

As Introduced

**131st General Assembly
Regular Session
2015-2016**

H. B. No. 7

Representative Buchy

A BILL

To amend section 3302.036 and to enact section 1
3301.0728 of the Revised Code to prohibit 2
individual student scores from certain 3
elementary and secondary achievement assessments 4
administered for the 2014-2015 school year from 5
being used to determine promotion or retention 6
or to grant course credit, to make changes 7
regarding the administration of high school end- 8
of-course examinations, and to declare an 9
emergency. 10

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

Section 1. That section 3302.036 be amended and section 11
3301.0728 of the Revised Code be enacted to read as follows: 12

Sec. 3301.0728. Notwithstanding anything in the Revised 13
Code to the contrary, at any time in a student's academic 14
career, a student may retake any end-of-course examination 15
prescribed under division (B)(2) of section 3301.0712 of the 16
Revised Code. If, for any reason, a student does not take an 17
end-of-course examination on the scheduled administration date, 18
the department of education shall make available to the student 19

the examination for which the student was absent so that the 20
student may take the examination at a later time in the 21
student's academic career. The state board of education shall 22
adopt rules in accordance with Chapter 119. of the Revised Code 23
to implement the provisions of this section. 24

Sec. 3302.036. (A) Notwithstanding anything in the Revised 25
Code to the contrary, the department of education shall not 26
assign an overall letter grade under division (C) (3) of section 27
3302.03 of the Revised Code for any school district or building 28
for the 2014-2015 school year, may, at the discretion of the 29
state board of education, not assign an individual grade to any 30
component prescribed under division (C) (3) of section 3302.03 of 31
the Revised Code, and shall not rank school districts, community 32
schools established under Chapter 3314. of the Revised Code, or 33
STEM schools established under Chapter 3326. of the Revised Code 34
under section 3302.21 of the Revised Code for that school year. 35
The report card ratings issued for the 2014-2015 school year 36
shall not be considered in determining whether a school district 37
or a school is subject to sanctions or penalties. However, the 38
report card ratings of any previous or subsequent years shall be 39
considered in determining whether a school district or building 40
is subject to sanctions or penalties. Accordingly, the report 41
card ratings for the 2014-2015 school year shall have no effect 42
in determining sanctions or penalties, but shall not create a 43
new starting point for determinations that are based on ratings 44
over multiple years. 45

(B) The provisions from which a district or school is 46
exempt under division (A) of this section shall be the 47
following: 48

(1) Any restructuring provisions established under this 49

chapter, except as required under the "No Child Left Behind Act of 2001";	50 51
(2) Provisions for the Columbus city school pilot project under section 3302.042 of the Revised Code;	52 53
(3) Provisions for academic distress commissions under section 3302.10 of the Revised Code;	54 55
(4) Provisions prescribing new buildings where students are eligible for the educational choice scholarships under section 3310.03 of the Revised Code;	56 57 58
(5) Provisions defining "challenged school districts" in which new start-up community schools may be located, as prescribed in section 3314.02 of the Revised Code;	59 60 61
(6) Provisions prescribing community school closure requirements under section 3314.35 or 3314.351 of the Revised Code.	62 63 64
<u>(C) Notwithstanding anything in the Revised Code to the contrary and except as provided in Section 3 of ...B... of the 131st general assembly, no school district, community school, or STEM school shall utilize at any time during a student's academic career a student's score on any assessment administered under division (A) of section 3301.0710 or division (B) (2) of section 3301.0712 of the Revised Code in the 2014-2015 school year as a factor in any decision to promote or to deny the student promotion to a higher grade level or in any decision to grant course credit. No individual student scores on such assessments administered in the 2014-2015 school year shall be released, except to a student's school district or school or to the student or the student's parent or guardian. If, for any reason, a student does not take an end-of-course examination for</u>	65 66 67 68 69 70 71 72 73 74 75 76 77 78

which the student was absent at a later time in the student's 79
academic career. 80

Section 2. That existing section 3302.036 of the Revised 81
Code is hereby repealed. 82

Section 3. Division (C) of section 3302.036 of the Revised 83
Code does not apply to the third grade English language arts 84
assessment prescribed under section 3301.0710 of the Revised 85
Code. 86

In accordance with Section 9 of Am. Sub. H.B. 487 of the 87
130th General Assembly, as amended by Sub. H.B. 367 of the 130th 88
General Assembly, for the 2014-2015 school year, each school 89
district, community school established under Chapter 3314., or 90
STEM school established under Chapter 3326. of the Revised Code 91
shall administer to third-grade students, for purposes of 92
section 3313.608 of the Revised Code, the English language arts 93
assessment required under division (A)(1)(a) of section 94
3301.0710 of the Revised Code that the school administered for 95
the previous year under that section. 96

Section 4. This act is hereby declared to be an emergency 97
measure necessary for the immediate preservation of the public 98
peace, health, and safety. The reason for the necessity is that 99
immediate action is needed in order to address in a timely 100
manner issues related to the administration of state elementary 101
and secondary achievement assessments for the 2014-2015 school 102
year. Therefore, this act shall go into immediate effect. 103