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Bill Analysis
Legislative Service Commission

S.B. 343
123rd General Assembly
(As Introduced)

Sen. Gardner

BILL SUMMARY

- Requires the State Board of Education to designate a "basic skills" score on the fourth grade reading proficiency test that demonstrates, for the purpose of the fourth grade guarantee, that a student has the reading skills necessary for promotion to fifth grade, provided the student receives intervention services in that grade.
- Eliminates the fourth grade citizenship and science proficiency tests.
- Requires annual rather than triennial performance classifications of school districts.
- Specifies the duration of educator licenses for substitute teachers.
- Requires the update of a continuous improvement plan when a school district is assigned a lower performance classification.
- Clarifies the requirement for on-site evaluations of academic emergency districts.

CONTENT AND OPERATION

"Basic skills" score for fourth grade reading proficiency test

(secs. 3301.0710, 3301.0711, and 3313.608)

Background

To assist students in achieving reading proficiency by the fourth grade, school districts must assess each student at the end of the first, second, and third grades and identify students reading below their grade level. The districts must offer

intervention services, including intense summer remediation after third grade, to all students whose reading skills are determined to be below grade level.

Beginning July 1, 2001, school districts generally will not be permitted to promote to fifth grade any fourth grade student who fails to pass the fourth grade reading proficiency test. The reading proficiency test, now administered once annually, will then be administered at least three times a year to fourth graders: once before December 31, at least once not earlier than Monday of the week containing March 15, and once in the summer before fifth grade. Students who have not passed the test by the second administration must be offered intense summer remediation and an opportunity to retake the test at its third administration.

This requirement to pass the fourth grade reading test, sometimes referred to as the "fourth grade guarantee," applies to every student unless (1) the student is a handicapped child whose individualized education program (IEP) excuses him or her from taking the reading proficiency test, (2) the student is English-limited, or (3) the student's principal and reading teacher agree that the student is academically prepared, as defined in the district promotion policy, for fifth grade.

Changes by the bill

Under the bill, there are two levels of achievement on the fourth grade reading proficiency test. The bill retains the requirement in current law that the State Board of Education designate a score on the test which demonstrates a fourth grade level of proficiency in reading. This score is currently the score a student must attain to pass the test. Under current law, beginning July 1, 2001, when the fourth grade guarantee takes effect, this proficiency score would be the minimum score for promotion to fifth grade.

The bill, however, directs the State Board of Education also to determine and designate a "basic skills" score on the reading proficiency test that demonstrates a fourth grade student has the necessary literacy skills for promotion *if provided with intervention services in the fifth grade*. Therefore, the "basic skills" score is a *lower* score than the proficiency score. The bill substitutes the new "basic skills" score as the standard for promotion to fifth grade under the fourth grade guarantee, but retains the exception allowing a principal and teacher to promote a student who scores below that level if they feel the student is nonetheless prepared for fifth grade.

These changes by the bill do not affect the current requirement that school districts provide intervention services, and opportunities to retake the test, to students who do not attain the "proficiency" score on the reading test. As a result, a student who attains the new "basic skills" score on the test, but not the "proficiency" score, still must be provided the same intervention services required by current law

for those who score below the "proficiency" level. For example, once the fourth grade reading test is administered three times a year (beginning in the 2001-2002 school year), the bill requires a student who scores below the "proficiency" score in the winter to retake the test in the spring, even if the student had attained the "basic skills" level allowing promotion to fifth grade with intervention services. If the student reaches the "proficiency" score after retaking the test, there no longer would be a requirement for the student to receive intervention services in the fifth grade. Furthermore, school districts must offer summer remediation, and a third administration of the test, to all students who have yet to reach the "proficiency" score after the second try, including those who attain the "basic skills" score.

Elimination of fourth grade citizenship and science proficiency tests

(sec. 3301.0710(A)(1))

Under current law, students in the fourth, sixth, tenth, and twelfth grades take proficiency tests to measure their level of knowledge in the subjects of reading, writing, mathematics, citizenship, and science. The bill eliminates the fourth grade citizenship and science proficiency tests starting in the 2001-2002 school year, thereby reducing the number of fourth grade tests from five to three. This reduction in the number of proficiency tests affects three aspects of current law.

State performance standards

(secs. 3302.02 and 3302.03)

There are currently 27 expected state performance standards which the Department of Education currently includes on the school district report cards and with which districts are rated as effective, in need of continuous improvement, under an academic watch, or in academic emergency.¹ To be considered "effective," a district must meet at least 94% of the state standards, which currently is at least 26 of the 27. Eliminating the two fourth grade tests means that a district that meets at least 24 of the remaining 25 standards qualifies as an "effective" district under the bill.

Voluntary retention of fourth grade students

(sec. 3301.0711(M))

¹ Section 3302.02 currently enumerates 18 state standards and the State Board of Education has adopted nine others in rule 3301-50-01 of the Ohio Administrative Code, which took effect in 1999 following the General Assembly's approval of it through the passage of S.J.R. 7 of the 123rd General Assembly.

Current law permits a school district to retain any fourth grade student who fails to attain the "proficiency" score on three or more of the five fourth grade proficiency tests. To conform to the reduction in the number of tests, the bill allows a district to retain any student who fails to attain the "proficiency" score on two or all three of the remaining proficiency tests. Thus, the bill's standard for a district's discretionary retention of a fourth-grader remains the "proficiency" score on all the tests, as under current law, and not the mandatory "basic skills" score prescribed by the bill for the reading test. Under the bill, if a fourth-grader attains the "basic skills" score, but not the "proficiency" score, on the reading test and also fails to attain the "proficiency" score on the writing or mathematics test, the school district could elect to retain the student.

Summer remediation

(sec. 3313.608(D))

Current law requires school districts to offer summer remediation to any student who fails to attain the "proficiency" score on three or more of the five fourth grade proficiency tests. Again, the bill accounts for the reduction in the number of proficiency tests by requiring the district to provide summer remediation for those fourth grade students who fail to achieve the "proficiency" score on two or all three of the remaining tests.

Annual performance classifications of school districts

(sec. 3302.03(A))

The Department of Education presently classifies each school district on a scale from "effective" to "academic emergency" once every three years. The bill requires the Department to make such classifications annually.

Updates of continuous improvement plans

(sec. 3302.04(B))

Continuing law mandates that whenever a school district is declared to be in need of continuous improvement, under an academic watch, or in a state of academic emergency, the district must develop a three-year continuous improvement plan (CIP) outlining its reasons for failing to meet certain performance standards and its strategies for correcting the problem. The bill specifies that a district that already has a CIP in effect need not develop a new one simply because the Department annually updates the district's status under the bill's new requirements. However, a district must update any CIP currently in effect if the district receives a lower classification on the rating scale than the classification that prompted the original

CIP. For example, a continuous improvement district that is redesignated as under an academic watch must update its CIP under the bill.

On-site evaluations of academic emergency districts

(sec. 3302.04(D)(1))

The bill clarifies that the Department of Education must only initiate an on-site evaluation of an academic emergency district if the Department has not conducted such an evaluation during the preceding three-year period.

Duration of educator licenses for substitute teachers

(sec. 3319.226)

Currently, a rule adopted by the State Board of Education permits a substitute teaching license to be issued only for a period of five years (OAC 3301-23-44). The bill requires the State Board to issue teaching licenses for substitute teachers that are valid for periods of one year, five years, and any other length of time deemed appropriate by the Board.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	11-07-00	p. 2179

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