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Bill Analysis

Legislative Service Commission

H.B. 297

124th General Assembly
(As Introduced)

Reps. Rhine, Strahorn, Metelsky, Redfern, Hartnett, Carano, Bocceri, Coates

BILL SUMMARY

? Requires the exclusion from a school district's graduation rate of certain students who are expelled for one year or who have been permanently excluded from the public schools.

CONTENT AND OPERATION

(R.C. 3302.01)

Continuing law requires each school district to report student data through a statewide electronic database known as the Education Management Information System (EMIS). Data in EMIS is used for many purposes, one of which is to generate school district and building performance report cards. Formerly, there were 18 statutory performance standards and nine additional standards adopted via rule of the State Board of Education (approved by the General Assembly through joint resolution). One of the statutory standards was a requirement that a school district have a 90% graduation rate. The standards, however, recently were repealed and replaced by a requirement that the State Board establish a new set of at least 17 performance indicators.¹ Presumably, one of these new indicators could be a specified graduation rate. In addition, other provisions of law continue to refer to graduation rate.² However, since the enactment of Am. Sub. S.B. 1, no provision of law utilizes the *definition* of "graduation rate" that was used under former law and is amended by this bill.

¹ R.C. 3302.02 and 3302.03, not in the bill. The former standards were repealed in Am. Sub. S.B. 1 of the 124th General Assembly, effective September 11, 2001.

² For example, R.C. 3313.534 (not in the bill) requires a school district with a "significantly substandard graduation rate" as determined by the Department of Education to establish at least one alternative school.

The bill states that in calculating a district's graduation rate, the Department of Education is required to exclude students who have been expelled for one year for carrying a firearm to school, for possessing a firearm or knife at school or a school activity, or for causing serious physical harm to a person or property at school or a school activity by an act that would be a criminal offense if committed by an adult.³ The bill also states that students who have been permanently excluded from the public schools by the Superintendent of Public Instruction are also excluded from a district's graduation rate.⁴ (See **COMMENT**.)

COMMENT

Since the repeal of the former performance standards, effective with Am. Sub. S.B. 1, there is no current requirement of law that refers to the definition of graduation rate that is amended by the bill. While a future performance indicator to be adopted by the State Board of Education could refer to that definition, it also might not rely on that definition. The effect of the bill's change, therefore, is not certain.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	06-13-01	p. 663

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³ See R.C. 3313.66(B), not in the bill.

⁴ Under R.C. 3313.662 (not in the bill), the Superintendent of Public Instruction upon resolution of a district board of education and after conducting a hearing may permanently exclude from the public schools a student who has been convicted of or adjudicated a delinquent child for committing certain specified acts that would be criminal offenses if committed by an adult. To be subject to this provision, the student must have been at least 16 years old when the student committed the prohibited act.