

**As Reported by the House Education Committee**

**131st General Assembly**

**Regular Session**

**2015-2016**

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

**Representative Buchy**

**Cosponsors: Representatives Brenner, Derickson, Henne, Blessing, Hayes**

---

**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 H.B.7 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.</u>	65 66 67 68 69 70 71 72 73 74 75 76 77
<b>Section 2.</b> 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 Code does not apply to the third grade English language arts assessment prescribed under section 3301.0710 of the Revised Code. 80  
81  
82  
83

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

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