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Am. H. B. No. 326

Representatives Ritter, Newman

**Cosponsors: Representatives Fischer, Salvo, Lear, Johnson, John, Williams, Hall,
T., Click, Deeter, Barhorst, Dean, McClain, Odioso, Mathews, A., Pizzulli, Gross,
Fowler Arthur, Bird**

To amend section 3301.0712 and to enact section	1
3345.065 of the Revised Code regarding the use	2
of nationally standardized assessments in public	3
and chartered nonpublic schools and state	4
institutions of higher education.	5

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

Section 1. That section 3301.0712 be amended and section	6
3345.065 of the Revised Code be enacted to read as follows:	7

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

under division (D) of this section. 19

(B) The college and work ready assessment system shall 20
consist of the following: 21

(1) (a) Except as provided in division (B) (1) (b) of this 22
section, nationally standardized assessments that measure 23
college and career readiness and are used for college admission. 24
~~The assessments shall be selected jointly by the department and~~ 25
~~the chancellor, and one of which shall be selected by each~~ Each 26
school district or school shall select one nationally 27
standardized assessment, which may be the ACT, SAT, classic 28
learning test, or any other valid, reliable, nationally norm- 29
referenced examination used for college admission, to administer 30
to its students. The assessments prescribed under division (B) 31
(1) of this section shall be administered to all eleventh-grade 32
students in the spring of the school year. 33

(b) Beginning with students who enter the ninth grade for 34
the first time on or after July 1, 2022, the parent or guardian 35
of a student may elect not to have a nationally standardized 36
assessment administered to that student. In that event, the 37
student's school district or school shall not administer the 38
nationally standardized assessment to that 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 department and the chancellor in consultation 45
with faculty in the appropriate subject areas at institutions of 46
higher education of the university system of Ohio. Advanced 47
placement examinations and international baccalaureate 48

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, 2019, five end-of-course
examinations, one in each areas of English language arts II,
science, Algebra I, American history, and American government.
However, only the end-of-course examinations in English language
arts II and Algebra I shall be required for graduation.

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

(3) 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 79
division (M) of section 3313.603 of the Revised Code. 80

At least twenty per cent of the end-of-course examination 81
in American government shall address the topics on American 82
history and American government described in division (M) of 83
section 3313.603 of the Revised Code. 84

(4) (a) Notwithstanding anything to the contrary in this 85
section, both of the following shall apply: 86

(i) If a student is enrolled in an appropriate advanced 87
placement or international baccalaureate course, that student 88
shall take the advanced placement or international baccalaureate 89
examination in lieu of the science, American history, or 90
American government end-of-course examinations prescribed under 91
division (B) (2) of this section. The department shall specify 92
the score levels for each advanced placement examination and 93
international baccalaureate examination for purposes of 94
calculating the minimum cumulative performance score that 95
demonstrates the level of academic achievement necessary to earn 96
a high school diploma. 97

(ii) If a student is enrolled in an appropriate course 98
under any other advanced standing program, as described in 99
section 3313.6013 of the Revised Code, that student shall not be 100
required to take the science, American history, or American 101
government end-of-course examination, whichever is applicable, 102
prescribed under division (B) (2) of this section. Instead, that 103
student's final course grade shall be used in lieu of the 104
applicable end-of-course examination prescribed under that 105
section. The department, in consultation with the chancellor, 106
shall adopt guidelines for purposes of calculating the 107
corresponding final course grades that demonstrate the level of 108

academic achievement necessary to earn a high school diploma. 109

Division (B) (4) (a) (ii) of this section shall apply only to 110
courses for which students receive transcribed credit, as 111
defined in section 3365.01 of the Revised Code. It shall not 112
apply to remedial or developmental courses. 113

(b) No student shall take a substitute examination or 114
examination prescribed under division (B) (4) (a) of this section 115
in place of the end-of-course examinations in English language 116
arts I, English language arts II, Algebra I, or geometry 117
prescribed under division (B) (2) of this section. 118

(c) The department shall consider additional assessments 119
that may be used as substitute examinations in lieu of the end- 120
of-course examinations prescribed under division (B) (2) of this 121
section. 122

(5) The department shall do all of the following: 123

(a) Determine and designate at least five ranges of scores 124
on each of the end-of-course examinations prescribed under 125
division (B) (2) of this section, and substitute examinations 126
prescribed under division (B) (4) of this section. Not later than 127
sixty days after the designation of ranges of scores, the 128
director of education and workforce shall conduct a public 129
presentation before the standing committees of the house of 130
representatives and the senate that consider primary and 131
secondary education legislation regarding the designated range 132
of scores. Each range of scores shall be considered to 133
demonstrate a level of achievement so that any student attaining 134
a score within such range has achieved one of the following: 135

(i) An advanced level of skill; 136

(ii) An accomplished level of skill; 137

(iii) A proficient level of skill;	138
(iv) A basic level of skill;	139
(v) A limited level of skill.	140
(b) Determine a method by which to calculate a cumulative	141
performance score based on the results of a student's end-of-	142
course examinations or substitute examinations;	143
(c) Determine the minimum cumulative performance score	144
that demonstrates the level of academic achievement necessary to	145
earn a high school diploma under division (A) (2) of section	146
3313.618 of the Revised Code. However, no new minimum cumulative	147
performance score shall be determined after October 17, 2019.	148
(d) Develop a table of corresponding score equivalents for	149
the end-of-course examinations and substitute examinations in	150
order to calculate student performance consistently across the	151
different examinations.	152
A score of two on an advanced placement examination or a	153
score of two or three on an international baccalaureate	154
examination shall be considered equivalent to a proficient level	155
of skill as specified under division (B) (5) (a) (iii) of this	156
section.	157
(6) (a) A student who meets both of the following	158
conditions shall not be required to take an end-of-course	159
examination:	160
(i) The student received high school credit prior to July	161
1, 2015, for a course for which the end-of-course examination is	162
prescribed.	163
(ii) The examination was not available for administration	164
prior to July 1, 2015.	165

Receipt of credit for the course described in division (B) 166
(6) (a) (i) of this section shall satisfy the requirement to take 167
the end-of-course examination. A student exempted under division 168
(B) (6) (a) of this section may take the applicable end-of-course 169
examination at a later date. 170

(b) For purposes of determining whether a student who is 171
exempt from taking an end-of-course examination under division 172
(B) (6) (a) of this section has attained the cumulative score 173
prescribed by division (B) (5) (c) of this section, such student 174
shall select either of the following: 175

(i) The student is considered to have attained a 176
proficient score on the end-of-course examination from which the 177
student is exempt; 178

(ii) The student's final course grade shall be used in 179
lieu of a score on the end-of-course examination from which the 180
student is exempt. 181

The department, in consultation with the chancellor, shall 182
adopt guidelines for purposes of calculating the corresponding 183
final course grades and the minimum cumulative performance score 184
that demonstrates the level of academic achievement necessary to 185
earn a high school diploma. 186

(7) (a) Notwithstanding anything to the contrary in this 187
section, the department may replace the algebra I end-of-course 188
examination prescribed under division (B) (2) of this section 189
with an algebra II end-of-course examination, beginning with the 190
2016-2017 school year for students who enter ninth grade on or 191
after July 1, 2016. 192

(b) If the department replaces the algebra I end-of-course 193
examination with an algebra II end-of-course examination as 194

authorized under division (B) (7) (a) of this section, both of the 195
following shall apply: 196

(i) A student who is enrolled in an advanced placement or 197
international baccalaureate course in algebra II shall take the 198
advanced placement or international baccalaureate examination in 199
lieu of the algebra II end-of-course examination. 200

(ii) A student who is enrolled in an algebra II course 201
under any other advanced standing program, as described in 202
section 3313.6013 of the Revised Code, shall not be required to 203
take the algebra II end-of-course examination. Instead, that 204
student's final course grade shall be used in lieu of the 205
examination. 206

(c) If a school district or school utilizes an integrated 207
approach to mathematics instruction, the district or school may 208
do either or both of the following: 209

(i) Administer an integrated mathematics I end-of-course 210
examination in lieu of the prescribed algebra I end-of-course 211
examination; 212

(ii) Administer an integrated mathematics II end-of-course 213
examination in lieu of the prescribed geometry end-of-course 214
examination. 215

(8) (a) For students entering the ninth grade for the first 216
time on or after July 1, 2014, but prior to July 1, 2015, the 217
assessment in the area of science shall be physical science or 218
biology. For students entering the ninth grade for the first 219
time on or after July 1, 2015, the assessment in the area of 220
science shall be biology. 221

(b) Until July 1, 2019, the department shall make 222
available the end-of-course examination in physical science for 223

students who entered the ninth grade for the first time on or 224
after July 1, 2014, but prior to July 1, 2015, and who wish to 225
retake the examination. 226

(c) The department shall adopt rules prescribing the 227
requirements for the end-of-course examination in science for 228
students who entered the ninth grade for the first time on or 229
after July 1, 2014, but prior to July 1, 2015, and who have not 230
met the requirement prescribed by section 3313.618 of the 231
Revised Code by July 1, 2019, due to a student's failure to 232
satisfy division (A)(2) of section 3313.618 of the Revised Code. 233

(9) The department shall not develop or administer an end- 234
of-course examination in the area of world history. 235

(10) The department, in consultation with the chancellor 236
and the governor's office of workforce transformation, shall 237
determine a competency score for both of the Algebra I and 238
English language arts II end-of-course examinations for the 239
purpose of graduation eligibility. 240

(C) The department shall convene a group of national 241
experts, state experts, and local practitioners to provide 242
advice, guidance, and recommendations for the alignment of 243
standards and model curricula to the assessments and in the 244
design of the end-of-course examinations prescribed by this 245
section. 246

(D) Upon completion of the development of the assessment 247
system, the department shall adopt rules prescribing all of the 248
following: 249

(1) A timeline and plan for implementation of the 250
assessment system, including a phased implementation if the 251
department determines such a phase-in is warranted; 252

(2) The date after which a person shall meet the 253
requirements of the entire assessment system as a prerequisite 254
for a diploma of adult education under section 3313.611 of the 255
Revised Code; 256

(3) Whether and the extent to which a person may be 257
excused from an American history end-of-course examination and 258
an American government end-of-course examination under division 259
(H) of section 3313.61 and division (B) (3) of section 3313.612 260
of the Revised Code; 261

(4) The date after which a person who has fulfilled the 262
curriculum requirement for a diploma but has not passed one or 263
more of the required assessments at the time the person 264
fulfilled the curriculum requirement shall meet the requirements 265
of the entire assessment system as a prerequisite for a high 266
school diploma under division (B) of section 3313.614 of the 267
Revised Code; 268

(5) The extent to which the assessment system applies to 269
students enrolled in a dropout recovery and prevention program 270
for purposes of division (F) of section 3313.603 and section 271
3314.36 of the Revised Code. 272

(E) (1) Any person enrolled in a nonchartered nonpublic 273
school or any person who is exempt from attendance at school for 274
the purpose of home education under section 3321.042 of the 275
Revised Code may choose to participate in the system of 276
assessments administered under divisions (B) (1) and (2) of this 277
section. However, no such person shall be required to 278
participate in the system of assessments. 279

(2) The department shall adopt rules for the 280
administration and scoring of any assessments under division (E) 281

(1) of this section. 282

(F) The department shall select at least one nationally 283
recognized job skills assessment. Each school district shall 284
administer that assessment to those students who opt to take it. 285
The department shall reimburse a school district for the costs 286
of administering that assessment. The department shall establish 287
the minimum score a student must attain on the job skills 288
assessment in order to demonstrate a student's workforce 289
readiness and employability. The administration of the job 290
skills assessment to a student under this division shall not 291
exempt a school district from administering the assessments 292
prescribed in division (B) of this section to that student. 293

Sec. 3345.065. Each state institution of higher education, 294
as defined in section 3345.011 of the Revised Code, that 295
requires a nationally standardized assessment listed under 296
division (B) (1) of section 3301.0712 of the Revised Code for the 297
purpose of admitting an applicant shall accept all nationally 298
standardized assessments listed under that division. 299

Section 2. That existing section 3301.0712 of the Revised 300
Code is hereby repealed. 301