

**As Passed by the House**

**131st General Assembly**

**Regular Session**

**2015-2016**

**Am. H. B. No. 7**

**Representative Buchy**

**Cosponsors: Representatives Brenner, Derickson, Henne, Blessing, Hayes, Amstutz, Anielski, Antonio, Baker, Becker, Boose, Boyce, Brinkman, Brown, Burkley, Conditt, Craig, Cupp, Dever, DeVitis, Dovilla, Driehaus, Duffey, Ginter, Green, Grossman, Hackett, Hagan, Hall, Hambley, Hill, Hood, Huffman, Johnson, T., Koehler, Kraus, Kunze, Landis, LaTourette, Leland, Lepore-Hagan, Maag, Manning, McClain, McColley, O'Brien, M., O'Brien, S., Patterson, Pelanda, Perales, Ramos, Reineke, Retherford, Rezabek, Roegner, Romanchuk, Ryan, Schaffer, Scherer, Schuring, Sheehy, Slaby, Slesnick, Smith, R., Sprague, Stinziano, Sweeney, Thompson, Vitale, Young, Zeltwanger, Speaker Rosenberger**

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**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 50  
of 2001"; 51

(2) Provisions for the Columbus city school pilot project 52  
under section 3302.042 of the Revised Code; 53

(3) Provisions for academic distress commissions under 54  
section 3302.10 of the Revised Code; 55

(4) Provisions prescribing new buildings where students 56  
are eligible for the educational choice scholarships under 57  
section 3310.03 of the Revised Code; 58

(5) Provisions defining "challenged school districts" in 59  
which new start-up community schools may be located, as 60  
prescribed in section 3314.02 of the Revised Code; 61

(6) Provisions prescribing community school closure 62  
requirements under section 3314.35 or 3314.351 of the Revised 63  
Code. 64

(C) Notwithstanding anything in the Revised Code to the 65  
contrary and except as provided in Section 3 of H.B.7 of the 66  
131st general assembly, no school district, community school, or 67  
STEM school shall utilize at any time during a student's 68  
academic career a student's score on any assessment administered 69  
under division (A) of section 3301.0710 or division (B) (2) of 70  
section 3301.0712 of the Revised Code in the 2014-2015 school 71  
year as a factor in any decision to promote or to deny the 72

student promotion to a higher grade level or in any decision to 73  
grant course credit. No individual student scores on such 74  
assessments administered in the 2014-2015 school year shall be 75  
released, except to a student's school district or school or to 76  
the student or the student's parent or guardian. 77

**Section 2.** That existing section 3302.036 of the Revised 78  
Code is hereby repealed. 79

**Section 3.** Division (C) of section 3302.036 of the Revised 80  
Code does not apply to the third grade English language arts 81  
assessment prescribed under section 3301.0710 of the Revised 82  
Code. 83

In accordance with Section 9 of Am. Sub. H.B. 487 of the 84  
130th General Assembly, as amended by Sub. H.B. 367 of the 130th 85  
General Assembly, for the 2014-2015 school year, each school 86  
district, community school established under Chapter 3314., or 87  
STEM school established under Chapter 3326. of the Revised Code 88  
shall administer to third-grade students, for purposes of 89  
section 3313.608 of the Revised Code, the English language arts 90  
assessment required under division (A) (1) (a) of section 91  
3301.0710 of the Revised Code that the school administered for 92  
the previous year under that section. 93

**Section 4.** This act is hereby declared to be an emergency 94  
measure necessary for the immediate preservation of the public 95  
peace, health, and safety. The reason for the necessity is that 96  
immediate action is needed in order to address in a timely 97  
manner issues related to the administration of state elementary 98  
and secondary achievement assessments for the 2014-2015 school 99  
year. Therefore, this act shall go into immediate effect. 100