

As Reported by the House Primary and Secondary Education Committee

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Sub. H. B. No. 82

Representatives Cross, Jones

**Cosponsors: Representatives Riedel, Manchester, Miller, J., Stein, Carfagna,
Hoops, Abrams, Manning, Bird, Click, Ingram, Swearingen**

A BILL

To amend section 3301.0712 of the Revised Code to 1
permit parents or guardians of a high school 2
student to opt the student out of taking a 3
nationally standardized college admissions 4
assessment. 5

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

Section 1. That section 3301.0712 of the Revised Code be 6
amended to read as follows: 7

Sec. 3301.0712. (A) The state board of education, the 8
superintendent of public instruction, and the chancellor of 9
higher education shall develop a system of college and work 10
ready assessments as described in division (B) of this section 11
to assess whether each student upon graduating from high school 12
is ready to enter college or the workforce. Beginning with 13
students who enter the ninth grade for the first time on or 14
after July 1, 2014, the system shall replace the Ohio graduation 15
tests prescribed in division (B) (1) of section 3301.0710 of the 16
Revised Code as a measure of student academic performance and 17
one determinant of eligibility for a high school diploma in the 18

manner prescribed by rule of the state board adopted under 19
division (D) of this section. 20

(B) The college and work ready assessment system shall 21
consist of the following: 22

(1) ~~Nationally~~ (a) Except as provided in division (B) (1) 23
(b) of this section, nationally standardized assessments that 24
measure college and career readiness and are used for college 25
admission. The assessments shall be selected jointly by the 26
state superintendent and the chancellor, and one of which shall 27
be selected by each school district or school to administer to 28
its students. The assessments prescribed under division (B) (1) 29
of this section shall be administered to all eleventh-grade 30
students in the spring of the school year. 31

(b) Beginning with students who enter the ninth grade for 32
the first time on or after the first day of July immediately 33
following the effective date of this amendment, the parent or 34
guardian of a student may elect not to have a nationally 35
standardized assessment administered to that student. In that 36
event, the student's school district or school shall not 37
administer the nationally standardized assessment to that 38
student. 39

(2) (a) Except as provided in division (B) (2) (b) of this 40
section, seven end-of-course examinations, one in each of the 41
areas of English language arts I, English language arts II, 42
science, Algebra I, geometry, American history, and American 43
government. The end-of-course examinations shall be selected 44
jointly by the state superintendent and the chancellor in 45
consultation with faculty in the appropriate subject areas at 46
institutions of higher education of the university system of 47
Ohio. Advanced placement examinations and international 48

baccalaureate examinations, as prescribed under section 49
3313.6013 of the Revised Code, in the areas of science, American 50
history, and American government may be used as end-of-course 51
examinations in accordance with division (B) (4) (a) (i) of this 52
section. Final course grades for courses taken under any other 53
advanced standing program, as prescribed under section 3313.6013 54
of the Revised Code, in the areas of science, American history, 55
and American government may be used in lieu of end-of-course 56
examinations in accordance with division (B) (4) (a) (ii) of this 57
section. 58

(b) Beginning with students who enter ninth grade for the 59
first time on or after July 1, 2019, five end-of-course 60
examinations, one in each areas of English language arts II, 61
science, Algebra I, American history, and American government. 62
However, only the end-of-course examinations in English language 63
arts II and Algebra I shall be required for graduation. 64

The department of education shall, as necessary to 65
implement division (B) (2) (b) of this section, seek a waiver from 66
the United States secretary of education for testing 67
requirements prescribed under federal law to allow for the use 68
and implementation of Algebra I as the primary assessment of 69
high school mathematics. If the department does not receive a 70
waiver under this division, the end-of-course examinations for 71
students described in division (B) (2) (b) of this section also 72
shall include an end-of-course examination in the area of 73
geometry. However, the geometry end-of-course examination shall 74
not be required for graduation. 75

(3) (a) Not later than July 1, 2013, each school district 76
board of education shall adopt interim end-of-course 77
examinations that comply with the requirements of divisions (B) 78

(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 108
the score levels for each advanced placement examination and 109
international baccalaureate examination for purposes of 110
calculating the minimum cumulative performance score that 111
demonstrates the level of academic achievement necessary to earn 112
a high school diploma. 113

(ii) If a student is enrolled in an appropriate course 114
under any other advanced standing program, as described in 115
section 3313.6013 of the Revised Code, that student shall not be 116
required to take the science, American history, or American 117
government end-of-course examination, whichever is applicable, 118
prescribed under division (B) (2) of this section. Instead, that 119
student's final course grade shall be used in lieu of the 120
applicable end-of-course examination prescribed under that 121
section. The state superintendent, in consultation with the 122
chancellor, shall adopt guidelines for purposes of calculating 123
the corresponding final course grades that demonstrate the level 124
of academic achievement necessary to earn a high school diploma. 125

Division (B) (4) (a) (ii) of this section shall apply only to 126
courses for which students receive transcribed credit, as 127
defined in section 3365.01 of the Revised Code. It shall not 128
apply to remedial or developmental courses. 129

(b) No student shall take a substitute examination or 130
examination prescribed under division (B) (4) (a) of this section 131
in place of the end-of-course examinations in English language 132
arts I, English language arts II, Algebra I, or geometry 133
prescribed under division (B) (2) of this section. 134

(c) The state board shall consider additional assessments 135
that may be used, beginning with the 2016-2017 school year, as 136
substitute examinations in lieu of the end-of-course 137

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| examinations prescribed under division (B) (2) of this section. | 138 |
| (5) The state board shall do all of the following: | 139 |
| (a) Determine and designate at least five ranges of scores | 140 |
| on each of the end-of-course examinations prescribed under | 141 |
| division (B) (2) of this section, and substitute examinations | 142 |
| prescribed under division (B) (4) of this section. Not later than | 143 |
| sixty days after the designation of ranges of scores, the state | 144 |
| superintendent, or the state superintendent's designee, shall | 145 |
| conduct a public presentation before the standing committees of | 146 |
| the house of representatives and the senate that consider | 147 |
| primary and secondary education legislation regarding the | 148 |
| designated range of scores. Each range of scores shall be | 149 |
| considered to demonstrate a level of achievement so that any | 150 |
| student attaining a score within such range has achieved one of | 151 |
| the following: | 152 |
| (i) An advanced level of skill; | 153 |
| (ii) An accelerated level of skill; | 154 |
| (iii) A proficient level of skill; | 155 |
| (iv) A basic level of skill; | 156 |
| (v) A limited level of skill. | 157 |
| (b) Determine a method by which to calculate a cumulative | 158 |
| performance score based on the results of a student's end-of- | 159 |
| course examinations or substitute examinations; | 160 |
| (c) Determine the minimum cumulative performance score | 161 |
| that demonstrates the level of academic achievement necessary to | 162 |
| earn a high school diploma under division (A) (2) of section | 163 |
| 3313.618 of the Revised Code. However, the state board shall not | 164 |
| determine a new minimum cumulative performance score after the | 165 |

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| effective date of this amendment October 17, 2019. | 166 |
| (d) Develop a table of corresponding score equivalents for | 167 |
| the end-of-course examinations and substitute examinations in | 168 |
| order to calculate student performance consistently across the | 169 |
| different examinations. | 170 |
| A score of two on an advanced placement examination or a | 171 |
| score of two or three on an international baccalaureate | 172 |
| examination shall be considered equivalent to a proficient level | 173 |
| of skill as specified under division (B) (5) (a) (iii) of this | 174 |
| section. | 175 |
| (6) (a) A student who meets both of the following | 176 |
| conditions shall not be required to take an end-of-course | 177 |
| examination: | 178 |
| (i) The student received high school credit prior to July | 179 |
| 1, 2015, for a course for which the end-of-course examination is | 180 |
| prescribed. | 181 |
| (ii) The examination was not available for administration | 182 |
| prior to July 1, 2015. | 183 |
| Receipt of credit for the course described in division (B) | 184 |
| (6) (a) (i) of this section shall satisfy the requirement to take | 185 |
| the end-of-course examination. A student exempted under division | 186 |
| (B) (6) (a) of this section may take the applicable end-of-course | 187 |
| examination at a later date. | 188 |
| (b) For purposes of determining whether a student who is | 189 |
| exempt from taking an end-of-course examination under division | 190 |
| (B) (6) (a) of this section has attained the cumulative score | 191 |
| prescribed by division (B) (5) (c) of this section, such student | 192 |
| shall select either of the following: | 193 |

(i) The student is considered to have attained a 194
proficient score on the end-of-course examination from which the 195
student is exempt; 196

(ii) The student's final course grade shall be used in 197
lieu of a score on the end-of-course examination from which the 198
student is exempt. 199

The state superintendent, in consultation with the 200
chancellor, shall adopt guidelines for purposes of calculating 201
the corresponding final course grades and the minimum cumulative 202
performance score that demonstrates the level of academic 203
achievement necessary to earn a high school diploma. 204

(7) (a) Notwithstanding anything to the contrary in this 205
section, the state board may replace the algebra I end-of-course 206
examination prescribed under division (B) (2) of this section 207
with an algebra II end-of-course examination, beginning with the 208
2016-2017 school year for students who enter ninth grade on or 209
after July 1, 2016. 210

(b) If the state board replaces the algebra I end-of- 211
course examination with an algebra II end-of-course examination 212
as authorized under division (B) (7) (a) of this section, both of 213
the following shall apply: 214

(i) A student who is enrolled in an advanced placement or 215
international baccalaureate course in algebra II shall take the 216
advanced placement or international baccalaureate examination in 217
lieu of the algebra II end-of-course examination. 218

(ii) A student who is enrolled in an algebra II course 219
under any other advanced standing program, as described in 220
section 3313.6013 of the Revised Code, shall not be required to 221
take the algebra II end-of-course examination. Instead, that 222

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| student's final course grade shall be used in lieu of the | 223 |
| examination. | 224 |
| (c) If a school district or school utilizes an integrated | 225 |
| approach to mathematics instruction, the district or school may | 226 |
| do either or both of the following: | 227 |
| (i) Administer an integrated mathematics I end-of-course | 228 |
| examination in lieu of the prescribed algebra I end-of-course | 229 |
| examination; | 230 |
| (ii) Administer an integrated mathematics II end-of-course | 231 |
| examination in lieu of the prescribed geometry end-of-course | 232 |
| examination. | 233 |
| (8) (a) For students entering the ninth grade for the first | 234 |
| time on or after July 1, 2014, but prior to July 1, 2015, the | 235 |
| assessment in the area of science shall be physical science or | 236 |
| biology. For students entering the ninth grade for the first | 237 |
| time on or after July 1, 2015, the assessment in the area of | 238 |
| science shall be biology. | 239 |
| (b) Until July 1, 2019, the department shall make | 240 |
| available the end-of-course examination in physical science for | 241 |
| students who entered the ninth grade for the first time on or | 242 |
| after July 1, 2014, but prior to July 1, 2015, and who wish to | 243 |
| retake the examination. | 244 |
| (c) Not later than July 1, 2016, the state board shall | 245 |
| adopt rules prescribing the requirements for the end-of-course | 246 |
| examination in science for students who entered the ninth grade | 247 |
| for the first time on or after July 1, 2014, but prior to July | 248 |
| 1, 2015, and who have not met the requirement prescribed by | 249 |
| section 3313.618 of the Revised Code by July 1, 2019, due to a | 250 |
| student's failure to satisfy division (A) (2) of section 3313.618 | 251 |

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| of the Revised Code. | 252 |
| (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. | 253 254 255 |
| (10) Not later than March 1, 2020, the department, in consultation with the chancellor and the governor's office of workforce transformation, shall determine a competency score for both of the Algebra I and English language arts II end-of-course examinations for the purpose of graduation eligibility. | 256 257 258 259 260 |
| (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. | 261 262 263 264 265 266 |
| (D) Upon completion of the development of the assessment system, the state board shall adopt rules prescribing all of the following: | 267 268 269 |
| (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; | 270 271 272 |
| (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; | 273 274 275 276 |
| (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 | 277 278 279 280 |

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| of the Revised Code; | 281 |
| (4) The date after which a person who has fulfilled the | 282 |
| curriculum requirement for a diploma but has not passed one or | 283 |
| more of the required assessments at the time the person | 284 |
| fulfilled the curriculum requirement shall meet the requirements | 285 |
| of the entire assessment system as a prerequisite for a high | 286 |
| school diploma under division (B) of section 3313.614 of the | 287 |
| Revised Code; | 288 |
| (5) The extent to which the assessment system applies to | 289 |
| students enrolled in a dropout recovery and prevention program | 290 |
| for purposes of division (F) of section 3313.603 and section | 291 |
| 3314.36 of the Revised Code. | 292 |
| (E) Not later than forty-five days prior to the state | 293 |
| board's adoption of a resolution directing the department to | 294 |
| file the rules prescribed by division (D) of this section in | 295 |
| final form under section 119.04 of the Revised Code, the | 296 |
| superintendent of public instruction shall present the | 297 |
| assessment system developed under this section to the respective | 298 |
| committees of the house of representatives and senate that | 299 |
| consider education legislation. | 300 |
| (F) (1) Any person enrolled in a nonchartered nonpublic | 301 |
| school or any person who has been excused from attendance at | 302 |
| school for the purpose of home instruction under section 3321.04 | 303 |
| of the Revised Code may choose to participate in the system of | 304 |
| assessments administered under divisions (B) (1) and (2) of this | 305 |
| section. However, no such person shall be required to | 306 |
| participate in the system of assessments. | 307 |
| (2) The department shall adopt rules for the | 308 |
| administration and scoring of any assessments under division (F) | 309 |

(1) of this section. 310

(G) Not later than December 31, 2014, the state board 311
shall select at least one nationally recognized job skills 312
assessment. Each school district shall administer that 313
assessment to those students who opt to take it. The state shall 314
reimburse a school district for the costs of administering that 315
assessment. The state board shall establish the minimum score a 316
student must attain on the job skills assessment in order to 317
demonstrate a student's workforce readiness and employability. 318
The administration of the job skills assessment to a student 319
under this division shall not exempt a school district from 320
administering the assessments prescribed in division (B) of this 321
section to that student. 322

Section 2. That existing section 3301.0712 of the Revised 323
Code is hereby repealed. 324