

As Introduced

**128th General Assembly
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S. B. No. 167

Senator Cates

Cosponsors: Senators Jones, Hughes, Seitz, Husted

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A B I L L

To amend section 3302.03 of the Revised Code to 1
revise the performance ratings for school 2
districts and buildings. 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 watch, or is in a state of academic emergency. 19
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(B) Except as otherwise provided in ~~divisions~~ division (B)(6) and ~~(7)~~ of this section: 21
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(1) A school district or building shall be declared excellent if it ~~fulfills one of the following requirements:~~ 23
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~~(a) It makes adequate yearly progress and either meets at least ninety four per cent of the applicable state performance indicators or has a performance index score established by the department.~~ 25
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~~(b) It has failed to make adequate yearly progress for not more than two consecutive years and either meets at least ninety-four per cent of the applicable state performance indicators or has a performance index score established by the department, except that if it does not make adequate yearly progress for two or more of the same subgroups for three or more consecutive years, it shall be declared effective.~~ 29
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(2) A school district or building shall be declared effective if it ~~fulfills one of the following requirements:~~ 36
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~~(a) It makes adequate yearly progress and either meets at least seventy-five per cent but less than ninety-four per cent of the applicable state performance indicators or has a performance index score established by the department.~~ 38
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~~(b) It does not make adequate yearly progress and either meets at least seventy five per cent of the applicable state performance indicators or has a performance index score established by the department, except that if it does not make adequate yearly progress for two or more of the same subgroups for three or more consecutive years, it shall be declared in need of continuous improvement.~~ 42
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(3) A school district or building shall be declared to be in need of continuous improvement if it fulfills one of the following requirements:

(a) It makes adequate yearly progress, meets at least thirty-one per cent but less than seventy-five per cent of the applicable state performance indicators, and has a performance index score established by the department.

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

(4) A school district or building shall be declared to be under an academic watch if it fulfills one of the following requirements:

(a) It makes adequate yearly progress, does not meet at least thirty-one per cent of the applicable state performance indicators, and has a performance index score established by the department.

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

(5) A school district or building shall be declared to be in a state of academic emergency if it does not make adequate yearly progress, does not meet at least thirty-one per cent of the applicable state performance indicators, and has a performance index score established by the department.

~~(6) When designating performance ratings for school districts and buildings under divisions (B)(1) to (5) of this section, the department shall not assign a school district or building a lower designation from its previous year's designation based solely on~~

~~one subgroup not making adequate yearly progress.~~ 80

~~(7)~~ Division (B)~~(7)~~(6) of this section does not apply to any 81
community school established under Chapter 3314. of the Revised 82
Code in which a majority of the students are enrolled in a dropout 83
prevention and recovery program. 84

A school district or building shall not be assigned a higher 85
performance rating than in need of continuous improvement if at 86
least ten per cent but not more than fifteen per cent of the 87
enrolled students do not take all achievement assessments 88
prescribed for their grade level under division (A)(1) or (B)(1) 89
of section 3301.0710 of the Revised Code from which they are not 90
excused pursuant to division (C)(1) or (3) of section 3301.0711 of 91
the Revised Code. A school district or building shall not be 92
assigned a higher performance rating than under an academic watch 93
if more than fifteen per cent but not more than twenty per cent of 94
the enrolled students do not take all achievement assessments 95
prescribed for their grade level under division (A)(1) or (B)(1) 96
of section 3301.0710 of the Revised Code from which they are not 97
excused pursuant to division (C)(1) or (3) of section 3301.0711 of 98
the Revised Code. A school district or building shall not be 99
assigned a higher performance rating than in a state of academic 100
emergency if more than twenty per cent of the enrolled students do 101
not take all achievement assessments prescribed for their grade 102
level under division (A)(1) or (B)(1) of section 3301.0710 of the 103
Revised Code from which they are not excused pursuant to division 104
(C)(1) or (3) of section 3301.0711 of the Revised Code. 105

(C)(1) The department shall issue annual report cards for 107
each school district, each building within each district, and for 108
the state as a whole reflecting performance on the indicators 109
created by the state board under section 3302.02 of the Revised 110
Code, the performance index score, and adequate yearly progress. 111

(2) The department shall include on the report card for each district information pertaining to any change from the previous year made by the school district or school buildings within the district on any performance indicator.	112 113 114 115
(3) When reporting data on student performance, the department shall disaggregate that data according to the following categories:	116 117 118
(a) Performance of students by age group;	119
(b) Performance of students by race and ethnic group;	120
(c) Performance of students by gender;	121
(d) Performance of students grouped by those who have been enrolled in a district or school for three or more years;	122 123
(e) Performance of students grouped by those who have been enrolled in a district or school for more than one year and less than three years;	124 125 126
(f) Performance of students grouped by those who have been enrolled in a district or school for one year or less;	127 128
(g) Performance of students grouped by those who are economically disadvantaged;	129 130
(h) Performance of students grouped by those who are enrolled in a conversion community school established under Chapter 3314. of the Revised Code;	131 132 133
(i) Performance of students grouped by those who are classified as limited English proficient;	134 135
(j) Performance of students grouped by those who have disabilities;	136 137
(k) Performance of students grouped by those who are classified as migrants;	138 139
(l) Performance of students grouped by those who are	140

identified as gifted pursuant to Chapter 3324. of the Revised Code. 141
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The department may disaggregate data on student performance according to other categories that the department determines are appropriate. To the extent possible, the department shall disaggregate data on student performance according to any combinations of two or more of the categories listed in divisions (C)(3)(a) to (l) of this section that it deems relevant. 143
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In reporting data pursuant to division (C)(3) of this section, the department shall not include in the report cards any data statistical in nature that is statistically unreliable or that could result in the identification of individual students. For this purpose, the department shall not report student performance data for any group identified in division (C)(3) of this section that contains less than ten students. 149
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(4) The department may include with the report cards any additional education and fiscal performance data it deems valuable. 156
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(5) The department shall include on each report card a list of additional information collected by the department that is available regarding the district or building for which the report card is issued. When available, such additional information shall include student mobility data disaggregated by race and socioeconomic status, college enrollment data, and the reports prepared under section 3302.031 of the Revised Code. 159
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The department shall maintain a site on the world wide web. The report card shall include the address of the site and shall specify that such additional information is available to the public at that site. The department shall also provide a copy of each item on the list to the superintendent of each school district. The district superintendent shall provide a copy of any 166
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item on the list to anyone who requests it. 172

(6)(a) This division does not apply to conversion community 173
schools that primarily enroll students between sixteen and 174
twenty-two years of age who dropped out of high school or are at 175
risk of dropping out of high school due to poor attendance, 176
disciplinary problems, or suspensions. 177

For any district that sponsors a conversion community school 178
under Chapter 3314. of the Revised Code, the department shall 179
combine data regarding the academic performance of students 180
enrolled in the community school with comparable data from the 181
schools of the district for the purpose of calculating the 182
performance of the district as a whole on the report card issued 183
for the district. 184

(b) Any district that leases a building to a community school 185
located in the district or that enters into an agreement with a 186
community school located in the district whereby the district and 187
the school endorse each other's programs may elect to have data 188
regarding the academic performance of students enrolled in the 189
community school combined with comparable data from the schools of 190
the district for the purpose of calculating the performance of the 191
district as a whole on the district report card. Any district that 192
so elects shall annually file a copy of the lease or agreement 193
with the department. 194

(7) The department shall include on each report card the 195
percentage of teachers in the district or building who are highly 196
qualified, as defined by the "No Child Left Behind Act of 2001," 197
and a comparison of that percentage with the percentages of such 198
teachers in similar districts and buildings. 199

(8) The department shall include on the report card the 200
number of lead teachers employed by each district and each 201
building once the data is available from the education management 202

information system established under section 3301.0714 of the Revised Code. 203
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(D)(1) In calculating English language arts, mathematics, social studies, or science assessment passage rates used to determine school district or building performance under this section, the department shall include all students taking an assessment 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. 205
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(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: 212
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(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 assessment prescribed by division (A)(1) or (B)(1) of section 3301.0710 of the Revised Code that is administered to the student's grade level; 217
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(b) Include cumulative totals from both the fall and spring administrations of the third grade English language arts achievement assessment; 224
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(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. 227
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Section 2. That existing section 3302.03 of the Revised Code 232

is hereby repealed.