As Introduced

135th General Assembly Regular Session 2023-2024

S. B. No. 79

Senator Reynolds

A BILL

To amend section 3314.017 and to enact sections	1
3301.0727, 3314.381, and 3314.382 of the Revised	2
Code regarding dropout prevention and recovery	3
community schools	4

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

Section 1. That section 3314.017 be amended and sections	5
3301.0727, 3314.381, and 3314.382 of the Revised Code be enacted	6
to read as follows:	7
Sec. 3301.0727. (A) As used in this section, "dropout	8
recovery community school" has the same meaning as in section	9
3319.301 of the Revised Code.	10
(B) Notwithstanding any provision to the contrary in	11
section 3301.0710, 3301.0711, or 3301.0712 of the Revised Code,	12
a dropout recovery community school shall do both of the	13
following with regard to the administration of end-of-course	14
examinations required under section 3301.0712 of the Revised	15
Code:	16
(1) In addition to the annual testing windows established	17
by the superintendent of public instruction under division (C)	18
of section 3301.0710 of the Revised Code, administer the	19

examinations in an online format at any time of year based on 20 the needs of the student; 21 (2) Adhere to security requirements prescribed under 22 section 3319.151 of the Revised Code for the online examinations 23 administered under division (B)(1) of this section. 24 Sec. 3314.017. (A) The state board of education shall 25 prescribe by rules, adopted in accordance with Chapter 119. of 26 the Revised Code, an academic performance rating and report card 27 system that satisfies the requirements of this section for 28 community schools that primarily serve students enrolled in 29 dropout prevention and recovery programs as described in 30 division (A) (4) (a) of section 3314.35 of the Revised Code, to be 31 used in lieu of the system prescribed under sections 3302.03 and 32 3314.012 of the Revised Code beginning with the 2012-2013 school 33 year. Each such school shall comply with the testing and 34 reporting requirements of the system as prescribed by the state 35 board. 36 (B) Nothing in this section shall at any time relieve a 37 school from its obligations under the "No Child Left Behind Act 38 of 2001" to make "adequate yearly progress," as both that act 39 and that term are defined in section 3302.01 of the Revised 40 Code, or a school's amenability to the provisions of section 41 3302.04 or 3302.041 of the Revised Code. The department of 42 education shall continue to report each school's performance as 43 required by the act and to enforce applicable sanctions under 44 section 3302.04 or 3302.041 of the Revised Code. 45

(C) The rules adopted by the state board shall prescribe
the following performance indicators for the rating and report
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card system required by this section:
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(1) Graduation rate for each of the following student49cohorts: 50

(a) The number of students who graduate in four years or
1 less with a regular high school diploma divided by the number of
52 students who form the adjusted cohort for the graduating class;
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(b) The number of students who graduate in five years with a regular high school diploma divided by the number of students who form the adjusted cohort for the four-year graduation rate;

(c) The number of students who graduate in six years with
a regular high school diploma divided by the number of students
who form the adjusted cohort for the four-year graduation rate;
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(d) The number of students who graduate in seven years
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with a regular high school diploma divided by the number of
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students who form the adjusted cohort for the four-year
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graduation rate;
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(e) The number of students who graduate in eight years with a regular high school diploma divided by the number of students who form the adjusted cohort for the four-year graduation rate.

(2) The percentage of twelfth-grade students currently 68 enrolled in the school who have attained the designated passing 69 score on all of the state high school achievement assessments 70 required under division (B)(1) of section 3301.0710 of the 71 Revised Code or the cumulative performance score on the end-of-72 course examinations prescribed under division (B)(2) of section 73 3301.0712 of the Revised Code, whichever applies, and other 74 students enrolled in the school, regardless of grade level, who 75 are within three months of their twenty-second birthday and have 76 attained the designated passing score on all of the state high 77

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school achievement assessments or the cumulative performance 78 score on the end-of-course examinations, whichever applies, by 79 their twenty-second birthday; 80 (3) Annual measurable objectives as defined in section 81 3302.01 of the Revised Code; 82 (4) Growth in student achievement in reading, or 83 mathematics, or both as measured by separate nationally norm-84 referenced assessments that have developed appropriate standards 85 for students enrolled in dropout prevention and recovery 86 programs, adopted or approved by the state board. 87 88 (D) (1) The state board's rules shall prescribe the expected performance levels and benchmarks for each of the 89 indicators prescribed by division (C) of this section based on 90 the data gathered by the department under division (G) of this 91 section and simulations created by the department. Based on a 92 school's level of attainment or nonattainment of the expected 93 performance levels and benchmarks for each of the indicators, 94 the department shall rate each school in one of the following 95 categories: 96 (a) Exceeds standards; 97 (b) Meets standards; 98 (c) Does not meet standards. 99 (2) The state board's rules shall establish all of the 100 following: 101 (a) Not later than June 30, 2013, performance Performance 102 levels and benchmarks for the indicators described in divisions 103 (C)(1) to (3) of this section; 104

(b) Not later than December 31, 2014, both Both of the 105

following: 106 (i) Performance levels and benchmarks for the indicator 107 described in division (C) (4) of this section; 108 (ii) Standards for awarding a community school described 109 in division (A)(4)(a) of section 3314.35 of the Revised Code an 110 overall designation, which shall be calculated as follows: 111 (I) Thirty per cent of the score shall be based on the 112 indicators described in division (C)(1) of this section that are 113 applicable to the school year for which the overall designation 114 is granted. 115 (II) Thirty per cent of the score shall be based on the 116 indicators described in division (C)(4) of this section. 117 (III) Twenty per cent of the score shall be based on the 118 indicators described in division (C)(2) of this section. 119 (IV) Twenty per cent of the score shall be based on the 120 indicators described in division (C)(3) of this section. 121 (3) If both of the indicators described in divisions (C) 122 (1) and (2) of this section improve by ten per cent for two 123 consecutive years, a school shall be rated not less than "meets 124 standards." 125 The rating and the relevant performance data for each 126 school shall be posted on the department's web site, and a copy 127 of the rating and data shall be provided to the governing 128 authority of the community school. 129 (E) (1) For the 2012-2013 school year, the department shall 130 issue a report card including the following performance 131

issue a report card including the following performance131measures, but without a performance rating as described in132divisions (D)(1)(a) to (c) of this section, for each community133

school described in division (A)(4)(a) of section 3314.35 of the 134 Revised Code: 135 (a) The graduation rates as described in divisions (C)(1) 136 (a) to (c) of this section; 137 (b) The percentage of twelfth-grade students and other 1.38 students who have attained a designated passing score on high 139 school achievement assessments as described in division (C)(2) 140 of this section; 141 (c) The statewide average for the graduation rates and 142 assessment passage rates described in divisions (C)(1)(a) to (c) 143 and (C)(2) of this section; 144 (d) Annual measurable objectives described in division (C) 145 (3) of this section. 146 (2) For the 2013-2014 school year, the department shall 147 issue a report card including the following performance measures 148 for each community school described in division (A)(4)(a) of 149 section 3314.35 of the Revised Code: 150 (a) The graduation rates described in divisions (C)(1)(a) 151 to (d) of this section, including a performance rating as 152 described in divisions (D)(1)(a) to (c) of this section; 153 (b) The percentage of twelfth-grade students and other 154 students who have attained a designated passing score on high 155 school achievement assessments as described in division (C)(2) 156 of this section, including a performance rating as described in 157 divisions (D)(1)(a) to (c) of this section; 158 (c) Annual measurable objectives described in division (C) 159 (3) of this section, including a performance rating as described 160

in divisions (D)(1)(a) to (c) of this section;

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(d) Both of the following without an assigned rating: 162 (i) Growth in annual student achievement in reading and 163 mathematics described in division (C)(4) of this section, if 164 available; 165 (ii) Student outcome data, including postsecondary credit 166 earned, nationally recognized career or technical certification, 167 military enlistment, job placement, and attendance rate. 168 (3) Beginning with the 2014-2015 school year, and annually 169 170 thereafter, the department shall issue a report card for each community school described in division (A) (4) (a) of section 171 3314.35 of the Revised Code that includes all of the following 172 performance measures, including a performance rating for each 173 measure as described in divisions (D)(1)(a) to (c) of this 174 section: 175 (a) The graduation rates as described in division (C)(1) 176 of this section; 177 (b) The percentage of twelfth-grade students and other 178 students who have attained a designated passing score on high 179 school achievement assessments as described in division (C)(2) 180 of this section; 181 (c) Annual measurable objectives described in division (C) 182 (3) of this section, including a performance rating as described 183 in divisions (D)(1)(a) to (c) of this section; 184 (d) Growth in annual student achievement in reading and 185 mathematics as described in division (C)(4) of this section; 186

(e) An overall performance designation for the school
 calculated under rules adopted under division (D)(2) of this
 section.

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The department shall also include student outcome data, 190 including postsecondary credit earned, nationally recognized 191 career or technical certification, military enlistment, job 192 placement, attendance rate, and progress on closing achievement 193 gaps for each school. This information shall not be included in 194 the calculation of a school's performance rating. 195

(F) Not later than the thirty-first day of July of each
year, the department shall submit preliminary report card data
for overall academic performance for each performance measure
prescribed in division (E) (3) of this section for each community
school to which this section applies.

201 (G) In developing the rating and report card systemrequired by this section, during the 2012-2013 and 2013-2014 202 school years, For the purposes of prescribing performance levels 203 and benchmarks under division (D) of this section, the 204 department shall gather and analyze data as determined necessary 205 from prior school years for each community school described in 206 division (A)(4)(a) of section 3314.35 of the Revised Code. Each 207 such school shall cooperate with the department by supplying 208 209 requested data and administering required assessments, including sample assessments for purposes of measuring student achievement 210 growth as described in division (C)(4) of this section. The 211 department shall consult with stakeholder groups in performing 212 its duties under this division. 213

The department shall also identify one or more states that214have established or are in the process of establishing similar215academic performance rating systems for dropout prevention and216recovery programs and consult with the departments of education217of those states in developing the system required by this218section.219

(H) Not later than December 31, 2014, the state board 220 shall review the performance levels and benchmarks for 221 performance indicators in the report card issued under this 222 section and may revise them based on the data collected under 223 division (G) of this section. 224 (I) For the purposes of division (F) of section 3314.351 225 of the Revised Code, the department shall recalculate the 226 ratings for each school under division (E)(3) of this section 227 for the 2017-2018 school year and calculate the ratings under 228 that division for the 2018-2019 school year using the indicators 229 prescribed by division (C) of this section, as it exists on and 230 after July 18, 2019. 231 Sec. 3314.381. (A) As used in this section, "dropout 232 recovery community school" has the same meaning as in section 233 3319.301 of the Revised Code. 234 (B) The department of education shall establish the 235 dropout prevention and recovery advisory council. The council 236 shall provide a forum for communication and collaboration 237 between the department and parties involved in the establishment 238 and operation of dropout recovery community schools, including 239 240 sponsors and operators. (C) The advisory council shall consist of the following 241 members appointed by the state board of education: 242 243 (1) Two members of the state board; (2) One employee of the department who works directly with 244 dropout recovery community schools, including any employee who 245 works as a liaison with such schools; 246 (3) Seven individuals with experience in dropout recovery 247 248 community schools, their operators, and their sponsors. In

appointing these individuals, the state board shall ensure they	249
represent a diverse array of schools in terms of enrollment,	250
programs, learning models, and methods of instruction.	251
(D) The advisory council shall, in collaboration with the	252
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state board of education, review all existing rules and guidance	
previously developed or adopted by the department pursuant to	254
division (D) of section 3314.382 of the Revised Code.	255
Sec. 3314.382. (A) As used in this section, "dropout	256
recovery community school" has the same meaning as in section	257
3319.301 of the Revised Code.	258
(B) Notwithstanding anything to the contrary in the	259
Revised Code, the department of education shall only adopt rules_	260
in accordance with Chapter 119. of the Revised Code for any	261
requirement to be imposed on a dropout recovery community	262
school. The department shall not develop guidelines that impose	263
requirements on the general and uniform operation of a dropout	264
recovery community school.	265
(C) Pursuant to section 119.035 of the Revised Code, prior	266
to adoption, the dropout prevention and recovery advisory	267
council established under section 3314.381 of the Revised Code	268
shall review any proposed rule described in division (B) of this	269
section.	270
(D) Any guidance document previously developed by the	271
department that establishes general and uniform operations	272
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regarding a dropout recovery community school in effect on the	-
effective date of this section is void after that date.	274
Section 2. That existing section 3314.017 of the Revised	275
Code is hereby repealed.	276