



Ohio Revised Code

Section 3302.15 Waiver from administering achievement assessments.

Effective: September 17, 2014

Legislation: House Bill 487, House Bill 483 - 130th General Assembly

(A) Notwithstanding anything to the contrary in Chapter 3301. or 3302. of the Revised Code, the board of education of a school district may submit to the superintendent of public instruction a request for a waiver for up to five school years from administering the state achievement assessments required under sections 3301.0710 and 3301.0712 of the Revised Code and related requirements specified under division (C)(2) of this section. A district that obtains a waiver under this section shall use the alternative assessment system, as proposed by the district or school and as approved by the state superintendent, in place of the assessments required under sections 3301.0710 and 3301.0712 of the Revised Code.

(B) To be eligible to submit a request for a waiver under this section, a school district shall be a member of the Ohio innovation lab network.

(C)(1) A request for a waiver under this section shall contain the following:

(a) A timeline to develop and implement an alternative assessment system for the school district;

(b) An overview of the proposed educational programs or strategies to be offered by the school district;

(c) An overview of the proposed alternative assessment system, including links to state-accepted and nationally accepted metrics, assessments, and evaluations;

(d) An overview of planning details that have been implemented or proposed and any documented support from educational networks, established educational consultants, state institutions of higher education as defined under section 3345.011 of the Revised Code, and employers or workforce development partners;

(e) An overview of the capacity to implement the alternative assessments, conduct the evaluation of



teachers with alternative assessments, and the reporting of student achievement data with alternative assessments for the purpose of the report card ratings prescribed under section 3302.03 of the Revised Code, all of which shall include any prior success in implementing innovative educational programs or strategies, teaching practices, or assessment practices;

(f) An acknowledgement by the school district of federal funding that may be impacted by obtaining a waiver.

(2) The request for a waiver shall indicate the extent to which exemptions from state or federal requirements regarding the administration of the assessments required under sections 3301.0710 and 3301.0712 of the Revised Code are sought. Such items from which a school district or school may be exempt are as follows:

(a) The required administration of state assessments under sections 3301.0710 and 3301.0712 of the Revised Code;

(b) The evaluation of teachers and administrators under sections 3311.80, 3311.84, division (D) of 3319.02, and 3319.111 of the Revised Code;

(c) The reporting of student achievement data for the purpose of the report card ratings prescribed under section 3302.03 of the Revised Code.

(D) Each request for a waiver shall include the signature of all of the following:

(1) The superintendent of the school district;

(2) The president of the district board;

(3) The presiding officer of the labor organization representing the district's or school's teachers, if any;

(4) If the district's teachers are not represented by a labor organization, the principal and a majority of the administrators and teachers of the district.



(E) Not later than thirty days after receiving a request for a waiver, the state superintendent shall approve or deny the waiver or may request additional information from the district. The state superintendent shall not grant waivers to more than ten school districts. A waiver granted to a school district shall be contingent on an ongoing review and evaluation by the state superintendent of the program for which the waiver was granted.

(F)(1) For the purpose of this section, the department of education shall seek a waiver from the testing requirements prescribed under the "No Child Left Behind Act of 2001," if necessary to implement this section.

(2) The department shall create a mechanism for the comparison of the alternative assessments prescribed under division (C) of this section and the assessments required under sections 3301.0710 and 3301.0712 of the Revised Code as it relates to the evaluation of teachers and student achievement data for the purpose of state report card ratings.