



www.lsc.ohio.gov

OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 369
136th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Fowler Arthur and Lear

Holly Gilman, Attorney

SUMMARY

- By July 1, 2026, requires the Department of Education and Workforce to adopt diagnostic nationally norm-referenced assessments for each of grades one through three in reading, writing, and math.
- Requires that the assessments for grades one and two be administered at the end of the year rather than by September 30 of each year.
- Requires that the third-grade assessments be administered in the beginning of the year or the fall.
- Permits school districts to elect to administer an additional approved assessment in the fall for grades one and two.
- Requires certain specified information to be included in requests for proposal to develop the diagnostic nationally norm-referenced assessment, including a blueprint for results interpretation, evidence of objectivity, and assurances that the provider will produce a comparative description.

DETAILED ANALYSIS

Universal nationally norm-referenced diagnostic assessments

By July 1, 2026, the bill requires the Department of Education and Workforce, to adopt nationally norm-referenced diagnostic assessments aligned with appropriate grade academic standards in reading, writing, and math as follows:

- For students in grades one and two, end-of-the-year assessments to be administered in the spring semester.¹
- For students in third grade, beginning-of-year assessments in reading, writing, and math.²

District administration

Upon adoption of either assessment, the bill requires that the Department make them available to the districts at no cost to the districts. Districts must administer the new assessments in the first year following the approval of the assessment in the spring for grades one and two and the fall for grade three. The bill also permits school districts to administer additional assessments from the list of those approved by the department in the fall of each school year for grades kindergarten through two.³ (Current law already requires school districts to administer the kindergarten readiness assessment in the beginning of the school year.⁴)

Requests for proposals

The bill requires the Department to ensure that each request for proposal from a potential provider of one of the bill's diagnostic assessments include all of the following:

1. A norm-referenced diagnostic tool;
2. Beginning- and end-of-year administration;
3. A blueprint for how to read and interpret assessment results that includes percentile ranges and percentages;
4. Evidence of the procedure used to ensure objectivity in grading assessments; and
5. Assurances that the provider will produce a comparative description between a subsequently adopted assessment and the assessment which immediately preceded it.⁵

Related eliminated provisions

In transitioning to universal norm-referenced diagnostic assessments and requiring the aforementioned information in requests for proposals, the bill eliminates the following provisions of law:⁶

1. Blank copies of diagnostic assessments are public laws;

¹ R.C. 3301.079(D)(1).

² R.C. 3301.079(D)(1).

³ R.C. 3301.079(D)(2) and (3).

⁴ R.C. 3301.0715.

⁵ R.C. 3301.079(D)(4)

⁶ R.C. 3301.079(D)(1), (F), and (H).

2. The requirement that when the Department uses consultants for the purpose of drafting diagnostic assessments and other documents it must first consult with parents, teachers, other school personnel, and administrators;
3. The requirement that if the Department contracts with more than one outside entity for the development of assessments, the department ensure the interchangeability of those assessments; and
4. The use of the fairness and sensitivity review committee to disallow questions written to promote or inquire as to individual moral or social values or beliefs.

Reconciliation with H.B. 96

Due to the timing of the drafting and adoption of legislation, the bill is in conflict with provisions of H.B. 96 of the 136th General Assembly, effective September 30, 2025, that require the Department to adopt diagnostic assessments in reading in grades K-3 and approve a list of up to five diagnostic assessments aligned with state academic standards for both reading and math in grades K-3. Because H.B. 369 was drafted and introduced prior to that act's passage, it does not contain those provisions. Consideration should be given to update this bill in a future version and to coordinate the bill's provisions to current law to avoid confusion.

HISTORY

Action	Date
Introduced	6-18-25
