



Ohio Legislative Service Commission

Bill Analysis

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H.B. 481

131st General Assembly
(As Introduced)

Reps. Thompson and Koehler, Becker, Hood, Zeltwanger

BILL SUMMARY

- Specifies that the prohibition on including a student who did not take a state achievement assessment during the previous school year in a district's or school's enrollment count for state funding does not apply to any student who did not take an assessment during the 2015-2016 school year (continuing law temporarily suspended this provision for the 2014-2015 school year only).
- Specifies that a student attending a chartered nonpublic school under a state scholarship program who does not take a required elementary achievement assessment or high school end-of-course exam that is administered in the 2015-2016 school year, is eligible to continue receiving the scholarship, provided the student satisfies all other conditions of the scholarship program (continuing law temporarily suspended this provision for the 2014-2015 school year only).
- Suspends, for the 2014-2015 and 2015-2016 school years, the requirement to withdraw from enrollment a student attending an "e-school" or school district-operated e-school if that student fails for two consecutive school years to take a state achievement assessment, end-of-course exam, or nationally standardized assessment that measures college and career readiness.
- Declares an emergency.

CONTENT AND OPERATION

Student enrollment calculation

Under the school funding formula, state aid to school districts, community schools, and STEM schools is based on student enrollment. Continuing law, temporarily suspended for the 2014-2015 school year, prohibits including in a district's or school's

enrollment count a student who was enrolled in the district or school during the previous school year and did not take one or more of the state-required assessments, unless the student was specifically excused as a special education student or a limited English proficient student.¹

The bill extends this suspension through the 2015-2016 school year, so that the prohibition does not apply in the case of a student who did not take an elementary achievement assessment or high school end-of-course exam that was administered during either the 2014-2015 or 2015-2016 school year.²

Students attending chartered nonpublic schools with a state scholarship

Continuing law, temporarily suspended for the 2014-2015 school year, requires a student who attends a chartered nonpublic school under the Educational Choice Scholarship Program, Pilot Project (Cleveland) Scholarship Program, Autism Scholarship Program, or Jon Peterson Special Needs Scholarship Program to take the state elementary and secondary achievement assessments, including the end-of-course exams.³ A student who does not take an assessment is considered ineligible to receive a scholarship under those programs.

The bill extends this suspension through the 2015-2016 school year. Thus, a student who is attending a chartered nonpublic school under a state scholarship program and who does not take an elementary achievement assessment or high school end-of-course exam that is administered in either the 2014-2015 or 2015-2016 school year may continue to receive or be eligible for a scholarship, provided the student satisfies all other conditions of the scholarship program.⁴

Withdrawal of e-school students for failure to take assessments

Current law specifies student withdrawal policies based on the failure to take state achievement assessments for an "e-school," referred to in the law as an "Internet- or computer-based community school,"⁵ and for a school district-operated school in which students work primarily on assignments in a nonclassroom-based setting using an Internet- or other computer-based instructional method. Specifically, both must

¹ R.C. 3317.03(E)(3), 3314.08(L)(3), and 3326.37(C), none in the bill.

² Section 4 of H.B. 7 of the 131st General Assembly, as amended by Sections 1 and 2 of the bill.

³ R.C. 3310.14, 3310.522, and 3313.976, none in the bill, and Ohio Administrative Code (O.A.C.) 3301-103-04.

⁴ Section 5 of H.B. 7 of the 131st General Assembly, as amended by Sections 1 and 2 of the bill.

⁵ R.C. 3314.02(A)(7), not in the bill.



withdraw a student from enrollment if a student, for two consecutive school years, fails to participate in the spring administration of a state achievement assessment, end-of-course exam, or nationally standardized assessment that measures college and career readiness. However, such a school is not required to withdraw a student who was excused from taking the test because (1) the student took an alternate assessment designed for special education students or (2) the student is limited English proficient and was exempt from the test until the student had been enrolled in a U.S. school for one year.⁶

The bill temporarily suspends these automatic withdrawal policies for the 2014-2015 and 2015-2016 school years.⁷

Background on state assessments

State law prescribes a series of elementary and secondary achievement assessments, which must be administered to students enrolled in public schools (school district-operated schools, community schools, STEM schools, and college-preparatory boarding schools).⁸ The aggregate student scores on those assessments are used in computing annual state report card ratings for school districts and other public schools.⁹ The assessments and end-of-course exams are also administered to students enrolled in a chartered nonpublic school under a state scholarship program (EdChoice, Jon Peterson Special Needs, Cleveland, and Autism Scholarship Programs).¹⁰

Chartered nonpublic schools are not required to administer the elementary achievement assessments to nonscholarship students, except when at least 65% of the school's enrollment is made up of students who are participating in any of the state scholarship programs. Such a school must administer the elementary assessments to all of its students, but the law authorizes the parent of a nonscholarship student to opt the student out of the assessments. Such a school may also be exempted from the requirement if the school has received a waiver from the Superintendent of Public Instruction under certain conditions.¹¹

⁶ R.C. 3313.6410(A) and 3314.26(A), neither section in the bill.

⁷ Section 3.

⁸ R.C. 3301.0710, 3301.0711, and 3301.0712, none in the bill. Currently, there are no college-preparatory boarding schools operating in the state.

⁹ R.C. 3302.03 and 3314.017, neither in the bill.

¹⁰ R.C. 3301.0711(B)(11), 3310.14, 3310.522, and 3313.976(A)(11), none in the bill.

¹¹ R.C. 3301.0711(K)(1)(c).



The composition of elementary-level achievement assessments are shown in the table below.

	English language arts	Math	Science	Social studies
Grade 3	X	X		
Grade 4	X	X		X
Grade 5	X	X	X	
Grade 6	X	X		X
Grade 7	X	X		
Grade 8	X	X	X	

Students enrolled in public high schools must take seven end-of-course exams in the areas of English language arts I, English language arts II, science, Algebra I, geometry, American history, and American government. In addition, eleventh-grade students in public high schools must take a nationally standardized assessment that measures college and career readiness.¹²

The law regarding students in chartered nonpublic high schools and state assessments is summarized in the table below.

Student status	Requirement
Student in an ISACS-accredited chartered nonpublic school attending under a state scholarship	Take (1) the college and career readiness assessment and (2) each of the seven end-of-course exams ¹³
Student in an ISACS-accredited chartered nonpublic school <i>not attending</i> under a state scholarship	No requirement ¹⁴
Student in a non-ISACS chartered nonpublic school attending under a state scholarship	One of the following: (1) take the college and career readiness assessment and each of the seven end-of-course exams, ¹⁵ (2) take only the college and career readiness assessment, but the student's school must publish the

¹² R.C. 3301.0711(B)(11) and 3301.0712(B).

¹³ R.C. 3301.0711(K)(1)(b), 3310.03(E)(2), 3310.14, and 3310.522, and O.A.C. 3301-103-04(C).

¹⁴ R.C. 3301.0711(K)(1)(b)(i).

¹⁵ R.C. 3301.0711(K)(1)(b), 3310.03(E)(2), 3310.14, and 3310.522.



Student status	Requirement
	aggregate results of that assessment for all its students, ¹⁶ or (3) take an alternative assessment approved by the Department of Education ¹⁷
Student in a non-ISACS chartered nonpublic school <i>not attending</i> under a state scholarship	One of the following: (1) take the college and career readiness assessment and each of the seven end-of-course exams, ¹⁸ (2) take only the college and career readiness assessment, but the student's school must publish the aggregate results of that assessment for all its students, ¹⁹ or (3) take an alternative assessment approved by the Department ²⁰

HISTORY

ACTION	DATE
Introduced	03-01-16

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¹⁶ R.C. 3313.612(B)(2) and (D)(1).

¹⁷ R.C. 3310.03(E)(2) (not in the bill), 3310.14(B)(2), 3310.522, and 3313.612(B)(2) and (D)(2) and (3).

¹⁸ R.C. 3301.0711(K)(1)(b).

¹⁹ R.C. 3313.612(B)(2) and (D)(1).

²⁰ R.C. 3313.612(B)(2) and (D)(2) and (3).

