Jim Kelly *Legislative Service Commission*

S.J.R. 7

123rd General Assembly
(As Adopted by the Senate)

Sen. Watts

BILL SUMMARY

- Approves proposed rule 3301-50-01 of the Administrative Code approved by the State Board of Education on June 9, 1998, which adds school district performance standards concerning the sixth grade proficiency tests and the fourth, ninth, and twelfth grade science proficiency tests and quantifies the improvement that school districts must achieve on unmet performance standards.

CONTENT AND OPERATION

Background

Am. Sub. S.B. 55 of the 122nd General Assembly established 18 performance standards for school districts and required that districts be declared, based on the percent of standards met, as an "effective school district," "in need of continuous improvement," "under an academic watch," or "in a state of academic emergency." In addition, the Department of Education must, under section 3302.02 of the Revised Code, establish performance standards for all of the sixth grade proficiency tests and for the science tests for fourth, ninth, and twelfth grades. The State Board must propose a rule establishing a "standard unit of improvement" that a district must achieve on a specific performance standard that the district failed to meet in order to be deemed to have made "satisfactory improvement," and must also establish the percentage of unmet performance standards for which a district must achieve a standard unit of improvement in order to be deemed to be "making overall progress toward becoming an effective school district."

Before it can take effect, the rule must have the approval by the General Assembly through the adoption of a joint resolution. The State Board conducted public hearings on the rule on May 12, 1998 and on June 9, 1998 approved the

rule. S.J.R. 7, if adopted, gives the General Assembly's approval of proposed rule 3301-50-01.

Proposed rule 3301-50-01. Additional performance standards, standard unit of improvement, and overall satisfactory progress

Any school district that is designated as being *in need of continuous improvement, under academic watch, or in an academic emergency* is subject to the proposed rule and remains subject to the rule until the district is designated as *effective*.

Report card designations

(division (B) of the proposed rule)

The rule specifies that school district report cards released in the school year that begins July 1, 1999 and each year thereafter shall designate each district as either *effective, in need of continuous improvement, under academic watch, or in a state of academic emergency*. (See **COMMENT**.) The designation is based on the district's performance on indicators, the majority of which specify the percentage of students who must receive a "proficient" score at each grade level in each test area of the state proficiency tests. Other performance standards include a 3% dropout rate and at least a 93% attendance rate.[1]

Performance standards for sixth grade proficiency test, all science tests

(division (C) of the proposed rule)

Section 3302.02 of the Revised Code does not include standards for sixth grade proficiency tests nor standards for the science proficiency tests at any grade level. The proposed rule sets the standards for the sixth grade proficiency test the same as the standards for fourth grade proficiency tests (75% of students receiving a proficient rating). The standard for each science proficiency test is the same as the standard established in current law for the other proficiency tests at the same grade level (75% proficient for fourth grade, 75% proficient on the ninth grade tests for ninth grade, 85% cumulative proficiency on the ninth grade tests for tenth grade, 60% proficient for twelfth grade).

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[1] *An **Effective** district meets at least 94% of the state performance standards; **In need of continuous improvement** meets more than 50% but less than 94% of the state performance standards; **Under academic watch** meets more than 33% but not more than 50% of state performance standards; **State of academic emergency** does not meet more than 33% of the state performance standards (sec. 3302.03).*

Standard unit of improvement

(divisions (E) and (F) of the proposed rule)

The proposed rule establishes a "standard unit of improvement" as the measure of satisfactory improvement toward achieving any performance standard not met the previous year. The standard unit of improvement is defined as an increase in performance of 2.5 percentage points per year until the performance standard for the particular performance indicator is met.

The degree of improvement is calculated by subtracting the previous year's performance (expressed as a percentage) from the current year's performance (expressed as a percentage). If the difference between the two is equal to or exceeds 2.5%, the district is deemed to have made satisfactory progress toward meeting the standard for the indicator.

Example: Last year 56% of a district's fourth graders received a proficient rating on mathematics and this year 59% received a proficient rating. The school's improvement would be (59% - 56%) = 3%. Since 3% is greater than 2.5%, the school would be deemed to be making satisfactory progress towards meeting the standard that 75% of fourth graders receive a proficient rating in mathematics.

Data to be calculated and reported

(division (G) of the proposed rule)

The Department of Education is to calculate and report the following information annually to each school district starting July 1, 1999:

(1) For any performance indicator that the district did not meet during the previous year, the difference between the previous year's performance and the current year's performance on that indicator.

Example: Last year, 60% received a proficient score for fourth grade reading, this year 67% received a proficient score.

Calculation under this division: (67% - 60%) = 7 percentage points increase.

(2) For performance indicators that the district did not meet during the previous year, the total of the difference between the district's performance on all indicators during the previous year and the performance required to meet the standards for these indicators.

Example: Last year the district failed to meet performance standards in the following areas: 60% of fourth graders proficient in reading (75% is standard); 63% of sixth graders proficient in mathematics (75% is standard); and 53% of ninth graders proficient in science (75% is standard).

Initial calculation (the difference between each standard and each performance that does not meet the standard): (75% - 60%) = 15; (75% - 63%) = 12; (75% - 53%) = 22.

Final calculation (total of differences): (15 + 12 + 22) = 49 percentage points.

(3) For all performance indicators not met during the previous year and any additional indicator not met during the current year, the total of the differences between the district's performance in the current year and the performance required to meet the standards for the indicators.

Example: Last year a district did not meet standards in the following areas: fourth grade science: 49% proficient; sixth grade reading: 55% proficient; ninth grade writing: 71%. This year, the district received in those areas: fourth grade science: 54% proficient; sixth grade reading: 60% proficient; ninth grade writing: 76% proficient. In addition, this year, the district had only 65% receive a proficient score in ninth grade reading, whereas last year, 77% received a proficient score in that area.

Initial calculation (difference between *this* year's performance on each indicator in which the standard was not met *last year* and any indicator not met *this year* and the standard): (75% - 54%) = 21%; (75% - 60%) = 15%; (75% - 76%) = -1%; (75% - 65%) = 10%.

Final calculation (total of differences): 21% + 15% + -1% + 10% = 45%.

(4) The result of multiplying the total number of indicators not met the previous year times the standard unit of improvement (2.5%).

Example: Last year, a district did not meet the standards in 6 areas.

Calculation: 6 x 2.5% = 15%.

Overall satisfactory progress

(division (H) of the proposed rule)

To be making overall satisfactory progress toward becoming an effective district in the *shortest possible time*, a district subject to this rule must achieve annually both of the following, as well as meet the standards under "***Performance indicator improvement***" (below).

(1) Gain at least one standard unit of improvement on at least two-thirds of the indicators not met the previous year; and

(2) When the result of the calculation described in (3) under "***Data to be calculated and reported***" (above) is subtracted from the calculation in (2) of that section, the difference shall exceed the amount calculated according to (4) of that section.

Performance indicator improvement

(division (I) of the proposed rule)

Districts subject to this rule must improve performance on indicators not met so that the district becomes an *effective district* as follows:

(1) Districts in *academic emergency* improve to *academic watch* within five years;

(2) Districts under *academic watch* improve to *continuous improvement* within three years;

(3) A district that is *in need of continuous improvement* becomes an *effective district* within five years.

District performance goals

(divisions (J) and (K) of the proposed rule)

Districts subject to this rule must establish annual performance goals for each building in the district until the district is an effective district. Districts that are in an academic emergency or under academic watch that do not demonstrate improvement in accordance with this rule are subject to additional intervention procedures specified in another Department rule.

COMMENT

The proposed rule states that the Department's annual school district report cards will rate each school district as effective, in need of continuing improvement, under academic watch, or in a state of academic emergency. But Revised Code section 3302.03(A) limits the Department to rating school districts to *once every three years*, beginning in the 1999-2000 school year. This probably does not prevent the Department from indicating on the report cards during the "off years" how the district would rate on the basis of its current performance. But under the plain language of R.C. 3302.03(A), each district's official designation lasts for three years.

HISTORY

ACTION	DATE	JOURNAL ENTRY	
Introduced	04-21-99	pp.	331-332
Reported, S. Education	06-16-99	pp.	609-610
Adopted Senate (25-8)	06-16-99	p.	614

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