



www.lsc.ohio.gov

# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 239  
133rd General Assembly

## Bill Analysis

[Click here for H.B. 239's Fiscal Note](#)

**Version:** As Referred by House Rules and Reference

**Primary Sponsors:** Reps. Manning and Crawley

Allison Schoeppner, Research Associate

### SUMMARY

- Beginning with the class of 2022, eliminates the requirement that high school students take a nationally standardized college admission assessment.
- Beginning with the class of 2022, reduces the number of end-of-course examinations required for graduation from seven to three.
- Requires each school district and other public school to form a work group to examine the amount of time students spend on district required testing and to submit a report of its findings and any recommendations to the district board or school governing authority or body on how to reduce testing.
- Permits a district or school to exceed the time limitations that students may spend on state testing through an annual resolution after considering recommendations from the testing work group.
- Requires the Department of Education to annually publish a report on the amount of time students spent on required state and district or school testing.

### DETAILED ANALYSIS

#### High school testing requirements

##### Nationally standardized college admission assessments

Beginning with the class of 2022 (students who entered 9<sup>th</sup> grade on or after July 1, 2018), the bill eliminates the current requirement for high school students to take a nationally standardized college admission assessment. Schools are still required to administer these assessments to all 11<sup>th</sup> grade students; however student participation is voluntary.<sup>1</sup>

<sup>1</sup> R.C. 3301.0712(B)(1).

## End-of-course exams

Beginning with the class of 2022, the bill also reduces from seven to three the number of required high school end-of-course exams. Under the bill, the three exams are English language arts II; science; and algebra I.<sup>2</sup>

(Current law also requires exams for English language arts I; geometry; American history; and American government.)

## Testing work groups

Within 90 days after the bill's effective date, each school district, community school, and STEM school form a work group to examine the amount of time students spend on district (or school) required testing.<sup>3</sup> The work group must consist of the following members:

1. The district superintendent;
2. A district curriculum or testing administrator or designee of the superintendent;
3. Three building principals, one each from an elementary, middle, and high school;
4. Three classroom teachers selected by the local teachers association, one each from an elementary, middle, and high school; and
5. Three parents of students enrolled in the district selected by the local parent-teacher organization or similar organization, one each from elementary, middle, and high school.

## Duties

Each work group is required to examine all of the following:

1. Time students spend on district or school required testing;
2. The current district or school testing calendar;
3. Identifying if there are groups of students being tested at a greater rate than others;
4. The purpose of testing and if that purpose has been achieved;
5. The use of testing data to drive instructional decisions;
6. The financial cost of testing;
7. If tests are duplicative; and
8. Any previous testing audit or examination of testing the district or school may have.

---

<sup>2</sup> R.C. 3301.0712(B)(2).

<sup>3</sup> R.C. 3301.0729(D). That section applies to community schools and STEM schools through references in R.C. 3314.03(A)(11)(d) and 3326.11, neither in the bill. It also applies to college-preparatory boarding schools through a reference in R.C. 3328.24, not in the bill, but there are no such schools operating in the state.

The bill requires the work group to report findings and any recommendations to the district board of education (or school governing authority or body) within six months after its formation. Upon completion of this report, the work group may be dissolved, continue to meet, or be reconstituted in the future based on local need.

### **Limits on test duration**

Under current law, school districts and schools must ensure that students do not spend more than a cumulative amount of time of (1) two percent of the school year on state and district required assessments, and (2) one percent of the school year taking practice or diagnostic assessments. However, current law also authorizes a school district or school to exceed its prescribed assessment time limitations through the adoption of a resolution (after at least one public hearing on the proposed resolution).

The bill specifies that if a district or school wishes to exceed these time limits it must do so through an *annual* resolution, after considering any recommendations from the testing work group described above. The district or school still must hold at least one public hearing on the proposed resolution too.<sup>4</sup>

### **Department of Education annual report**

The bill requires the Department of Education to annually publish a report on the amount of time students spent on required state and district or school testing. The report must include the following:

1. Information disaggregated by required state testing and by additional testing required by a district or school;
2. Efforts to reduce testing time and increase instructional time;
3. Caps on testing time as prescribed under current law, and a list of any district or school that exceeded the cap;
4. The purpose and use of the required state and district or school tests; and
5. Any resources available to parents to ask questions regarding the testing of their children.

The bill specifies that the report must be published on the Department's website and delivered to the Governor and the respective standing committees of the House of Representatives and Senate that consider primary and secondary education legislation.<sup>5</sup>

---

<sup>4</sup> R.C. 3301.0729(C).

<sup>5</sup> R.C. 3301.0729(E).

---

## HISTORY

Action	Date
Introduced	05-08-19
Referred by H. Rules & Reference	05-14-19

---