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Representatives Brenner, Gonzales

**Cosponsors: Representatives Beck, Boose, Burkley, Derickson, Duffey,
Fedor, Green, Grossman, Hayes, Kunze, Letson, Patterson, Pelanda, Perales,
Phillips, Rogers, Ruhl, Schuring, Sheehy, Slaby, Stebelton, Young
Speaker Batchelder**

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A B I L L

To amend sections 3301.0710 and 3301.0715 and to 1
enact sections 3301.132 and 3313.903 of the 2
Revised Code, and to amend Section 10 of Am. Sub. 3
H.B. 487 of the 130th General Assembly with regard 4
to the administration of state primary and 5
secondary education assessments and to reform the 6
system of funding elementary and secondary 7
education. 8

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

Section 1. That sections 3301.0710 and 3301.0715 be amended 9
and sections 3301.132 and 3313.903 of the Revised Code be enacted 10
to read as follows: 11

Sec. 3301.0710. The state board of education shall adopt 12
rules establishing a statewide program to assess student 13
achievement. The state board shall ensure that all assessments 14
administered under the program are aligned with the academic 15
standards and model curricula adopted by the state board and are 16

created with input from Ohio parents, Ohio classroom teachers, 17
Ohio school administrators, and other Ohio school personnel 18
pursuant to section 3301.079 of the Revised Code. 19

The assessment program shall be designed to ensure that 20
students who receive a high school diploma demonstrate at least 21
high school levels of achievement in English language arts, 22
mathematics, science, and social studies. 23

(A)(1) The state board shall prescribe all of the following: 24

(a) Two statewide achievement assessments, one each designed 25
to measure the level of English language arts and mathematics 26
skill expected at the end of third grade; 27

(b) Three statewide achievement assessments, one each 28
designed to measure the level of English language arts, 29
mathematics, and social studies skill expected at the end of 30
fourth grade; 31

(c) Three statewide achievement assessments, one each 32
designed to measure the level of English language arts, 33
mathematics, and science skill expected at the end of fifth grade; 34

(d) Three statewide achievement assessments, one each 35
designed to measure the level of English language arts, 36
mathematics, and social studies skill expected at the end of sixth 37
grade; 38

(e) Two statewide achievement assessments, one each designed 39
to measure the level of English language arts and mathematics 40
skill expected at the end of seventh grade; 41

(f) Three statewide achievement assessments, one each 42
designed to measure the level of English language arts, 43
mathematics, and science skill expected at the end of eighth 44
grade. 45

(2) The state board shall determine and designate at least 46

five ranges of scores on each of the achievement assessments 47
described in divisions (A)(1) and (B)(1) of this section. Each 48
range of scores shall be deemed to demonstrate a level of 49
achievement so that any student attaining a score within such 50
range has achieved one of the following: 51

(a) An advanced level of skill; 52

(b) An accelerated level of skill; 53

(c) A proficient level of skill; 54

(d) A basic level of skill; 55

(e) A limited level of skill. 56

(3) For the purpose of implementing division (A) of section 57
3313.608 of the Revised Code, the state board shall determine and 58
designate a level of achievement, not lower than the level 59
designated in division (A)(2)(e) of this section, on the third 60
grade English language arts assessment for a student to be 61
promoted to the fourth grade. The state board shall review and 62
adjust upward the level of achievement designated under this 63
division each year the test is administered until the level is set 64
equal to the level designated in division (A)(2)(c) of this 65
section. 66

(B)(1) The assessments prescribed under division (B)(1) of 67
this section shall collectively be known as the Ohio graduation 68
tests. The state board shall prescribe five statewide high school 69
achievement assessments, one each designed to measure the level of 70
reading, writing, mathematics, science, and social studies skill 71
expected at the end of tenth grade. The state board shall 72
designate a score in at least the range designated under division 73
(A)(2)(c) of this section on each such assessment that shall be 74
deemed to be a passing score on the assessment as a condition 75
toward granting high school diplomas under sections 3313.61, 76
3313.611, 3313.612, and 3325.08 of the Revised Code until the 77

assessment system prescribed by section 3301.0712 of the Revised Code is implemented in accordance with division (B)(2) of this section. 78
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(2) The state board shall prescribe an assessment system in accordance with section 3301.0712 of the Revised Code that shall replace the Ohio graduation tests beginning with students who enter the ninth grade for the first time on or after July 1, 2014. 81
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(3) The state board may enter into a reciprocal agreement with the appropriate body or agency of any other state that has similar statewide achievement assessment requirements for receiving high school diplomas, under which any student who has met an achievement assessment requirement of one state is recognized as having met the similar requirement of the other state for purposes of receiving a high school diploma. For purposes of this section and sections 3301.0711 and 3313.61 of the Revised Code, any student enrolled in any public high school in this state who has met an achievement assessment requirement specified in a reciprocal agreement entered into under this division shall be deemed to have attained at least the applicable score designated under this division on each assessment required by division (B)(1) or (2) of this section that is specified in the agreement. 85
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(C) The superintendent of public instruction shall designate dates and times for the administration of the assessments prescribed by divisions (A) and (B) of this section. 100
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In prescribing administration dates pursuant to this division, the superintendent shall designate the dates in such a way as to allow a reasonable length of time between the administration of assessments prescribed under this section and any administration of the national assessment of educational progress given to students in the same grade level pursuant to section 3301.27 of the Revised Code or federal law. 103
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Beginning with assessments administered on or after July 1, 2015, the duration of the administration for each assessment prescribed by division (A) of this section and for each assessment prescribed by division (B)(2) of section 3301.0712 of the Revised Code shall not exceed four hours per year. The limitation prescribed by this paragraph shall not apply to assessments for students with disabilities, the English language arts assessment prescribed by division (A)(1)(a) of section 3301.0710 of the Revised Code or any related diagnostic assessment for students who failed to attain a passing score on that English language arts achievement assessment, the nationally standardized assessment that measures college and career readiness as prescribed by division (B)(1) of section 3301.0712 of the Revised Code, or substitute examinations as prescribed by division (B)(4) of section 3301.0712 of the Revised Code.

(D) The state board shall prescribe a practice version of each Ohio graduation test described in division (B)(1) of this section that is of comparable length to the actual test.

(E) Any committee established by the department of education for the purpose of making recommendations to the state board regarding the state board's designation of scores on the assessments described by this section shall inform the state board of the probable percentage of students who would score in each of the ranges established under division (A)(2) of this section on the assessments if the committee's recommendations are adopted by the state board. To the extent possible, these percentages shall be disaggregated by gender, major racial and ethnic groups, limited English proficient students, economically disadvantaged students, students with disabilities, and migrant students.

Sec. 3301.0715. (A) Except as otherwise required under division (B)(1) of section 3313.608 of the Revised Code, the board

of education of each city, local, and exempted village school 141
district shall administer each applicable diagnostic assessment 142
developed and provided to the district in accordance with section 143
3301.079 of the Revised Code to the following: 144

(1) Any student who transfers into the district or to a 145
different school within the district if each applicable diagnostic 146
assessment was not administered by the district or school the 147
student previously attended in the current school year, within 148
thirty days after the date of transfer. If the district or school 149
into which the student transfers cannot determine whether the 150
student has taken any applicable diagnostic assessment in the 151
current school year, the district or school may administer the 152
diagnostic assessment to the student. However, if a student 153
transfers into the district prior to the administration of the 154
diagnostic assessments to all students under division (B) of this 155
section, the district may administer the diagnostic assessments to 156
that student on the date or dates determined under that division. 157

(2) Each kindergarten student, not earlier than the first day 158
of ~~the school year~~ August and not later than the first day of 159
November, except that the language and reading skills portion of 160
the assessment shall be administered by the thirtieth day of 161
September to fulfill the requirements of division (B) of section 162
3313.608 of the Revised Code. 163

For the purpose of division (A)(2) of this section, the 164
district shall administer the kindergarten readiness assessment 165
provided by the department of education. In no case shall the 166
results of the readiness assessment be used to prohibit a student 167
from enrolling in kindergarten. 168

A district or school may administer the kindergarten 169
readiness diagnostic assessment all at one time or may administer 170
it in portions at different times, so long as the assessment has 171

been administered in its entirety not later than the first day of 172
November. 173

(3) Each student enrolled in first, second, or third grade. 174

Division (A) of this section does not apply to students with 175
significant cognitive disabilities, as defined by the department 176
of education. 177

(B) Each district board shall administer each diagnostic 178
assessment when the board deems appropriate, provided the 179
administration complies with section 3313.608 of the Revised Code. 180
However, the board shall administer any diagnostic assessment at 181
least once annually to all students in the appropriate grade 182
level. A district board may administer any diagnostic assessment 183
in the fall and spring of a school year to measure the amount of 184
academic growth attributable to the instruction received by 185
students during that school year. 186

(C) Any district that received a grade of "A" or "B" for the 187
performance index score under division (A)(1)(b), (B)(1)(b), or 188
(C)(1)(b) of section 3302.03 of the Revised Code or for the 189
value-added progress dimension under division (A)(1)(e), 190
(B)(1)(e), or (C)(1)(e) of section 3302.03 of the Revised Code for 191
the immediately preceding school year may use different diagnostic 192
assessments from those adopted under division (D) of section 193
3301.079 of the Revised Code in order to satisfy the requirements 194
of division (A)(3) of this section. 195

(D) Each district board shall utilize and score any 196
diagnostic assessment administered under division (A) of this 197
section in accordance with rules established by the department. 198
After the administration of any diagnostic assessment, each 199
district shall provide a student's completed diagnostic 200
assessment, the results of such assessment, and any other 201
accompanying documents used during the administration of the 202

assessment to the parent of that student, and shall include all 203
such documents and information in any plan developed for the 204
student under division (C) of section 3313.608 of the Revised 205
Code. Each district shall submit to the department, in the manner 206
the department prescribes, the results of the diagnostic 207
assessments administered under this section, regardless of the 208
type of assessment used under section 3313.608 of the Revised 209
Code. The department may issue reports with respect to the data 210
collected. The department may report school and district level 211
kindergarten diagnostic assessment data and use diagnostic 212
assessment data to calculate the measure prescribed by divisions 213
(B)(1)(g) and (C)(1)(g) of section 3302.03 of the Revised Code. 214

(E) Each district board shall provide intervention services 215
to students whose diagnostic assessments show that they are 216
failing to make satisfactory progress toward attaining the 217
academic standards for their grade level. 218

Sec. 3301.132. (A) The department of education shall 219
determine which components of the resident educator 220
performance-based assessment, as prescribed by rule of the state 221
board of education for purposes of the Ohio teacher residency 222
program established under section 3319.223 of the Revised Code, 223
may be used as part of the teacher evaluations required by section 224
3319.111 of the Revised Code. 225

(B) The department shall develop a table of assessments that 226
may be used for multiple purposes for which a measure of student 227
performance or aptitude is required, in order to reduce the total 228
number of assessments administered by a district or school. The 229
table shall include achievement assessments, diagnostic 230
assessments, end-of-course examinations, substitute examinations, 231
examinations related to student academic growth measures, and 232
other assessments. The department shall make the table available 233

to school districts, community schools established under Chapter 234
3314. of the Revised Code, STEM schools established under Chapter 235
3326. of the Revised Code, college-preparatory boarding schools 236
established under Chapter 3328. of the Revised Code, and chartered 237
nonpublic schools. 238

Sec. 3313.903. Except as otherwise required under federal 239
law, the department of education shall consider an 240
industry-recognized credential, as described under division 241
(B)(2)(d) of section 3302.03 of the Revised Code, or a license 242
issued by a state agency or board for practice in a vocation that 243
requires an examination for issuance of that license as an 244
acceptable measure of technical skill attainment and shall not 245
require a student with such credential or license to take 246
additional technical assessments. 247

Section 2. That existing sections 3301.0710 and 3301.0715 of 248
the Revised Code are hereby repealed. 249

Section 3. That Section 10 of Am. Sub. H.B. 487 of the 130th 250
General Assembly be amended to read as follows: 251

Sec. 10. (A) For the 2014-2015 and 2015-2016 school year 252
years, no school district, community school, STEM school, 253
college-preparatory boarding school, or chartered nonpublic school 254
shall be required to administer in an online format any 255
assessments prescribed by sections 3301.0710 and 3301.0712 of the 256
Revised Code. However, a district or school may administer any of 257
those assessments in an online format at the discretion of the 258
district board or school governing authority, or in any 259
combination of online and paper formats. The Department of 260
Education shall furnish, free of charge, all such assessments for 261
~~that~~ those school year years regardless of the format selected by 262

the district or school. 263

(B) Not later than December 31, 2014, the Department shall 264
submit a report to the Governor and the General Assembly, in 265
accordance with section 101.68 of the Revised Code, on the 266
security of student data with regard to the administration of 267
online assessments. 268

(C) Not later than July 1, 2015, the Department shall publish 269
the number of districts and schools that administered the 270
assessments required under sections 3301.0710 and 3301.0712 of the 271
Revised Code in all of the following formats: 272

(1) Completely in an online format; 273

(2) Completely in a paper format; 274

(3) In any combination of online and paper formats. 275

Section 4. That existing Section 10 of Am. Sub. H.B. 487 of 276
the 130th General Assembly is hereby repealed. 277

Section 5. (A) The Department of Education shall study the 278
impact on student performance of the online administration of the 279
state assessments prescribed under sections 3301.0710 and 280
3301.0712 of the Revised Code. Not later than June 30, 2015, the 281
Department shall submit the results of its study to the General 282
Assembly, in accordance with section 101.68 of the Revised Code, 283
and to the Governor. 284

(B)(1) The Department shall conduct a comprehensive survey of 285
the capacity and readiness of each school district for online 286
administration of the assessments prescribed by sections 3301.0710 287
and 3301.0712 of the Revised Code based on recommended 288
specifications for such administration of the assessments. The 289
survey conducted under this section shall include information 290
regarding hardware, software, bandwidth, technical support, 291

security requirements, training for teachers regarding the 292
administration of assessments, and training for students regarding 293
taking the assessments. 294

(2) Not later than June 30, 2015, the Department shall 295
compile and present to the Governor, the chairpersons and ranking 296
members of the Education Committees of the Senate and House of 297
Representatives, and the State Board of Education the results of 298
the survey conducted under this section and a detailed 299
implementation plan to address any issues or problems identified 300
in the survey. 301

Section 6. Not later than April 1, 2015, the Department of 302
Education shall submit to the General Assembly, in accordance with 303
section 101.68 of the Revised Code, an estimate of the cost to the 304
state for each of fiscal years 2016 and 2017 if it were to pay 305
each city, local, and exempted village school district a funding 306
guarantee in an amount equal to the district's formula ADM, as 307
defined in section 3317.02 of the Revised Code, multiplied by the 308
following: 309

{The greater of \$1,000 or [(the sum of the amounts computed for 310
the district for fiscal year 2013 under Sections 267.30.50, 311
267.30.53, and 267.30.56 of Am. Sub. H.B. 153 of the 129th General 312
Assembly)/the district's formula ADM for fiscal year 2013]} - 313
[(the sum of the district's payments under sections 3317.022 and 314
3317.0212 of the Revised Code for the current fiscal year)/the 315
district's formula ADM for the current fiscal year] 316

For purposes of this estimate, "current fiscal year" shall 317
mean fiscal year 2016 or fiscal year 2017, respectively. The 318
Department shall estimate a district's statutory payments and 319
formula ADM for each of those years to derive the overall 320
estimates of the cost of the additional guarantee payment proposed 321
under this section. 322