



**Senate Primary and Secondary Education Committee
House Bill 497 Proponent Testimony
Buckeye Association of School Administrators
Ohio Association of School Business Officials
Ohio School Boards Association
Ohio Association of Elementary School Administrators
December 13, 2022**

Good afternoon, Chair Brenner Vice Chair Blessing, Ranking Member Hicks-Hudson, and members of the Senate Primary and Secondary Education Committee. Thank you for the opportunity to speak to you today in support of House Bill (HB) 497. My name is Barbara Shaner, representing the Ohio Association of Elementary School Administrators. Joining me for this testimony is Katie Johnson with the Ohio Association of School Business Officials, Jennifer Hogue of the Ohio School Boards Association and Tom Perkins from the Buckeye Association of School Administrators.

As you know, our organizations represent public school district superintendents, treasurers/CFOs, business managers and other school business officials, boards of education, and elementary school principals from around the state. HB 497 proposes a positive change for many young students, and on behalf of our members, we wish to thank Representatives Manning and Robinson for introducing the bill.

HB 497 removes the legal mandate that third grade students be retained if they do not achieve the required score on the third grade English language arts assessment. We believe this is a positive step that is in the best interest of students.

The bill does not remove school districts' obligation to provide the necessary intervention and remediation services to students reading below grade level. We believe there is a significant amount of accountability for schools built into the third grade reading guarantee statutes.

Students must be given a reading diagnostic assessment by September 30th in grades kindergarten through third grade. If the reading diagnostic shows that a student is not on-track (they are reading below grade level), schools must communicate with parents in writing as soon

as possible. The notice is for the purpose of letting parents know their child is not reading on grade level and to share what current services the student is receiving.

For each student who is not on-track (reading below grade level), the school also must:

- Administer any necessary informal or formal diagnostic assessments to determine the instructional needs of the student;
- Immediately provide reading instruction and/or intervention using research-based reading strategies that have been shown to be successful in improving reading among low-performing readers and are targeted at the student's identified reading deficiencies; and
- Develop a Reading Improvement and Monitoring Plan (RIMP) within 60 days of receiving the student's diagnostic result.

RIMPs allow teachers and parents to work together to understand the student's reading difficulties and develop targeted reading instruction and support. The instructional services selected for a student with a RIMP rely on the judgment of the student's teacher and parents (the district must involve the student's parent or guardian and the classroom teacher in developing the plan).

The school district must report through the Education Management Information System (EMIS) each student that has been identified as not on-track, including specificity as to the type of intervention the student is receiving based on their individual RIMP. For instance, if a student is struggling with phonemic awareness, they would be reported as receiving "Explicit Intervention in Phonemic Awareness." Students may exhibit weakness in other areas such as sight word recognition, comprehension and fluency. All of these areas are important to a student's reading skill success and call for specific strategies to address them. These and other reading and writing deficits are reported through EMIS.

The literacy team at the department of education can then review the EMIS submissions and can identify possible weaknesses in the instructional program within a school building, and therefore, reach out to provide assistance. We should note that the applicable EMIS codes were updated in August of this year to provide more specific details about the reading deficiencies districts have identified and the interventions included in the RIMP for each student.

A student who is subject to a RIMP remains in not on-track status until they successfully pass the next state required diagnostic test (fall diagnostic for first, second and third graders, OR, a third grade alternative assessment in the spring or summer) and they are included in the school's report card data for the year. Districts have the option of revising the RIMP based on the results of diagnostic assessments, but the not on-track status remains until the next diagnostic test indicates otherwise.

As you can see, Ohio law has helped to make significant progress in meeting the needs of struggling readers, and in ensuring that parents are included in the process. These requirements would not be relaxed with HB 497's removal of the requirement to retain third graders. Based on data collected by ODE, we believe the requirement to retain third graders as part of the third grade reading guarantee does not help students improve their reading skills in the long term.

While it may be necessary to hold back a student based on other factors, retaining a student based on a high stakes test appears to be a punishment rather than a solution.

As the bill sponsors have pointed out, being held back in the third grade can have a tremendous negative effect on students, both emotionally and educationally. A much better scenario would be for students to be promoted to fourth grade if it is determined by their teachers and parents that it is in their overall best interest. Meanwhile, schools would continue to intervene with these students to help them grow their reading skills without the harmful stigma of having “failed” third grade.

We have appreciated the flexibility afforded districts by the legislature during the past three school years. It has allowed educators, school leaders, and parents to decide what was best for students on a case-by-case basis as to whether or not to promote students to the fourth grade. This flexibility would be continued through HB 497, giving those closest to the children the ability to make decisions based on what is best for them.

We urge the committee to approve HB 497 as a positive step for students across Ohio. This concludes our testimony. We will be happy to address your questions.