A BILL

To amend sections 3301.0712 and 3301.0729 of the Revised Code to reduce the number of end-of-course assessments required for high school graduation and to require each school district to form a work group to evaluate the amount of time students spend on testing.

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

Section 1. That sections 3301.0712 and 3301.0729 of the Revised Code be amended to read as follows:

Sec. 3301.0712. (A) The state board of education, the superintendent of public instruction, and the chancellor of higher education 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 is ready to enter college or the workforce. Beginning with students who enter the ninth grade for the first time on or after July 1, 2014, the system shall replace the Ohio graduation tests prescribed in division (B)(1) of section 3301.0710 of the Revised Code.
Revised Code as a measure of student academic performance and one determinant of eligibility for a high school diploma in the manner prescribed by rule of the state board adopted under division (D) of this section.

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

(1) Nationally—(a) Except as provided in division (B)(1) of this section, nationally standardized assessments that measure college and career readiness and are used for college admission. The assessments shall be selected jointly by the state superintendent and the chancellor, and one of which shall be selected by each school district or school to administer to its students. The assessments prescribed under division (B)(1) of this section shall be administered to all eleventh-grade students in the spring of the school year.

(b) Beginning with students who enter the ninth grade for the first time on or after July 1, 2018, nationally standardized assessments selected under division (B)(1)(a) of this section shall not be required for graduation. The assessments shall be offered to all eleventh-grade students in the spring of each school year but participation in the assessment is voluntary.

(2) Seven—(a) Except as provided in division (B)(2)(b) of this section, seven end-of-course examinations, one in each of the areas of English language arts I, English language arts II, science, Algebra I, geometry, American history, and American government. The end-of-course examinations shall be selected jointly by the state superintendent and the chancellor in consultation with faculty in the appropriate subject areas at institutions of higher education of the university system of Ohio. Advanced placement examinations and international
baccalaureate examinations, as prescribed under section 3313.6013 of the Revised Code, in the areas of science, American history, and American government may be used as end-of-course examinations in accordance with division (B)(4)(a)(i) of this section. Final course grades for courses taken under any other advanced standing program, as prescribed under section 3313.6013 of the Revised Code, in the areas of science, American history, and American government may be used in lieu of end-of-course examinations in accordance with division (B)(4)(a)(ii) of this section.

(b) Beginning with students who enter ninth grade for the first time on or after July 1, 2018, three end-of-course examinations, one in each areas of English language arts II, science, and algebra I.

(3)(a) Not later than July 1, 2013, each school district board of education shall adopt interim end-of-course examinations that comply with the requirements of divisions (B) (3)(b)(i) and (ii) of this section to assess mastery of American history and American government standards adopted under division (A)(1)(b) of section 3301.079 of the Revised Code and the topics required under division (M) of section 3313.603 of the Revised Code. Each high school of the district shall use the interim examinations until the state superintendent and chancellor select end-of-course examinations in American history and American government under division (B)(2) of this section.

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

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

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

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

(i) If a student is enrolled in an appropriate advanced placement or international baccalaureate course, that student shall take the advanced placement or international baccalaureate examination in lieu of the science, American history, or American government end-of-course examinations prescribed under division (B)(2) of this section. The state board shall specify the score levels for each advanced placement examination and international baccalaureate examination for purposes of calculating the minimum cumulative performance score that demonstrates the level of academic achievement necessary to earn a high school diploma.

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

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

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

(c) The state board shall consider additional assessments that may be used, beginning with the 2016-2017 school year, as substitute examinations in lieu of the end-of-course examinations prescribed under division (B)(2) of this section.

(5) The state board shall do all of the following:

(a) Determine and designate at least five ranges of scores on each of the end-of-course examinations prescribed under division (B)(2) of this section, and substitute examinations prescribed under division (B)(4) of this section. Each range of scores shall be considered to demonstrate a level of achievement so that any student attaining a score within such range has achieved one of the following:

(i) An advanced level of skill;

(ii) An accelerated level of skill;

(iii) A proficient level of skill;
(iv) A basic level of skill;

(v) A limited level of skill.

(b) Determine a method by which to calculate a cumulative performance score based on the results of a student's end-of-course examinations or substitute examinations;

(c) Determine the minimum cumulative performance score that demonstrates the level of academic achievement necessary to earn a high school diploma;

(d) Develop a table of corresponding score equivalents for the end-of-course examinations and substitute examinations in order to calculate student performance consistently across the different examinations.

A score of two on an advanced placement examination or a score of two or three on an international baccalaureate examination shall be considered equivalent to a proficient level of skill as specified under division (B)(5)(a)(iii) of this section.

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

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

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

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

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

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

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

The state superintendent, in consultation with the chancellor, shall adopt guidelines for purposes of calculating the corresponding final course grades and the minimum cumulative performance score that demonstrates the level of academic achievement necessary to earn a high school diploma.

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

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

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

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

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

(i) Administer an integrated mathematics I end-of-course examination in lieu of the prescribed algebra I end-of-course examination;

(ii) Administer an integrated mathematics II end-of-course examination in lieu of the prescribed geometry end-of-course examination.

(d) Beginning with students who enter ninth grade for the first time on or after July 1, 2018, if a school district or school utilizes an integrated approach to mathematics instructions, the district or school may administer an integrated mathematics I end-of-course examination in lieu of the prescribed algebra I end-of-course examination.

(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.

(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.

(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.

(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.

(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 design of the end-of-course examinations prescribed by this section.

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

(1) A timeline and plan for implementation of the assessment system, including a phased implementation if the state board determines such a phase-in is warranted;
(2) The date after which a person shall meet the requirements of the entire assessment system as a prerequisite for a diploma of adult education under section 3313.611 of the Revised Code;

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

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

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

(E) Not later than forty-five days prior to the state board's adoption of a resolution directing the department to file the rules prescribed by division (D) of this section in final form under section 119.04 of the Revised Code, the superintendent of public instruction shall present the assessment system developed under this section to the respective committees of the house of representatives and senate that consider education legislation.

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

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

(G) Not later than December 31, 2014, the state board
shall select at least one nationally recognized job skills
assessment. Each school district shall administer that
assessment to those students who opt to take it. The state shall
reimburse a school district for the costs of administering that
assessment. The state board shall establish the minimum score a
student must attain on the job skills assessment in order to
demonstrate a student's workforce readiness and employability.
The administration of the job skills assessment to a student
under this division shall not exempt a school district from
administering the assessments prescribed in division (B) of this
section to that student.

Sec. 3301.0729. (A) Except as provided for in divisions
(B) and (C) of this section, beginning with assessments
administered on or after July 1, 2017, the board of education of
each city, local, and exempted village school district shall
ensure that no student is required to do either of the
following:

(1) Spend a cumulative amount of time in excess of two per
cent of the school year taking the following assessments
combined:
(a) The applicable state assessments prescribed by division (A) of section 3301.0710 and division (B)(2) of section 3301.0712 of the Revised Code;

(b) Any assessment required by the district board to be administered district-wide to all students in a specified subject area or grade level.

(2) Spend a cumulative amount of time in excess of one percent of the school year taking practice or diagnostic assessments used to prepare for assessments described in divisions (A)(1)(a) and (b) of this section.

(B) The limitations prescribed by division (A) of this section shall not apply to assessments for students with disabilities, any related diagnostic assessment for students who failed to attain a passing score on the English language arts achievement assessment prescribed by division (A)(1)(a) of section 3301.0710 of the Revised Code, substitute examinations as prescribed by division (B)(4) of section 3301.0712 of the Revised Code, or additional assessments administered to identify a student as gifted under Chapter 3324. of the Revised Code.

(C) The board of education of each city, exempted village, and local school district may exceed the limitations prescribed by division (A) of this section by annual resolution of the district board. However, prior to the adoption of such a resolution, the board shall conduct at least one public hearing on the proposed resolution and consider recommendations from the testing work group formed under division (D) of this section. Resolutions adopted under division (C) of this section shall be reported to the department of education and made available to the public.
(D)(1) Within ninety days of the effective date of this section, each school district shall form a work group to examine the amount of time students spend on district required testing and make recommendations to the district board of education on how to reduce testing amounts. The work group shall consist of the following members:

(a) The district superintendent;

(b) A district curriculum or testing administrator or designee of the superintendent;

(c) Three building principals, one each from an elementary, middle, and high school;

(d) Three classroom teachers selected by the local teacher’s association, one each from an elementary, middle, and high school;

(e) Three parents of students enrolled in the district selected by the local parent-teacher organization or similar organization, one each from an elementary, middle, and high school.

(2) In order to make testing reduction recommendations, the work group described in division (D)(1) of this section shall consider the following:

(a) Time students spend on district required testing;

(b) The current district testing calendar;

(c) Identifying if there are groups of students being tested at a greater rate than others;

(d) The purpose of testing and if that purpose has been achieved;
(e) The use of testing data to drive instructional decisions;

(f) The financial cost of testing;

(g) If tests are duplicative;

(h) Any previous testing audit or examination of testing the district may have.

(3) The work group shall report any findings and recommendations to the district board of education not later than six months after formation. Upon completion of this report, the work group may be dissolved, continue to meet, or be reconstituted in the future based on local need.

(E) The department shall annually publish a report on the amount of time students spent on required state and district testing. The report shall include all of the following:

(a) Information disaggregated by required state testing and by additional testing required by a district;

(b) Efforts to reduce testing time and increase instructional time;

(c) Caps on testing time as described in division (A) of this section and a list of any district that exceeded them;

(d) The purpose and use of the required state and district tests;

(e) Resources for parents to ask questions regarding testing of their child.

The report shall be published on the department's web site and delivered to the governor and the respective standing committees of the house of representatives and senate that
consider primary and secondary education legislation.

(F) It is the intent of the general assembly to reduce the time students spend on standardized testing and restore classroom instructional time. The department of education or other state entity should not require local school districts to increase testing for Ohio students or create policies that result in further testing as part of an improvement plan. Student retakes of state required tests should be limited. Students should be allowed to choose a pathway to graduation that aligns with their career goals and the ability to demonstrate their knowledge and readiness for graduation that does not rely on results of state assessments.

Section 2. That existing sections 3301.0712 and 3301.0729 of the Revised Code are hereby repealed.