

As Introduced

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H. B. No. 629

Representatives Brenner, Gonzales

**Cosponsors: Representatives Becker, Boose, Derickson, Grossman, Henne,
Hill, Perales, Ruhl, Wachtmann**

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A B I L L

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

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

Section 1. That sections 3301.0710 and 3301.0715 be amended 7
and section 3301.132 of the Revised Code be enacted to read as 8
follows: 9

Sec. 3301.0710. The state board of education shall adopt 10
rules establishing a statewide program to assess student 11
achievement. The state board shall ensure that all assessments 12
administered under the program are aligned with the academic 13
standards and model curricula adopted by the state board and are 14
created with input from Ohio parents, Ohio classroom teachers, 15
Ohio school administrators, and other Ohio school personnel 16
pursuant to section 3301.079 of the Revised Code. 17

The assessment program shall be designed to ensure that 18

students who receive a high school diploma demonstrate at least 19
high school levels of achievement in English language arts, 20
mathematics, science, and social studies. 21

(A)(1) The state board shall prescribe all of the following: 22

(a) Two statewide achievement assessments, one each designed 23
to measure the level of English language arts and mathematics 24
skill expected at the end of third grade; 25

(b) Three statewide achievement assessments, one each 26
designed to measure the level of English language arts, 27
mathematics, and social studies skill expected at the end of 28
fourth grade; 29

(c) Three statewide achievement assessments, one each 30
designed to measure the level of English language arts, 31
mathematics, and science skill expected at the end of fifth grade; 32

(d) Three statewide achievement assessments, one each 33
designed to measure the level of English language arts, 34
mathematics, and social studies skill expected at the end of sixth 35
grade; 36

(e) Two statewide achievement assessments, one each designed 37
to measure the level of English language arts and mathematics 38
skill expected at the end of seventh grade; 39

(f) Three statewide achievement assessments, one each 40
designed to measure the level of English language arts, 41
mathematics, and science skill expected at the end of eighth 42
grade. 43

(2) The state board shall determine and designate at least 44
five ranges of scores on each of the achievement assessments 45
described in divisions (A)(1) and (B)(1) of this section. Each 46
range of scores shall be deemed to demonstrate a level of 47
achievement so that any student attaining a score within such 48

range has achieved one of the following:	49
(a) An advanced level of skill;	50
(b) An accelerated level of skill;	51
(c) A proficient level of skill;	52
(d) A basic level of skill;	53
(e) A limited level of skill.	54
(3) For the purpose of implementing division (A) of section 3313.608 of the Revised Code, the state board shall determine and designate a level of achievement, not lower than the level designated in division (A)(2)(e) of this section, on the third grade English language arts assessment for a student to be promoted to the fourth grade. The state board shall review and adjust upward the level of achievement designated under this division each year the test is administered until the level is set equal to the level designated in division (A)(2)(c) of this section.	55 56 57 58 59 60 61 62 63 64
(B)(1) The assessments prescribed under division (B)(1) of this section shall collectively be known as the Ohio graduation tests. The state board shall prescribe five statewide high school achievement assessments, one each designed to measure the level of reading, writing, mathematics, science, and social studies skill expected at the end of tenth grade. The state board shall designate a score in at least the range designated under division (A)(2)(c) of this section on each such assessment that shall be deemed to be a passing score on the assessment as a condition toward granting high school diplomas under sections 3313.61, 3313.611, 3313.612, and 3325.08 of the Revised Code until the assessment system prescribed by section 3301.0712 of the Revised Code is implemented in accordance with division (B)(2) of this section.	65 66 67 68 69 70 71 72 73 74 75 76 77 78

(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.

(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.

(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.

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.

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 111
prescribed by this paragraph shall not apply to assessments for 112
students with disabilities, the English language arts assessment 113
prescribed by division (A)(1)(a) of section 3301.0710 of the 114
Revised Code or any related diagnostic assessment for students who 115
failed to attain a passing score on that English language arts 116
achievement assessment, the nationally standardized assessment 117
that measures college and career readiness as prescribed by 118
division (B)(1) of section 3301.0712 of the Revised Code, or 119
substitute examinations as prescribed by division (B)(4) of 120
section 3301.0712 of the Revised Code. 121

(D) The state board shall prescribe a practice version of 122
each Ohio graduation test described in division (B)(1) of this 123
section that is of comparable length to the actual test. 124

(E) Any committee established by the department of education 125
for the purpose of making recommendations to the state board 126
regarding the state board's designation of scores on the 127
assessments described by this section shall inform the state board 128
of the probable percentage of students who would score in each of 129
the ranges established under division (A)(2) of this section on 130
the assessments if the committee's recommendations are adopted by 131
the state board. To the extent possible, these percentages shall 132
be disaggregated by gender, major racial and ethnic groups, 133
limited English proficient students, economically disadvantaged 134
students, students with disabilities, and migrant students. 135

Sec. 3301.0715. (A) Except as otherwise required under 136
division (B)(1) of section 3313.608 of the Revised Code, the board 137
of education of each city, local, and exempted village school 138
district shall administer each applicable diagnostic assessment 139
developed and provided to the district in accordance with section 140
3301.079 of the Revised Code to the following: 141

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

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

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

A district or school may administer the kindergarten readiness diagnostic assessment all at one time or may administer it in portions at different times, so long as the assessment has been administered in its entirety not later than the first day of November.

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

Division (A) of this section does not apply to students with

significant cognitive disabilities, as defined by the department 173
of education. 174

(B) Each district board shall administer each diagnostic 175
assessment when the board deems appropriate, provided the 176
administration complies with section 3313.608 of the Revised Code. 177
However, the board shall administer any diagnostic assessment at 178
least once annually to all students in the appropriate grade 179
level. A district board may administer any diagnostic assessment 180
in the fall and spring of a school year to measure the amount of 181
academic growth attributable to the instruction received by 182
students during that school year. 183

(C) Any district that received a grade of "A" or "B" for the 184
performance index score under division (A)(1)(b), (B)(1)(b), or 185
(C)(1)(b) of section 3302.03 of the Revised Code or for the 186
value-added progress dimension under division (A)(1)(e), 187
(B)(1)(e), or (C)(1)(e) of section 3302.03 of the Revised Code for 188
the immediately preceding school year may use different diagnostic 189
assessments from those adopted under division (D) of section 190
3301.079 of the Revised Code in order to satisfy the requirements 191
of division (A)(3) of this section. 192

(D) Each district board shall utilize and score any 193
diagnostic assessment administered under division (A) of this 194
section in accordance with rules established by the department. 195
After the administration of any diagnostic assessment, each 196
district shall provide a student's completed diagnostic 197
assessment, the results of such assessment, and any other 198
accompanying documents used during the administration of the 199
assessment to the parent of that student, and shall include all 200
such documents and information in any plan developed for the 201
student under division (C) of section 3313.608 of the Revised 202
Code. Each district shall submit to the department, in the manner 203
the department prescribes, the results of the diagnostic 204

assessments administered under this section, regardless of the 205
type of assessment used under section 3313.608 of the Revised 206
Code. The department may issue reports with respect to the data 207
collected. The department may report school and district level 208
kindergarten diagnostic assessment data and use diagnostic 209
assessment data to calculate the measure prescribed by divisions 210
(B)(1)(g) and (C)(1)(g) of section 3302.03 of the Revised Code. 211

(E) Each district board shall provide intervention services 212
to students whose diagnostic assessments show that they are 213
failing to make satisfactory progress toward attaining the 214
academic standards for their grade level. 215

Sec. 3301.132. (A) The department of education shall 216
determine which components of the resident educator 217
performance-based assessment, as prescribed by rule of the state 218
board of education for purposes of the Ohio teacher residency 219
program established under section 3319.223 of the Revised Code, 220
may be used as part of the teacher evaluations required by section 221
3319.111 of the Revised Code. 222

(B) The department shall develop a table of assessments that 223
may be used for multiple purposes for which a measure of student 224
performance or aptitude is required, in order to reduce the total 225
number of assessments administered by a district or school. The 226
table shall include achievement assessments, diagnostic 227
assessments, end-of-course examinations, substitute examinations, 228
examinations related to student academic growth measures, and 229
other assessments. The department shall make the table available 230
to school districts, community schools established under Chapter 231
3314. of the Revised Code, STEM schools established under Chapter 232
3326. of the Revised Code, college-preparatory boarding schools 233
established under Chapter 3328. of the Revised Code, and chartered 234
nonpublic schools. 235

Section 2. That existing sections 3301.0710 and 3301.0715 of 236
the Revised Code are hereby repealed. 237

Section 3. That Section 10 of Am. Sub. H.B. 487 of the 130th 238
General Assembly be amended to read as follows: 239

Sec. 10. (A) For the 2014-2015 and 2015-2016 school ~~year~~ 240
years, no school district, community school, STEM school, 241
college-preparatory boarding school, or chartered nonpublic school 242
shall be required to administer in an online format any 243
assessments prescribed by sections 3301.0710 and 3301.0712 of the 244
Revised Code. However, a district or school may administer any of 245
those assessments in an online format at the discretion of the 246
district board or school governing authority, or in any 247
combination of online and paper formats. The Department of 248
Education shall furnish, free of charge, all such assessments for 249
that school year regardless of the format selected by the district 250
or school. 251

(B) Not later than December 31, 2014, the Department shall 252
submit a report to the Governor and the General Assembly, in 253
accordance with section 101.68 of the Revised Code, on the 254
security of student data with regard to the administration of 255
online assessments. 256

(C) Not later than July 1, 2015, the Department shall publish 257
the number of districts and schools that administered the 258
assessments required under sections 3301.0710 and 3301.0712 of the 259
Revised Code in all of the following formats: 260

(1) Completely in an online format; 261

(2) Completely in a paper format; 262

(3) In any combination of online and paper formats. 263

Section 4. That existing Section 10 of Am. Sub. H.B. 487 of 264
the 130th General Assembly is hereby repealed. 265

Section 5. (A) The Department of Education shall study the 266
impact on student performance of the online administration of the 267
state assessments prescribed under sections 3301.0710 and 268
3301.0712 of the Revised Code. Not later than June 30, 2015, the 269
Department shall submit the results of its study to the General 270
Assembly, in accordance with section 101.68 of the Revised Code, 271
and to the Governor. 272

(B)(1) The Department shall conduct a comprehensive survey of 273
the capacity and readiness of each school district for online 274
administration of the assessments prescribed by sections 3301.0710 275
and 3301.0712 of the Revised Code based on recommended 276
specifications for such administration of the assessments. The 277
survey conducted under this section shall include information 278
regarding hardware, software, bandwidth, technical support, 279
security requirements, training for teachers regarding the 280
administration of assessments, and training for students regarding 281
taking the assessments. 282

(2) Not later than June 30, 2015, the Department shall 283
compile and present to the Governor, the chairpersons and ranking 284
members of the Education Committees of the Senate and House of 285
Representatives, and the State Board of Education the results of 286
the survey conducted under this section and a detailed 287
implementation plan to address any issues or problems identified 288
in the survey. 289