



## Ohio Revised Code

### Section 3302.021 Implementation of value-added progress dimension.

Effective: October 3, 2023

Legislation: House Bill 33

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(A) The department of education and workforce shall implement a value-added progress dimension for school districts and buildings and shall incorporate the value-added progress dimension into the report cards and performance ratings issued for districts and buildings under section 3302.03 of the Revised Code.

The department shall adopt rules, pursuant to Chapter 119. of the Revised Code, for the implementation of the value-added progress dimension. The rules adopted under this division shall specify both of the following:

(1) A scale for describing the levels of academic progress in reading and mathematics relative to a standard year of academic growth in those subjects for each of grades three through eight;

(2) That the department shall maintain the confidentiality of individual student test scores and individual student reports in accordance with sections 3301.0711, 3301.0714, and 3319.321 of the Revised Code and federal law. The department may require school districts to use a unique identifier for each student for this purpose. Individual student test scores and individual student reports shall be made available only to a student's classroom teacher and other appropriate educational personnel and to the student's parent or guardian.

(B) The department shall explore the feasibility of using the value-added gain index and effect size to improve differentiation and interpretation of the measure. If the department determines that it is feasible, it may update the rules adopted under division (A) of this section to implement the use of gain index and effect size. If rules are adopted under division (A) of this section that use the gain index and effect size, any prior method used to calculate letter grades or performance ratings under section 3302.03 of the Revised Code shall no longer apply. Rather, the department shall update its rules to determine how letter grades or performance ratings for each level of performance are calculated under section 3302.03 of the Revised Code using gain index and effect size.



(C) The department shall use a system designed for collecting necessary data, calculating the value-added progress dimension, analyzing data, and generating reports, which system has been used previously by a nonprofit organization led by the Ohio business community for at least one year in the operation of a pilot program in cooperation with school districts to collect and report student achievement data via electronic means and to provide information to the districts regarding the academic performance of individual students, grade levels, school buildings, and the districts as a whole.

(D) The department shall not pay more than two dollars per student for data analysis and reporting to implement the value-added progress dimension in the same manner and with the same services as under the pilot program described by division (B) of this section. However, nothing in this section shall preclude the department or any school district from entering into a contract for the provision of more services at a higher fee per student. Any data analysis conducted under this section by an entity under contract with the department shall be completed in accordance with timelines established by the director of education and workforce.

(E) The department shall share any aggregate student data and any calculation, analysis, or report utilizing aggregate student data that is generated under this section with the chancellor of higher education. The department shall not share individual student test scores and individual student reports with the chancellor.

(F) The department shall make individual student performance data reports available to districts and schools that have an overall score under the value-added progress dimension calculated under division (D)(1)(d) of section 3302.03 of the Revised Code. The reports shall include data regarding student level percentiles, normal curve equivalents, unique identifiers, and other data for each school year a district or school has an overall score calculated under that division. The department also shall make available the data used to calculate the district's or school's overall growth rating. The reports shall be made available in an electronic spreadsheet form, as soon as practicable each school year, to appropriate educational personnel in each district or school for all the individual students who are administered assessments by, or who are enrolled in, the district or school.

Division (F) of this section is subject to section 3319.321 of the Revised Code and the "Family Educational Rights and Privacy Act of 1974," 20 U.S.C. 1232g.