



Ohio Legislative Service Commission

Bill Analysis

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Sub. H.B. 193

130th General Assembly
(LSC 130 1183-2)

Rep. Brenner

BILL SUMMARY

- Revises the diploma requirements for students enrolled in public and chartered nonpublic high schools to require students to meet one of the following conditions beginning with students entering ninth grade on or after July 1, 2014: (1) score at "remediation-free" levels in English, math, and reading on nationally standardized assessments, (2) score at "remediation-free" levels on the end-of-course examinations in English and math, (3) attain a cumulative passing score on the end-of-course examinations, or (4) attain a passing score on a nationally recognized job skills assessment and obtain either an industry credential or a state agency- or board-issued license for practice in a specific vocation.
- States that the State Board of Education may not create or require any additional assessment for granting any type of high school diploma other than as prescribed by the bill.
- Permits school districts and schools to include remediation-free or workforce-ready endorsements on a student's diploma.
- Sets the replacement of the Ohio Graduation Tests (OGT) with the college and work-ready assessment system beginning with students entering ninth grade on or after July 1, 2014.
- Specifies that the end-of-course examinations included in the college and work-ready assessment system be in five subject areas: science, American history, American government, math specifically algebra II or its equivalent, and English language arts III.
- Requires the State Board to compile a list of equivalent assessments that districts and schools may administer instead of the prescribed end-of-course examinations.

- Eliminates the exemption for students attending a chartered nonpublic school accredited through the Independent School Association of the Central States from passing the end-of-course examinations as a prerequisite for high school graduation.
- Permits students who score at a specified level on certain examinations to earn course credit without completing the corresponding course of instruction.
- Phases in revisions to the graduation requirements for students enrolled in a dropout prevention and recovery program.
- Makes changes in the requirements for the state report card for dropout prevention and recovery community schools.
- Specifies that the Department of Education must not furnish, and school districts and schools must not administer, the elementary social studies achievement assessments, unless the Superintendent of Public Instruction determines by August 1 of each school year that the Department has sufficient funds to pay the costs of furnishing and scoring those assessments.
- Requires the State Board, prior to adopting or revising any academic content standards, to hold not less than three public hearings that allow public testimony on the standards or revisions to the standards.
- Removes a provision requiring the State Board to update every six years the performance indicators for the state report card.

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CONTENT AND OPERATION

High school graduation requirements

The bill revises the high school graduation requirements for students in public or chartered nonpublic schools who enter the ninth grade for the first time on or after July 1, 2014. The bill eliminates the current requirement for those students to pass the Ohio Graduation Tests (OGT) and specifies that, to be eligible to receive a diploma, a student must satisfy the applicable curriculum requirements (unchanged from current law) and meet one of the following other conditions:

(1) Be "remediation-free"¹ based on the uniform standards adopted under current law by the president's of Ohio's public institutions of higher education, on each of the nationally standardized assessments in English, mathematics, and reading;

(2) Be "remediation-free" based on separate standards established by the State Board of Education, on both of the end-of-course examinations in English III and algebra II (see "**End-of-course examinations**" below);

(3) Attain a cumulative passing score on the end-of-course examinations;

(4) Attain a score that demonstrates "workforce readiness and employability" on a nationally recognized job skills assessment selected by the State Board (see "**Job skills assessment**" below) *and* obtain either an industry credential or a license issued by a state agency or board for practice in a vocation that requires an examination for issuance of that license.²

The bill also explicitly states that the State Board may not create or require any additional assessment for the granting of any type of high school diploma.³

Diploma endorsements

The bill provides for the following "endorsements" that may be included on a diploma or honors diploma issued by a school district, community school, or STEM school:

¹ See R.C. 3345.061(F), not in the bill.

² R.C. 3313.618(A). See also, R.C. 3313.61(A)(2) and (B)(2), 3313.611, 3313.612, 3313.614(B)(3) and (4), 3313.615, 3325.08, and 3328.25.

³ R.C. 3313.618(B).



(1) Remediation-free endorsement, which is earned by a student being determined to be remediation-free based on the standards adopted by the president's of Ohio's public institutions of higher education, on each of the nationally standardized assessments in English, mathematics, and reading;

(2) Workforce-ready endorsement, which is earned by a student attaining a score that demonstrates workforce readiness and employability on a nationally recognized job skills assessment selected by the State Board *and* obtain either an industry credential or a license issued by a state agency or board for practice in a vocation that requires an examination for issuance of that license.⁴

These same two conditions are also conditions for a diploma, as described above.

Background

Under current law, to be eligible for a diploma from a public or chartered nonpublic high school in Ohio, a student must complete the school's curriculum and generally pass all five subject areas of the OGT.⁵ The OGT is a battery of five tests, one each in reading, writing, math, science, and social studies, that measures 10th-grade proficiency based on the state academic content standards.⁶ It is given to every 10th-grade student and to 11th- and 12th-grade students who have not yet passed all five tests.

Current law also provides for the eventual discontinuation of the OGT in favor of the college and work-ready assessment system, which consists of a nationally standardized assessment that measures college and career readiness and a series of end-of-course examinations in the areas of science, math, English language arts, American history, and American government.⁷ The bill revises the provisions for the end-of-course examinations (see below).

End-of-course examinations

As mentioned above, current law requires the eventual phase out of the OGT. But, it does not specify a date by which the OGT is to be eliminated and the new system is to begin. The bill, on the other hand, explicitly states that students entering the ninth grade for the first time on or after July 1, 2014, must take the assessments included in

⁴ R.C. 3313.61(C).

⁵ R.C. 3313.61, 3313.612, 3314.03(A)(11)(f), not in the bill, 3325.08, 3326.11, not in the bill, and 3328.25.

⁶ R.C. 3301.0710(B)(1).

⁷ R.C. 3301.0712.

the college and work-ready assessment system.⁸ Under current law and the bill, that system consists of (1) a nationally standardized assessment that measures college and career readiness and (2) a series of end-of-course examinations in science, math, English language arts, American history, and American government. Those assessments and examinations must be selected jointly by the Superintendent of Public Instruction and the Chancellor of the Board of Regents. The bill specifies further, however, that the math end-of-course examination be in algebra II or its equivalent and that the English language arts examination be in "English language arts III" as designated by the State Board.⁹

The bill also directs the State Board to do the following by July 1, 2014, to implement the end-of-course examinations:

(1) Determine and designate at least five ranges of scores on each of the end-of-course examinations and equivalent examinations (see "**Equivalent examinations**" below). The bill prescribes the following five scoring levels: advanced, accelerated, proficient, basic, and limited.

(2) Determine a method by which to calculate a cumulative performance score based on the results of a student's end-of-course examinations or equivalent examinations;

(3) Determine the minimum cumulative performance score that demonstrates the level of academic achievement necessary to earn a diploma; and

(4) Develop a table of corresponding score equivalents for all of the examinations in order to calculate student performance consistently across the different examinations.¹⁰

Equivalent examinations

Current law requires the state Superintendent and the Chancellor, in selecting end-of-course examinations, to select multiple examinations in each subject area, thus giving districts and schools a variety of alternative assessments from which to choose. Instead, the bill requires the state Superintendent and the Chancellor to select a single examination in each subject area and requires the State Board (not the state Superintendent and Chancellor) to compile a list of the multiple "equivalent"

⁸ R.C. 3301.0712.

⁹ R.C. 3301.0712(B)(2).

¹⁰ R.C. 3301.0712(B)(4).

assessments within 30 days after the bill's effective date. That list must include nationally recognized subject area assessments, such as advanced placement (AP) exams, international baccalaureate (IB) exams, SAT subject tests (all under current law), and ACT end-of-course examinations (new under the bill). Under the bill, districts and schools may use any of these equivalent examinations as an alternative to an examination selected by the state Superintendent and the Chancellor. The bill expressly permits the State Board to update or revise the list of equivalent examinations.¹¹ As noted above, the State Board must develop a table of corresponding score equivalents for all of the examinations.

Chartered nonpublic school end-of-course examination exemption

Current law exempts students who attend a chartered nonpublic school accredited through the Independent School Association of the Central States from passing the end-of-course examinations as a prerequisite from graduating from high school.¹²

The bill eliminates this exemption.

Miscellaneous changes regarding examinations

The bill makes the following other miscellaneous changes regarding the end-of-course examinations and equivalent examinations:

(1) Authorizes school districts or schools to use the end-of-course examinations or equivalent examinations as final examinations for the related subject area class or course of study;¹³

(2) Requires each school district or school, beginning with the 2014-2015 school year, to notify the Department of Education, prior to August 1 of each school year, which assessment the district or school selects for each subject area, regardless of whether or not the district or school opts to administer equivalent examinations;¹⁴

(3) Prohibits a school district or school from charging a student for any assessment that is part of the college and work-ready assessment system. These include the end-of-course examinations, equivalent examinations, job skills assessment (see

¹¹ R.C. 3301.0712(B)(3).

¹² R.C. 3313.612(B)(2).

¹³ R.C. 3301.0712(F)

¹⁴ R.C. 3301.0712(B)(3), third paragraph.

"**Job skills assessment**" below), and the nationally standardized assessment that measures college and career readiness.¹⁵

(4) Authorizes the State Board of Education to require the entity that scores an equivalent examination to provide the student score data on that examination on behalf of the district or school, for purposes of calculating measures for the state report card.¹⁶

Required administration of the state assessments

Under the bill, each school district, community school, STEM school, and college-preparatory boarding school and each chartered nonpublic school must administer the high school assessments to their students, as is required under current law.¹⁷ However, unlike current law, attaining a passing score on each of the assessments is not required for graduation under the bill. Rather, as described above, there are multiple conditions under which a student may qualify for a high school diploma with some kind of score or cumulative score on a variety of different assessments, even if the student did not attain a passing score on one or more individual assessments.

Job skills assessment

As a component of the bill's new high school graduation requirements, the bill requires the State Board to select by July 1, 2014, at least one nationally recognized job skills assessment for administration by school districts to students who opt to take the assessment. The State Board must establish the minimum score that a student must attain on the assessment in order to demonstrate a student's workforce readiness and employability. The bill explicitly states that the administration of this assessment does not exempt a school district from administering the end-of-course examinations or equivalent examinations to the student.¹⁸

Course credit for performance on examinations

The bill requires school districts to permit a student who scores at a specified level on an examination to earn credit for a corresponding course of instruction without completing that course. Under the bill, the State Board must adopt a policy to grant such credit to any student who scores at or above the level established by the State

¹⁵ R.C. 3301.0712(E).

¹⁶ R.C. 3301.0712(B)(3), third paragraph.

¹⁷ R.C. 3301.0711(B)(11) and (K)(1)(b), 3314.03(A)(11)(d), 3326.14, and 3328.24 (latter three sections not in the bill).

¹⁸ R.C. 3301.0712(D).

Board on an end-of-course examination, equivalent examination, AP examination, IB examination, or other State Board-approved examination. Within 90 days after the bill's effective date, the State Board also must establish (1) minimum scoring levels on those examinations to receive course credit and (2) the amount of credit to be awarded to a student based on the student's score. The score established to earn one unit of credit for a full-year course or one-half unit of credit for a half-year course may not be higher than the "accelerated" level for end-of-course examinations.¹⁹

The bill explicitly states that the provisions related to the granting of credit based on performance on examinations prevail over any conflicting provisions of a collective bargaining agreement entered into on or after the bill's effective date.²⁰

By references in current law unchanged by the bill, the credit by examination provision may also apply to community schools, STEM schools, and college-preparatory boarding schools.²¹ Currently, these schools and school districts are required to award high school credit based on "demonstration of subject area competency, instead of or in combination with completing hours of classroom instruction," in accordance with a plan adopted by the State Board.²² That requirement is not changed by the bill but, as presently stated, the cross references of current law appear to apply to both the current provision and the bill's new credit by examination provision.

Dropout prevention and recovery program graduation requirements

Under current law, students who are enrolled in a dropout prevention and recovery program operated by either a school district or a community school may qualify for a high school diploma without completing the state minimum high school curriculum, as long as the program meets specified conditions and has a waiver granted by the Department of Education. Those conditions, among other things, require that the school create an individual career plan for its students and require its students to pass the state high school assessments. (See "**Background**" below.) The bill phases in new graduation testing requirements for such students. Under the bill, prior to July 1, 2015, a student enrolled in a qualified dropout program may graduate, if the student satisfies one of the following:

- (1) Passes each of the Ohio Graduation Tests (OGT);

¹⁹ R.C. 3313.603(J)(2).

²⁰ R.C. 3313.603(J)(2), third paragraph.

²¹ R.C. 3314.03(A)(11)(f), 3326.15, and 3328.22, none in the bill.

²² R.C. 3313.603(J)(1).

(2) Passes each of the end-of-course examinations; or

(3) Obtains a score that "demonstrates workforce readiness and employability" on a nationally recognized job skills assessment (see "**Job skills assessment**" above).²³

On or after July 1, 2015, a student enrolled in a qualified dropout program may graduate, if the student satisfies one of the following:

(1) Meets one of the general high school graduation requirement conditions (see "**High school graduation requirements**" above);

(2) Attains a minimum passing score on each of the assessments designated exclusively for students enrolled in community school dropout programs (see "**Assessments for students in community school dropout prevention and recovery programs**" below); or

(3) Obtains a score that "demonstrates workforce readiness and employability" on a nationally recognized job skills assessment.²⁴

Assessments for students in community school dropout prevention and recovery programs

For the purpose of implementing the graduation requirements for students in a community school dropout program, the bill requires the State Board to adopt rules to designate assessments in mathematics, science, social studies, and English language arts that "evaluate a student's demonstration of general knowledge in a specific content area." Additionally, the bill directs the State Board to designate a minimum passing score for each of the assessments.²⁵

Background

Current law permits students in a dropout program to graduate by successfully completing a competency-based instructional program offered by a qualified dropout prevention and recovery program, instead of completing the Ohio Core curriculum. To qualify, the dropout program serving the student must have received a waiver from the Department of Education. A qualified dropout program must be granted a waiver by the Department if it meets all of the following conditions:

(1) It serves only students 16 or older, but no older than 21.

²³ R.C. 3313.603(F)(3)(a).

²⁴ R.C. 3314.019(A) and 3313.603(F)(3)(b).

²⁵ R.C. 3314.019(B).

(2) It enrolls students who, at the time of their enrollment, are at least one grade level behind their age group, experience crises that significantly interfere with their academic progress, or both.

(3) It requires students to pass the OGTs.

(4) It develops an individual career plan for each student that specifies the student matriculating to a two-year degree program, acquiring a business and industry credential, or entering an apprenticeship.

(5) It provides counseling and support for the student related to that plan for the remainder of high school.

(6) It requires the student and the student's parent, guardian, or custodian to sign and file a written statement consenting to the student's graduating without completing the Ohio Core curriculum and acknowledging that one consequence is ineligibility to enroll in most state universities without further coursework.

(7) It submitted to the Department, prior to receiving the waiver, an instructional plan that demonstrates how it will teach and assess the state academic content standards adopted by the State Board.²⁶

Dropout prevention and recovery program community school report card system

Current law rates and assigns ratings to dropout prevention and recovery community schools based on the following performance indicators: (1) graduation rates, (2) percentage of twelfth-grade students and other students who pass the high school achievement assessments required for graduation (OGTs), (3) annual measurable objectives, and (4) growth in student achievement in reading or mathematics, or both.²⁷ The bill makes changes to the second performance indicator, beginning with the 2014-2015 school year, by eliminating a student's performance on the OGTs, and replacing it with a student's performance on the assessments prescribed under the college and work-ready assessment system.²⁸

The bill also expands the conditions that comprise that performance indicator to include (1) attaining a minimum passing score on the assessments designated for

²⁶ R.C. 3313.603(F).

²⁷ R.C. 3314.017.

²⁸ R.C. 3314.017(C)(2)(a).



students in a dropout program, and (2) attaining a specified score on a nationally recognized job skills assessment.²⁹

Because each school is assigned a rating for this performance indicator for school years prior to the availability of the assessments designated for students in a dropout program, the selection of the job skills assessment, and the college and work-ready assessment system, the bill phases in the applicability of each condition for each school year as each assessment becomes available.

Finally, the bill requires the State Board to select which assessment to use as the performance indicator for the report cards beginning with the 2014-2015 school year.³⁰

Social studies elementary achievement assessments

The bill specifies that, in any school year, the Department of Education must not furnish, and school districts and schools must not administer, the elementary social studies achievement assessments, unless the Superintendent of Public Instruction determines by August 1 of the school year that the Department has sufficient funds to pay the costs of furnishing and scoring those assessments.³¹ Current law requires the social studies assessments to be administered at least once annually to students in grades four and six.³² It does not affect the other elementary assessments.

Academic content standards

The bill requires the State Board, prior to adopting or revising any academic content standards, to hold at least three public hearings that allow public comment and testimony on the proposed academic content standards or revisions to those standards.³³ Current law requires the State Board to periodically adopt statewide academic standards. The standards were last updated in 2010.

Revisions of performance indicators

Current law requires the State Board to establish a set of performance indicators for use as one of the performance measures that comprise a portion of the state report cards for school districts and schools. In doing so, the Superintendent of Public

²⁹ R.C. 3314.017(C)(2).

³⁰ R.C. 3314.017(E)(3)(b).

³¹ R.C. 3301.0711(B)(7), second paragraph.

³² R.C. 3301.0710(A)(1).

³³ R.C. 3301.079(A).

Instruction must provide recommendations on which performance indicators to include. Finally, the State Board must update the list of performance indicators every six years.³⁴

The bill maintains the current requirement for the State Board to establish a set of performance indicators. However, it eliminates the language requiring the state Superintendent to provide recommendations on the inclusion of performance indicators and the language requiring the State Board to update the list of performance indicators every six years.

HISTORY

ACTION	DATE
Introduced	06-04-13

H0193 (L1183-2)-130.docx/ks

³⁴ R.C. 3302.02.

