



## *Synopsis of Senate Committee Amendments\**

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### **Sub. H.B. 3**

125th General Assembly  
(S. Education)

Removes the House version's score ranges on the achievement tests and the distinction between "nationally" proficient and "Ohio" proficient.

Adds a fifth score range on the achievement tests between the current law *proficient* and *advanced* levels called *accelerated* and changes the name of the lowest score range from *below basic* to *limited*.

Reinstates the fall administration of the third grade reading achievement test and the fourth grade reading proficiency test and specifies that cumulative totals for the fall and spring administrations of those tests must be used when calculating performance index scores, rates of achievement on the performance indicators, and adequate yearly progress (AYP).

Prohibits limited English proficient (LEP) students from taking alternate assessments but permits them to take proficiency and achievement tests with "appropriate accommodations."

Removes House version requirement that LEP students be assessed in reading in English after enrollment in U.S. schools for three years.

Requires school districts to administer diagnostic assessments to *all* transfer students (rather than just *interdistrict* transfers as under the House version of the bill) within 30 days of the date of transfer and to all students in grades kindergarten through two.

Specifies that districts must give the "kindergarten readiness" diagnostic assessment to all kindergarteners within the first six weeks of school.

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\* This synopsis does not address amendments that may have been adopted on the Senate floor.

Reinstates the reporting of results from the kindergarten diagnostic assessments to the Department of Education for a baseline comparison of the academic readiness of kindergarteners.

Permits school districts that made AYP in the preceding school year to administer diagnostic assessments other than the state-developed ones to students in grades one through eight.

Reinstates current law requiring the State Board of Education to adopt all performance indicators, but specifies that the State Board must do so on an annual basis through 2007 (rather than 2006 as under current law).

Removes the requirement in House version that the General Assembly approve any changes to achievement test score ranges that any Department of Education committee makes the State Board of Education. Instead requires the State Board to explain any decision not to adopt such committee recommendations to the Ohio Accountability Task Force. Any such departmental committee must inform State Board of probable percentages of students attaining the various score levels.

Removes House version requirement to provide intervention to students who score below the "limited" level on an elementary achievement test and instead requires students scoring below the "proficient" level on any achievement test (including OGT) to receive intervention.

Requires the Department to make recommendations for lowering the performance ratings of districts and buildings that, although demonstrating AYP, show statistically significant differences in performance between white, middle-class students and students in other subgroups.

Alters House version requirement to adopt a "value-added progress dimension" by 2005 by providing that during the two-year period from 2005 to 2007, the Ohio Accountability Task Force must choose dates on which the new dimension will be in place and will start being included on report cards. Also requires the Department to include a growth factor in district performance ratings until the value-added progress dimension has been incorporated and limits spending for data analysis and reporting fees to no more than two dollars per pupil.

Alters House version requirement for DOE to complete a financial analysis of NCLB to require additional components of the analysis and extend the deadline from 30 days to 90 days.

Changes name of Ohio Accountability Committee to Ohio Accountability Task Force and adds two members (a school principal appointed by the Senate President and a member of the State Board appointed by the Speaker of the House).

Makes legislative members nonvoting.



Eliminates the assignment of statutory weights for the purpose of the performance index score as in the House version and instead requires the Department to establish the weights.

Requires "gifted" students to be disaggregated on report cards. Also requires inclusion of percentage of "highly qualified" teachers on district and building report cards.

Removes House provision requiring students from schools failing to make AYP for two or more years and who request to be transferred to an alternative school under public school choice to be given priority under a district's open enrollment policy.

Reinstates current law requiring district open enrollment policies to include procedures for maintaining an appropriate racial balance in schools.

Requires a separate report of district and building performance indicators and index scores, calculated without the inclusion of students with disabilities.

Clarifies that school districts and buildings are subject to sanctions, including continuous improvement plans, based upon their failure to make AYP rather than their report card ratings.

Eliminates a requirement in current law that the Department provide the Ohio SchoolNet Commission with an annotated bibliography of successful intervention practices.

Specifies that the report cards issued by the Department of Education for community schools (charter schools) include all information applicable to school buildings within school districts, including performance ratings.

States that students enrolled in "Internet- or computer-based community schools" work on assignments "in nonclassroom-based learning opportunities."

Specifies that instruction in "Internet- or computer-based community schools may include instruction presented "via comprehensive instructional methods that include Internet-based, other computer-based, and noncomputer-based learning opportunities."

Permits an educational service center (ESC) to sponsor start-up community schools in any "challenged" school district in the state rather than only those located in a county in the ESC's territory or in a county contiguous to such a county as provided under current law.

Restores current law to require community schools to automatically withdraw students who fail without legitimate excuse to participate in 105 "cumulative" hours of learning opportunities (instead of 105 "consecutive" hours as amended in Am. Sub. H.B. 95 of the 125th General Assembly).



Requires the State Board of Education by September 30, 2003, to recommend to the General Assembly standards governing the operation of "Internet- or computer-based community schools" and other educational courses delivered primarily via electronic media.

Modifies the terms of \$250,000 earmark in the 2003-2005 budget act (Am. Sub. H.B. 95) for training of community school sponsors by requiring the Department of Education to contract with the Ohio Foundation for School Choice to conduct the training instead of conducting the training itself.

Eliminates "Urban-21 school districts" that are not also "Big-Eight school districts" from the definition of "challenged school districts" in which start-up community schools may be located.

Permits any existing start-up community school that has been established in an Urban-21 school district (not otherwise meeting the definition of a challenged school district) prior to the bill's effective date to continue to operate.

Directs the Legislative Office of Education Oversight to conduct four studies: one on the academic achievement gap, one on the provision of intervention services, one on the Ohio Graduation Test performance of the Class of 2007, and one on the progress of meeting the federal requirement of having only "highly qualified" teachers in core subject areas.

Eliminates the current law requirement that certain State Board of Education rules be approved by the General Assembly prior to taking effect and stipulates that any current proposed rules do not need to be approved.

Eliminates the current law requirement that the Superintendent of Public Instruction present proposed academic standards and model curricula to a joint meeting of the House and Senate Education Committees at least 45 days prior to the State Board's adoption of those standards or curricula.

Changes current law to permit a student who relocates (or whose parent relocates) outside of the school district in which the student is entitled to attend school after the first full week in October to continue to attend school in the district free of tuition for the balance of the school year under certain conditions if both affected school districts adopt policies permitting this.

Beginning in FY 2005, requires school districts to certify formula ADM for one week in March as well as for one week in October and requires the Department of Education to adjust state aid payments to reflect this biannual certification.

Clarifies how the Department of Education is to treat state charge-off supplement payments and transitional aid payments when calculating the reappraisal guarantee for school districts.



Changes current law to permit a school district to retain a student's data verification code in any file of a student who is no longer enrolled in that district.

Specifies that school district officials are not required to attach a certificate of available resources to current payrolls for or employment contracts with "any" employees or officers of the school district, instead of those payrolls for or contracts with only "regular" employees as under current law.

Authorizes the Ohio Tuition Trust Authority to suspend the sale of tuition credits, either permanently or temporarily, if an adjustment in the price of tuition credits will not improve the actuarial soundness of the Ohio Tuition Trust Fund.

Creates the Variable Operating Fund for the operation and administration of the variable savings program, as well as paying other expenses.

Expands current law to allow certain entities to establish a scholarship program consisting of contributions made to variable and college savings program ("guaranteed savings program") accounts instead of just college savings program accounts.

Defines how certain state colleges and universities are to calculate the previous year's tuition charges for purposes of complying with tuition caps.

Adds an emergency clause.

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