



# OHIO LEGISLATIVE SERVICE COMMISSION

---

## Bill Analysis

Mike Niemi

### **H.B. 591**

132nd General Assembly  
(As Introduced)

**Reps.** Duffey, Seitz, Riedel, Schaffer, Reineke, Gavarone, Lang

---

### **BILL SUMMARY**

- Creates a new state report card system to assess student performance and other measures for school districts, individual district buildings, community schools, STEM schools, and college-preparatory boarding schools beginning in the 2018-2019 school year. The new report card system does not use letter grades.
  - Establishes seven separate performance measures on the new report cards to measure the performance of districts and schools.
  - Modifies the existing report card for career-technical schools.
  - Maintains the existing state report card system for provisions affected by letters grades or ratings.
  - Eliminates several annual reports associated with the existing report card system.
  - Eliminates or modifies several nongraded measures associated with the existing state report card system.
- 

### **CONTENT AND OPERATION**

#### **New report card system**

The bill creates a new system of state report cards to assess student performance and other measures for school districts and individual district school buildings, community schools, STEM schools, and college-preparatory boarding schools. Instead of grades, this report card presents data as raw scores which can also be viewed as percentiles. Furthermore, the new report card system prohibits the use of performance

indicators, which are a graded measure on the existing report card.<sup>1</sup> Like report cards under current law, report cards issued under the new system are issued by the Department of Education annually, not later than the fifteenth day of September or the preceding Friday when the day falls on a Saturday or Sunday. Most of the bill's provisions, including the issuance of new report cards, take effect in the 2018-2019 school year.<sup>2</sup>

### **New report card measures**

The new report cards include seven separate measures. Those measures are: (1) state test results, (2) graduation rates, (3) student growth, (4) gap closing for vulnerable populations, (5) third-grade reading, (6) college or career-readiness, and (7) enrichment and support measures. If any of the measures do not apply to a school due to the grade levels it serves, the State Board of Education must designate the measures that are applicable to that school, and the Department must calculate them separately. The Department must include the most recent five-year trend data associated with each measure for each district and school.<sup>3</sup>

#### **State test results**

The state test results measure is a direct presentation of the results of the performance of students enrolled in a district or school on the required state achievement assessments, including the results of the nationally standardized assessment that measures college and career-readiness and high school end-of-course exams.<sup>4</sup>

#### **Graduation rates**

The graduation rates measure includes:

- (1) The four- and five-year adjusted cohort graduation rates;
- (2) The percentage of special education students who have an individualized education program and have not yet graduated;
- (3) The percentage of students who have dropped out of school; and

---

<sup>1</sup> R.C. 3302.03(G).

<sup>2</sup> R.C. 3302.03(A) and Section 3 of the bill.

<sup>3</sup> R.C. 3302.03(A) and (B).

<sup>4</sup> R.C. 3302.03(B)(1).



(4) The percentage of students who graduate in the year prior to the report card who are:

- (a) Admitted to a four-year institution of higher education;
- (b) Admitted to a two-year institution of higher education;
- (c) Gainfully employed, as determined by the Department of Education, enlisted in the military, or in an apprenticeship program; and
- (d) Unemployed and not enrolled in an institution of higher education, enlisted in the military, or in an apprenticeship program within one year of graduation.<sup>5</sup>

### **Student growth**

The student growth measure conveys the amount of progress a student has made over the school year toward having the knowledge necessary to perform proficiently in the next grade level, or toward being college or career ready after graduation. The methodology used to calculate this measure must allow for the results to be validated and replicated by districts. Further, the Department must provide a district with the data necessary to validate or replicate the measure's results upon the district's request. It may not use a proprietary formula or method for measuring student growth, although the Department may contract with another entity to perform work related to the measure. The measure must include an explanation of the factors that influence student growth beyond the classroom, including parental and community influence and student attitude.<sup>6</sup>

### **Gap closing for vulnerable populations**

The gap closing for vulnerable populations measure includes a graphic representation of comparative trends of state, district, and school performance for vulnerable populations. The Department must present the data for each student subgroup in a district or school by the subgroup's raw score and the subgroup's percentile ranking relative to all other students in that subgroup statewide.<sup>7</sup> See "**Disaggregated reporting**" below for a list of student subgroups.

---

<sup>5</sup> R.C. 3302.03(B)(2).

<sup>6</sup> R.C. 3302.03(B)(3).

<sup>7</sup> R.C. 3302.03(B)(4).



### **Third-grade reading**

The third-grade reading measure is based on student performance and the percentage of students who are not retained under the Third-Grade Reading Guarantee.<sup>8</sup>

### **College or career-readiness**

The college or career-readiness measure includes:

- (1) The percentage of students enrolled in a district or school who have taken a national standardized test used for college admission, and the percentage of those students who attain remediation-free scores;
- (2) The percentage of the district or school's students who receive at least twelve points of industry-recognized credentials;
- (3) The average amount of Advanced Placement class credit earned per student;
- (4) The average scores on Advanced Placement tests by subject;
- (5) The average scores on International Baccalaureate assessments by subject;
- (6) The average amount of college credits earned per student through the College Credit Plus program; and
- (7) The percentage of the district or school's students who enlisted in the military after graduation.<sup>9</sup>

### **Enrichment and support measures**

The enrichment and support measure consists of two separate measures. The first combines the percentage of students who have been screened and identified as gifted and the percentage of students identified as gifted who receive services that meet student need and are consistent with student areas of identification.

The second one is a voluntary measure in which districts and schools may choose to participate. The Department must create a website with a reporting system where a participating district or school may provide the necessary information to complete the measure. If a district or school reports the data, it must include the total number and number per one hundred students of: (1) kindergarten through third-grade

---

<sup>8</sup> R.C. 3302.03(B)(5).

<sup>9</sup> R.C. 3302.03(B)(6).



reading intervention specialists, (2) school librarians, (3) art teachers, (4) music teachers, and (5) Advanced Placement courses offered. The Department must also report the number of schools per district that do not offer the teachers of such courses.<sup>10</sup>

### **Disaggregated reporting**

Current law requires that the Department disaggregate student performance data according to student subgroups when reporting data on achievement and progress. The bill continues this requirement, but adds two categories under which student performance data must be disaggregated. Those are (1) students from military families and (2) students who are homeless. The existing and continuing subgroups include students grouped by the following categories:

- (1) Grade-level;
- (2) Race and ethnic group;
- (3) Gender;
- (4) Those enrolled in a district or school for three or more years;
- (5) Those enrolled in a district or school for more than one year and less than three years;
- (6) Those enrolled in a district or school for one year or less;
- (7) Those who are economically disadvantaged;
- (8) Those enrolled in a conversion community school;
- (9) Those classified as limited English proficient;
- (10) Those who have disabilities;
- (11) Those classified as migrants or a migratory child, as defined in federal law;
- (12) Those who are identified as gifted in superior cognitive ability and the specific academic ability fields of reading and math; and
- (13) Those who perform in the lowest quintile for achievement on a statewide basis, as determined by the State Board.<sup>11</sup>

---

<sup>10</sup> R.C. 3302.03(B)(7).

<sup>11</sup> R.C. 3302.03(C).



## **Presentation of measures**

The Department must present the measures on the report card using the district or school's raw score on the measure. Additionally, the electronic format of the report card must include an option under which a user can access comparative data for a measure. When a user selects a measure, the user must be able to view the district or school's percentile ranking on the selected measure relative to all other districts or schools in the state.

A user also must be able to access a comparative tool, which the Department must develop, that allows the user to compare the school or district's performance on the selected measure with: (1) the statewide average of all districts or schools, (2) the average of districts or schools in the district's typology, as developed by the Department, and (3) up to three other districts or schools of the user's choice. The Department must make the above information available as a five-year trend line. The Department may provide other data or information that it determines is appropriate.

For the purposes of the comparative tool, the Department must create a typology of school districts that includes the following classifications:

- (1) Rural, high student poverty and small student population size;
- (2) Rural, average student poverty and very small student population size;
- (3) Small town, low student poverty and small student population size;
- (4) Small town, high student poverty and average student population size;
- (5) Suburban, low student poverty and average student population size;
- (6) Suburban, very low student poverty and average student population size;
- (7) Urban, high student poverty and average student population size; and
- (8) Urban, very high student poverty and very large student population size.<sup>12</sup>

## **Miscellaneous requirements**

The Department must disclose the methodology it uses to determine any score on a report card. The report card must include a statement that gives information on proven actions parents may take to help to influence better outcomes on assessments such as reading at home and parental expectations. It also must include a list of all

---

<sup>12</sup> R.C. 3302.03(D).

extra-curricular or additional activities or services offered by and available at the district or school.<sup>13</sup>

### **Career-technical report card**

The bill specifies requirements for report cards for joint vocational school districts (JVSDs) and for other career-technical planning districts based on the existing report card in the Administrative Code, with some changes. Beginning with the 2018-2019 school year, the bill requires that the report cards include at least the following components:

(1) **Achievement.** Career-technical achievement by students enrolled in career-technical education programs and any additional measure as determined by the State Board in consultation with the Chancellor of Higher Education, any Governor's office concerning workforce achievement, the Ohio Association of Career and Technical Education, the Ohio Association of City Career-Technical Schools, and the Ohio Association of Career-Technical Superintendents. It may not include any measure that calculates the percentage of students enrolled in a career-technical education program who passed state achievement assessments or high school end-of-course exams.

(2) **Graduation rate.** Both the four-year and five-year cohort graduation rates of students primarily enrolled in career-technical education programs.

(3) **Post-program outcomes.** The component may not include the reporting of the percentage of students who receive industry-recognized credentials.

(4) **Prepared for success.** The component must include the percentage of students:

- (a) With industry-recognized credentials;
- (b) Who receive an honors diploma;
- (c) Who receive at least three college credits through the College Credit Plus program;
- (d) Who participate in paid or unpaid employment, such as early placement, internships, and preapprenticeships, as part of their career-technical education program while enrolled in high school; and

---

<sup>13</sup> R.C. 3302.03(F).

- (e) Who have earned technical credit that can be transferred to state institutions of higher education under the career-technical assurance guide created by the Chancellor.

This component may not include the nationally standard assessments prescribed under existing law, any other college admission test, or Advanced Placement or International Baccalaureate examination.<sup>14</sup>

Additionally, the bill requires that, beginning with the 2018-2019 school year, the Department must issue a separate report card for a lead district of a career-planning district that is not a joint vocational school district that includes only the performance of enrolled students of that district.<sup>15</sup>

### **Continuation of letter grades for consequences**

The bill maintains the existing state report card system for the purposes of implementing provisions affected by letter grades or ratings issued under that system.<sup>16</sup> The bill prohibits including such letter grades or ratings on any report card issued under the new system. Letter grades or ratings issued under the existing report card system will continue to affect only:

- (1) The establishment and administration of academic distress commissions;<sup>17</sup>
- (2) State academic intervention and the general restructuring of schools in school districts;<sup>18</sup>
- (3) Determining student eligibility for the Educational Choice Scholarship;<sup>19</sup>
- (4) Determining where start-up community schools may be established;<sup>20</sup>

---

<sup>14</sup> R.C. 3302.033(B).

<sup>15</sup> R.C. 3302.033(C).

<sup>16</sup> R.C. 3302.032, conforming changes in R.C. 3301.0711, 3301.0714, 3301.0715, 3301.52, 3301.81, 3302.01, 3302.02, 3302.036, 3302.04, 3302.05, 3302.063, 3302.10, 3302.12, 3302.13, 3302.15, 3302.151, 3302.21, 3302.22, 3310.03, 3311.741, 3311.80, 3313.413, 3313.618, 3313.6113, 3313.903, 3314.012, 3314.015, 3314.016, 3314.017, 3314.02, 3314.03, 3314.034, 3314.05, 3314.085, 3314.35, 3317.0216, 3319.111, 3319.112, 3326.17, 3326.41, 3328.26, 3333.041, 3333.048, and 3333.391.

<sup>17</sup> R.C. 3302.10.

<sup>18</sup> R.C. 3302.04, 3302.05, and 3302.12.

<sup>19</sup> R.C. 3310.03.





(5) Determining where a community school may be located in multiple facilities; and<sup>21</sup>

(6) Determining when a community school must close due to poor academic performance.<sup>22</sup>

For a more comprehensive overview of the structure of the existing report card system, see the LSC Final Analysis for H.B. 555 of the 129th General Assembly, which may be found at: <https://www.lsc.ohio.gov/documents/gaDocuments/analyses129/12-hb555-129.pdf>.

### Eliminated annual reports

The bill eliminates a series of annual reports associated with the existing report card system. The table below lists the eliminated reports.

Report name	Prepared by	Delivered to	Contents
Funding and expenditure accountability report (R.C. 3302.031(A))	Department of Education	Superintendent of each school district	The amount of state aid payments that the school district will receive during the fiscal year and other fiscal data the Department determines necessary to inform the public about a district's financial status.
School safety and discipline report (R.C. 3302.031(B))	Department of Education	Superintendent of each school district	Statistical information regarding student safety and discipline in each school, including the number of suspensions and expulsions disaggregated according to race and gender.
Student equity report (R.C. 3302.031(C))	Department of Education	Superintendent of each school district	A description of the status of teacher qualifications, library and media resources, textbooks, classroom materials and supplies, and technology resources for each district. To the extent possible, the information must be disaggregated according to grade level, race, gender, disability, and scores attained on state assessments.

<sup>20</sup> R.C. 3314.02.

<sup>21</sup> R.C. 3314.05.

<sup>22</sup> R.C. 3314.35.



Report name	Prepared by	Delivered to	Contents
School enrollment report (R.C. 3302.031(D))	Department of Education	Superintendent of each school district	Information about the composition of classes within each district by grade and subject disaggregated according to race, gender, and scores attained on state assessments.
Student retention report (R.C. 3302.031(E))	Department of Education	Superintendent of each school district	The number of students retained in their respective grade levels in the district disaggregated by grade level, subject area, race, gender, and disability.
School district performance report (R.C. 3302.031(F))	Department of Education	Superintendent of each school district	The extent to which the district or each school meets each applicable performance indicator, the number of performance indicators achieved, and the performance index score. The Department must exclude students with disabilities when calculating rates of achievement on the performance indicators and the performance index scores for each report.
Report of measures for students with disabilities (R.C. 3302.035)	Department of Education	Department of Education's website	The performance of students with disabilities in each school district, community school, STEM school, and college-preparatory boarding school on the: (1) value-added progress dimension score measure, (2) performance index score measure, and (3) four- and five-year adjusted cohort graduation rates measure.

### Nongraded measures

The bill eliminates several additional nongraded measures, while modifying and incorporating several others into the new report card system. The table describes the nongraded measures affected by the bill.

Measure	Reporting requirement	Modified or eliminated
Compliance with: (1) physical education standards, (2) local wellness policies, and (3) body mass index screenings (R.C. 3302.032)	Reported on each school district and school report card issued under the existing report card system.	Eliminated.
Data for students who passed over a grade or subject area under an acceleration policy (R.C. 3302.034(A)(1) and (B))	Reported on the Department's website for each school and district.	Eliminated.

<b>Measure</b>	<b>Reporting requirement</b>	<b>Modified or eliminated</b>
The number of economically disadvantaged students as determined by the Department (R.C. 3302.034(A)(2) and (B))	Reported on the Department's website for each school and district.	Modified and incorporated into the new report card system (R.C. 3302.03(C)(7)).
The number of lead teachers employed by each district and school (R.C. 3302.034(A)(3) and (B))	Reported on the Department's website for each school and district.	Eliminated.
The amount of students screened and identified as gifted (R.C. 3302.034(A)(4) and (B))	Reported on the Department's website for each school and district.	Modified and incorporated into the new report card system (R.C. 3302.03(B)(7)(a)).
Postgraduate student outcome data (R.C. 3302.034(A)(5) and (B)).	Reported on the Department's website for each school and district.	Modified and incorporated into the new report card system (R.C. 3302.03(B)(6)).
Availability of fine arts courses (R.C. 3302.034(A)(6) and (B))	Reported on the Department's website for each school and district.	Modified and incorporated into the new report card system (R.C. 3302.03(B)(7)(b)).
Participation with other school districts to provide career-technical education services (R.C. 3302.034(A)(7) and (B))	Reported on the Department's website for each school and district.	Eliminated.

## Miscellaneous changes

### Practice Ohio Graduation Tests

The bill eliminates the requirement that a practice version of the Ohio Graduation Tests (OGT) be created and administered.<sup>23</sup> The OGT is no longer administered to first-time 11th grade students as a graduation requirement.

### Performance index score

The bill eliminates the requirement that the Department assign a weight of zero to students who do not take state assessments while calculating performance index score, which is a graded measure under the existing report card system.<sup>24</sup>

### Performance indicators

The bill requires that performance indicators established by the State Board be used only for the purposes of the existing report card system used to trigger other consequences.<sup>25</sup>

<sup>23</sup> R.C. 3301.0710, conforming changes in R.C. 3301.0711.

<sup>24</sup> R.C. 3302.01.



## Gifted screening audit

The bill requires that, if the Department does not audit school districts for compliance with gifted identification once every three years as required by current law, the Department must explain why the audits have not been performed at a meeting of the State Board.<sup>26</sup>

## Demonstration project

The bill repeals the provision establishing a five-year demonstration project at the three ISUS community schools in Dayton (the ISUS Institutes of Construction Technology, Manufacturing, and Health Care). The project ran through the 2012-2013 school year.<sup>27</sup>

---

## HISTORY

ACTION	DATE
Introduced	04-09-18

H0591-I-132.docx/ts

---

<sup>25</sup> R.C. 3302.02.

<sup>26</sup> R.C. 3324.05.

<sup>27</sup> R.C. 3314.37.

