

As Introduced

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Representative Wolpert

**Cosponsors: Representatives McGregor, J., Wagner, Healy, Dodd, Stebelton,
Koziura, Fessler, Seitz, Chandler**

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A B I L L

To amend section 3302.03 of the Revised Code to 1
revise the law regarding school district and 2
school building academic performance ratings. 3

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

Section 1. That section 3302.03 of the Revised Code be 4
amended to read as follows: 5

Sec. 3302.03. (A) Annually the department of education shall 6
report for each school district and each school building in a 7
district all of the following: 8

(1) The extent to which the school district or building meets 9
each of the applicable performance indicators created by the state 10
board of education under section 3302.02 of the Revised Code and 11
the number of applicable performance indicators that have been 12
achieved; 13

(2) The performance index score of the school district or 14
building; 15

(3) Whether the school district or building has made adequate 16
yearly progress; 17

(4) Whether the school district or building is excellent, 18
effective, needs continuous improvement, is under an academic 19
watch, or is in a state of academic emergency. 20

(B) ~~Except as otherwise provided in division (B)(6) of this 21
section.~~ 22

(1) A school district or building shall be declared excellent 23
if it ~~fulfills one of the following requirements:~~ 24

~~(a) It makes adequate yearly progress and either meets at 25
least ninety-four per cent of the applicable state performance 26
indicators or has a performance index score established by the 27
department. 28~~

~~(b) It has failed to make adequate yearly progress for not 29
more than two consecutive years and either meets at least 30
ninety four per cent of the applicable state performance 31
indicators or has a performance index score established by the 32
department. 33~~

(2) A school district or building shall be declared effective 34
if it ~~fulfills one of the following requirements:~~ 35

~~(a) It makes adequate yearly progress and either meets at 36
least seventy-five per cent but less than ninety-four per cent of 37
the applicable state performance indicators or has a performance 38
index score established by the department. 39~~

~~(b) It does not make adequate yearly progress and either 40
meets at least seventy five per cent of the applicable state 41
performance indicators or has a performance index score 42
established by the department, except that if it does not make 43
adequate yearly progress for three consecutive years, it shall be 44
declared in need of continuous improvement. 45~~

(3) A school district or building shall be declared to be in 46
need of continuous improvement if it fulfills one of the following 47

requirements: 48

(a) It makes adequate yearly progress, meets less than 49
seventy-five per cent of the applicable state performance 50
indicators, and has a performance index score established by the 51
department. 52

(b) It does not make adequate yearly progress and either 53
meets at least fifty per cent but less than seventy-five per cent 54
of the applicable state performance indicators or has a 55
performance index score established by the department. 56

(4) A Except as provided in division (B)(6) of this section, 57
a school district or building shall be declared to be under an 58
academic watch if it does not make adequate yearly progress and 59
either meets at least thirty-one per cent but less than fifty per 60
cent of the applicable state performance indicators or has a 61
performance index score established by the department. 62

(5) A Except as provided in division (B)(6) of this section, 63
a school district or building shall be declared to be in a state 64
of academic emergency if it does not make adequate yearly 65
progress, does not meet at least thirty-one per cent of the 66
applicable state performance indicators, and has a performance 67
index score established by the department. 68

(6) When designating performance ratings for school districts 69
and buildings rated in the previous year as in need of continuous 70
improvement under ~~divisions (B)(1) to (5) of~~ this section, the 71
department shall not assign a school district or building a lower 72
designation from its previous year's designation based solely on 73
one subgroup not making adequate yearly progress. 74

(7) If a school district declared excellent or effective 75
under division (B)(1) or (2) of this section has failed to make 76
adequate yearly progress for three or more consecutive years, the 77
department shall add the label "conditional" to the district's 78

rating. On the district's report card under division (C) of this 79
section, the department shall indicate beside the district's 80
rating, as so labeled, which of district's subgroups did not make 81
adequate yearly progress. 82

(C)(1) The department shall issue annual report cards for 83
each school district, each building within each district, and for 84
the state as a whole reflecting performance on the indicators 85
created by the state board under section 3302.02 of the Revised 86
Code, the performance index score, and adequate yearly progress. 87

(2) The department shall include on the report card for each 88
district information pertaining to any change from the previous 89
year made by the school district or school buildings within the 90
district on any performance indicator. 91

(3) When reporting data on student performance, the 92
department shall disaggregate that data according to the following 93
categories: 94

(a) Performance of students by age group; 95

(b) Performance of students by race and ethnic group; 96

(c) Performance of students by gender; 97

(d) Performance of students grouped by those who have been 98
enrolled in a district or school for three or more years; 99

(e) Performance of students grouped by those who have been 100
enrolled in a district or school for more than one year and less 101
than three years; 102

(f) Performance of students grouped by those who have been 103
enrolled in a district or school for one year or less; 104

(g) Performance of students grouped by those who are 105
economically disadvantaged; 106

(h) Performance of students grouped by those who are enrolled 107
in a conversion community school established under Chapter 3314. 108

of the Revised Code;	109
(i) Performance of students grouped by those who are	110
classified as limited English proficient;	111
(j) Performance of students grouped by those who have	112
disabilities;	113
(k) Performance of students grouped by those who are	114
classified as migrants;	115
(l) Performance of students grouped by those who are	116
identified as gifted pursuant to Chapter 3324. of the Revised	117
Code.	118
The department may disaggregate data on student performance	119
according to other categories that the department determines are	120
appropriate. To the extent possible, the department shall	121
disaggregate data on student performance according to any	122
combinations of two or more of the categories listed in divisions	123
(C)(3)(a) to (l) of this section that it deems relevant.	124
In reporting data pursuant to division (C)(3) of this	125
section, the department shall not include in the report cards any	126
data statistical in nature that is statistically unreliable or	127
that could result in the identification of individual students.	128
For this purpose, the department shall not report student	129
performance data for any group identified in division (C)(3) of	130
this section that contains less than ten students.	131
(4) The department may include with the report cards any	132
additional education and fiscal performance data it deems	133
valuable.	134
(5) The department shall include on each report card a list	135
of additional information collected by the department that is	136
available regarding the district or building for which the report	137
card is issued. When available, such additional information shall	138

include student mobility data disaggregated by race and 139
socioeconomic status, college enrollment data, and the reports 140
prepared under section 3302.031 of the Revised Code. 141

The department shall maintain a site on the world wide web. 142
The report card shall include the address of the site and shall 143
specify that such additional information is available to the 144
public at that site. The department shall also provide a copy of 145
each item on the list to the superintendent of each school 146
district. The district superintendent shall provide a copy of any 147
item on the list to anyone who requests it. 148

(6) This division does not apply to conversion community 149
schools that primarily enroll students between sixteen and 150
twenty-two years of age who dropped out of high school or are at 151
risk of dropping out of high school due to poor attendance, 152
disciplinary problems, or suspensions. 153

For any district that sponsors a conversion community school 154
under Chapter 3314. of the Revised Code, the department shall 155
combine data regarding the academic performance of students 156
enrolled in the community school with comparable data from the 157
schools of the district for the purpose of calculating the 158
performance of the district as a whole on the report card issued 159
for the district. 160

(7) The department shall include on each report card the 161
percentage of teachers in the district or building who are highly 162
qualified, as defined by the "No Child Left Behind Act of 2001," 163
and a comparison of that percentage with the percentages of such 164
teachers in similar districts and buildings. 165

(8) The department shall include on the report card the 166
number of master teachers employed by each district and each 167
building once the data is available from the education management 168
information system established under section 3301.0714 of the 169

Revised Code.	170
(D)(1) In calculating reading, writing, mathematics, social studies, or science proficiency or achievement test passage rates used to determine school district or building performance under this section, the department shall include all students taking a test with accommodation or to whom an alternate assessment is administered pursuant to division (C)(1) or (3) of section 3301.0711 of the Revised Code.	171 172 173 174 175 176 177
(2) In calculating performance index scores, rates of achievement on the performance indicators established by the state board under section 3302.02 of the Revised Code, and adequate yearly progress for school districts and buildings under this section, the department shall do all of the following:	178 179 180 181 182
(a) Include for each district or building only those students who are included in the ADM certified for the first full school week of October and are continuously enrolled in the district or building through the time of the spring administration of any test prescribed by section 3301.0710 of the Revised Code that is administered to the student's grade level;	183 184 185 186 187 188
(b) Include cumulative totals from both the fall and spring administrations of the third grade reading achievement test;	189 190
(c) Except as required by the "No Child Left Behind Act of 2001" for the calculation of adequate yearly progress, exclude for each district or building any limited English proficient student who has been enrolled in United States schools for less than one full school year.	191 192 193 194 195
Section 2. That existing section 3302.03 of the Revised Code is hereby repealed.	196 197