



Ohio Legislative Service Commission

Bill Analysis

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Sub. H.B. 597

130th General Assembly
(As Reported by H. Rules and Reference)

Reps. Thompson and Huffman, Buchy

BILL SUMMARY

Academic content standards

- Prohibits the State Board of Education from adopting, and the Department of Education from implementing, the Common Core State Standards, or any standards developed by any similar initiative process or program, as the state's academic content standards for English language arts and mathematics and voids any prior actions taken to adopt or implement the Common Core State Standards.
- Requires the State Board, within 90 days after the bill's effective date, to replace the academic content standards in English language arts, mathematics, science, and social studies with new standards that are consistent with the standards adopted by Massachusetts prior to that state's adoption of the Common Core State Standards, so that Ohio's standards are as identical as possible to those adopted by Massachusetts, except where an Ohio context requires otherwise.
- Specifies that the interim academic content standards that are based on the Massachusetts standards are effective for the 2015-2016, 2016-2017, and 2017-2018 school years only.
- Requires the State Board, by June 30, 2017, to adopt new academic content standards for each of grades kindergarten through twelve in English language arts, mathematics, science, and social studies that are distinct and independent from the standards previously adopted by the State Board so that they are in place for the 2018-2019 school year and each school year thereafter.
- States that a school district is not required to utilize all or any part of the academic content standards adopted by the State Board.

- Specifies in detail the composition of the academic content standards in each of the areas of English language arts, mathematics, science, and social studies.
- Prohibits the State Board from adopting any model curricula.
- Prohibits the State Board from adopting or revising any academic content standards in English language arts, mathematics, science, or social studies until the new or revised standards are approved by the appropriate subject area subcommittee created under the bill, and approved by the General Assembly by a concurrent resolution.
- Creates the 13-member Academic Content Standards Steering Committee to do the following: (1) determine a chair and co-chair for the committee, (2) appoint four individuals to oversee the development of the standards documents, (3) contract, if necessary, with an individual who has a "national reputation" in the areas of academic content standards and assessments to facilitate the committee's work, (4) establish a subcommittee each in the areas of English language arts, mathematics, science, and social studies to review and approve any new or revised standards, and (5) select, by majority vote of all members, a chair for each subcommittee.

Achievement assessments

- Prohibits the State Board from using the assessments developed by the Partnership for Assessment of Readiness for College and Careers (PARCC), a Smarter Balanced Assessment, or any other assessment related to or based on the Common Core State Standards.
- Specifies that the bill's intent is that any assessment related to the PARCC or Smarter Balanced consortia may not be used for the 2014-2015 school year or any school year thereafter.
- For the 2014-2015 school year, requires the Department of Education to furnish and school districts and schools to administer the elementary- and secondary-level assessments that were administered for the 2013-2014 school year (Ohio Achievement Assessments and the Ohio Graduation Tests).
- Requires the State Board to adopt or develop, not later than 90 days after the bill's effective date, elementary and secondary assessments in English language arts, mathematics, science, and social studies that are aligned with the Ohio's version of the Massachusetts standards for use during the 2015-2016, 2016-2017, and 2017-2018 school years only.



- Requires the State Board to adopt or develop by June 30, 2018, elementary and secondary assessments in English language arts, mathematics, science, and social studies that are aligned with the new standards for use during the 2018-2019 school year and each school year thereafter.
- Specifies that the nationally standardized assessment that is required as part of the College and Work Ready Assessment System under current law be a "nationally recognized, norm-referenced" assessment, instead of a "nationally standardized assessment" as under current laws, and removes the specification that it measure college and career readiness.
- Removes the current requirement that the other part of the College and Work Ready Assessment System be made up of seven specific "end-of-course" examinations in each of the areas of English language arts I, English language arts II, mathematics, physical science, Algebra I (with possible substitution of Algebra II), geometry, American history, and American government and, instead, generally prescribes a "series of examinations" in English language arts, mathematics, science, American history, and American government.

Comparison of standards and assessments

- Requires the State Board to compare the new academic content standards in English language arts, mathematics, science, and social studies that will be effective in the 2018-2019 school year with Ohio's Common Core State Standards and to submit a report to the General Assembly and Governor outlining the results of the comparison of the standards.
- Requires existing academic standards review committees, which currently review the standards in English language arts, mathematics, science, and social studies, to compare the interim standards that are effective for the 2015-2016, 2016-2017, and 2017-2018 school years and are based on Massachusetts' standards prior to its adoption of the Common Core State Standards with Ohio's Common Core State Standards.
- Requires the Department to compare and publish on its website a comparison of the new elementary and secondary assessments that are to be effective in the 2018-2019 school year with (1) the Ohio Achievement Assessments and Ohio Graduation Tests and (2) the assessments that are used for the 2015-2016, 2016-2017, and 2017-2018 school years.

Release of personally identifiable data

- Requires that the standards for the Education Management Information System (EMIS), in regard to processing and reporting student data to the Department of Education, restrict access to personally identifiable information by a person who performs data processing services for a school district to just the information necessary for fulfillment of contractual obligations.
- Requires the contract between a school district and a data processing entity to include a stipulation that personally identifiable information shall not be shared with additional parties.
- Specifies that, if the U.S. Department of Education requires a grant recipient to provide personally identifiable information of students or teachers as a condition of a federal education grant, only aggregate data may be provided for such purpose.
- Prohibits a federal grant recipient from releasing personally identifiable information without informed written consent of the student's parent or guardian for a student's information or of the teacher for a teacher's information.

State Board minimum operating standards for schools

- Removes the words "and such other factors as the Board finds necessary" from the provision that enumerates categories for which the State Board must adopt minimum standards for schools.

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CONTENT AND OPERATION

ACADEMIC CONTENT STANDARDS, ASSESSMENTS, AND MODEL CURRICULA

The bill makes several revisions to the state law regarding academic content standards. It prohibits the use of the Common Core State Standards in the areas of English language arts and mathematics. It requires the State Board of Education to replace the current academic content standards with interim standards in English language arts, mathematics, science, and social studies based on those adopted by Massachusetts, as they existed prior to that Massachusetts' adoption of the Common Core State Standards. The bill then requires the State Board to adopt entirely new standards to be effective for the 2018-2019 school year and each school year thereafter based on the bill's specifications.

Repeal of the current Ohio standards

The bill prohibits the State Board of Education from adopting the academic content standards for English language arts and mathematics developed by the Common Core State Standards Initiative or any similar initiative process or program, and further prohibits the Department of Education from implementing such standards.¹ The bill also voids any action taken to adopt or implement the Common Core State Standards as of the bill's effective date.²

Despite the bill's repeal of the state's current academic content standards and phase in of separate standards, it does not specify any particular academic content standards for English language arts and mathematics that are to be used for the current 2014-2015 school year.

¹ R.C. 3301.078(B).

² R.C. 3301.078(B), second paragraph.



Interim standards for the 2015-2016, 2016-2017, and 2017-2018 school years

Effective for the 2015-2016, 2016-2017, and 2017-2018 school years only, the bill prescribes interim academic content standards in English language arts, mathematics, science, and social studies. Not later than 90 days after the bill's effective date, the State Board must replace Ohio's current standards with standards in those areas that were adopted by Massachusetts prior to Massachusetts' adoption of the Common Core State Standards, (that is, prior to December 21, 2010). These interim standards must be as identical as possible to those adopted by Massachusetts, except where an Ohio context requires otherwise.³

New Ohio standards for the 2018-2019 school year and thereafter

The bill requires the State Board, by June 30, 2017, to adopt new academic content standards for each of grades kindergarten through twelve in the areas of English language arts, mathematics, science, and social studies that are "distinct and independent" from the Common Core State Standards, so that the new standards are in place for the 2018-2019 school year and thereafter.⁴ Even though the bill requires the adoption of new standards, the bill explicitly states that a school district or school is not required to utilize all or any part of the standards adopted by the State Board.⁵

English language arts standards

The bill specifies that the new English language arts standards must (1) require a systematic approach to teaching phonemic awareness and phonics both in context and independent of context, (2) include significant instruction in English grammar, and (3) require that at least 80% of reading instruction focus on imaginative literature, including poetry, drama, and fiction and consisting of literary works studied on the basis of literary merit and cultural and historical significance, rather than current popularity or political considerations.⁶

Mathematics standards

The new mathematics standards must (1) require a mastery of the standard algorithm, (2) require fluency with addition and subtraction of multi-digit whole numbers using the standard algorithm by the third grade, (3) require fluency with

³ Section 4(A)(1).

⁴ R.C. 3301.079(A)(1) and Section 4(C).

⁵ R.C. 3301.079(A)(4), second paragraph.

⁶ R.C. 3301.079(A)(1)(a)(i).

arithmetic operations on decimals and multiplication and division of multi-digit numbers using the standard algorithm by the fifth grade, (4) prepare students to take the first authentic Algebra I course by the eighth grade, and (5) include a traditional Euclidean geometry course.⁷

Science standards

The new science standards must (1) be based in core existing disciplines of biology, chemistry, and physics, (2) incorporate grade-level mathematics and be referenced to the mathematics standards, (3) focus on academic and scientific knowledge rather than scientific processes, and (4) encourage students to analyze, critique, and review in an objective manner the scientific strengths and weaknesses of existing scientific theories covered in the standards.⁸

Social studies standards

The new social studies standards must (1) incorporate the original texts and the original context of the Declaration of Independence, the Northwest Ordinance, the United States Constitution and its amendments with emphasis on the Bill of Rights, incorporate the Ohio Constitution, (3) define the United States of America as a constitutional republic, (4) be based on acquisition of real knowledge of major individuals and events, (5) require the study of world and American geography, and (6) prohibit a specific political or religious interpretation of the standards' content.⁹

Other specifications for the new standards

The bill explicitly prohibits the withholding of state funds from a school district or school for failure to adopt or use Ohio's academic content standards.¹⁰

It also prohibits any state official, elected or appointed, from joining any consortium, association, or other entity on behalf of the state or any state agency when such membership would require the state or a school district board of education to cede state or school district control over education, including academic content standards or assessments related to the standards.¹¹ (Current law, recently enacted in H.B. 487 of the

⁷ R.C. 3301.079(A)(1)(a)(ii).

⁸ R.C. 3301.079(A)(1)(a)(iii).

⁹ R.C. 3301.079(A)(1)(a)(iv).

¹⁰ R.C. 3301.078(D).

¹¹ R.C. 3301.078(C)(1).

130th General Assembly, prohibits any official or board of the state from "entering into any agreement or memorandum of understanding with any federal or private entity that would require the state to cede any measure of control over the development, adoption, or revision of [any] academic content standards."¹²⁾

The bill limits the academic content standards that the State Board may adopt to the subject areas prescribed under current law.¹³ Those principal subject areas are English language arts, mathematics, science, and social studies. After completing standards for those areas, current law permits the State Board to adopt standards for technology, financial literacy and entrepreneurship, fine arts, and foreign language. Current law also requires the State Board to adopt the most recent standards developed by the National Association for Sport and Physical Education or its own standards for physical education.¹⁴

The bill specifies that nothing in the academic content standards is to be construed to promote any religious or nonreligious doctrine, promote discrimination for or against a particular set of religious beliefs or nonbeliefs, or promote discrimination for or against religion or nonreligion.¹⁵

The bill also removes the current provisions specifying that the State Board must ensure that the current standards include the development of skill sets that promote information, media, and technological literacy, and include interdisciplinary, project-based, real-world learning opportunities.¹⁶ Finally, it revises the provision ensuring that the standards include the essential academic content and skills that students are expected to know and be able to do at each grade level that will allow each student to be prepared for postsecondary instruction and the workplace for success in the twenty-first century, to simply ensure that the standards include "the essential academic content and skills that students are expected to know and be able to do at each grade level."¹⁷

¹² R.C. 3301.078(A).

¹³ R.C. 3301.078(C)(2).

¹⁴ R.C. 3301.079(A).

¹⁵ R.C. 3301.079(A)(1)(c), second paragraph.

¹⁶ R.C. 3301.079(A)(1)(a)(ii) and (iii), under current law.

¹⁷ R.C. 3301.079(A)(1)(a).

Model curricula

Current law requires the State Board to adopt model curricula for each of grades kindergarten through twelve in each of the areas for which academic content standards exist, requires the model curricula to be aligned to the standards, and permits the model curricula to be used by school districts and schools. It also requires the required elementary- and secondary-level achievement assessments and diagnostic assessments to be aligned with the model curricula.

The bill removes the requirement for the State Board to adopt model curricula. It further prohibits the State Board from adopting any model curricula for any of the new standards or the interim standards.¹⁸

Approval of new academic content standards

The bill creates an approval and review process by which any new or revised academic content standards in English language arts, mathematics, science, or social studies proposed by the State Board must be reviewed and approved prior to becoming effective. Any new or revised standards must (1) be approved by each appropriate subcommittee (see "**Academic Content Standards Steering Committee**," below) and (2) be approved by concurrent resolution adopted by both the House of Representatives and the Senate.¹⁹

Prior to approval by concurrent resolution, the bill requires the Education Committees of the House and Senate to conduct at least one public hearing on the new or revised standards.²⁰

Academic Content Standards Steering Committee

The bill establishes the Academic Content Standards Steering Committee, which must do the following:

(1) Establish a subcommittee in each of the areas of English language arts, mathematics, science, and social studies;

(2) Select a chairperson for each subcommittee by a majority vote of all committee members, and determine a chair and co-chair of the Steering Committee;

¹⁸ R.C. 3301.079(A)(1)(b), (A)(2), (B), (C), (D), (F), (G), and (J), 3301.0710, 3301.0712(C), 3301.0722, 3313.60(G)(4), 3313.6020(B)(1), and Section 4(B), and repealed R.C. 3301.0721.

¹⁹ R.C. 3301.0718(A) and (C), second paragraph.

²⁰ R.C. 3301.0718(A)(1).



(3) Appoint four individuals to oversee the development of the standards documents, each of whom must understand and be able to use subject-specific symbols and must record comments of each subcommittee (see below). The Department of Education and State Board are authorized to provide assistance to these four individuals.

(4) Contract, if necessary, with an individual who has a national reputation in the areas of academic content standards and assessments to facilitate the work of the Steering Committee.²¹

Meetings of the Steering Committee must be open to the public.²²

Steering Committee composition

The Steering Committee is composed of 13 members as follows:

(1) The Governor, or the Governor's designee;

(2) Six members, appointed by the President of the Senate, and, of whom, no more than one may be a member of the Senate; and

(3) Six members, appointed by the Speaker of the House of Representatives, and, of whom, no more than one may be a member of the House.

In appointing members, the Senate President and House Speaker must give consideration to parents of students enrolled in Ohio schools, primary and secondary education teachers, and curriculum experts, provosts, chairs, and deans of state institutions of higher education.²³

Subcommittee duties

Each subcommittee must do both of the following:

(1) Approve or disapprove any new or revised standards for each subject area that are proposed by the State Board; and

(2) Obtain comments from teachers on the appropriateness and wording of the proposed standards for each grade, and if necessary, offer revisions on the proposed

²¹ R.C. 3301.0718(D).

²² R.C. 3301.0718(C), third paragraph.

²³ R.C. 3301.0718(C).



standards. The comments from teachers must be recorded by the individuals who oversee the development of the standards documents.²⁴

Meetings of each subcommittee must be open to the public.²⁵

Subcommittee composition

Not more than five persons may be appointed to serve on each subcommittee. The chairpersons of each subcommittee, who is selected by the Steering Committee, must be an instructor or professor in a related subject area at a state institution of higher education. The other subcommittee members, appointed by the State Board, must be teachers with at least ten years of teaching experience, who may be nominated by their respective school district superintendents. A school librarian, nominated by the Ohio Library Council, may provide assistance to the English language arts subcommittee. An engineer, nominated by one of the state's engineering organizations, may provide assistance to the mathematics subcommittee and the science subcommittee.²⁶

Achievement assessments

Assessments for 2014-2015 school year

The bill explicitly prohibits the State Board from using the assessments developed by the Partnership for Assessment of Readiness for College and Careers (PARCC), a Smarter Balanced assessment, or any other assessments related to or based on the Common Core State Standards, as any of the state's achievement assessments.²⁷ This requirement applies to the 2014-2015 school year and all successive school years.

For the 2014-2015 school year only, the bill requires the Department of Education to furnish and school districts and schools to administer the elementary- and secondary-level assessments that were administered for the 2013-2014 school year.²⁸ Thus, they must administer the Ohio Achievement Assessments and the Ohio Graduation Tests.

²⁴ R.C. 3301.0718(D)(4)(b).

²⁵ R.C. 3301.0718(C), third paragraph.

²⁶ R.C. 3301.0718(D)(4)(a).

²⁷ R.C. 3301.078(B).

²⁸ Section 8 of the bill. See also Section 9 of Am. Sub. H.B. 487 of the 130th General Assembly, as repealed by Section 3 of the bill.



The bill also contains language specifying the intent that any assessment related to PARCC or Smarter Balanced may *not* be used for the 2014-2015 school year or any successive school year.²⁹

Interim assessments for the 2015-2016, 2016-2017, and 2017-2018 school years

The State Board must adopt or develop within 90 days after the bill's effective date elementary- and secondary-level assessments in English language arts, mathematics, science, and social studies that are aligned with Ohio's interim academic content standards for the 2015-2016, 2016-2017, and 2017-2018 school years (the Massachusetts standards as they existed prior to Massachusetts' adoption of the Common Core State Standards).³⁰

New assessments (2018-2019 school year and thereafter)

The bill requires the State Board to "adopt or develop" by June 30, 2018, elementary- and secondary-level assessments in English language arts, mathematics, science, and social studies that are aligned with the new academic content standards for use during the 2018-2019 school year and each school year thereafter.³¹

Revisions to secondary assessments

The bill revises the composition of the College and Work Ready Assessment System that generally must be administered to students enrolled in public and chartered nonpublic high schools. That system is composed of (1) a nationally standardized assessment that measures college and career readiness, and (2) seven end-of-course examinations in English language arts I, English language arts II, mathematics, physical science, Algebra I (with possible substitution of Algebra II), geometry, American history, and American government.³²

The bill specifies that the nationally standardized assessment be a "nationally recognized, norm-referenced" assessment instead of a "nationally standardized assessment," and it removes language requiring that the assessment measure college and career readiness.³³

²⁹ Section 7.

³⁰ Section 4(A)(2).

³¹ Section 5.

³² R.C. 3301.0712(B).

³³ R.C. 3301.0712(B)(1).

The bill also revises the second portion of the system to generally prescribe a "series of examinations" in English language arts, mathematics, science, American history, and American government, instead of the current seven end-of-course examinations in the areas described above.³⁴

Finally, the bill eliminates the following current provisions related to the end-of-course examinations: (1) timeline and specifications for the American history and American government examinations, (2) requirement for the State Board to determine and designate scoring levels and related scoring items for the end-of-course examinations, (3) specifications for the use of substitute examinations in certain subject areas in lieu of end-of-course examinations, (4) requirement for the examinations to be selected jointly with the Superintendent of Public Instruction and Chancellor of the Board of Regents in consultation with certain faculty members at state institutions of higher education, (5) exemption of certain students who earned course credit prior to July 1, 2014, from taking the corresponding end-of-course examination, and (6) requirement for the State Board to consider additional assessments that may be used as substitute examinations in lieu of the end-of-course examinations.³⁵

Comparison studies of standards and assessments

Standards comparison studies

The bill requires the State Board, upon its adoption of the new academic content standards (due by June 30, 2017), to compare the new academic content standards in English language arts, mathematics, science, and social studies with Ohio's Common Core State Standards. The State Board must submit a report to the General Assembly and Governor outlining the results of the comparison of the standards. In conducting its evaluation and comparison of the standards, the State Board must consider public comments, the use of best practices, evidence, and research.³⁶

Separately, the bill requires each current academic standards review committee, which reviews the standards in English language arts, mathematics, science, or social studies, to compare (1) the interim standards that are effective for the 2015-2016, 2016-2017, and 2017-2018 school years and are based on the standards adopted by Massachusetts prior to Massachusetts' adoption of the Common Core State Standards, with (2) Ohio's Common Core State Standards.³⁷ Each committee must compile and

³⁴ R.C. 3301.0712(B)(2), (C), and (D)(3), 3313.61(H), 3313.612(B) and (D), 3313.618(B)(2), and 3328.01(C)(2).

³⁵ R.C. 3301.0712(B)(3), (4), (5), (6), and (7), and 3313.618(A)(2).

³⁶ Section 6(A).

³⁷ Section 9.

submit to the State Board by December 31, 2015, a report detailing substantial similarities between the two sets of standards and recommend that the State Board include those similar items in the new academic content standards that are to be effective in the 2018-2019 school year.³⁸

H.B. 487 of the 130th General Assembly created separate committees to review the academic content standards in English language arts, mathematics, science, and social studies. (The bill maintains the appointment and operation of these committees.) Under H.B. 487 each committee consists of three experts in the respective subject area, one parent or guardian, one educator, the Chancellor of the Board of Regents, or the Chancellor's designee, and the Superintendent of Public Instruction, or the Superintendent's designee. The experts, educators, and parents or guardians are appointed by the President of the Senate, the Speaker of the House of Representatives, and the Governor. Each committee must review the standards and the related state achievement assessments for its respective subject area.³⁹

Assessment comparison study

The bill requires the Department of Education, upon the adoption in 2018 of new assessments aligned with the new standards, to compare those new assessments with: (1) the Ohio Achievement Assessments and Ohio Graduation Tests and (2) the interim assessments that are used for the 2015-2016, 2016-2017, and 2017-2018 school years. The Department must publish the results of the comparison on its website.⁴⁰

OTHER EDUCATION PROVISIONS

Release of student personally identifiable information

The bill requires that the standards for the Education Management Information System (EMIS), in regard to processing and reporting student data to the Department of Education, restrict access to personally identifiable information by a person who performs data processing services for a school district to just the information necessary for fulfillment of contractual obligations. The bill also requires the contract between a school district and a data processing entity to include a stipulation that personally identifiable information shall not be shared with additional parties.⁴¹ (EMIS is the statewide electronic data system maintained by the Department. It includes district,

³⁸ Section 9, second paragraph.

³⁹ R.C. 3301.079(I).

⁴⁰ Section 6(B).

⁴¹ R.C. 3301.0714(D)(1).



school, personnel, and student data used in reporting and in computing operating funding to districts and schools.

The bill also specifies that, if the U.S. Department of Education requires a grant recipient to provide personally identifiable information of students or teachers as a condition of a federal education grant, only aggregate data may be provided for such purpose. Finally, the bill prohibits a federal grant recipient from releasing personally identifiable information without informed written consent of either (1) the student's parent or guardian for a student's information, or (2) the teacher for a teacher's information.⁴²

State Board minimum operating standards for schools

The bill removes the words "and such other factors as the Board finds necessary" from the provision that enumerates categories for which the State Board must adopt minimum standards for schools.⁴³

Current law requires the State Board to "formulate and prescribe minimum standards to be applied to all elementary and secondary schools in this state for the purpose of providing children access to a general education of high quality according to the learning needs of each individual." These minimum standards specifically must provide for (1) licensing of teachers, administrators, and other professional personnel, (2) efficient and effective instructional materials and equipment, (3) organization, administration, and supervision of each school, including regulations for preparing all necessary records and reports and the preparation of a statement of policies and objectives for each school, (4) safe buildings, grounds, health and sanitary facilities and services, (5) student admissions and promotion, and (6) graduation requirements. These standards are not the academic content standards that are required by separate law, as amended by the bill.

HISTORY

ACTION	DATE
Introduced	07-28-14
Reported, H. Rules and Reference	11-06-14

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⁴² R.C. 3301.078(E).

⁴³ R.C. 3301.07(D)(2).

