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Representatives Manning, Robinson

Cosponsors: Representatives Patton, O'Brien, Crossman, Sobecki, Ingram, Humphrey, Lightbody, Abrams, Weinstein, Blackshear, Brent, Bird, Miranda, Boggs, Sweeney, Hicks-Hudson, Galonski, Upchurch, Miller, J., Sheehy, Lepore-Hagan, Boyd, Russo, Leland, Liston, Brown, Troy, Miller, A., Smith, M., Smith, K., Fowler Arthur, Jones, Davis, Hillyer, Holmes, Jarrells, Johnson, West

A BILL

To amend sections 3301.0711, 3301.163, and 3313.608
of the Revised Code to eliminate retention under
the Third Grade Reading Guarantee.

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

Section 1. That sections 3301.0711, 3301.163, and 3313.608
of the Revised Code be amended to read as follows:

Sec. 3301.0711. (A) The department of education shall:

(1) Annually furnish to, grade, and score all assessments
required by divisions (A) (1) and (B) (1) of section 3301.0710 of
the Revised Code to be administered by city, local, exempted
village, and joint vocational school districts, except that each
district shall score any assessment administered pursuant to
division (B) (10) of this section. Each assessment so furnished
shall include the data verification code of the student to whom
the assessment will be administered, as assigned pursuant to
division (D) (2) of section 3301.0714 of the Revised Code. In

furnishing the practice versions of Ohio graduation tests 16
prescribed by division (D) of section 3301.0710 of the Revised 17
Code, the department shall make the tests available on its web 18
site for reproduction by districts. In awarding contracts for 19
grading assessments, the department shall give preference to 20
Ohio-based entities employing Ohio residents. 21

(2) Adopt rules for the ethical use of assessments and 22
prescribing the manner in which the assessments prescribed by 23
section 3301.0710 of the Revised Code shall be administered to 24
students. 25

(B) Except as provided in divisions (C) and (J) of this 26
section, the board of education of each city, local, and 27
exempted village school district shall, in accordance with rules 28
adopted under division (A) of this section: 29

(1) ~~Administer~~ Until the 2020-2021 school year, administer 30
the English language arts assessments prescribed under division 31
(A) (1) (a) of section 3301.0710 of the Revised Code twice 32
annually to all students in the third grade who have not 33
attained the score designated for that assessment under division 34
(A) (2) (c) of section 3301.0710 of the Revised Code. Beginning 35
with the 2021-2022 school year, the English language arts 36
assessment shall be administered only once to all students in 37
the third grade. 38

(2) Administer the mathematics assessment prescribed under 39
division (A) (1) (a) of section 3301.0710 of the Revised Code at 40
least once annually to all students in the third grade. 41

(3) Administer the assessments prescribed under division 42
(A) (1) (b) of section 3301.0710 of the Revised Code at least once 43
annually to all students in the fourth grade. 44

(4) Administer the assessments prescribed under division 45
(A) (1) (c) of section 3301.0710 of the Revised Code at least once 46
annually to all students in the fifth grade. 47

(5) Administer the assessments prescribed under division 48
(A) (1) (d) of section 3301.0710 of the Revised Code at least once 49
annually to all students in the sixth grade. 50

(6) Administer the assessments prescribed under division 51
(A) (1) (e) of section 3301.0710 of the Revised Code at least once 52
annually to all students in the seventh grade. 53

(7) Administer the assessments prescribed under division 54
(A) (1) (f) of section 3301.0710 of the Revised Code at least once 55
annually to all students in the eighth grade. 56

(8) Except as provided in division (B) (9) of this section, 57
administer any assessment prescribed under division (B) (1) of 58
section 3301.0710 of the Revised Code as follows: 59

(a) At least once annually to all tenth grade students and 60
at least twice annually to all students in eleventh or twelfth 61
grade who have not yet attained the score on that assessment 62
designated under that division; 63

(b) To any person who has successfully completed the 64
curriculum in any high school or the individualized education 65
program developed for the person by any high school pursuant to 66
section 3323.08 of the Revised Code but has not received a high 67
school diploma and who requests to take such assessment, at any 68
time such assessment is administered in the district. 69

(9) In lieu of the board of education of any city, local, 70
or exempted village school district in which the student is also 71
enrolled, the board of a joint vocational school district shall 72
administer any assessment prescribed under division (B) (1) of 73

section 3301.0710 of the Revised Code at least twice annually to 74
any student enrolled in the joint vocational school district who 75
has not yet attained the score on that assessment designated 76
under that division. A board of a joint vocational school 77
district may also administer such an assessment to any student 78
described in division (B) (8) (b) of this section. 79

(10) If the district has a three-year average graduation 80
rate of not more than seventy-five per cent, administer each 81
assessment prescribed by division (D) of section 3301.0710 of 82
the Revised Code in September to all ninth grade students who 83
entered ninth grade prior to July 1, 2014. 84

Except as provided in section 3313.614 of the Revised Code 85
for administration of an assessment to a person who has 86
fulfilled the curriculum requirement for a high school diploma 87
but has not passed one or more of the required assessments, the 88
assessments prescribed under division (B) (1) of section 89
3301.0710 of the Revised Code shall not be administered after 90
the date specified in the rules adopted by the state board of 91
education under division (D) (1) of section 3301.0712 of the 92
Revised Code. 93

(11) (a) Except as provided in divisions (B) (11) (b) and (c) 94
of this section, administer the assessments prescribed by 95
division (B) (2) of section 3301.0710 and section 3301.0712 of 96
the Revised Code in accordance with the timeline and plan for 97
implementation of those assessments prescribed by rule of the 98
state board adopted under division (D) (1) of section 3301.0712 99
of the Revised Code; 100

(b) A student who has presented evidence to the district 101
or school of having satisfied the condition prescribed by 102
division (A) (1) of section 3313.618 of the Revised Code to 103

qualify for a high school diploma prior to the date of the 104
administration of the assessment prescribed under division (B) 105
(1) of section 3301.0712 of the Revised Code shall not be 106
required to take that assessment. However, no board shall 107
prohibit a student who is not required to take such assessment 108
from taking the assessment. 109

(c) A student shall not be required to retake the Algebra 110
I end-of-course examination or the English language arts II end- 111
of-course examination prescribed under division (B)(2) of 112
section 3301.0712 of the Revised Code in grades nine through 113
twelve if the student demonstrates at least a proficient level 114
of skill, as prescribed under division (B)(5)(a) of that 115
section, or achieves a competency score, as prescribed under 116
division (B)(10) of that section, in an administration of the 117
examination prior to grade nine. 118

(C)(1)(a) In the case of a student receiving special 119
education services under Chapter 3323. of the Revised Code, the 120
individualized education program developed for the student under 121
that chapter shall specify the manner in which the student will 122
participate in the assessments administered under this section, 123
except that a student with significant cognitive disabilities to 124
whom an alternate assessment is administered in accordance with 125
division (C)(1) of this section and a student determined to have 126
a disability that includes an intellectual disability as 127
outlined in guidance issued by the department shall not be 128
required to take the assessment prescribed under division (B)(1) 129
of section 3301.0712 of the Revised Code. The individualized 130
education program may excuse the student from taking any 131
particular assessment required to be administered under this 132
section if it instead specifies an alternate assessment method 133
approved by the department of education as conforming to 134

requirements of federal law for receipt of federal funds for 135
disadvantaged pupils. To the extent possible, the individualized 136
education program shall not excuse the student from taking an 137
assessment unless no reasonable accommodation can be made to 138
enable the student to take the assessment. No board shall 139
prohibit a student who is not required to take an assessment 140
under division (C) (1) of this section from taking the 141
assessment. 142

(b) Any alternate assessment approved by the department 143
for a student under this division shall produce measurable 144
results comparable to those produced by the assessment it 145
replaces in order to allow for the student's results to be 146
included in the data compiled for a school district or building 147
under section 3302.03 of the Revised Code. 148

(c) (i) Any student enrolled in a chartered nonpublic 149
school who has been identified, based on an evaluation conducted 150
in accordance with section 3323.03 of the Revised Code or 151
section 504 of the "Rehabilitation Act of 1973," 87 Stat. 355, 152
29 U.S.C.A. 794, as amended, as a child with a disability shall 153
be excused from taking any particular assessment required to be 154
administered under this section if either of the following 155
apply: 156

(I) A plan developed for the student pursuant to rules 157
adopted by the state board excuses the student from taking that 158
assessment. 159

(II) The chartered nonpublic school develops a written 160
plan in which the school, in consultation with the student's 161
parents, determines that an assessment or alternative assessment 162
with accommodations does not accurately assess the student's 163
academic performance. The plan shall include an academic profile 164

of the student's academic performance and shall be reviewed 165
annually to determine if the student's needs continue to require 166
excusal from taking the assessment. 167

(ii) A student with significant cognitive disabilities to 168
whom an alternate assessment is administered in accordance with 169
division (C) (1) of this section and a student determined to have 170
a disability that includes an intellectual disability as 171
outlined in guidance issued by the department shall not be 172
required to take the assessment prescribed under division (B) (1) 173
of section 3301.0712 of the Revised Code. 174

(iii) In the case of any student so excused from taking an 175
assessment under division (C) (1) (c) of this section, the 176
chartered nonpublic school shall not prohibit the student from 177
taking the assessment. 178

(2) A district board may, for medical reasons or other 179
good cause, excuse a student from taking an assessment 180
administered under this section on the date scheduled, but that 181
assessment shall be administered to the excused student not 182
later than nine days following the scheduled date. The district 183
board shall annually report the number of students who have not 184
taken one or more of the assessments required by this section to 185
the state board not later than the thirtieth day of June. 186

(3) As used in this division, "English learner" has the 187
same meaning as in 20 U.S.C. 7801. 188

No school district board shall excuse any English learner 189
from taking any particular assessment required to be 190
administered under this section, except as follows: 191

(a) Any English learner who has been enrolled in United 192
States schools for less than two years and for whom no 193

appropriate accommodations are available based on guidance 194
issued by the department shall not be required to take the 195
assessment prescribed under division (B) (1) of section 3301.0712 196
of the Revised Code. 197

(b) Any English learner who has been enrolled in United 198
States schools for less than one full school year shall not be 199
required to take any reading, writing, or English language arts 200
assessment. 201

However, no board shall prohibit an English learner who is 202
not required to take an assessment under division (C) (3) of this 203
section from taking the assessment. A board may permit any 204
English learner to take an assessment required to be 205
administered under this section with appropriate accommodations, 206
as determined by the department. For each English learner, each 207
school district shall annually assess that student's progress in 208
learning English, in accordance with procedures approved by the 209
department. 210

(4) (a) The governing authority of a chartered nonpublic 211
school may excuse an English learner from taking any assessment 212
administered under this section. 213

(b) No governing authority shall require an English 214
learner who has been enrolled in United States schools for less 215
than two years and for whom no appropriate accommodations are 216
available based on guidance issued by the department to take the 217
assessment prescribed under division (B) (1) of section 3301.0712 218
of the Revised Code. 219

(c) No governing authority shall prohibit an English 220
learner from taking an assessment from which the student was 221
excused under division (C) (4) of this section. 222

(D) (1) In the school year next succeeding the school year 223
in which the assessments prescribed by division (A) (1) or (B) (1) 224
of section 3301.0710 of the Revised Code or former division (A) 225
(1), (A) (2), or (B) of section 3301.0710 of the Revised Code as 226
it existed prior to September 11, 2001, are administered to any 227
student, the board of education of any school district in which 228
the student is enrolled in that year shall provide to the 229
student intervention services commensurate with the student's 230
performance, including any intensive intervention required under 231
section 3313.608 of the Revised Code, in any skill in which the 232
student failed to demonstrate at least a score at the proficient 233
level on the assessment. 234

(2) Following any administration of the assessments 235
prescribed by division (D) of section 3301.0710 of the Revised 236
Code to ninth grade students, each school district that has a 237
three-year average graduation rate of not more than seventy-five 238
per cent shall determine for each high school in the district 239
whether the school shall be required to provide intervention 240
services to any students who took the assessments. In 241
determining which high schools shall provide intervention 242
services based on the resources available, the district shall 243
consider each school's graduation rate and scores on the 244
practice assessments. The district also shall consider the 245
scores received by ninth grade students on the English language 246
arts and mathematics assessments prescribed under division (A) 247
(1) (f) of section 3301.0710 of the Revised Code in the eighth 248
grade in determining which high schools shall provide 249
intervention services. 250

Each high school selected to provide intervention services 251
under this division shall provide intervention services to any 252
student whose results indicate that the student is failing to 253

make satisfactory progress toward being able to attain scores at 254
the proficient level on the Ohio graduation tests. Intervention 255
services shall be provided in any skill in which a student 256
demonstrates unsatisfactory progress and shall be commensurate 257
with the student's performance. Schools shall provide the 258
intervention services prior to the end of the school year, 259
during the summer following the ninth grade, in the next 260
succeeding school year, or at any combination of those times. 261

(E) Except as provided in section 3313.608 of the Revised 262
Code and division (N) of this section, no school district board 263
of education shall utilize any student's failure to attain a 264
specified score on an assessment administered under this section 265
as a factor in any decision to deny the student promotion to a 266
higher grade level. However, a district board may choose not to 267
promote to the next grade level any student who does not take an 268
assessment administered under this section or make up an 269
assessment as provided by division (C) (2) of this section and 270
who is not exempt from the requirement to take the assessment 271
under division (C) (3) of this section. 272

(F) No person shall be charged a fee for taking any 273
assessment administered under this section. 274

(G) (1) Each school district board shall designate one 275
location for the collection of assessments administered in the 276
spring under division (B) (1) of this section and those 277
administered under divisions (B) (2) to (7) of this section. Each 278
district board shall submit the assessments to the entity with 279
which the department contracts for the scoring of the 280
assessments as follows: 281

(a) If the district's total enrollment in grades 282
kindergarten through twelve during the first full school week of 283

October was less than two thousand five hundred, not later than 284
the Friday after all of the assessments have been administered; 285

(b) If the district's total enrollment in grades 286
kindergarten through twelve during the first full school week of 287
October was two thousand five hundred or more, but less than 288
seven thousand, not later than the Monday after all of the 289
assessments have been administered; 290

(c) If the district's total enrollment in grades 291
kindergarten through twelve during the first full school week of 292
October was seven thousand or more, not later than the Tuesday 293
after all of the assessments have been administered. 294

However, any assessment that a student takes during the 295
make-up period described in division (C) (2) of this section 296
shall be submitted not later than the Friday following the day 297
the student takes the assessment. 298

(2) The department or an entity with which the department 299
contracts for the scoring of the assessment shall send to each 300
school district board a list of the individual scores of all 301
persons taking a state achievement assessment as follows: 302

(a) Except as provided in division (G) (2) (b) or (c) of 303
this section, within forty-five days after the administration of 304
the assessments prescribed by sections 3301.0710 and 3301.0712 305
of the Revised Code, but in no case shall the scores be returned 306
later than the thirtieth day of June following the 307
administration; 308

(b) In the case of the third-grade English language arts 309
assessment, within forty-five days after the administration of 310
that assessment, but in no case shall the scores be returned 311
later than the fifteenth day of June following the 312

administration; 313

(c) In the case of the writing component of an assessment 314
or end-of-course examination in the area of English language 315
arts, except for the third-grade English language arts 316
assessment, the results may be sent after forty-five days of the 317
administration of the writing component, but in no case shall 318
the scores be returned later than the thirtieth day of June 319
following the administration. 320

(3) For assessments administered under this section by a 321
joint vocational school district, the department or entity shall 322
also send to each city, local, or exempted village school 323
district a list of the individual scores of any students of such 324
city, local, or exempted village school district who are 325
attending school in the joint vocational school district. 326

(4) Beginning with the 2019-2020 school year, a school 327
district, other public school, or chartered nonpublic school may 328
administer the third-grade English language arts or mathematics 329
assessment, or both, in a paper format in any school year for 330
which the district board of education or school governing body 331
adopts a resolution indicating that the district or school 332
chooses to administer the assessment in a paper format. The 333
board or governing body shall submit a copy of the resolution to 334
the department of education not later than the first day of May 335
prior to the school year for which it will apply. If the 336
resolution is submitted, the district or school shall administer 337
the assessment in a paper format to all students in the third 338
grade, except that any student whose individualized education 339
program or plan developed under section 504 of the 340
"Rehabilitation Act of 1973," 87 Stat. 355, 29 U.S.C. 794, as 341
amended, specifies that taking the assessment in an online 342

format is an appropriate accommodation for the student may take 343
the assessment in an online format. 344

(H) Individual scores on any assessments administered 345
under this section shall be released by a district board only in 346
accordance with section 3319.321 of the Revised Code and the 347
rules adopted under division (A) of this section. No district 348
board or its employees shall utilize individual or aggregate 349
results in any manner that conflicts with rules for the ethical 350
use of assessments adopted pursuant to division (A) of this 351
section. 352

(I) Except as provided in division (G) of this section, 353
the department or an entity with which the department contracts 354
for the scoring of the assessment shall not release any 355
individual scores on any assessment administered under this 356
section. The state board shall adopt rules to ensure the 357
protection of student confidentiality at all times. The rules 358
may require the use of the data verification codes assigned to 359
students pursuant to division (D) (2) of section 3301.0714 of the 360
Revised Code to protect the confidentiality of student scores. 361

(J) Notwithstanding division (D) of section 3311.52 of the 362
Revised Code, this section does not apply to the board of 363
education of any cooperative education school district except as 364
provided under rules adopted pursuant to this division. 365

(1) In accordance with rules that the state board shall 366
adopt, the board of education of any city, exempted village, or 367
local school district with territory in a cooperative education 368
school district established pursuant to divisions (A) to (C) of 369
section 3311.52 of the Revised Code may enter into an agreement 370
with the board of education of the cooperative education school 371
district for administering any assessment prescribed under this 372

section to students of the city, exempted village, or local 373
school district who are attending school in the cooperative 374
education school district. 375

(2) In accordance with rules that the state board shall 376
adopt, the board of education of any city, exempted village, or 377
local school district with territory in a cooperative education 378
school district established pursuant to section 3311.521 of the 379
Revised Code shall enter into an agreement with the cooperative 380
district that provides for the administration of any assessment 381
prescribed under this section to both of the following: 382

(a) Students who are attending school in the cooperative 383
district and who, if the cooperative district were not 384
established, would be entitled to attend school in the city, 385
local, or exempted village school district pursuant to section 386
3313.64 or 3313.65 of the Revised Code; 387

(b) Persons described in division (B) (8) (b) of this 388
section. 389

Any assessment of students pursuant to such an agreement 390
shall be in lieu of any assessment of such students or persons 391
pursuant to this section. 392

(K) (1) (a) Except as otherwise provided in division (K) (1) 393
or (2) of this section, each chartered nonpublic school for 394
which at least sixty-five per cent of its total enrollment is 395
made up of students who are participating in state scholarship 396
programs shall administer the assessments prescribed by division 397
(A) of section 3301.0710 of the Revised Code or an alternative 398
standardized assessment determined by the department. In 399
accordance with procedures and deadlines prescribed by the 400
department, the parent or guardian of a student enrolled in the 401

school who is not participating in a state scholarship program 402
may submit notice to the chief administrative officer of the 403
school that the parent or guardian does not wish to have the 404
student take the assessments prescribed for the student's grade 405
level under division (A) of section 3301.0710 of the Revised 406
Code. If a parent or guardian submits an opt-out notice, the 407
school shall not administer the assessments to that student. 408
This option does not apply to any assessment required for a high 409
school diploma under section 3313.612 of the Revised Code. 410

(b) Any chartered nonpublic school that enrolls students 411
who are participating in state scholarship programs may 412
administer an alternative standardized assessment determined by 413
the department instead of the assessments prescribed by division 414
(A) of section 3301.0710 of the Revised Code. 415

Each chartered nonpublic school subject to division (K) (1) 416
(a) or (b) of this section shall report the results of each 417
assessment administered under those divisions to the department. 418

(2) A chartered nonpublic school may submit to the 419
superintendent of public instruction a request for a waiver from 420
administering the elementary assessments prescribed by division 421
(A) of section 3301.0710 of the Revised Code. The state 422
superintendent shall approve or disapprove a request for a 423
waiver submitted under division (K) (2) of this section. No 424
waiver shall be approved for any school year prior to the 2015- 425
2016 school year. 426

To be eligible to submit a request for a waiver, a 427
chartered nonpublic school shall meet the following conditions: 428

(a) At least ninety-five per cent of the students enrolled 429
in the school are children with disabilities, as defined under 430

section 3323.01 of the Revised Code, or have received a 431
diagnosis by a school district or from a physician, including a 432
neuropsychiatrist or psychiatrist, or a psychologist who is 433
authorized to practice in this or another state as having a 434
condition that impairs academic performance, such as dyslexia, 435
dyscalculia, attention deficit hyperactivity disorder, or 436
Asperger's syndrome. 437

(b) The school has solely served a student population 438
described in division (K)(1)(a) of this section for at least ten 439
years. 440

(c) The school provides to the department at least five 441
years of records of internal testing conducted by the school 442
that affords the department data required for accountability 443
purposes, including diagnostic assessments and nationally 444
standardized norm-referenced achievement assessments that 445
measure reading and math skills. 446

(3) Any chartered nonpublic school that is not subject to 447
division (K)(1) of this section may participate in the 448
assessment program by administering any of the assessments 449
prescribed by division (A) of section 3301.0710 of the Revised 450
Code. The chief administrator of the school shall specify which 451
assessments the school will administer. Such specification shall 452
be made in writing to the superintendent of public instruction 453
prior to the first day of August of any school year in which 454
assessments are administered and shall include a pledge that the 455
nonpublic school will administer the specified assessments in 456
the same manner as public schools are required to do under this 457
section and rules adopted by the department. 458

(4) The department of education shall furnish the 459
assessments prescribed by section 3301.0710 of the Revised Code 460

to each chartered nonpublic school that is subject to division 461
(K) (1) of this section or participates under division (K) (3) of 462
this section. 463

(L) If a chartered nonpublic school is educating students 464
in grades nine through twelve, the following shall apply: 465

(1) Except as provided in division (L) (4) of this section, 466
for a student who is enrolled in a chartered nonpublic school 467
that is accredited through the independent schools association 468
of the central states and who is attending the school under a 469
state scholarship program, the student shall either take all of 470
the assessments prescribed by division (B) of section 3301.0712 471
of the Revised Code or take an alternative assessment approved 472
by the department under section 3313.619 of the Revised Code. 473
However, a student who is excused from taking an assessment 474
under division (C) of this section or has presented evidence to 475
the chartered nonpublic school of having satisfied the condition 476
prescribed by division (A) (1) of section 3313.618 of the Revised 477
Code to qualify for a high school diploma prior to the date of 478
the administration of the assessment prescribed under division 479
(B) (1) of section 3301.0712 of the Revised Code shall not be 480
required to take that assessment. No governing authority of a 481
chartered nonpublic school shall prohibit a student who is not 482
required to take such assessment from taking the assessment. 483

(2) For a student who is enrolled in a chartered nonpublic 484
school that is accredited through the independent schools 485
association of the central states, and who is not attending the 486
school under a state scholarship program, the student shall not 487
be required to take any assessment prescribed under section 488
3301.0712 or 3313.619 of the Revised Code. 489

(3) (a) Except as provided in divisions (L) (3) (b) and (4) 490

of this section, for a student who is enrolled in a chartered 491
nonpublic school that is not accredited through the independent 492
schools association of the central states, regardless of whether 493
the student is attending or is not attending the school under a 494
state scholarship program, the student shall do one of the 495
following: 496

(i) Take all of the assessments prescribed by division (B) 497
of section 3301.0712 of the Revised Code; 498

(ii) Take only the assessment prescribed by division (B) 499
(1) of section 3301.0712 of the Revised Code, provided that the 500
student's school publishes the results of that assessment for 501
each graduating class. The published results of that assessment 502
shall include the overall composite scores, mean scores, twenty- 503
fifth percentile scores, and seventy-fifth percentile scores for 504
each subject area of the assessment. 505

(iii) Take an alternative assessment approved by the 506
department under section 3313.619 of the Revised Code. 507

(b) A student who is excused from taking an assessment 508
under division (C) of this section or has presented evidence to 509
the chartered nonpublic school of having satisfied the condition 510
prescribed by division (A) (1) of section 3313.618 of the Revised 511
Code to qualify for a high school diploma prior to the date of 512
the administration of the assessment prescribed under division 513
(B) (1) of section 3301.0712 of the Revised Code shall not be 514
required to take that assessment. No governing authority of a 515
chartered nonpublic school shall prohibit a student who is not 516
required to take such assessment from taking the assessment. 517

(4) The assessments prescribed by sections 3301.0712 and 518
3313.619 of the Revised Code shall not be administered to any 519

student attending the school, if the school meets all of the 520
following conditions: 521

(a) At least ninety-five per cent of the students enrolled 522
in the school are children with disabilities, as defined under 523
section 3323.01 of the Revised Code, or have received a 524
diagnosis by a school district or from a physician, including a 525
neuropsychologist or psychiatrist, or a psychologist who is 526
authorized to practice in this or another state as having a 527
condition that impairs academic performance, such as dyslexia, 528
dyscalculia, attention deficit hyperactivity disorder, or 529
Asperger's syndrome. 530

(b) The school has solely served a student population 531
described in division (L) (4) (a) of this section for at least ten 532
years. 533

(c) The school makes available to the department at least 534
five years of records of internal testing conducted by the 535
school that affords the department data required for 536
accountability purposes, including growth in student achievement 537
in reading or mathematics, or both, as measured by nationally 538
norm-referenced assessments that have developed appropriate 539
standards for students. 540

Division (L) (4) of this section applies to any student 541
attending such school regardless of whether the student receives 542
special education or related services and regardless of whether 543
the student is attending the school under a state scholarship 544
program. 545

(M) (1) The superintendent of the state school for the 546
blind and the superintendent of the state school for the deaf 547
shall administer the assessments described by sections 3301.0710 548

and 3301.0712 of the Revised Code. Each superintendent shall 549
administer the assessments in the same manner as district boards 550
are required to do under this section and rules adopted by the 551
department of education and in conformity with division (C) (1) 552
(a) of this section. 553

(2) The department of education shall furnish the 554
assessments described by sections 3301.0710 and 3301.0712 of the 555
Revised Code to each superintendent. 556

(N) Notwithstanding division (E) of this section, a school 557
district may use a student's failure to attain a score in at 558
least the proficient range on the mathematics assessment 559
described by division (A) (1) (a) of section 3301.0710 of the 560
Revised Code or on an assessment described by division (A) (1) 561
(b), (c), (d), (e), or (f) of section 3301.0710 of the Revised 562
Code as a factor in retaining that student in the current grade 563
level. 564

(O) (1) In the manner specified in divisions (O) (3), (4), 565
(6), and (7) of this section, the assessments required by 566
division (A) (1) of section 3301.0710 of the Revised Code shall 567
become public records pursuant to section 149.43 of the Revised 568
Code on the thirty-first day of July following the school year 569
that the assessments were administered. 570

(2) The department may field test proposed questions with 571
samples of students to determine the validity, reliability, or 572
appropriateness of questions for possible inclusion in a future 573
year's assessment. The department also may use anchor questions 574
on assessments to ensure that different versions of the same 575
assessment are of comparable difficulty. 576

Field test questions and anchor questions shall not be 577

considered in computing scores for individual students. Field 578
test questions and anchor questions may be included as part of 579
the administration of any assessment required by division (A) (1) 580
or (B) of section 3301.0710 and division (B) of section 581
3301.0712 of the Revised Code. 582

(3) Any field test question or anchor question 583
administered under division (O) (2) of this section shall not be 584
a public record. Such field test questions and anchor questions 585
shall be redacted from any assessments which are released as a 586
public record pursuant to division (O) (1) of this section. 587

(4) This division applies to the assessments prescribed by 588
division (A) of section 3301.0710 of the Revised Code. 589

(a) The first administration of each assessment, as 590
specified in former section 3301.0712 of the Revised Code, shall 591
be a public record. 592

(b) For subsequent administrations of each assessment 593
prior to the 2011-2012 school year, not less than forty per cent 594
of the questions on the assessment that are used to compute a 595
student's score shall be a public record. The department shall 596
determine which questions will be needed for reuse on a future 597
assessment and those questions shall not be public records and 598
shall be redacted from the assessment prior to its release as a 599
public record. However, for each redacted question, the 600
department shall inform each city, local, and exempted village 601
school district of the statewide academic standard adopted by 602
the state board under section 3301.079 of the Revised Code and 603
the corresponding benchmark to which the question relates. The 604
preceding sentence does not apply to field test questions that 605
are redacted under division (O) (3) of this section. 606

(c) The administrations of each assessment in the 2011- 607
2012, 2012-2013, and 2013-2014 school years shall not be a 608
public record. 609

(5) Each assessment prescribed by division (B) (1) of 610
section 3301.0710 of the Revised Code shall not be a public 611
record. 612

(6) (a) Except as provided in division (O) (6) (b) of this 613
section, for the administrations in the 2014-2015, 2015-2016, 614
and 2016-2017 school years, questions on the assessments 615
prescribed under division (A) of section 3301.0710 and division 616
(B) (2) of section 3301.0712 of the Revised Code and the 617
corresponding preferred answers that are used to compute a 618
student's score shall become a public record as follows: 619

(i) Forty per cent of the questions and preferred answers 620
on the assessments on the thirty-first day of July following the 621
administration of the assessment; 622

(ii) Twenty per cent of the questions and preferred 623
answers on the assessment on the thirty-first day of July one 624
year after the administration of the assessment; 625

(iii) The remaining forty per cent of the questions and 626
preferred answers on the assessment on the thirty-first day of 627
July two years after the administration of the assessment. 628

The entire content of an assessment shall become a public 629
record within three years of its administration. 630

The department shall make the questions that become a 631
public record under this division readily accessible to the 632
public on the department's web site. Questions on the spring 633
administration of each assessment shall be released on an annual 634
basis, in accordance with this division. 635

(b) No questions and corresponding preferred answers shall 636
become a public record under division (O) (6) of this section 637
after July 31, 2017. 638

(7) Division (O) (7) of this section applies to the 639
assessments prescribed by division (A) of section 3301.0710 and 640
division (B) (2) of section 3301.0712 of the Revised Code. 641

Beginning with the assessments administered in the spring 642
of the 2017-2018 school year, not less than forty per cent of 643
the questions on each assessment that are used to compute a 644
student's score shall be a public record. The department shall 645
determine which questions will be needed for reuse on a future 646
assessment and those questions shall not be public records and 647
shall be redacted from the assessment prior to its release as a 648
public record. However, for each redacted question, the 649
department shall inform each city, local, and exempted village 650
school district of the corresponding statewide academic standard 651
adopted by the state board under section 3301.079 of the Revised 652
Code and the corresponding benchmark to which the question 653
relates. The department is not required to provide corresponding 654
standards and benchmarks to field test questions that are 655
redacted under division (O) (3) of this section. 656

(P) As used in this section: 657

(1) "Three-year average" means the average of the most 658
recent consecutive three school years of data. 659

(2) "Dropout" means a student who withdraws from school 660
before completing course requirements for graduation and who is 661
not enrolled in an education program approved by the state board 662
of education or an education program outside the state. 663
"Dropout" does not include a student who has departed the 664

country. 665

(3) "Graduation rate" means the ratio of students 666
receiving a diploma to the number of students who entered ninth 667
grade four years earlier. Students who transfer into the 668
district are added to the calculation. Students who transfer out 669
of the district for reasons other than dropout are subtracted 670
from the calculation. If a student who was a dropout in any 671
previous year returns to the same school district, that student 672
shall be entered into the calculation as if the student had 673
entered ninth grade four years before the graduation year of the 674
graduating class that the student joins. 675

(4) "State scholarship programs" means the educational 676
choice scholarship pilot program established under sections 677
3310.01 to 3310.17 of the Revised Code, the autism scholarship 678
program established under section 3310.41 of the Revised Code, 679
the Jon Peterson special needs scholarship program established 680
under sections 3310.51 to 3310.64 of the Revised Code, and the 681
pilot project scholarship program established under sections 682
3313.974 to 3313.979 of the Revised Code. 683

(5) "Other public school" means a community school 684
established under Chapter 3314., a STEM school established under 685
Chapter 3326., or a college-preparatory boarding school 686
established under Chapter 3328. of the Revised Code. 687

Sec. 3301.163. (A) ~~Beginning July 1, 2015~~ Until the 2020- 688
2021 school year, any third-grade student who attends a 689
chartered nonpublic school with a scholarship awarded under 690
either the educational choice scholarship pilot program, 691
prescribed in sections 3310.01 to 3310.17, or the pilot project 692
scholarship program prescribed in sections 3313.974 to 3313.979 693
of the Revised Code, shall be subject to the third-grade reading 694

guarantee retention provisions under division (A) (2) of section 695
3313.608 of the Revised Code, including the exemptions 696
prescribed by that division. For purposes of determining if a 697
child with a disability is exempt from retention under this 698
section, an individual services plan created for the child that 699
has been reviewed by either the student's school district of 700
residence or the school district in which the chartered 701
nonpublic school is located and that specifies that the student 702
is not subject to retention shall be considered in the same 703
manner as an individualized education program or plan under 704
section 504 of the "Rehabilitation Act of 1973," 87 Stat. 355, 705
29 U.S.C. 794, as amended, as prescribed by division (A) (2) of 706
section 3313.608 of the Revised Code. 707

As used in this section, "child with a disability" and 708
"school district of residence" have the same meanings as in 709
section 3323.01 of the Revised Code. 710

(B) (1) Each chartered nonpublic school that enrolls 711
students in any of grades kindergarten through three and that 712
accepts students under the educational choice scholarship pilot 713
program or the pilot project scholarship program shall adopt 714
policies and procedures for the annual assessment of the reading 715
skills of those students. Each school may use the diagnostic 716
assessment to measure reading ability for the appropriate grade 717
level prescribed in division (D) of section 3301.079 of the 718
Revised Code. If the school uses such assessments, the 719
department of education shall furnish them to the chartered 720
nonpublic school. 721

(2) For each student identified as having reading skills 722
below grade level, the school shall do both of the following: 723

(a) Provide to the student's parent or guardian, in 724

writing, all of the following: 725

(i) Notification that the student has been identified as 726
having a substantial deficiency in reading; 727

(ii) ~~Notification~~ Through the 2020-2021 school year, 728
notification that if the student attains a score in the range 729
designated under division (A) (3) of section 3301.0710 of the 730
Revised Code on the assessment prescribed under that section to 731
measure skill in English language arts expected at the end of 732
third grade, the student shall be retained unless the student is 733
exempt under division (A) (1) of section 3313.608 of the Revised 734
Code. 735

(b) Provide intensive reading instruction services, as 736
determined appropriate by the school, to each student identified 737
under this section. 738

(C) Each chartered nonpublic school subject to this 739
section annually shall report to the department the number of 740
students identified as reading at grade level and the number of 741
students identified as reading below grade level. 742

Sec. 3313.608. (A) (1) Beginning with students who enter 743
third grade in the school year that starts July 1, 2009, and 744
until June 30, 2013, unless the student is excused under 745
division (C) of section 3301.0711 of the Revised Code from 746
taking the assessment described in this section, for any student 747
who does not attain at least the equivalent level of achievement 748
designated under division (A) (3) of section 3301.0710 of the 749
Revised Code on the assessment prescribed under that section to 750
measure skill in English language arts expected at the end of 751
third grade, each school district, in accordance with the policy 752
adopted under section 3313.609 of the Revised Code, shall do one 753

of the following: 754

(a) Promote the student to fourth grade if the student's principal and reading teacher agree that other evaluations of the student's skill in reading demonstrate that the student is academically prepared to be promoted to fourth grade; 755
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(b) Promote the student to fourth grade but provide the student with intensive intervention services in fourth grade; 759
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(c) Retain the student in third grade. 761

(2) Beginning with students who enter third grade in the 2013-2014 school year and until June 30, 2021, unless the student is excused under division (C) of section 3301.0711 of the Revised Code from taking the assessment described in this section, no school district shall promote to fourth grade any student who does not attain at least the equivalent level of achievement designated under division (A) (3) of section 3301.0710 of the Revised Code on the assessment prescribed under that section to measure skill in English language arts expected at the end of third grade, unless one of the following applies: 762
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(a) The student is an English learner who has been enrolled in United States schools for less than three full school years and has had less than three years of instruction in an English as a second language program. 772
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(b) The student is a child with a disability entitled to special education and related services under Chapter 3323. of the Revised Code and the student's individualized education program exempts the student from retention under this division. 776
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(c) The student demonstrates an acceptable level of performance on an alternative standardized reading assessment as determined by the department of education. 780
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(d) All of the following apply:	783
(i) The student is a child with a disability entitled to special education and related services under Chapter 3323. of the Revised Code.	784 785 786
(ii) The student has taken the third grade English language arts achievement assessment prescribed under section 3301.0710 of the Revised Code.	787 788 789
(iii) The student's individualized education program or plan under section 504 of the "Rehabilitation Act of 1973," 87 Stat. 355, 29 U.S.C. 794, as amended, shows that the student has received intensive remediation in reading for two school years but still demonstrates a deficiency in reading.	790 791 792 793 794
(iv) The student previously was retained in any of grades kindergarten to three.	795 796
(e) (i) The student received intensive remediation for reading for two school years but still demonstrates a deficiency in reading and was previously retained in any of grades kindergarten to three.	797 798 799 800
(ii) A student who is promoted under division (A) (2) (e) (i) of this section shall continue to receive intensive reading instruction in grade four. The instruction shall include an altered instructional day that includes specialized diagnostic information and specific research-based reading strategies for the student that have been successful in improving reading among low-performing readers.	801 802 803 804 805 806 807
<u>(3) Beginning with students who enter the third grade in the 2021-2022 school year, no school district shall retain a student under this section based upon the student's score on the assessment prescribed by section 3301.0710 of the Revised Code</u>	808 809 810 811

to measure skill in English language arts expected at the end of 812
third grade. Districts shall continue to offer intervention and 813
remediation services in the manner prescribed under this section 814
for students found to be reading below grade level. 815

(B) (1) Beginning in the 2012-2013 school year, to assist 816
students in meeting the third grade guarantee established by 817
this section, each school district board of education shall 818
adopt policies and procedures with which it annually shall 819
assess the reading skills of each student, except those students 820
with significant cognitive disabilities or other disabilities as 821
authorized by the department on a case-by-case basis, enrolled 822
in kindergarten to third grade and shall identify students who 823
are reading below their grade level. The reading skills 824
assessment shall be completed by the thirtieth day of September 825
for students in grades one to three, and by the first day of 826
November for students in kindergarten. Each district shall use 827
the diagnostic assessment to measure reading ability for the 828
appropriate grade level adopted under section 3301.079 of the 829
Revised Code, or a comparable tool approved by the department of 830
education, to identify such students. The policies and 831
procedures shall require the students' classroom teachers to be 832
involved in the assessment and the identification of students 833
reading below grade level. The assessment may be administered 834
electronically using live, two-way video and audio connections 835
whereby the teacher administering the assessment may be in a 836
separate location from the student. 837

(2) For each student identified by the diagnostic 838
assessment prescribed under this section as having reading 839
skills below grade level, the district shall do both of the 840
following: 841

- (a) Provide to the student's parent or guardian, in writing, all of the following:
- (i) Notification that the student has been identified as having a substantial deficiency in reading;
 - (ii) A description of the current services that are provided to the student;
 - (iii) A description of the proposed supplemental instructional services and supports that will be provided to the student that are designed to remediate the identified areas of reading deficiency;
 - ~~(iv) Notification that if the student attains a score in the range designated under division (A) (3) of section 3301.0710 of the Revised Code on the assessment prescribed under that section to measure skill in English language arts expected at the end of third grade, the student shall be retained unless the student is exempt under division (A) of this section. The notification shall specify that the assessment under section 3301.0710 of the Revised Code is not the sole determinant of promotion and that additional evaluations and assessments are available to the student to assist parents and the district in knowing when a student is reading at or above grade level and ready for promotion.~~
- (b) Provide intensive reading instruction services and regular diagnostic assessments to the student immediately following identification of a reading deficiency until the development of the reading improvement and monitoring plan required by division (C) of this section. These intervention services shall include research-based reading strategies that have been shown to be successful in improving reading among low-

performing readers and instruction targeted at the student's 871
identified reading deficiencies. 872

(3) ~~For~~ Prior to the 2021-2022 school year, for each 873
student retained under division (A) of this section, the 874
district shall do all of the following: 875

(a) Provide intense remediation services until the student 876
is able to read at grade level. The remediation services shall 877
include intensive interventions in reading that address the 878
areas of deficiencies identified under this section including, 879
but not limited to, not less than ninety minutes of reading 880
instruction per day, and may include any of the following: 881

(i) Small group instruction; 882

(ii) Reduced teacher-student ratios; 883

(iii) More frequent progress monitoring; 884

(iv) Tutoring or mentoring; 885

(v) Transition classes containing third and fourth grade 886
students; 887

(vi) Extended school day, week, or year; 888

(vii) Summer reading camps. 889

(b) Establish a policy for the mid-year promotion of a 890
student retained under division (A) of this section who 891
demonstrates that the student is reading at or above grade 892
level; 893

(c) Provide each student with a teacher who satisfies one 894
or more of the criteria set forth in division (H) of this 895
section. 896

The district shall offer the option for students to 897

receive applicable services from one or more providers other 898
than the district. Providers shall be screened and approved by 899
the district or the department of education. If the student 900
participates in the remediation services and demonstrates 901
reading proficiency in accordance with standards adopted by the 902
department prior to the start of fourth grade, the district 903
shall promote the student to that grade. 904

(4) For each student retained under division (A) of this 905
section who has demonstrated proficiency in a specific academic 906
ability field, each district shall provide instruction 907
commensurate with student achievement levels in that specific 908
academic ability field. 909

As used in this division, "specific academic ability 910
field" has the same meaning as in section 3324.01 of the Revised 911
Code. 912

(C) For each student required to be provided intervention 913
services under this section, the district shall develop a 914
reading improvement and monitoring plan within sixty days after 915
receiving the student's results on the diagnostic assessment or 916
comparable tool administered under division (B)(1) of this 917
section. The district shall involve the student's parent or 918
guardian and classroom teacher in developing the plan. The plan 919
shall include all of the following: 920

(1) Identification of the student's specific reading 921
deficiencies; 922

(2) A description of the additional instructional services 923
and support that will be provided to the student to remediate 924
the identified reading deficiencies; 925

(3) Opportunities for the student's parent or guardian to 926

be involved in the instructional services and support described 927
in division (C) (2) of this section; 928

(4) A process for monitoring the extent to which the 929
student receives the instructional services and support 930
described in division (C) (2) of this section; 931

(5) A reading curriculum during regular school hours that 932
does all of the following: 933

(a) Assists students to read at grade level; 934

(b) Provides scientifically based and reliable assessment; 935

(c) Provides initial and ongoing analysis of each 936
student's reading progress. 937

~~(6) A statement that if the student does not attain at 938
least the equivalent level of achievement designated under 939
division (A) (3) of section 3301.0710 of the Revised Code on the 940
assessment prescribed under that section to measure skill in 941
English language arts expected by the end of third grade, the 942
student may be retained in third grade. 943~~

Each student with a reading improvement and monitoring 944
plan under this division who enters third grade after July 1, 945
2013, shall be assigned to a teacher who satisfies one or more 946
of the criteria set forth in division (H) of this section. 947

The district shall report any information requested by the 948
department about the reading improvement monitoring plans 949
developed under this division in the manner required by the 950
department. 951

(D) Each school district shall report annually to the 952
department on its implementation and compliance with this 953
section using guidelines prescribed by the superintendent of 954

public instruction. The superintendent of public instruction 955
annually shall report to the governor and general assembly the 956
number and percentage of students in grades kindergarten through 957
four reading below grade level based on the diagnostic 958
assessments administered under division (B) of this section and 959
the achievement assessments administered under divisions (A)(1) 960
(a) and (b) of section 3301.0710 of the Revised Code in English 961
language arts, aggregated by school district and building; the 962
types of intervention services provided to students; and, if 963
available, an evaluation of the efficacy of the intervention 964
services provided. 965

(E) Any summer remediation services funded in whole or in 966
part by the state and offered by school districts to students 967
under this section shall meet the following conditions: 968

(1) The remediation methods are based on reliable 969
educational research. 970

(2) The school districts conduct assessment before and 971
after students participate in the program to facilitate 972
monitoring results of the remediation services. 973

(3) The parents of participating students are involved in 974
programming decisions. 975

(F) Any intervention or remediation services required by 976
this section shall include intensive, explicit, and systematic 977
instruction. 978

(G) This section does not create a new cause of action or 979
a substantive legal right for any person. 980

(H) (1) Except as provided under divisions (H) (2), (3), and 981
(4) of this section, each student described in division (B) (3) 982
or (C) of this section who enters third grade for the first time 983

on or after July 1, 2013, shall be assigned a teacher who has at 984
least one year of teaching experience and who satisfies one or 985
more of the following criteria: 986

(a) The teacher holds a reading endorsement on the 987
teacher's license and has attained a passing score on the 988
corresponding assessment for that endorsement, as applicable. 989

(b) The teacher has completed a master's degree program 990
with a major in reading. 991

(c) The teacher was rated "most effective" for reading 992
instruction consecutively for the most recent two years based on 993
assessments of student growth measures developed by a vendor and 994
that is on the list of student assessments approved by the state 995
board under division (B) (2) of section 3319.112 of the Revised 996
Code. 997

(d) The teacher was rated "above expected value added," in 998
reading instruction, as determined by criteria established by 999
the department, for the most recent, consecutive two years. 1000

(e) The teacher has earned a passing score on a rigorous 1001
test of principles of scientifically research-based reading 1002
instruction as approved by the state board. 1003

(f) The teacher holds an educator license for teaching 1004
grades pre-kindergarten through three or four through nine 1005
issued on or after July 1, 2017. 1006

(2) Notwithstanding division (H) (1) of this section, a 1007
student described in division (B) (3) or (C) of this section who 1008
enters third grade for the first time on or after July 1, 2013, 1009
may be assigned to a teacher with less than one year of teaching 1010
experience provided that the teacher meets one or more of the 1011
criteria described in divisions (H) (1) (a) to (f) of this section 1012

and that teacher is assigned a teacher mentor who meets the 1013
qualifications of division (H) (1) of this section. 1014

(3) Notwithstanding division (H) (1) of this section, a 1015
student described in division (B) (3) or (C) of this section who 1016
enters third grade for the first time on or after July 1, 2013, 1017
but prior to July 1, 2016, may be assigned to a teacher who 1018
holds an alternative credential approved by the department or 1019
who has successfully completed training that is based on 1020
principles of scientifically research-based reading instruction 1021
that has been approved by the department. Beginning on July 1, 1022
2014, the alternative credentials and training described in 1023
division (H) (3) of this section shall be aligned with the 1024
reading competencies adopted by the state board of education 1025
under section 3301.077 of the Revised Code. 1026

(4) Notwithstanding division (H) (1) of this section, a 1027
student described in division (B) (3) or (C) of this section who 1028
enters third grade for the first time on or after July 1, 2013, 1029
may receive reading intervention or remediation services under 1030
this section from an individual employed as a speech-language 1031
pathologist who holds a license issued by the state speech and 1032
hearing professionals board under Chapter 4753. of the Revised 1033
Code and a professional pupil services license as a school 1034
speech-language pathologist issued by the state board of 1035
education. 1036

(5) A teacher, other than a student's teacher of record, 1037
may provide any services required under this section, so long as 1038
that other teacher meets the requirements of division (H) of 1039
this section and the teacher of record and the school principal 1040
agree to the assignment. Any such assignment shall be documented 1041
in the student's reading improvement and monitoring plan. 1042

As used in this division, "teacher of record" means the classroom teacher to whom a student is assigned.

(I) Notwithstanding division (H) of this section, a teacher may teach reading to any student who is an English language learner, and has been in the United States for three years or less, or to a student who has an individualized education program developed under Chapter 3323. of the Revised Code if that teacher holds an alternative credential approved by the department or has successfully completed training that is based on principles of scientifically research-based reading instruction that has been approved by the department. Beginning on July 1, 2014, the alternative credentials and training described in this division shall be aligned with the reading competencies adopted by the state board of education under section 3301.077 of the Revised Code.

(J) If, on or after June 4, 2013, a school district or community school cannot furnish the number of teachers needed who satisfy one or more of the criteria set forth in division (H) of this section for the 2013-2014 school year, the school district or community school shall develop and submit a staffing plan by June 30, 2013. The staffing plan shall include criteria that will be used to assign a student described in division (B) (3) or (C) of this section to a teacher, credentials or training held by teachers currently teaching at the school, and how the school district or community school will meet the requirements of this section. The school district or community school shall post the staffing plan on its web site for the applicable school year.

Not later than March 1, 2014, and on the first day of March in each year thereafter, a school district or community

school that has submitted a plan under this division shall 1073
submit to the department a detailed report of the progress the 1074
district or school has made in meeting the requirements under 1075
this section. 1076

A school district or community school may request an 1077
extension of a staffing plan beyond the 2013-2014 school year. 1078
Extension requests must be submitted to the department not later 1079
than the thirtieth day of April prior to the start of the 1080
applicable school year. The department may grant extensions 1081
valid through the 2015-2016 school year. 1082

Until June 30, 2015, the department annually shall review 1083
all staffing plans and report to the state board not later than 1084
the thirtieth day of June of each year the progress of school 1085
districts and community schools in meeting the requirements of 1086
this section. 1087

(K) The department of education shall designate one or 1088
more staff members to provide guidance and assistance to school 1089
districts and community schools in implementing the third grade 1090
guarantee established by this section, including any standards 1091
or requirements adopted to implement the guarantee and to 1092
provide information and support for reading instruction and 1093
achievement. 1094

Section 2. That existing sections 3301.0711, 3301.163, and 1095
3313.608 of the Revised Code are hereby repealed. 1096