

As Reported by the Senate Education Committee

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

Senator Cates

Cosponsors: Senators Jones, Hughes, Seitz, Husted, Schuring, Carey

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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 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 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.~~

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

A school district or building shall not be assigned a higher performance rating than in need of continuous improvement if at least ten per cent but not more than fifteen per cent of the enrolled students do not take all achievement assessments prescribed for their grade level under division (A)(1) or (B)(1) of section 3301.0710 of the Revised Code from which they are not excused pursuant to division (C)(1) or (3) of section 3301.0711 of the Revised Code. A school district or building shall not be assigned a higher performance rating than under an academic watch if more than fifteen per cent but not more than twenty per cent of the enrolled students do not take all achievement assessments prescribed for their grade level under division (A)(1) or (B)(1) of section 3301.0710 of the Revised Code from which they are not excused pursuant to division (C)(1) or (3) of section 3301.0711 of the Revised Code. A school district or building shall not be assigned a higher performance rating than in a state of academic emergency if more than twenty per cent of the enrolled students do not take all achievement assessments prescribed for their grade level under division (A)(1) or (B)(1) of section 3301.0710 of the Revised Code from which they are not excused pursuant to division (C)(1) or (3) of section 3301.0711 of the Revised Code.

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

(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.

(3) When reporting data on student performance, the

department shall disaggregate that data according to the following	112
categories:	113
(a) Performance of students by age group;	114
(b) Performance of students by race and ethnic group;	115
(c) Performance of students by gender;	116
(d) Performance of students grouped by those who have been	117
enrolled in a district or school for three or more years;	118
(e) Performance of students grouped by those who have been	119
enrolled in a district or school for more than one year and less	120
than three years;	121
(f) Performance of students grouped by those who have been	122
enrolled in a district or school for one year or less;	123
(g) Performance of students grouped by those who are	124
economically disadvantaged;	125
(h) Performance of students grouped by those who are enrolled	126
in a conversion community school established under Chapter 3314.	127
of the Revised Code;	128
(i) Performance of students grouped by those who are	129
classified as limited English proficient;	130
(j) Performance of students grouped by those who have	131
disabilities;	132
(k) Performance of students grouped by those who are	133
classified as migrants;	134
(l) Performance of students grouped by those who are	135
identified as gifted pursuant to Chapter 3324. of the Revised	136
Code.	137
The department may disaggregate data on student performance	138
according to other categories that the department determines are	139
appropriate. To the extent possible, the department shall	140

disaggregate data on student performance according to any 141
combinations of two or more of the categories listed in divisions 142
(C)(3)(a) to (1) of this section that it deems relevant. 143

In reporting data pursuant to division (C)(3) of this 144
section, the department shall not include in the report cards any 145
data statistical in nature that is statistically unreliable or 146
that could result in the identification of individual students. 147
For this purpose, the department shall not report student 148
performance data for any group identified in division (C)(3) of 149
this section that contains less than ten students. 150

(4) The department may include with the report cards any 151
additional education and fiscal performance data it deems 152
valuable. 153

(5) The department shall include on each report card a list 154
of additional information collected by the department that is 155
available regarding the district or building for which the report 156
card is issued. When available, such additional information shall 157
include student mobility data disaggregated by race and 158
socioeconomic status, college enrollment data, and the reports 159
prepared under section 3302.031 of the Revised Code. 160

The department shall maintain a site on the world wide web. 161
The report card shall include the address of the site and shall 162
specify that such additional information is available to the 163
public at that site. The department shall also provide a copy of 164
each item on the list to the superintendent of each school 165
district. The district superintendent shall provide a copy of any 166
item on the list to anyone who requests it. 167

(6)(a) This division does not apply to conversion community 168
schools that primarily enroll students between sixteen and 169
twenty-two years of age who dropped out of high school or are at 170
risk of dropping out of high school due to poor attendance, 171

disciplinary problems, or suspensions. 172

For any district that sponsors a conversion community school 173
under Chapter 3314. of the Revised Code, the department shall 174
combine data regarding the academic performance of students 175
enrolled in the community school with comparable data from the 176
schools of the district for the purpose of calculating the 177
performance of the district as a whole on the report card issued 178
for the district. 179

(b) Any district that leases a building to a community school 180
located in the district or that enters into an agreement with a 181
community school located in the district whereby the district and 182
the school endorse each other's programs may elect to have data 183
regarding the academic performance of students enrolled in the 184
community school combined with comparable data from the schools of 185
the district for the purpose of calculating the performance of the 186
district as a whole on the district report card. Any district that 187
so elects shall annually file a copy of the lease or agreement 188
with the department. 189

(7) The department shall include on each report card the 190
percentage of teachers in the district or building who are highly 191
qualified, as defined by the "No Child Left Behind Act of 2001," 192
and a comparison of that percentage with the percentages of such 193
teachers in similar districts and buildings. 194

(8) The department shall include on the report card the 195
number of lead teachers employed by each district and each 196
building once the data is available from the education management 197
information system established under section 3301.0714 of the 198
Revised Code. 199

(D)(1) In calculating English language arts, mathematics, 200
social studies, or science assessment passage rates used to 201
determine school district or building performance under this 202

section, the department shall include all students taking an 203
assessment with accommodation or to whom an alternate assessment 204
is administered pursuant to division (C)(1) or (3) of section 205
3301.0711 of the Revised Code. 206

(2) In calculating performance index scores, rates of 207
achievement on the performance indicators established by the state 208
board under section 3302.02 of the Revised Code, and adequate 209
yearly progress for school districts and buildings under this 210
section, the department shall do all of the following: 211

(a) Include for each district or building only those students 212
who are included in the ADM certified for the first full school 213
week of October and are continuously enrolled in the district or 214
building through the time of the spring administration of any 215
assessment prescribed by division (A)(1) or (B)(1) of section 216
3301.0710 of the Revised Code that is administered to the 217
student's grade level; 218

(b) Include cumulative totals from both the fall and spring 219
administrations of the third grade English language arts 220
achievement assessment; 221

(c) Except as required by the "No Child Left Behind Act of 222
2001" for the calculation of adequate yearly progress, exclude for 223
each district or building any limited English proficient student 224
who has been enrolled in United States schools for less than one 225
full school year. 226

Section 2. That existing section 3302.03 of the Revised Code 227
is hereby repealed. 228