experts, and local practitioners to provide advice, guidance, and recommendations for the alignment of standards and model curricula to the assessments and in the 1184
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design of the end-of-course examinations prescribed by this 1188
section. 1189

(D) Upon completion of the development of the assessment 1190
system, the state board shall adopt rules prescribing all of the 1191
following: 1192

(1) A timeline and plan for implementation of the 1193
assessment system, including a phased implementation if the 1194
state board determines such a phase-in is warranted; 1195

(2) The date after which a person shall meet the 1196
requirements of the entire assessment system as a prerequisite 1197
for a diploma of adult education under section 3313.611 of the 1198
Revised Code; 1199

(3) Whether and the extent to which a person may be 1200
excused from an American history end-of-course examination and 1201
an American government end-of-course examination under division 1202
(H) of section 3313.61 and division (B) (3) of section 3313.612 1203
of the Revised Code; 1204

(4) The date after which a person who has fulfilled the 1205
curriculum requirement for a diploma but has not passed one or 1206
more of the required assessments at the time the person 1207
fulfilled the curriculum requirement shall meet the requirements 1208
of the entire assessment system as a prerequisite for a high 1209
school diploma under division (B) of section 3313.614 of the 1210
Revised Code; 1211

(5) The extent to which the assessment system applies to 1212
students enrolled in a dropout recovery and prevention program 1213
for purposes of division (F) of section 3313.603 and section 1214
3314.36 of the Revised Code. 1215

(E) Not later than forty-five days prior to the state 1216

board's adoption of a resolution directing the department to 1217
file the rules prescribed by division (D) of this section in 1218
final form under section 119.04 of the Revised Code, the 1219
superintendent of public instruction shall present the 1220
assessment system developed under this section to the respective 1221
committees of the house of representatives and senate that 1222
consider education legislation. 1223

(F) (1) Any person enrolled in a nonchartered nonpublic 1224
school or any person who has been excused from attendance at 1225
school for the purpose of home instruction under section 3321.04 1226
of the Revised Code may choose to participate in the system of 1227
assessments administered under divisions (B) (1) and (2) of this 1228
section. However, no such person shall be required to 1229
participate in the system of assessments. 1230

(2) The department shall adopt rules for the 1231
administration and scoring of any assessments under division (F) 1232
(1) of this section. 1233

(G) Not later than December 31, 2014, the state board 1234
shall select at least one nationally recognized job skills 1235
assessment. The state board shall periodically revise the 1236
assessments it selects under division (G) of this section with 1237
input from individuals and educators who have a background in 1238
career-technical education. Each school district shall 1239
administer that assessment to those students who opt to take it. 1240
The state shall reimburse a school district for the costs of 1241
administering that assessment. The state board shall establish 1242
the minimum score a student must attain on the job skills 1243
assessment in order to demonstrate a student's workforce 1244
readiness and employability. The administration of the job 1245
skills assessment to a student under this division shall not 1246

exempt a school district from administering the assessments 1247
prescribed in division (B) of this section to that student. 1248

(H) (1) Except as provided in division (H) (2) of this 1249
section, no school district shall charge a student for any 1250
assessment, end-of-course examination, substitute examination, 1251
or equivalent examination administered under division (B) or (G) 1252
of this section. 1253

(2) A school district or school may charge a student for 1254
an advanced placement or international baccalaureate 1255
examination. 1256

(I) Beginning with the 2016-2017 school year, a school 1257
district may use the end-of-course examinations, substitute 1258
examinations, or equivalent examinations, administered under 1259
division (B) of this section as final examinations for the 1260
related subject-area class or course of study. 1261

Sec. 3301.0715. (A) Except as otherwise required under 1262
division (B) (1) of section 3313.608 of the Revised Code, the 1263
board of education of each city, local, and exempted village 1264
school district shall administer each applicable diagnostic 1265
assessment developed and provided to the district in accordance 1266
with section 3301.079 of the Revised Code to the following: 1267

(1) Any student who transfers into the district or to a 1268
different school within the district if each applicable 1269
diagnostic assessment was not administered by the district or 1270
school the student previously attended in the current school 1271
year, within thirty days after the date of transfer. If the 1272
district or school into which the student transfers cannot 1273
determine whether the student has taken any applicable 1274
diagnostic assessment in the current school year, the district 1275

or school may administer the diagnostic assessment to the 1276
student. However, if a student transfers into the district prior 1277
to the administration of the diagnostic assessments to all 1278
students under division (B) of this section, the district may 1279
administer the diagnostic assessments to that student on the 1280
date or dates determined under that division. 1281

(2) Each kindergarten student, not earlier than the first 1282
day of ~~the school year August~~ and not later than the first day 1283
of November, except that the language and reading skills portion 1284
of the assessment shall be administered by the thirtieth day of 1285
September to fulfill the requirements of division (B) of section 1286
3313.608 of the Revised Code. 1287

For the purpose of division (A) (2) of this section, the 1288
district shall administer the kindergarten readiness assessment 1289
provided by the department of education. In no case shall the 1290
results of the readiness assessment be used to prohibit a 1291
student from enrolling in kindergarten. 1292

Not later than July 1, 2016, the department shall make 1293
available to districts and schools a kindergarten literacy 1294
assessment that the districts and schools may use in lieu of the 1295
kindergarten readiness assessment required under division (A) (2) 1296
of this section. The kindergarten literacy assessment shall be 1297
similar in format, content, and administration to the 1298
kindergarten literacy assessment administered in the 2013-2014 1299
school year and be available for administration in both 1300
electronic and paper formats. 1301

A district or school may administer the kindergarten 1302
readiness diagnostic assessment all at one time or may 1303
administer it in portions at different times, so long as the 1304
assessment has been administered in its entirety not later than 1305

the first day of November. The administration of the 1306
kindergarten readiness assessment shall not exceed one hour. 1307

(3) Each student enrolled in first, second, or third 1308
grade. 1309

Division (A) of this section does not apply to students 1310
with significant cognitive disabilities, as defined by the 1311
department of education. 1312

(B) Each district board shall administer each diagnostic 1313
assessment when the board deems appropriate, provided the 1314
administration complies with section 3313.608 of the Revised 1315
Code. However, the board shall administer any diagnostic 1316
assessment at least once annually to all students in the 1317
appropriate grade level. A district board may administer any 1318
diagnostic assessment in the fall and spring of a school year to 1319
measure the amount of academic growth attributable to the 1320
instruction received by students during that school year. 1321

(C) Any district that received a grade of "A" or "B" for 1322
the performance index score under division (A) (1) (b), (B) (1) (b), 1323
or (C) (1) (b) of section 3302.03 of the Revised Code or for the 1324
value-added progress dimension under division (A) (1) (e), (B) (1) 1325
(e), or (C) (1) (e) of section 3302.03 of the Revised Code for the 1326
immediately preceding school year may use different diagnostic 1327
assessments from those adopted under division (D) of section 1328
3301.079 of the Revised Code in order to satisfy the 1329
requirements of division (A) (3) of this section. 1330

(D) Each district board shall utilize and score any 1331
diagnostic assessment administered under division (A) of this 1332
section in accordance with rules established by the department. 1333
After the administration of any diagnostic assessment, each 1334

district shall provide a student's completed diagnostic 1335
assessment, the results of such assessment, and any other 1336
accompanying documents used during the administration of the 1337
assessment to the parent of that student, and shall include all 1338
such documents and information in any plan developed for the 1339
student under division (C) of section 3313.608 of the Revised 1340
Code. Each district shall submit to the department, in the 1341
manner the department prescribes, the results of the diagnostic 1342
assessments administered under this section, regardless of the 1343
type of assessment used under section 3313.608 of the Revised 1344
Code. The department may issue reports with respect to the data 1345
collected. The department may report school and district level 1346
kindergarten diagnostic assessment data and use diagnostic 1347
assessment data to calculate the measure prescribed by divisions 1348
(B) (1) (g) and (C) (1) (g) of section 3302.03 of the Revised Code. 1349

(E) Each district board shall provide intervention 1350
services to students whose diagnostic assessments show that they 1351
are failing to make satisfactory progress toward attaining the 1352
academic standards for their grade level. 1353

Sec. 3301.132. (A) Not later than ninety days after the 1354
effective date of this amendment, the department of education 1355
shall determine which components of the resident educator 1356
performance-based assessment, as prescribed by rule of the state 1357
board of education for purposes of the Ohio teacher residency 1358
program established under section 3319.223 of the Revised Code, 1359
may be used as part of the teacher evaluations required by 1360
section 3319.111 of the Revised Code. 1361

(B) The department shall develop a table of assessments 1362
that may be used for multiple purposes for which a measure of 1363
student performance or aptitude is required, in order to reduce 1364

the total number of assessments administered by a district or 1365
school. The table shall include achievement assessments, 1366
diagnostic assessments, end-of-course examinations, substitute 1367
examinations, examinations related to student academic growth 1368
measures, assessments used to identify students as gifted in 1369
superior cognitive ability and specific academic ability fields 1370
under Chapter 3324. of the Revised Code, and other assessments. 1371
The department shall make the table available to school 1372
districts, community schools established under Chapter 3314. of 1373
the Revised Code, STEM schools established under Chapter 3326. 1374
of the Revised Code, college-preparatory boarding schools 1375
established under Chapter 3328. of the Revised Code, and 1376
chartered nonpublic schools. 1377

Sec. 3301.80. The state board of education and the 1378
department of education shall do both of the following when 1379
adopting education policies or standards required by state 1380
statutory law: 1381

(A) Develop a procedure to consult with teachers and 1382
superintendents from rural, urban, and suburban school 1383
districts. For purposes of this section, "urban" districts shall 1384
include those that belong to the Ohio 8 coalition or its 1385
successor. 1386

(B) Develop a procedure to collect public feedback, both 1387
electronically and in person, for a period of not less than 1388
sixty days. 1389

Sec. 3302.02. Not later than one year after the adoption 1390
of rules under division (D) of section 3301.0712 of the Revised 1391
Code and at least every sixth year thereafter, upon 1392
recommendations of the superintendent of public instruction, the 1393
state board of education shall establish a set of performance 1394

indicators that considered as a unit will be used as one of the 1395
performance categories for the report cards required by section 1396
3302.03 of the Revised Code. In establishing these indicators, 1397
the superintendent shall consider inclusion of student 1398
performance on assessments prescribed under section 3301.0710 or 1399
3301.0712 of the Revised Code, rates of student improvement on 1400
such assessments, the breadth of coursework available within the 1401
district, and other indicators of student success. 1402

Beginning with the report card for the 2014-2015 school 1403
year, the performance indicators shall include an indicator that 1404
reflects the level of services provided to, and the performance 1405
of, students identified as gifted under Chapter 3324. of the 1406
Revised Code. The indicator shall include the performance of 1407
students identified as gifted on state assessments and value- 1408
added growth measure disaggregated for students identified as 1409
gifted. 1410

For the 2013-2014 school year, except as otherwise 1411
provided in this section, for any indicator based on the 1412
percentage of students attaining a proficient score on the 1413
assessments prescribed by divisions (A) and (B) (1) of section 1414
3301.0710 of the Revised Code, a school district or building 1415
shall be considered to have met the indicator if at least eighty 1416
per cent of the tested students attain a score of proficient or 1417
higher on the assessment. A school district or building shall be 1418
considered to have met the indicator for the assessments 1419
prescribed by division (B) (1) of section 3301.0710 of the 1420
Revised Code and only as administered to eleventh grade 1421
students, if at least eighty-five per cent of the tested 1422
students attain a score of proficient or higher on the 1423
assessment. ~~Not later than July 1, 2014, the~~ 1424

The state board ~~may shall~~ adopt rules, under Chapter 119. 1425
of the Revised Code, to establish ~~different~~ proficiency 1426
percentages to meet each indicator that is based on a state 1427
assessment, prescribed under section 3301.0710 or 3301.0712 of 1428
the Revised Code, for the 2014-2015 school year and thereafter 1429
by the following dates: 1430

(A) Not later than December 31, 2015, for the 2014-2015 1431
school year; 1432

(B) Not later than July 1, 2016, for the 2015-2016 school 1433
year; 1434

(C) Not later than July 1, 2017, for the 2016-2017 school 1435
year, and for each school year thereafter. 1436

~~The superintendent shall not establish any performance~~ 1437
~~indicator for passage of the third or fourth grade English~~ 1438
~~language arts assessment that is solely based on the assessment~~ 1439
~~given in the fall for the purpose of determining whether~~ 1440
~~students have met the reading guarantee provisions of section~~ 1441
~~3313.608 of the Revised Code.~~ 1442

Sec. 3302.03. Annually, not later than the fifteenth day 1443
of September or the preceding Friday when that day falls on a 1444
Saturday or Sunday, the department of education shall assign a 1445
letter grade for overall academic performance and for each 1446
separate performance measure for each school district, and each 1447
school building in a district, in accordance with this section. 1448
The state board shall adopt rules pursuant to Chapter 119. of 1449
the Revised Code to establish performance criteria for each 1450
letter grade and prescribe a method by which the department 1451
assigns each letter grade. For a school building to which any of 1452
the performance measures do not apply, due to grade levels 1453

served by the building, the state board shall designate the 1454
performance measures that are applicable to the building and 1455
that must be calculated separately and used to calculate the 1456
building's overall grade. The department shall issue annual 1457
report cards reflecting the performance of each school district, 1458
each building within each district, and for the state as a whole 1459
using the performance measures and letter grade system described 1460
in this section. The department shall include on the report card 1461
for each district and each building within each district the 1462
most recent two-year trend data in student achievement for each 1463
subject and each grade. 1464

(A) (1) For the 2012-2013 school year, the department shall 1465
issue grades as described in division (E) of this section for 1466
each of the following performance measures: 1467

(a) Annual measurable objectives; 1468

(b) Performance index score for a school district or 1469
building. Grades shall be awarded as a percentage of the total 1470
possible points on the performance index system as adopted by 1471
the state board. In adopting benchmarks for assigning letter 1472
grades under division (A) (1) (b) of this section, the state board 1473
of education shall designate ninety per cent or higher for an 1474
"A," at least seventy per cent but not more than eighty per cent 1475
for a "C," and less than fifty per cent for an "F." 1476

(c) The extent to which the school district or building 1477
meets each of the applicable performance indicators established 1478
by the state board under section 3302.02 of the Revised Code and 1479
the percentage of applicable performance indicators that have 1480
been achieved. In adopting benchmarks for assigning letter 1481
grades under division (A) (1) (c) of this section, the state board 1482
shall designate ninety per cent or higher for an "A." 1483

(d) The four- and five-year adjusted cohort graduation rates.	1484 1485
In adopting benchmarks for assigning letter grades under division (A) (1) (d), (B) (1) (d), or (C) (1) (d) of this section, the department shall designate a four-year adjusted cohort graduation rate of ninety-three per cent or higher for an "A" and a five-year cohort graduation rate of ninety-five per cent or higher for an "A."	1486 1487 1488 1489 1490 1491
(e) The overall score under the value-added progress dimension of a school district or building, for which the department shall use up to three years of value-added data as available. The letter grade assigned for this growth measure shall be as follows:	1492 1493 1494 1495 1496
(i) A score that is at least two standard errors of measure above the mean score shall be designated as an "A."	1497 1498
(ii) A score that is at least one standard error of measure but less than two standard errors of measure above the mean score shall be designated as a "B."	1499 1500 1501
(iii) A score that is less than one standard error of measure above the mean score but greater than or equal to one standard error of measure below the mean score shall be designated as a "C."	1502 1503 1504 1505
(iv) A score that is not greater than one standard error of measure below the mean score but is greater than or equal to two standard errors of measure below the mean score shall be designated as a "D."	1506 1507 1508 1509
(v) A score that is not greater than two standard errors of measure below the mean score shall be designated as an "F."	1510 1511

Whenever the value-added progress dimension is used as a 1512
graded performance measure, whether as an overall measure or as 1513
a measure of separate subgroups, the grades for the measure 1514
shall be calculated in the same manner as prescribed in division 1515
(A) (1) (e) of this section. 1516

(f) The value-added progress dimension score for a school 1517
district or building disaggregated for each of the following 1518
subgroups: students identified as gifted, students with 1519
disabilities, and students whose performance places them in the 1520
lowest quintile for achievement on a statewide basis. Each 1521
subgroup shall be a separate graded measure. 1522

(2) Not later than April 30, 2013, the state board of 1523
education shall adopt a resolution describing the performance 1524
measures, benchmarks, and grading system for the 2012-2013 1525
school year and, not later than June 30, 2013, shall adopt rules 1526
in accordance with Chapter 119. of the Revised Code that 1527
prescribe the methods by which the performance measures under 1528
division (A) (1) of this section shall be assessed and assigned a 1529
letter grade, including performance benchmarks for each letter 1530
grade. 1531

At least forty-five days prior to the state board's 1532
adoption of rules to prescribe the methods by which the 1533
performance measures under division (A) (1) of this section shall 1534
be assessed and assigned a letter grade, the department shall 1535
conduct a public presentation before the standing committees of 1536
the house of representatives and the senate that consider 1537
education legislation describing such methods, including 1538
performance benchmarks. 1539

(3) There shall not be an overall letter grade for a 1540
school district or building for the 2012-2013 school year. 1541

(B) (1) For the 2013-2014 school year, the department shall 1542
issue grades as described in division (E) of this section for 1543
each of the following performance measures: 1544

(a) Annual measurable objectives; 1545

(b) Performance index score for a school district or 1546
building. Grades shall be awarded as a percentage of the total 1547
possible points on the performance index system as created by 1548
the department. In adopting benchmarks for assigning letter 1549
grades under division (B) (1) (b) of this section, the state board 1550
shall designate ninety per cent or higher for an "A," at least 1551
seventy per cent but not more than eighty per cent for a "C," 1552
and less than fifty per cent for an "F." 1553

(c) The extent to which the school district or building 1554
meets each of the applicable performance indicators established 1555
by the state board under section 3302.03 of the Revised Code and 1556
the percentage of applicable performance indicators that have 1557
been achieved. In adopting benchmarks for assigning letter 1558
grades under division (B) (1) (c) of this section, the state board 1559
shall designate ninety per cent or higher for an "A." 1560

(d) The four- and five-year adjusted cohort graduation 1561
rates; 1562

(e) The overall score under the value-added progress 1563
dimension of a school district or building, for which the 1564
department shall use up to three years of value-added data as 1565
available. 1566

(f) The value-added progress dimension score for a school 1567
district or building disaggregated for each of the following 1568
subgroups: students identified as gifted in superior cognitive 1569
ability and specific academic ability fields under Chapter 3324. 1570

of the Revised Code, students with disabilities, and students 1571
whose performance places them in the lowest quintile for 1572
achievement on a statewide basis. Each subgroup shall be a 1573
separate graded measure. 1574

(g) Whether a school district or building is making 1575
progress in improving literacy in grades kindergarten through 1576
three, as determined using a method prescribed by the state 1577
board. The state board shall adopt rules to prescribe benchmarks 1578
and standards for assigning grades to districts and buildings 1579
for purposes of division (B) (1) (g) of this section. In adopting 1580
benchmarks for assigning letter grades under divisions (B) (1) (g) 1581
and (C) (1) (g) of this section, the state board shall determine 1582
progress made based on the reduction in the total percentage of 1583
students scoring below grade level, or below proficient, 1584
compared from year to year on the reading ~~and writing~~ diagnostic 1585
assessments administered under section 3301.0715 of the Revised 1586
Code and the third grade English language arts assessment under 1587
section 3301.0710 of the Revised Code, as applicable. The state 1588
board shall designate for a "C" grade a value that is not lower 1589
than the statewide average value for this measure. No grade 1590
shall be issued under divisions (B) (1) (g) and (C) (1) (g) of this 1591
section for a district or building in which less than five per 1592
cent of students have scored below grade level on the diagnostic 1593
assessment administered to students in kindergarten under 1594
division (B) (1) of section 3313.608 of the Revised Code. 1595

(h) For a high mobility school district or building, an 1596
additional value-added progress dimension score. For this 1597
measure, the department shall use value-added data from the most 1598
recent school year available and shall use assessment scores for 1599
only those students to whom the district or building has 1600
administered the assessments prescribed by section 3301.0710 of 1601

the Revised Code for each of the two most recent consecutive 1602
school years. 1603

As used in this division, "high mobility school district 1604
or building" means a school district or building where at least 1605
twenty-five per cent of its total enrollment is made up of 1606
students who have attended that school district or building for 1607
less than one year. 1608

(2) In addition to the graded measures in division (B) (1) 1609
of this section, the department shall include on a school 1610
district's or building's report card all of the following 1611
without an assigned letter grade: 1612

(a) The percentage of students enrolled in a district or 1613
building participating in advanced placement classes and the 1614
percentage of those students who received a score of three or 1615
better on advanced placement examinations; 1616

(b) The number of a district's or building's students who 1617
have earned at least three college credits through dual 1618
enrollment or advanced standing programs, such as the post- 1619
secondary enrollment options program under Chapter 3365. of the 1620
Revised Code and state-approved career-technical courses offered 1621
through dual enrollment or statewide articulation, that appear 1622
on a student's transcript or other official document, either of 1623
which is issued by the institution of higher education from 1624
which the student earned the college credit. The credits earned 1625
that are reported under divisions (B) (2) (b) and (C) (2) (c) of 1626
this section shall not include any that are remedial or 1627
developmental and shall include those that count toward the 1628
curriculum requirements established for completion of a degree. 1629

(c) The percentage of students enrolled in a district or 1630

building who have taken a national standardized test used for 1631
college admission determinations and the percentage of those 1632
students who are determined to be remediation-free in accordance 1633
with standards adopted under division (F) of section 3345.061 of 1634
the Revised Code; 1635

(d) The percentage of the district's or the building's 1636
students who receive industry-recognized credentials. The state 1637
board shall adopt criteria for acceptable industry-recognized 1638
credentials. 1639

(e) The percentage of students enrolled in a district or 1640
building who are participating in an international baccalaureate 1641
program and the percentage of those students who receive a score 1642
of four or better on the international baccalaureate 1643
examinations. 1644

(f) The percentage of the district's or building's 1645
students who receive an honors diploma under division (B) of 1646
section 3313.61 of the Revised Code. 1647

(3) Not later than December 31, 2013, the state board 1648
shall adopt rules in accordance with Chapter 119. of the Revised 1649
Code that prescribe the methods by which the performance 1650
measures under divisions (B) (1) (f) and (B) (1) (g) of this section 1651
will be assessed and assigned a letter grade, including 1652
performance benchmarks for each grade. 1653

At least forty-five days prior to the state board's 1654
adoption of rules to prescribe the methods by which the 1655
performance measures under division (B) (1) of this section shall 1656
be assessed and assigned a letter grade, the department shall 1657
conduct a public presentation before the standing committees of 1658
the house of representatives and the senate that consider 1659

education legislation describing such methods, including 1660
performance benchmarks. 1661

(4) There shall not be an overall letter grade for a 1662
school district or building for the 2013-2014 school year. 1663

(C) (1) For the 2014-2015 school year and each school year 1664
thereafter, the department shall issue grades as described in 1665
division (E) of this section for each of the performance 1666
measures prescribed in division (C) (1) of this section and an 1667
overall letter grade based on an aggregate of those measures, 1668
except for the performance measure set forth in division (C) (1) 1669
(h) of this section. The graded measures are as follows: 1670

(a) Annual measurable objectives; 1671

(b) Performance index score for a school district or 1672
building. Grades shall be awarded as a percentage of the total 1673
possible points on the performance index system as created by 1674
the department. In adopting benchmarks for assigning letter 1675
grades under division (C) (1) (b) of this section, the state board 1676
shall designate ninety per cent or higher for an "A," at least 1677
seventy per cent but not more than eighty per cent for a "C," 1678
and less than fifty per cent for an "F." 1679

(c) The extent to which the school district or building 1680
meets each of the applicable performance indicators established 1681
by the state board under section 3302.03 of the Revised Code and 1682
the percentage of applicable performance indicators that have 1683
been achieved. In adopting benchmarks for assigning letter 1684
grades under division (C) (1) (c) of this section, the state board 1685
shall designate ninety per cent or higher for an "A." 1686

(d) The four- and five-year adjusted cohort graduation 1687
rates; 1688

(e) The overall score under the value-added progress dimension, or another measure of student academic progress if adopted by the state board, of a school district or building, for which the department shall use up to three years of value-added data as available.

In adopting benchmarks for assigning letter grades for overall score on value-added progress dimension under division (C) (1) (e) of this section, the state board shall prohibit the assigning of a grade of "A" for that measure unless the district's or building's grade assigned for value-added progress dimension for all subgroups under division (C) (1) (f) of this section is a "B" or higher.

For the metric prescribed by division (C) (1) (e) of this section, the state board may adopt a student academic progress measure to be used instead of the value-added progress dimension. If the state board adopts such a measure, it also shall prescribe a method for assigning letter grades for the new measure that is comparable to the method prescribed in division (A) (1) (e) of this section.

(f) The value-added progress dimension score of a school district or building disaggregated for each of the following subgroups: students identified as gifted in superior cognitive ability and specific academic ability fields under Chapter 3324. of the Revised Code, students with disabilities, and students whose performance places them in the lowest quintile for achievement on a statewide basis, as determined by a method prescribed by the state board. Each subgroup shall be a separate graded measure.

The state board may adopt student academic progress measures to be used instead of the value-added progress

dimension. If the state board adopts such measures, it also 1719
shall prescribe a method for assigning letter grades for the new 1720
measures that is comparable to the method prescribed in division 1721
(A) (1) (e) of this section. 1722

(g) Whether a school district or building is making 1723
progress in improving literacy in grades kindergarten through 1724
three, as determined using a method prescribed by the state 1725
board. The state board shall adopt rules to prescribe benchmarks 1726
and standards for assigning grades to a district or building for 1727
purposes of division (C) (1) (g) of this section. The state board 1728
shall designate for a "C" grade a value that is not lower than 1729
the statewide average value for this measure. No grade shall be 1730
issued under division (C) (1) (g) of this section for a district 1731
or building in which less than five per cent of students have 1732
scored below grade level on the kindergarten diagnostic 1733
assessment under division (B) (1) of section 3313.608 of the 1734
Revised Code. 1735

(h) For a high mobility school district or building, an 1736
additional value-added progress dimension score. For this 1737
measure, the department shall use value-added data from the most 1738
recent school year available and shall use assessment scores for 1739
only those students to whom the district or building has 1740
administered the assessments prescribed by section 3301.0710 of 1741
the Revised Code for each of the two most recent consecutive 1742
school years. 1743

As used in this division, "high mobility school district 1744
or building" means a school district or building where at least 1745
twenty-five per cent of its total enrollment is made up of 1746
students who have attended that school district or building for 1747
less than one year. 1748

(2) In addition to the graded measures in division (C) (1) 1749
of this section, the department shall include on a school 1750
district's or building's report card all of the following 1751
without an assigned letter grade: 1752

(a) The percentage of students enrolled in a district or 1753
building who have taken a national standardized test used for 1754
college admission determinations and the percentage of those 1755
students who are determined to be remediation-free in accordance 1756
with the standards adopted under division (F) of section 1757
3345.061 of the Revised Code; 1758

(b) The percentage of students enrolled in a district or 1759
building participating in advanced placement classes and the 1760
percentage of those students who received a score of three or 1761
better on advanced placement examinations; 1762

(c) The percentage of a district's or building's students 1763
who have earned at least three college credits through advanced 1764
standing programs, such as the college credit plus program under 1765
Chapter 3365. of the Revised Code and state-approved career- 1766
technical courses offered through dual enrollment or statewide 1767
articulation, that appear on a student's college transcript 1768
issued by the institution of higher education from which the 1769
student earned the college credit. The credits earned that are 1770
reported under divisions (B) (2) (b) and (C) (2) (c) of this section 1771
shall not include any that are remedial or developmental and 1772
shall include those that count toward the curriculum 1773
requirements established for completion of a degree. 1774

(d) The percentage of the district's or building's 1775
students who receive an honor's diploma under division (B) of 1776
section 3313.61 of the Revised Code; 1777

(e) The percentage of the district's or building's students who receive industry-recognized credentials;	1778 1779
(f) The percentage of students enrolled in a district or building who are participating in an international baccalaureate program and the percentage of those students who receive a score of four or better on the international baccalaureate examinations;	1780 1781 1782 1783 1784
(g) The results of the college and career-ready assessments administered under division (B)(1) of section 3301.0712 of the Revised Code.	1785 1786 1787
(3) The state board shall adopt rules pursuant to Chapter 119. of the Revised Code that establish a method to assign an overall grade for a school district or school building for the 2014-2015 school year and each school year thereafter. The rules shall group the performance measures in divisions (C)(1) and (2) of this section into the following components:	1788 1789 1790 1791 1792 1793
(a) Gap closing, which shall include the performance measure in division (C)(1)(a) of this section;	1794 1795
(b) Achievement, which shall include the performance measures in divisions (C)(1)(b) and (c) of this section;	1796 1797
(c) Progress, which shall include the performance measures in divisions (C)(1)(e) and (f) of this section;	1798 1799
(d) Graduation, which shall include the performance measure in division (C)(1)(d) of this section;	1800 1801
(e) Kindergarten through third-grade literacy, which shall include the performance measure in division (C)(1)(g) of this section;	1802 1803 1804
(f) Prepared for success, which shall include the	1805

performance measures in divisions (C)(2)(a), (b), (c), (d), (e), 1806
and (f) of this section. The state board shall develop a method 1807
to determine a grade for the component in division (C)(3)(f) of 1808
this section using the performance measures in divisions (C)(2) 1809
(a), (b), (c), (d), (e), and (f) of this section. When 1810
available, the state board may incorporate the performance 1811
measure under division (C)(2)(g) of this section into the 1812
component under division (C)(3)(f) of this section. When 1813
determining the overall grade for the prepared for success 1814
component prescribed by division (C)(3)(f) of this section, no 1815
individual student shall be counted in more than one performance 1816
measure. However, if a student qualifies for more than one 1817
performance measure in the component, the state board may, in 1818
its method to determine a grade for the component, specify an 1819
additional weight for such a student that is not greater than or 1820
equal to 1.0. In determining the overall score under division 1821
(C)(3)(f) of this section, the state board shall ensure that the 1822
pool of students included in the performance measures aggregated 1823
under that division are all of the students included in the 1824
four- and five-year adjusted graduation cohort. 1825

In the rules adopted under division (C)(3) of this 1826
section, the state board shall adopt a method for determining a 1827
grade for each component in divisions (C)(3)(a) to (f) of this 1828
section. The state board also shall establish a method to assign 1829
an overall grade of "A," "B," "C," "D," or "F" using the grades 1830
assigned for each component. The method the state board adopts 1831
for assigning an overall grade shall give equal weight to the 1832
components in divisions (C)(3)(b) and (c) of this section. 1833

At least forty-five days prior to the state board's 1834
adoption of rules to prescribe the methods for calculating the 1835
overall grade for the report card, as required by this division, 1836

the department shall conduct a public presentation before the 1837
standing committees of the house of representatives and the 1838
senate that consider education legislation describing the format 1839
for the report card, weights that will be assigned to the 1840
components of the overall grade, and the method for calculating 1841
the overall grade. 1842

(4) For the overall letter grade assigned under division 1843
(C) (3) of this section, each component grade assigned under 1844
division (C) (3) of this section, and each performance measure 1845
grade assigned under division (C) (1) of this section for a 1846
district or school, the department also shall express that grade 1847
as a percentage of the total number of points possible for the 1848
respective overall grade, component grade, or performance 1849
measure grade. 1850

(D) Not later than July 1, ~~2015~~2017, the state board shall 1851
develop a measure of student academic progress for high school 1852
students using only data from assessments in English language 1853
arts and mathematics. For the 2014-2015, ~~2015-2016, and 2016-~~ 1854
~~2017~~ school ~~year~~years, the department ~~shall~~may include this 1855
measure on a school district or building's report card, as 1856
applicable, without an assigned letter grade. Beginning with the 1857
report card for the ~~2015-2016-2017-2018~~ school year, each school 1858
district and applicable school building shall be assigned a 1859
separate letter grade for this measure and the district's or 1860
building's grade for that measure shall be included in 1861
determining the district's or building's overall letter grade. 1862
This measure shall be included within the measure prescribed in 1863
division (C) (3) (c) of this section in the calculation for the 1864
overall letter grade. 1865

(E) The letter grades assigned to a school district or 1866

building under this section shall be as follows:	1867
(1) "A" for a district or school making excellent progress;	1868 1869
(2) "B" for a district or school making above average progress;	1870 1871
(3) "C" for a district or school making average progress;	1872
(4) "D" for a district or school making below average progress;	1873 1874
(5) "F" for a district or school failing to meet minimum progress.	1875 1876
(F) When reporting data on student achievement and progress, the department shall disaggregate that data according to the following categories:	1877 1878 1879
(1) Performance of students by grade-level;	1880
(2) Performance of students by race and ethnic group;	1881
(3) Performance of students by gender;	1882
(4) Performance of students grouped by those who have been enrolled in a district or school for three or more years;	1883 1884
(5) Performance of students grouped by those who have been enrolled in a district or school for more than one year and less than three years;	1885 1886 1887
(6) Performance of students grouped by those who have been enrolled in a district or school for one year or less;	1888 1889
(7) Performance of students grouped by those who are economically disadvantaged;	1890 1891
(8) Performance of students grouped by those who are	1892

enrolled in a conversion community school established under	1893
Chapter 3314. of the Revised Code;	1894
(9) Performance of students grouped by those who are	1895
classified as limited English proficient;	1896
(10) Performance of students grouped by those who have	1897
disabilities;	1898
(11) Performance of students grouped by those who are	1899
classified as migrants;	1900
(12) Performance of students grouped by those who are	1901
identified as gifted in superior cognitive ability and the	1902
specific academic ability fields of reading and math pursuant to	1903
Chapter 3324. of the Revised Code. In disaggregating specific	1904
academic ability fields for gifted students, the department	1905
shall use data for those students with specific academic ability	1906
in math and reading. If any other academic field is assessed,	1907
the department shall also include data for students with	1908
specific academic ability in that field as well.	1909
(13) Performance of students grouped by those who perform	1910
in the lowest quintile for achievement on a statewide basis, as	1911
determined by a method prescribed by the state board.	1912
The department may disaggregate data on student	1913
performance according to other categories that the department	1914
determines are appropriate. To the extent possible, the	1915
department shall disaggregate data on student performance	1916
according to any combinations of two or more of the categories	1917
listed in divisions (F) (1) to (13) of this section that it deems	1918
relevant.	1919
In reporting data pursuant to division (F) of this	1920
section, the department shall not include in the report cards	1921

any data statistical in nature that is statistically unreliable 1922
or that could result in the identification of individual 1923
students. For this purpose, the department shall not report 1924
student performance data for any group identified in division 1925
(F) of this section that contains less than ten students. If the 1926
department does not report student performance data for a group 1927
because it contains less than ten students, the department shall 1928
indicate on the report card that is why data was not reported. 1929

(G) The department may include with the report cards any 1930
additional education and fiscal performance data it deems 1931
valuable. 1932

(H) The department shall include on each report card a 1933
list of additional information collected by the department that 1934
is available regarding the district or building for which the 1935
report card is issued. When available, such additional 1936
information shall include student mobility data disaggregated by 1937
race and socioeconomic status, college enrollment data, and the 1938
reports prepared under section 3302.031 of the Revised Code. 1939

The department shall maintain a site on the world wide 1940
web. The report card shall include the address of the site and 1941
shall specify that such additional information is available to 1942
the public at that site. The department shall also provide a 1943
copy of each item on the list to the superintendent of each 1944
school district. The district superintendent shall provide a 1945
copy of any item on the list to anyone who requests it. 1946

(I) Division (I) of this section does not apply to 1947
conversion community schools that primarily enroll students 1948
between sixteen and twenty-two years of age who dropped out of 1949
high school or are at risk of dropping out of high school due to 1950
poor attendance, disciplinary problems, or suspensions. 1951

(1) For any district that sponsors a conversion community school under Chapter 3314. of the Revised Code, the department shall combine data regarding the academic performance of students enrolled in the community school with comparable data from the schools of the district for the purpose of determining the performance of the district as a whole on the report card issued for the district under this section or section 3302.033 of the Revised Code.

(2) Any district that leases a building to a community school located in the district or that enters into an agreement with a community school located in the district whereby the district and the school endorse each other's programs may elect to have data regarding the academic performance of students enrolled in the community school combined with comparable data from the schools of the district for the purpose of determining the performance of the district as a whole on the district report card. Any district that so elects shall annually file a copy of the lease or agreement with the department.

(3) Any municipal school district, as defined in section 3311.71 of the Revised Code, that sponsors a community school located within the district's territory, or that enters into an agreement with a community school located within the district's territory whereby the district and the community school endorse each other's programs, may exercise either or both of the following elections:

(a) To have data regarding the academic performance of students enrolled in that community school combined with comparable data from the schools of the district for the purpose of determining the performance of the district as a whole on the district's report card;

(b) To have the number of students attending that	1982
community school noted separately on the district's report card.	1983
The election authorized under division (I) (3) (a) of this	1984
section is subject to approval by the governing authority of the	1985
community school.	1986
Any municipal school district that exercises an election	1987
to combine or include data under division (I) (3) of this	1988
section, by the first day of October of each year, shall file	1989
with the department documentation indicating eligibility for	1990
that election, as required by the department.	1991
(J) The department shall include on each report card the	1992
percentage of teachers in the district or building who are	1993
highly qualified, as defined by the No Child Left Behind Act of	1994
2001, and a comparison of that percentage with the percentages	1995
of such teachers in similar districts and buildings.	1996
(K) (1) In calculating English language arts, mathematics,	1997
social studies, or science assessment passage rates used to	1998
determine school district or building performance under this	1999
section, the department shall include all students taking an	2000
assessment with accommodation or to whom an alternate assessment	2001
is administered pursuant to division (C) (1) or (3) of section	2002
3301.0711 of the Revised Code.	2003
(2) In calculating performance index scores, rates of	2004
achievement on the performance indicators established by the	2005
state board under section 3302.02 of the Revised Code, and	2006
annual measurable objectives for determining adequate yearly	2007
progress for school districts and buildings under this section,	2008
the department shall do all of the following:	2009
(a) Include for each district or building only those	2010

students who are included in the ADM certified for the first 2011
full school week of October and are continuously enrolled in the 2012
district or building through the time of the spring 2013
administration of any assessment prescribed by division (A) (1) 2014
or (B) (1) of section 3301.0710 or division (B) of section 2015
3301.0712 of the Revised Code that is administered to the 2016
student's grade level; 2017

(b) ~~Include~~ Until the 2015-2016 school year, include 2018
cumulative totals from both the fall and spring administrations 2019
of the third grade English language arts achievement assessment; 2020

(c) Except as required by the No Child Left Behind Act of 2021
2001, exclude for each district or building any limited English 2022
proficient student who has been enrolled in United States 2023
schools for less than one full school year. 2024

(L) Beginning with the 2015-2016 school year and at least 2025
once every three years thereafter, the state board of education 2026
shall review and may adjust the benchmarks for assigning letter 2027
grades to the performance measures and components prescribed 2028
under divisions (C) (3) and (D) of this section. 2029

Sec. 3302.13. (A) This section applies to any school 2030
district or community school that meets both of the following 2031
criteria, as reported on the past two consecutive report cards 2032
issued for that district or school under section 3302.03 of the 2033
Revised Code: 2034

(1) The district or school received a grade of "D" or "F" 2035
on the kindergarten through third-grade literacy progress 2036
measure under division (C) (3) (e) of section 3302.03 of the 2037
Revised Code. 2038

(2) Less than sixty per cent of the district's students 2039

who took the third grade English language arts assessment 2040
prescribed under section 3301.0710 of the Revised Code ~~during~~ 2041
~~the most recent fall and spring administrations of that~~ 2042
~~assessment~~ for that school year attained at least a proficient 2043
score on that assessment. 2044

(B) By December 31, 2016, and by the thirty-first day of 2045
each December thereafter, any school district or community 2046
school that meets the criteria set forth in division (A) of this 2047
section shall submit to the department of education a school or 2048
district reading achievement improvement plan, which shall 2049
include all requirements prescribed by the state board of 2050
education pursuant to division (C) of this section. 2051

(C) Not later than December 31, 2014, the state board 2052
shall adopt rules in accordance with Chapter 119. of the Revised 2053
Code prescribing the content of and deadlines for the reading 2054
achievement improvement plans required under division (B) of 2055
this section. The rules shall prescribe that each plan include, 2056
at a minimum, an analysis of relevant student performance data, 2057
measurable student performance goals, strategies to meet 2058
specific student needs, a staffing and professional development 2059
plan, and instructional strategies for improving literacy. 2060

(D) Any school district or community school to which this 2061
section applies shall no longer be required to submit an 2062
improvement plan pursuant to division (B) of this section when 2063
that district or school meets either of the following criteria, 2064
as reported on the most recent report card issued for that 2065
district or school under section 3302.03 of the Revised Code: 2066

(1) The district or school received a grade of "C" or 2067
higher on the kindergarten through third-grade literacy progress 2068
measure under division (C) (3) (e) of section 3302.03 of the 2069

Revised Code. 2070

(2) Not less than sixty per cent of the district's 2071
students who took the third grade English language arts 2072
assessment prescribed under section 3301.0710 of the Revised 2073
Code ~~during the most recent fall and spring administrations of~~ 2074
~~that assessment attain for that school year attained~~ at least a 2075
proficient score on that assessment. 2076

(E) The department of education shall post in a prominent 2077
location on its web site all plans submitted pursuant to this 2078
section. 2079

Sec. 3313.608. (A) (1) Beginning with students who enter 2080
third grade in the school year that starts July 1, 2009, and 2081
until June 30, 2013, unless the student is excused under 2082
division (C) of section 3301.0711 of the Revised Code from 2083
taking the assessment described in this section, for any student 2084
who does not attain at least the equivalent level of achievement 2085
designated under division (A) (3) of section 3301.0710 of the 2086
Revised Code on the assessment prescribed under that section to 2087
measure skill in English language arts expected at the end of 2088
third grade, each school district, in accordance with the policy 2089
adopted under section 3313.609 of the Revised Code, shall do one 2090
of the following: 2091

(a) Promote the student to fourth grade if the student's 2092
principal and reading teacher agree that other evaluations of 2093
the student's skill in reading demonstrate that the student is 2094
academically prepared to be promoted to fourth grade; 2095

(b) Promote the student to fourth grade but provide the 2096
student with intensive intervention services in fourth grade; 2097

(c) Retain the student in third grade. 2098

(2) Beginning with students who enter third grade in the 2013-2014 school year, unless the student is excused under division (C) of section 3301.0711 of the Revised Code from taking the assessment described in this section, no school district shall promote to fourth grade any student who does not attain at least the equivalent level of achievement designated under division (A) (3) of section 3301.0710 of the Revised Code on the assessment prescribed under that section to measure skill in English language arts expected at the end of third grade, unless one of the following applies:

(a) The student is a limited English proficient student who has been enrolled in United States schools for less than three full school years and has had less than three years of instruction in an English as a second language program.

(b) The student is a child with a disability entitled to special education and related services under Chapter 3323. of the Revised Code and the student's individualized education program exempts the student from retention under this division.

(c) The student demonstrates an acceptable level of performance on an alternative standardized reading assessment as determined by the department of education.

(d) All of the following apply:

(i) The student is a child with a disability entitled to special education and related services under Chapter 3323. of the Revised Code.

(ii) The student has taken the third grade English language arts achievement assessment prescribed under section 3301.0710 of the Revised Code.

(iii) The student's individualized education program or

plan under section 504 of the "Rehabilitation Act of 1973," 87 2128
Stat. 355, 29 U.S.C. 794, as amended, shows that the student has 2129
received intensive remediation in reading for two school years 2130
but still demonstrates a deficiency in reading. 2131

(iv) The student previously was retained in any of grades 2132
kindergarten to three. 2133

(e) (i) The student received intensive remediation for 2134
reading for two school years but still demonstrates a deficiency 2135
in reading and was previously retained in any of grades 2136
kindergarten to three. 2137

(ii) A student who is promoted under division (A) (2) (e) (i) 2138
of this section shall continue to receive intensive reading 2139
instruction in grade four. The instruction shall include an 2140
altered instructional day that includes specialized diagnostic 2141
information and specific research-based reading strategies for 2142
the student that have been successful in improving reading among 2143
low-performing readers. 2144

(B) (1) Beginning in the 2012-2013 school year, to assist 2145
students in meeting the third grade guarantee established by 2146
this section, each school district board of education shall 2147
adopt policies and procedures with which it annually shall 2148
assess the reading skills of each student, except those students 2149
with significant cognitive disabilities or other disabilities as 2150
authorized by the department on a case-by-case basis, enrolled 2151
in kindergarten to third grade and shall identify students who 2152
are reading below their grade level. The reading skills 2153
assessment shall be completed by the thirtieth day of September 2154
for students in grades one to three, and by the first day of 2155
November for students in kindergarten. Each district shall use 2156
the diagnostic assessment to measure reading ability for the 2157

appropriate grade level adopted under section 3301.079 of the Revised Code, or a comparable tool approved by the department of education, to identify such students. The policies and procedures shall require the students' classroom teachers to be involved in the assessment and the identification of students reading below grade level.

(2) For each student identified by the diagnostic assessment prescribed under this section as having reading skills below grade level, the district shall do both of the following:

(a) Provide to the student's parent or guardian, in writing, all of the following:

(i) Notification that the student has been identified as having a substantial deficiency in reading;

(ii) A description of the current services that are provided to the student;

(iii) A description of the proposed supplemental instructional services and supports that will be provided to the student that are designed to remediate the identified areas of reading deficiency;

(iv) Notification that if the student attains a score in the range designated under division (A) (3) of section 3301.0710 of the Revised Code on the assessment prescribed under that section to measure skill in English language arts expected at the end of third grade, the student shall be retained unless the student is exempt under division (A) of this section. The notification shall specify that the assessment under section 3301.0710 of the Revised Code is not the sole determinant of promotion and that additional evaluations and assessments are

available to the student to assist parents and the district in 2187
knowing when a student is reading at or above grade level and 2188
ready for promotion. 2189

(b) Provide intensive reading instruction services and 2190
regular diagnostic assessments to the student immediately 2191
following identification of a reading deficiency until the 2192
development of the reading improvement and monitoring plan 2193
required by division (C) of this section. These intervention 2194
services shall include research-based reading strategies that 2195
have been shown to be successful in improving reading among low- 2196
performing readers and instruction targeted at the student's 2197
identified reading deficiencies. 2198

(3) For each student retained under division (A) of this 2199
section, the district shall do all of the following: 2200

(a) Provide intense remediation services until the student 2201
is able to read at grade level. The remediation services shall 2202
include intensive interventions in reading that address the 2203
areas of deficiencies identified under this section including, 2204
but not limited to, not less than ninety minutes of reading 2205
instruction per day, and may include any of the following: 2206

(i) Small group instruction; 2207

(ii) Reduced teacher-student ratios; 2208

(iii) More frequent progress monitoring; 2209

(iv) Tutoring or mentoring; 2210

(v) Transition classes containing third and fourth grade 2211
students; 2212

(vi) Extended school day, week, or year; 2213

(vii) Summer reading camps.	2214
(b) Establish a policy for the mid-year promotion of a student retained under division (A) of this section who demonstrates that the student is reading at or above grade level;	2215 2216 2217 2218
(c) Provide each student with a teacher who satisfies one or more of the criteria set forth in division (H) of this section.	2219 2220 2221
The district shall offer the option for students to receive applicable services from one or more providers other than the district. Providers shall be screened and approved by the district or the department of education. If the student participates in the remediation services and demonstrates reading proficiency in accordance with standards adopted by the department prior to the start of fourth grade, the district shall promote the student to that grade.	2222 2223 2224 2225 2226 2227 2228 2229
(4) For each student retained under division (A) of this section who has demonstrated proficiency in a specific academic ability field, each district shall provide instruction commensurate with student achievement levels in that specific academic ability field.	2230 2231 2232 2233 2234
As used in this division, "specific academic ability field" has the same meaning as in section 3324.01 of the Revised Code.	2235 2236 2237
(C) For each student required to be provided intervention services under this section, the district shall develop a reading improvement and monitoring plan within sixty days after receiving the student's results on the diagnostic assessment or comparable tool administered under division (B)(1) of this	2238 2239 2240 2241 2242

section. The district shall involve the student's parent or guardian and classroom teacher in developing the plan. The plan shall include all of the following:

(1) Identification of the student's specific reading deficiencies;

(2) A description of the additional instructional services and support that will be provided to the student to remediate the identified reading deficiencies;

(3) Opportunities for the student's parent or guardian to be involved in the instructional services and support described in division (C) (2) of this section;

(4) A process for monitoring the extent to which the student receives the instructional services and support described in division (C) (2) of this section;

(5) A reading curriculum during regular school hours that does all of the following:

(a) Assists students to read at grade level;

(b) Provides scientifically based and reliable assessment;

(c) Provides initial and ongoing analysis of each student's reading progress.

(6) A statement that if the student does not attain at least the equivalent level of achievement designated under division (A) (3) of section 3301.0710 of the Revised Code on the assessment prescribed under that section to measure skill in English language arts expected by the end of third grade, the student may be retained in third grade.

Each student with a reading improvement and monitoring

plan under this division who enters third grade after July 1, 2270
2013, shall be assigned to a teacher who satisfies one or more 2271
of the criteria set forth in division (H) of this section. 2272

The district shall report any information requested by the 2273
department about the reading improvement monitoring plans 2274
developed under this division in the manner required by the 2275
department. 2276

(D) Each school district shall report annually to the 2277
department on its implementation and compliance with this 2278
section using guidelines prescribed by the superintendent of 2279
public instruction. The superintendent of public instruction 2280
annually shall report to the governor and general assembly the 2281
number and percentage of students in grades kindergarten through 2282
four reading below grade level based on the diagnostic 2283
assessments administered under division (B) of this section and 2284
the achievement assessments administered under divisions (A)(1) 2285
(a) and (b) of section 3301.0710 of the Revised Code in English 2286
language arts, aggregated by school district and building; the 2287
types of intervention services provided to students; and, if 2288
available, an evaluation of the efficacy of the intervention 2289
services provided. 2290

(E) Any summer remediation services funded in whole or in 2291
part by the state and offered by school districts to students 2292
under this section shall meet the following conditions: 2293

(1) The remediation methods are based on reliable 2294
educational research. 2295

(2) The school districts conduct assessment before and 2296
after students participate in the program to facilitate 2297
monitoring results of the remediation services. 2298

(3) The parents of participating students are involved in programming decisions.	2299 2300
(F) Any intervention or remediation services required by this section shall include intensive, explicit, and systematic instruction.	2301 2302 2303
(G) This section does not create a new cause of action or a substantive legal right for any person.	2304 2305
(H) (1) Except as provided under divisions (H) (2), (3), and (4) of this section, each student described in division (B) (3) or (C) of this section who enters third grade for the first time on or after July 1, 2013, shall be assigned a teacher who has at least one year of teaching experience and who satisfies one or more of the following criteria:	2306 2307 2308 2309 2310 2311
(a) The teacher holds a reading endorsement on the teacher's license and has attained a passing score on the corresponding assessment for that endorsement, as applicable.	2312 2313 2314
(b) The teacher has completed a master's degree program with a major in reading.	2315 2316
(c) The teacher was rated "most effective" for reading instruction consecutively for the most recent two years based on assessments of student growth measures developed by a vendor and that is on the list of student assessments approved by the state board under division (B) (2) of section 3319.112 of the Revised Code.	2317 2318 2319 2320 2321 2322
(d) The teacher was rated "above expected value added," in reading instruction, as determined by criteria established by the department, for the most recent, consecutive two years.	2323 2324 2325
(e) The teacher has earned a passing score on a rigorous	2326

test of principles of scientifically research-based reading 2327
instruction as approved by the state board. 2328

(f) The teacher holds an educator license for teaching 2329
grades pre-kindergarten through three or four through nine 2330
issued on or after July 1, 2017. 2331

(2) Notwithstanding division (H) (1) of this section, a 2332
student described in division (B) (3) or (C) of this section who 2333
enters third grade for the first time on or after July 1, 2013, 2334
may be assigned to a teacher with less than one year of teaching 2335
experience provided that the teacher meets one or more of the 2336
criteria described in divisions (H) (1) (a) to (f) of this section 2337
and that teacher is assigned a teacher mentor who meets the 2338
qualifications of division (H) (1) of this section. 2339

(3) Notwithstanding division (H) (1) of this section, a 2340
student described in division (B) (3) or (C) of this section who 2341
enters third grade for the first time on or after July 1, 2013, 2342
but prior to July 1, 2016, may be assigned to a teacher who 2343
holds an alternative credential approved by the department or 2344
who has successfully completed training that is based on 2345
principles of scientifically research-based reading instruction 2346
that has been approved by the department. Beginning on July 1, 2347
2014, the alternative credentials and training described in 2348
division (H) (3) of this section shall be aligned with the 2349
reading competencies adopted by the state board of education 2350
under section 3301.077 of the Revised Code. 2351

(4) Notwithstanding division (H) (1) of this section, a 2352
student described in division (B) (3) or (C) of this section who 2353
enters third grade for the first time on or after July 1, 2013, 2354
may receive reading intervention or remediation services under 2355
this section from an individual employed as a speech-language 2356

pathologist who holds a license issued by the board of speech- 2357
language pathology and audiology under Chapter 4753. of the 2358
Revised Code and a professional pupil services license as a 2359
school speech-language pathologist issued by the state board of 2360
education. 2361

(5) A teacher, other than a student's teacher of record, 2362
may provide any services required under this section, so long as 2363
that other teacher meets the requirements of division (H) of 2364
this section and the teacher of record and the school principal 2365
agree to the assignment. Any such assignment shall be documented 2366
in the student's reading improvement and monitoring plan. 2367

As used in this division, "teacher of record" means the 2368
classroom teacher to whom a student is assigned. 2369

(I) Notwithstanding division (H) of this section, a 2370
teacher may teach reading to any student who is an English 2371
language learner, and has been in the United States for three 2372
years or less, or to a student who has an individualized 2373
education program developed under Chapter 3323. of the Revised 2374
Code if that teacher holds an alternative credential approved by 2375
the department or has successfully completed training that is 2376
based on principles of scientifically research-based reading 2377
instruction that has been approved by the department. Beginning 2378
on July 1, 2014, the alternative credentials and training 2379
described in this division shall be aligned with the reading 2380
competencies adopted by the state board of education under 2381
section 3301.077 of the Revised Code. 2382

(J) If, on or after June 4, 2013, a school district or 2383
community school cannot furnish the number of teachers needed 2384
who satisfy one or more of the criteria set forth in division 2385
(H) of this section for the 2013-2014 school year, the school 2386

district or community school shall develop and submit a staffing 2387
plan by June 30, 2013. The staffing plan shall include criteria 2388
that will be used to assign a student described in division (B) 2389
(3) or (C) of this section to a teacher, credentials or training 2390
held by teachers currently teaching at the school, and how the 2391
school district or community school will meet the requirements 2392
of this section. The school district or community school shall 2393
post the staffing plan on its web site for the applicable school 2394
year. 2395

Not later than March 1, 2014, and on the first day of 2396
March in each year thereafter, a school district or community 2397
school that has submitted a plan under this division shall 2398
submit to the department a detailed report of the progress the 2399
district or school has made in meeting the requirements under 2400
this section. 2401

A school district or community school may request an 2402
extension of a staffing plan beyond the 2013-2014 school year. 2403
Extension requests must be submitted to the department not later 2404
than the thirtieth day of April prior to the start of the 2405
applicable school year. The department may grant extensions 2406
valid through the 2015-2016 school year. 2407

Until June 30, 2015, the department annually shall review 2408
all staffing plans and report to the state board not later than 2409
the thirtieth day of June of each year the progress of school 2410
districts and community schools in meeting the requirements of 2411
this section. 2412

(K) The department of education shall designate one or 2413
more staff members to provide guidance and assistance to school 2414
districts and community schools in implementing the third grade 2415
guarantee established by this section, including any standards 2416

or requirements adopted to implement the guarantee and to 2417
provide information and support for reading instruction and 2418
achievement. 2419

Sec. 3313.903. Except as otherwise required under federal 2420
law, the department of education shall consider an industry- 2421
recognized credential, as described under division (B)(2)(d) of 2422
section 3302.03 of the Revised Code, or a license issued by a 2423
state agency or board for practice in a vocation that requires 2424
an examination for issuance of that license as an acceptable 2425
measure of technical skill attainment and shall not require a 2426
student to take additional technical assessments regardless of 2427
whether the student has earned the credential or taken the 2428
licensure examination at the time the technical assessments 2429
would otherwise be administered. 2430

Sec. 3319.111. Notwithstanding section 3319.09 of the 2431
Revised Code, this section applies to any person who is employed 2432
under a teacher license issued under this chapter, or under a 2433
professional or permanent teacher's certificate issued under 2434
former section 3319.222 of the Revised Code, and who spends at 2435
least fifty per cent of the time employed providing student 2436
instruction. However, this section does not apply to any person 2437
who is employed as a substitute teacher or as an instructor of 2438
adult education. 2439

(A) Not later than July 1, 2013, the board of education of 2440
each school district, in consultation with teachers employed by 2441
the board, shall adopt a standards-based teacher evaluation 2442
policy that conforms with the framework for evaluation of 2443
teachers developed under section 3319.112 of the Revised Code. 2444
The policy shall become operative at the expiration of any 2445
collective bargaining agreement covering teachers employed by 2446

the board that is in effect on September 29, 2011, and shall be 2447
included in any renewal or extension of such an agreement. 2448

(B) When using measures of student academic growth as a 2449
component of a teacher's evaluation, ~~those measures shall~~ 2450
~~include the value-added progress dimension prescribed by section~~ 2451
~~3302.021 of the Revised Code or an alternative student academic~~ 2452
~~progress measure if adopted under division (C) (1) (e) of section~~ 2453
~~3302.03 of the Revised Code. For teachers of grade levels and~~ 2454
~~subjects for which the value added progress dimension or~~ 2455
~~alternative student academic progress measure is not applicable,~~ 2456
the board shall do the following: 2457

(1) For teachers who teach English language arts or 2458
mathematics in any of grades four through eight for which the 2459
value-added progress dimension prescribed by section 3302.021 of 2460
the Revised Code or an alternative student academic progress 2461
measure, if adopted under division (C) (1) (e) of section 3302.03 2462
of the Revised Code, is applicable, the board shall use the 2463
value-added progress dimension or the alternative student 2464
academic progress measure. 2465

(2) For teachers who teach English language arts, 2466
mathematics, science, or social studies in any of grades four 2467
through twelve for which the value-added progress dimension or 2468
alternative student academic progress measure is not applicable, 2469
the board shall administer assessments on the list developed 2470
under division (B) (2) of section 3319.112 of the Revised Code. 2471

(3) For teachers who teach in a subject area other than 2472
English language arts, mathematics, science, or social studies 2473
in any of grades four through twelve for which the value-added 2474
progress dimension or alternative student academic progress 2475
measure is not applicable, the board shall establish and use a 2476

method for determining the student academic growth measure. 2477

(4) For teachers who teach English language arts or 2478
mathematics in any of grades one through three, the board shall 2479
administer assessments on the list developed under division (B) 2480
(2) of section 3319.112 of the Revised Code. 2481

(5) For teachers who teach kindergarten or teach in a 2482
subject area other than English language arts or mathematics in 2483
any of grades one through three, the board shall establish and 2484
use a method for determining the student academic growth 2485
measure. 2486

Not later than thirty days after the effective date of 2487
this amendment, the state board of education shall provide 2488
guidance to districts for the evaluation of the student academic 2489
growth of a teacher under divisions (B) (3) and (5) of this 2490
section. 2491

(C) (1) The board shall conduct an evaluation of each 2492
teacher employed by the board at least once each school year, 2493
except as provided in division (C) (2) of this section. The 2494
evaluation shall be completed by the first day of May and the 2495
teacher shall receive a written report of the results of the 2496
evaluation by the tenth day of May. 2497

(2) (a) The board may evaluate each teacher who received a 2498
rating of accomplished on the teacher's most recent evaluation 2499
conducted under this section once every three school years, so 2500
long as the teacher's student academic growth measure, for the 2501
most recent school year for which data is available, is average 2502
or higher, as determined by the department of education. 2503

(b) The board may evaluate each teacher who received a 2504
rating of skilled on the teacher's most recent evaluation 2505

conducted under this section once every two years, so long as 2506
the teacher's student academic growth measure, for the most 2507
recent school year for which data is available, is average or 2508
higher, as determined by the department of education. 2509

(c) For each teacher who is evaluated pursuant to division 2510
(C) (2) of this section, the evaluation shall be completed by the 2511
first day of May of the applicable school year, and the teacher 2512
shall receive a written report of the results of the evaluation 2513
by the tenth day of May of that school year. 2514

(d) Beginning with the 2014-2015 school year, the board 2515
may elect not to conduct an evaluation of a teacher who meets 2516
one of the following requirements: 2517

(i) The teacher was on leave from the school district for 2518
fifty per cent or more of the school year, as calculated by the 2519
board. 2520

(ii) The teacher has submitted notice of retirement and 2521
that notice has been accepted by the board not later than the 2522
first day of December of the school year in which the evaluation 2523
is otherwise scheduled to be conducted. 2524

(3) In any year that a teacher is not formally evaluated 2525
pursuant to division (C) of this section as a result of 2526
receiving a rating of accomplished or skilled on the teacher's 2527
most recent evaluation, an individual qualified to evaluate a 2528
teacher under division (D) of this section shall conduct at 2529
least one observation of the teacher and hold at least one 2530
conference with the teacher. 2531

(D) Each evaluation conducted pursuant to this section 2532
shall be conducted by one or more of the following persons who 2533
hold a credential established by the department of education for 2534

being an evaluator:	2535
(1) A person who is under contract with the board pursuant	2536
to section 3319.01 or 3319.02 of the Revised Code and holds a	2537
license designated for being a superintendent, assistant	2538
superintendent, or principal issued under section 3319.22 of the	2539
Revised Code;	2540
(2) A person who is under contract with the board pursuant	2541
to section 3319.02 of the Revised Code and holds a license	2542
designated for being a vocational director, administrative	2543
specialist, or supervisor in any educational area issued under	2544
section 3319.22 of the Revised Code;	2545
(3) A person designated to conduct evaluations under an	2546
agreement entered into by the board, including an agreement	2547
providing for peer review entered into by the board and	2548
representatives of teachers employed by the board;	2549
(4) A person who is employed by an entity contracted by	2550
the board to conduct evaluations and who holds a license	2551
designated for being a superintendent, assistant superintendent,	2552
principal, vocational director, administrative specialist, or	2553
supervisor in any educational area issued under section 3319.22	2554
of the Revised Code or is qualified to conduct evaluations.	2555
(E) Notwithstanding division (A) (3) of section 3319.112 of	2556
the Revised Code:	2557
(1) The board shall require at least three formal	2558
observations of each teacher who is under consideration for	2559
nonrenewal and with whom the board has entered into a limited	2560
contract or an extended limited contract under section 3319.11	2561
of the Revised Code.	2562
(2) The board may elect, by adoption of a resolution, to	2563

require only one formal observation of a teacher who received a 2564
rating of accomplished on the teacher's most recent evaluation 2565
conducted under this section, provided the teacher completes a 2566
project that has been approved by the board to demonstrate the 2567
teacher's continued growth and practice at the accomplished 2568
level. 2569

(F) The board shall include in its evaluation policy 2570
procedures for using the evaluation results for retention and 2571
promotion decisions and for removal of poorly performing 2572
teachers. Seniority shall not be the basis for a decision to 2573
retain a teacher, except when making a decision between teachers 2574
who have comparable evaluations. 2575

(G) For purposes of section 3333.0411 of the Revised Code, 2576
the board annually shall report to the department of education 2577
the number of teachers for whom an evaluation was conducted 2578
under this section and the number of teachers assigned each 2579
rating prescribed under division (B)(1) of section 3319.112 of 2580
the Revised Code, aggregated by the teacher preparation programs 2581
from which and the years in which the teachers graduated. The 2582
department shall establish guidelines for reporting the 2583
information required by this division. The guidelines shall not 2584
permit or require that the name of, or any other personally 2585
identifiable information about, any teacher be reported under 2586
this division. 2587

(H) Notwithstanding any provision to the contrary in 2588
Chapter 4117. of the Revised Code, the requirements of this 2589
section prevail over any conflicting provisions of a collective 2590
bargaining agreement entered into on or after September 24, 2591
2012. 2592

Section 2. That existing sections 3301.079, 3301.0710, 2593

3301.0711, 3301.0712, 3301.0715, 3302.02, 3302.03, 3302.13, 2594
3313.608, and 3319.111 of the Revised Code are hereby repealed. 2595

Section 3. That Sections 10 and 13 of Am. Sub. H.B. 487 of 2596
the 130th General Assembly be amended to read as follows: 2597

Sec. 10. (A) For the 2014-2015 and 2015-2016 school 2598
~~year~~years, no school district, community school, STEM school, 2599
college-preparatory boarding school, or chartered nonpublic 2600
school shall be required to administer in an online format any 2601
assessments prescribed by sections 3301.0710 and 3301.0712 of 2602
the Revised Code. However, a district or school may administer 2603
any of those assessments in an online format at the discretion 2604
of the district board or school governing authority, or in any 2605
combination of online and paper formats. The Department of 2606
Education shall furnish, free of charge, all such assessments 2607
for ~~that those~~ school year ~~years~~ regardless of the format 2608
selected by the district or school. 2609

(B) Not later than December 31, 2014, the Department shall 2610
submit a report to the Governor and the General Assembly, in 2611
accordance with section 101.68 of the Revised Code, on the 2612
security of student data with regard to the administration of 2613
online assessments. 2614

(C) Not later than July 1, 2015, the Department shall 2615
publish the number of districts and schools that administered 2616
the assessments required under sections 3301.0710 and 3301.0712 2617
of the Revised Code in all of the following formats: 2618

(1) Completely in an online format; 2619

(2) Completely in a paper format; 2620

(3) In any combination of online and paper formats. 2621

Sec. 13. Notwithstanding anything in the Revised Code to 2622
the contrary, the board of education of a school district, the 2623
governing authority of a community school established under 2624
Chapter 3314. of the Revised Code, or the governing body of a 2625
STEM school established under Chapter 3326. of the Revised Code 2626
that has entered into a collective bargaining agreement with its 2627
teachers under Chapter 4117. of the Revised Code may enter into 2628
a separate memorandum of understanding with the exclusive 2629
representative of its teachers stipulating that the value-added 2630
progress dimension rating that is based on the results of the 2631
assessments prescribed under sections 3301.0710 and 3301.0712 of 2632
the Revised Code administered in the 2014-2015 school year and 2633
is used to assess student academic growth for purposes of 2634
teacher evaluations under sections 3311.80, 3319.111, and 2635
3319.112 of the Revised Code will not be used when making 2636
decisions regarding the dismissal, retention, tenure, or 2637
compensation of the district's or school's teachers. If such a 2638
memorandum of understanding is entered into, the district or 2639
school shall use a different measure of student progress, 2640
approved by the Department of Education, for purposes of teacher 2641
evaluations under sections 3311.80, 3319.111, and 3319.112 of 2642
the Revised Code. 2643

As used in this section, "value-added progress dimension" 2644
means the value-added progress dimension prescribed by section 2645
3302.021 of the Revised Code or an alternative student academic 2646
progress measure if adopted under division (C)(1)(e) of section 2647
3303.03 of the Revised Code. 2648

Section 4. That existing Sections 10 and 13 of Am. Sub. 2649
H.B. 487 of the 130th General Assembly are hereby repealed. 2650

Section 5. The Department of Education shall study the 2651

impact on student performance of the online administration of 2652
the state assessments prescribed under sections 3301.0710 and 2653
3301.0712 of the Revised Code. Not later than June 30, 2016, the 2654
Department shall submit the results of its study to the General 2655
Assembly, in accordance with section 101.68 of the Revised Code, 2656
and to the Governor. 2657

Section 6. Not later than July 1, 2016, the State Board of 2658
Education shall submit recommendations to the Governor, the 2659
chairpersons and ranking members of the education committees of 2660
the Senate and House of Representatives, and the State Board of 2661
Education on how to revise the framework for evaluation of 2662
teachers prescribed under sections 3319.111, 3319.112, and 2663
3319.114 of the Revised Code to reduce the estimated time 2664
necessary to complete teacher evaluations. 2665

Section 7. The Department of Education shall conduct a 2666
comprehensive survey of the capacity and readiness of each 2667
school district for online administration of the assessments 2668
prescribed by sections 3301.0710 and 3301.0712 of the Revised 2669
Code based on recommended specifications for such administration 2670
of the assessments. The survey conducted under this section 2671
shall include information regarding hardware, software, 2672
bandwidth, technical support, security requirements, training 2673
for teachers regarding the administration of assessments, and 2674
training for students regarding taking the assessments. 2675

Not later than ninety days after the effective date of 2676
this section, the Department shall compile and present to the 2677
Governor, the chairpersons and ranking members of the education 2678
committees of the Senate and House of Representatives, and the 2679
State Board of Education the results of the survey conducted 2680
under this section and a detailed implementation plan to address 2681

any issues or problems identified in the survey. 2682

Section 8. (A) Not later than thirty days after the 2683
effective date of this section, the State Board of Education 2684
shall provide on the web site of the Department of Education an 2685
online opportunity to make comments on specific academic content 2686
standards adopted under section 3301.079 of the Revised Code as 2687
part of the process established for the academic standards 2688
review committees under division (I) of that section. 2689

(B) Not later than June 30, 2016, the State Board of 2690
Education shall do the following: 2691

(1) Review the current academic content standards taking 2692
into consideration the input from the academic standards review 2693
committees and comments posted on the Department's web site 2694
under division (A) of this section; 2695

(2) Adopt revised academic content standards for each of 2696
grades kindergarten through twelve in English language arts, 2697
mathematics, science, and social studies. 2698

Section 9. Not later than thirty days after the effective 2699
date of this section, the Department of Education shall issue a 2700
request for proposals to provide the elementary assessments 2701
prescribed by section 3301.0710 of the Revised Code and the end- 2702
of-course examinations prescribed by section 3301.0712 of the 2703
Revised Code for administration by school districts and schools 2704
beginning with the 2015-2016 school year. In developing the 2705
request for proposals the Department shall consider, at a 2706
minimum, ease of administration, validity, reliability, content, 2707
format, overall quality, performance benchmarks, a preference 2708
for assessments that are nationally normed, and cost. The 2709
Department shall solicit input from teachers and administrators 2710

when reviewing proposals. Multistate consortia, a subsidiary of 2711
multistate consortia, or agent acting on behalf of multistate 2712
consortia that received funds under the "American Recovery and 2713
Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 2714
shall not be eligible to submit a proposal. 2715

Section 10. (A) Not later than December 31, 2016, the 2716
Department of Education shall complete a study comparing all of 2717
the following: 2718

(1) Nationally normed, standardized assessments approved 2719
by the Department for school districts and schools to use for 2720
diagnostic purposes, for identifying students as gifted under 2721
Chapter 3324. of the Revised Code, and for student growth 2722
measures; 2723

(2) The elementary assessments prescribed under division 2724
(A) (1) of section 3301.0710 of the Revised Code that were 2725
administered in the 2013-2014 school year; 2726

(3) The elementary assessments prescribed under that 2727
division that were administered in the 2014-2015 school year. 2728

(B) The study completed under this section shall include 2729
at least a comparison of ease of administration, overall 2730
quality, performance levels, cost, and type of analysis 2731
available to school districts and schools. 2732

Section 11. Not later than November 1, 2015, the State 2733
Board of Education shall make a recommendation on whether or not 2734
to extend by one year the safe harbor provisions prescribed by 2735
section 3302.036 of the Revised Code, Section 13 of Am. Sub. 2736
H.B. 487 of the 130th General Assembly, and Section 5 of Am. 2737
Sub. H.B. 7 of the 131st General Assembly. 2738