



Jim Kelly

Bill Analysis

Legislative Service Commission

S.B. 268

123rd General Assembly
(As Introduced)

**Sens. Latell, Herington, Schafrath, Shoemaker, DiDonato, McLin, Espy,
Wachtmann, Fingerhut**

BILL SUMMARY

- Repeals the requirement (scheduled to take effect in the 2001-2002 school year) that school districts not promote students to fifth grade who fail the state fourth grade reading proficiency test and do not qualify for an exception, but retains other assessment and intervention policies associated with the "fourth grade reading guarantee."

CONTENT AND OPERATION

Background: current law

The "fourth grade reading guarantee" is one of several academic requirements enacted in 1997 through Am. Sub. S.B. 55 of the 122nd General Assembly. The requirement requires school districts to retain students in fourth grade who fail the state's fourth grade reading proficiency test, beginning with students entering fourth grade after July 1, 2001.¹ But there are exceptions for (1) disabled students who are excused from the test by their individualized education programs (IEPs) and (2) students who fail the test but whose reading teachers and principals nonetheless judge them to be academically prepared for fifth grade. Academic preparedness must be determined in accordance with the school district's grade retention and promotion policy, which another provision of S.B. 55 required each district to establish.² (Sec. 3313.608(A).)

¹ *The reading proficiency test is one of five state proficiency tests administered to fourth graders. The other four cover writing, math, science, and citizenship. (Sec. 3301.0710(A)(1).)*

² *See R.C. 3313.609, not in the bill.*

The fourth grade reading guarantee also requires school districts to annually assess all students' reading skills at the end of first, second, and third grade, identify students reading below grade level, notify their parents, and provide them with intervention services. This annual assessment and intervention requirement applied first in the 1998-1999 school year. For students identified as reading below grade level at the end of third grade, intervention services must include "intense remediation services" during the summer.³ (Sec. 3313.608(A) and (B).)

Intense summer remediation also must be made available beginning in the summer of 2002 to fourth graders who fail the reading proficiency test during the school year, along with another opportunity to take the test before the next school year begins. (Sec. 3313.608(A)(3).) Beginning in the 2001-2002 school year, the fourth grade reading test is to be administered three times annually: once prior to December 31, once in March, and once in the summer. Until then, the reading test is administered once a year, in March, as are the four other fourth grade proficiency tests. (Secs. 3301.0710(C) and 3301.0711(B).)

The bill repeals the retention requirement, but keeps other policies of the fourth grade reading guarantee

The bill eliminates the requirement that school districts retain fourth graders who fail the fourth grade reading proficiency test and do not qualify for an exception. However, it retains other policies associated with the fourth grade reading guarantee: the requirements for annual reading assessments of students at the end of first, second, and third grade, notification of parents of students identified as reading below grade level, and intervention for those students including intense summer remediation for third graders reading below grade level and fourth graders who fail the reading proficiency test. (Sec. 3313.608(A) and (B).)

The bill also cancels the scheduled expansion of the fourth grade reading test administration from once a year to three times a year. Under the bill, the reading test permanently remains a once-a-year test. (Secs. 3301.0710(C) and 3301.0711(B).)

HISTORY

ACTION

DATE

JOURNAL ENTRY

³ S.B. 55 also required that school districts offer summer remediation to students who fail three out of five of the fourth grade or sixth grade proficiency tests, beginning in the summer of 1999. (Sec. 3313.608(C).)

Introduced

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