

As Reported by the House Education Committee

131st General Assembly

Regular Session

2015-2016

Sub. H. B. No. 481

Representatives Thompson, Koehler

Cosponsors: Representatives Becker, Hood, Zeltwanger, Brenner

A BILL

To amend section 3302.036 of the Revised Code and 1
to amend Sections 4 and 5 of Am. Sub. H.B. 7 of 2
the 131st General Assembly to revise the 3
requirements regarding student enrollment 4
reporting for public schools, scholarship 5
program eligibility relative to students who 6
choose not to take state assessments during the 7
2015-2016 school year, and Educational Choice 8
Scholarship Program eligibility. 9

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3302.036 of the Revised Code be 10
amended to read as follows: 11

Sec. 3302.036. (A) Notwithstanding anything in the Revised 12
Code to the contrary, the department of education shall not 13
assign an overall letter grade under division (C)(3) of section 14
3302.03 of the Revised Code for any school district or building 15
for the 2014-2015, 2015-2016, or 2016-2017 school years, may, at 16
the discretion of the state board of education, not assign an 17
individual grade to any component prescribed under division (C) 18

(3) of section 3302.03 of the Revised Code, and shall not rank 19
school districts, community schools established under Chapter 20
3314. of the Revised Code, or STEM schools established under 21
Chapter 3326. of the Revised Code under section 3302.21 of the 22
Revised Code for those school years. The report card ratings 23
issued for the 2014-2015, 2015-2016, or 2016-2017 school years 24
shall not be considered in determining whether a school district 25
or a school is subject to the sanctions or penalties listed in 26
division (B) of this section. However, the report card ratings 27
of any previous or subsequent years shall be considered in 28
determining whether a school district or building is subject to 29
sanctions or penalties. Accordingly, the report card ratings for 30
the 2014-2015, 2015-2016, or 2016-2017 school years shall have 31
no effect in determining those sanctions or penalties, but shall 32
not create a new starting point for determinations that are 33
based on ratings over multiple years. 34

(B) The provisions from which a district or school is 35
exempt under division (A) of this section shall be the 36
following: 37

(1) Any restructuring provisions established under this 38
chapter, except as required under the "No Child Left Behind Act 39
of 2001"; 40

(2) Provisions for the Columbus city school pilot project 41
under section 3302.042 of the Revised Code; 42

(3) Provisions for academic distress commissions under 43
former section 3302.10 of the Revised Code as it existed prior 44
to ~~the effective date of this amendment~~ October 15, 2015. The 45
provisions of this section do not apply to academic distress 46
commissions under the version of that section as it exists on or 47
after ~~the effective date of this amendment~~ October 15, 2015. 48

~~(4) Provisions prescribing new buildings where students are eligible for the educational choice scholarships under section 3310.03 of the Revised Code;~~ 49
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~~(5)~~ Provisions defining "challenged school districts" in which new start-up community schools may be located, as prescribed in section 3314.02 of the Revised Code; 52
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~~(6)~~ (5) Provisions prescribing community school closure requirements under section 3314.35 or 3314.351 of the Revised Code. 55
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(C) Notwithstanding anything in the Revised Code to the contrary and except as provided in Section 3 of H.B. 7 of the 131st general assembly, no school district, community school, or STEM school shall utilize at any time during a student's academic career a student's score on any assessment administered under division (A) of section 3301.0710 or division (B) (2) of section 3301.0712 of the Revised Code in the 2014-2015, 2015-2016, or 2016-2017 school ~~year~~ years as a factor in any decision to promote or to deny the student promotion to a higher grade level or in any decision to grant course credit. No individual student score reports on such assessments administered in the 2014-2015, 2015-2016, or 2016-2017 school years shall be released, except to a student's school district or school or to the student or the student's parent or guardian. 58
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Section 2. That existing section 3302.036 of the Revised Code is hereby repealed. 72
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Section 3. That Sections 4 and 5 of Am. Sub. H.B. 7 of the 131st General Assembly be amended to read as follows: 74
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Sec. 4. Notwithstanding anything in the Revised Code to the contrary, division (E) (3) of section 3317.03, division (L) 76
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(3) of section 3314.08, and division (C) of section 3326.37 of 78
the Revised Code shall not apply in the case of a pupil who did 79
not take an assessment prescribed under division (A) of section 80
3301.0710 or division (B) (2) of section 3301.0712 of the Revised 81
Code that was administered during the 2014-2015 or 2015-2016 82
school year and was not excused pursuant to division (C) (1) or 83
(3) of section 3301.0711 of the Revised Code from taking that 84
assessment. 85

Sec. 5. (A) Notwithstanding anything in the Revised Code 86
to the contrary, a student receiving a scholarship under a state 87
scholarship program, as defined in section 3301.0711 of the 88
Revised Code, who did not take an assessment prescribed under 89
division (A) of section 3301.0710 or division (B) (2) of section 90
3301.0712 of the Revised Code that is administered in the 2014- 91
2015 or 2015-2016 school year shall be considered to be an 92
eligible student for purposes of the respective scholarship 93
program, so long as the student satisfies all other prescribed 94
conditions of the program. 95

(B) Notwithstanding anything in the Revised Code to the 96
contrary, division (A) of section 3310.14, section 3310.522, and 97
division (A) (11) of section 3313.976 of the Revised Code, and 98
paragraph (C) of rule 3301-103-04 of the Administrative Code 99
shall not apply in the case of a student who did not take an 100
assessment prescribed under division (A) of section 3301.0710 or 101
division (B) (2) of section 3301.0712 of the Revised Code that is 102
administered in the 2014-2015 or 2015-2016 school year. 103

Section 4. That existing Sections 4 and 5 of Am. Sub. H.B. 104
7 of the 131st General Assembly are hereby repealed. 105

Section 5. Not later than thirty days after the effective 106
date of this section, the Department of Education shall update 107

the list of school districts and schools that are eligible for 108
the Educational Choice Scholarship Program in order to account 109
for the amendments to section 3302.036 of the Revised Code, as 110
amended by this act. 111

Section 6. Section 3302.036 of the Revised Code is 112
presented in this act as a composite of the section as amended 113
by both Am. Sub. H.B. 64 and Am. Sub. H.B. 70 of the 131st 114
General Assembly. The General Assembly, applying the principle 115
stated in division (B) of section 1.52 of the Revised Code that 116
amendments are to be harmonized if reasonably capable of 117
simultaneous operation, finds that the composite is the 118
resulting version of the section in effect prior to the 119
effective date of the section as presented in this act. 120