

As Passed by the House

**130th General Assembly
Regular Session
2013-2014**

Sub. S. B. No. 21

Senator Lehner

**Cosponsors: Senators Sawyer, Gardner, Bacon, Beagle, Brown, Coley, Eklund, Faber, Hite, Jones, Manning, Obhof, Peterson, Seitz, Turner, Uecker
Representatives Brenner, Amstutz, Anielski, Baker, Bishoff, Burkley, Driehaus, Duffey, Grossman, Hackett, Hayes, Henne, Kunze, McClain, McGregor, O'Brien, Patterson, Phillips, Pillich, Reece, Rogers, Smith, Sprague, Stautberg, Stebelton, Terhar, Young Speaker Batchelder**

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A B I L L

To amend sections 3313.608, 3328.02, and 3328.15 and 1
to enact sections 3301.077, 3302.13, 3302.14, 2
3318.62, 3319.233, and 3333.049 of the Revised 3
Code to revise the requirements of the Third-Grade 4
Reading Guarantee, to revise the laws regarding 5
facilities of a college-preparatory boarding 6
school, and to declare an emergency. 7

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

Section 1. That sections 3313.608, 3328.02, and 3328.15 be 8
amended and sections 3301.077, 3302.13, 3302.14, 3318.62, 9
3319.233, and 3333.049 of the Revised Code be enacted to read as 10
follows: 11

Sec. 3301.077. Not later than January 31, 2014, the state 12
board of education shall adopt reading competencies for all 13
reading credentials and training. Such competencies shall include, 14

but not be limited to, an understanding of phonemic awareness, 15
phonics, fluency, vocabulary, comprehension, appropriate use of 16
assessments, differentiated instruction, and selection of 17
appropriate instructional materials and application of 18
research-based instructional practices. 19

Sec. 3302.13. (A) This section applies to any school district 20
or community school that meets both of the following criteria, as 21
reported on the past two consecutive report cards issued for that 22
district or school under section 3302.03 of the Revised Code: 23

(1) The district or school received a grade of "D" or "F" on 24
the kindergarten through third-grade literacy progress measure 25
under division (C)(3)(e) of section 3302.03 of the Revised Code. 26

(2) Less than sixty per cent of the district's students who 27
took the third grade English language arts assessment prescribed 28
under section 3301.0710 of the Revised Code during the most recent 29
fall and spring administrations of that assessment attained at 30
least a proficient score on that assessment. 31

(B) By December 31, 2016, and by the thirty-first day of each 32
December thereafter, any school district or community school that 33
meets the criteria set forth in division (A) of this section shall 34
submit to the department of education a school or district reading 35
achievement improvement plan, which shall include all requirements 36
prescribed by the state board of education pursuant to division 37
(C) of this section. 38

(C) Not later than December 31, 2014, the state board shall 39
adopt rules in accordance with Chapter 119. of the Revised Code 40
prescribing the content of and deadlines for the reading 41
achievement improvement plans required under division (B) of this 42
section. The rules shall prescribe that each plan include, at a 43
minimum, an analysis of relevant student performance data, 44

measurable student performance goals, strategies to meet specific student needs, a staffing and professional development plan, and instructional strategies for improving literacy. 45
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(D) Any school district or community school to which this section applies shall no longer be required to submit an improvement plan pursuant to division (B) of this section when that district or school meets either of the following criteria, as reported on the most recent report card issued for that district or school under section 3302.03 of the Revised Code: 48
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(1) The district or school received a grade of "C" or higher on the kindergarten through third-grade literacy progress measure under division (C)(3)(e) of section 3302.03 of the Revised Code. 54
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(2) Not less than sixty per cent of the district's students who took the third grade English language arts assessment prescribed under section 3301.0710 of the Revised Code during the most recent fall and spring administrations of that assessment attain at least a proficient score on that assessment. 57
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(E) The department of education shall post in a prominent location on its web site all plans submitted pursuant to this section. 62
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Sec. 3302.14. The department of education annually shall collect, analyze, and publish data regarding reading achievement in schools and progress in assisting all students to become proficient readers. Beginning on January 31, 2015, and on the thirty-first day of each January thereafter, the department shall report these findings, in accordance with section 101.68 of the Revised Code, to the governor, the general assembly, and the state board of education. The report shall include, but not be limited to, both of the following: 65
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(A) The progress of all students that were on a reading 74

intervention plan at any time during grades kindergarten through 75
four while enrolled in the state's public school system. 76

(B) The progress of school districts and community schools 77
that are currently operating under a reading achievement 78
improvement plan pursuant to section 3302.13 of the Revised Code, 79
as data is made available. 80

Sec. 3313.608. (A)(1) Beginning with students who enter third 81
grade in the school year that starts July 1, 2009, and until June 82
30, 2013, unless the student is excused under division (C) of 83
section 3301.0711 of the Revised Code from taking the assessment 84
described in this section, for any student who ~~attains a score in~~ 85
~~the range~~ does not attain at least the equivalent level of 86
achievement designated under division (A)(3) of section 3301.0710 87
of the Revised Code on the assessment prescribed under that 88
section to measure skill in English language arts expected at the 89
end of third grade, each school district, in accordance with the 90
policy adopted under section 3313.609 of the Revised Code, shall 91
do one of the following: 92

(a) Promote the student to fourth grade if the student's 93
principal and reading teacher agree that other evaluations of the 94
student's skill in reading demonstrate that the student is 95
academically prepared to be promoted to fourth grade; 96

(b) Promote the student to fourth grade but provide the 97
student with intensive intervention services in fourth grade; 98

(c) Retain the student in third grade. 99

(2) Beginning with students who enter third grade in the 100
2013-2014 school year, unless the student is excused under 101
division (C) of section 3301.0711 of the Revised Code from taking 102
the assessment described in this section, no school district shall 103
promote to fourth grade any student who ~~attains a score in the~~ 104

~~range~~ does not attain at least the equivalent level of achievement 105
designated under division (A)(3) of section 3301.0710 of the 106
Revised Code on the assessment prescribed under that section to 107
measure skill in English language arts expected at the end of 108
third grade, unless one of the following applies: 109

(a) The student is a limited English proficient student who 110
has been enrolled in United States schools for less than ~~two~~ three 111
full school years and has had less than ~~two~~ three years of 112
instruction in an English as a second language program. 113

(b) The student is a child with a disability entitled to 114
special education and related services under Chapter 3323. of the 115
Revised Code and the student's individualized education program 116
exempts the student from retention under this division. 117

(c) The student demonstrates an acceptable level of 118
performance on an alternative standardized reading assessment as 119
determined by the department of education. 120

(d) All of the following apply: 121

(i) The student is a child with a disability entitled to 122
special education and related services under Chapter 3323. of the 123
Revised Code. 124

(ii) The student has taken the third grade English language 125
arts achievement assessment prescribed under section 3301.0710 of 126
the Revised Code. 127

(iii) The student's individualized education program or plan 128
under section 504 of the "Rehabilitation Act of 1973," 87 Stat. 129
355, 29 U.S.C. 794, as amended, shows that the student has 130
received intensive remediation in reading for two school years but 131
still demonstrates a deficiency in reading. 132

(iv) The student previously was retained in any of grades 133
kindergarten to three. 134

(e)(i) The student received intensive remediation for reading 135
for two school years but still demonstrates a deficiency in 136
reading and was previously retained in any of grades kindergarten 137
to three. 138

(ii) A student who is promoted under division (A)(2)(e)(i) of 139
this section shall continue to receive intensive reading 140
instruction in grade four. The instruction shall include an 141
altered instructional day that includes specialized diagnostic 142
information and specific research-based reading strategies for the 143
student that have been successful in improving reading among 144
low-performing readers. 145

(B)(1) Beginning in the 2012-2013 school year, to assist 146
students in meeting the third grade guarantee established by this 147
section, each school district board of education shall adopt 148
policies and procedures with which it annually shall assess the 149
reading skills of each student, except those students with 150
significant cognitive disabilities or other disabilities as 151
authorized by the department on a case-by-case basis, enrolled in 152
kindergarten to third grade by the thirtieth day of September and 153
shall identify students who are reading below their grade level. 154
Each district shall use the diagnostic assessment to measure 155
reading ability for the appropriate grade level adopted under 156
section 3301.079 of the Revised Code, or a comparable tool 157
approved by the department of education, to identify such 158
students. The policies and procedures shall require the students' 159
classroom teachers to be involved in the assessment and the 160
identification of students reading below grade level. 161

(2) For each student identified by the diagnostic assessment 162
prescribed under this section as having reading skills below grade 163
level, the district shall do both of the following: 164

(a) Provide to the student's parent or guardian, in writing, 165
all of the following: 166

(i) Notification that the student has been identified as having a substantial deficiency in reading;	167 168
(ii) A description of the current services that are provided to the student;	169 170
(iii) A description of the proposed supplemental instructional services and supports that will be provided to the student that are designed to remediate the identified areas of reading deficiency;	171 172 173 174
(iv) Notification that if the student attains a score in the range designated under division (A)(3) of section 3301.0710 of the Revised Code on the assessment prescribed under that section to measure skill in English language arts expected at the end of third grade, the student shall be retained unless the student is exempt under division (A) of this section. The notification shall specify that the assessment under section 3301.0710 of the Revised Code is not the sole determinant of promotion and that additional evaluations and assessments are available to the student to assist parents and the district in knowing when a student is reading at or above grade level and ready for promotion.	175 176 177 178 179 180 181 182 183 184 185
(b) Provide intensive reading instruction services and regular diagnostic assessments to the student immediately following identification of a reading deficiency until the development of the reading improvement and monitoring plan required by division (C) of this section. These intervention services shall include research-based reading strategies that have been shown to be successful in improving reading among low-performing readers and instruction targeted at the student's identified reading deficiencies.	186 187 188 189 190 191 192 193 194
(3) For each student retained under division (A) of this section, the district shall do all of the following:	195 196
(a) Provide intense remediation services until the student is	197

able to read at grade level. The remediation services shall	198
include intensive interventions in reading that address the areas	199
of deficiencies identified under this section including, but not	200
limited to, not less than ninety minutes of reading instruction	201
per day, and may include any of the following:	202
(i) Small group instruction;	203
(ii) Reduced teacher-student ratios;	204
(iii) More frequent progress monitoring;	205
(iv) Tutoring or mentoring;	206
(v) Transition classes containing third and fourth grade	207
students;	208
(vi) Extended school day, week, or year;	209
(vii) Summer reading camps.	210
(b) Establish a policy for the mid-year promotion of a	211
student retained under division (A) of this section who	212
demonstrates that the student is reading at or above grade level;	213
(c) Provide each student with a teacher who satisfies one or	214
more of the applicable criteria set forth in division (H) of this	215
section.	216
The district shall offer the option for students to receive	217
applicable services from one or more providers other than the	218
district. Providers shall be screened and approved by the district	219
or the department of education. If the student participates in the	220
remediation services and demonstrates reading proficiency in	221
accordance with standards adopted by the department prior to the	222
start of fourth grade, the district shall promote the student to	223
that grade.	224
(4) For each student retained under division (A) of this	225
section who has demonstrated proficiency in a specific academic	226
ability field, each district shall provide instruction	227

commensurate with student achievement levels in that specific 228
academic ability field. 229

As used in this division, "specific academic ability field" 230
has the same meaning as in section 3324.01 of the Revised Code. 231

(C) For each student required to be provided intervention 232
services under this section, the district shall develop a reading 233
improvement and monitoring plan within sixty days after receiving 234
the student's results on the diagnostic assessment or comparable 235
tool administered under division (B)(1) of this section. The 236
district shall involve the student's parent or guardian and 237
classroom teacher in developing the plan. The plan shall include 238
all of the following: 239

(1) Identification of the student's specific reading 240
deficiencies; 241

(2) A description of the additional instructional services 242
and support that will be provided to the student to remediate the 243
identified reading deficiencies; 244

(3) Opportunities for the student's parent or guardian to be 245
involved in the instructional services and support described in 246
division (C)(2) of this section; 247

(4) A process for monitoring the extent to which the student 248
receives the instructional services and support described in 249
division (C)(2) of this section; 250

(5) A reading curriculum during regular school hours that 251
does all of the following: 252

(a) Assists students to read at grade level; 253

(b) Provides scientifically based and reliable assessment; 254

(c) Provides initial and ongoing analysis of each student's 255
reading progress. 256

(6) A statement that if the student ~~attains a score in the~~ 257

range does not attain at least the equivalent level of achievement 258
designated under division (A)(3) of section 3301.0710 of the 259
Revised Code on the assessment prescribed under that section to 260
measure skill in English language arts expected by the end of 261
third grade, the student may be retained in third grade. 262

Each student with a reading improvement and monitoring plan 263
under this division who enters third grade after July 1, 2013, 264
shall be assigned to a teacher who satisfies one or more of the 265
~~applicable~~ criteria set forth in division (H) of this section. 266

The district shall report any information requested by the 267
department about the reading improvement monitoring plans 268
developed under this division in the manner required by the 269
department. 270

(D) Each school district shall report annually to the 271
department on its implementation and compliance with this section 272
using guidelines prescribed by the superintendent of public 273
instruction. The superintendent of public instruction annually 274
shall report to the governor and general assembly the number and 275
percentage of students in grades kindergarten through four reading 276
below grade level based on the diagnostic assessments administered 277
under division (B) of this section and the achievement assessments 278
administered under divisions (A)(1)(a) and (b) of section 279
3301.0710 of the Revised Code in English language arts, aggregated 280
by school district and building; the types of intervention 281
services provided to students; and, if available, an evaluation of 282
the efficacy of the intervention services provided. 283

(E) Any summer remediation services funded in whole or in 284
part by the state and offered by school districts to students 285
under this section shall meet the following conditions: 286

(1) The remediation methods are based on reliable educational 287
research. 288

(2) The school districts conduct assessment before and after 289
students participate in the program to facilitate monitoring 290
results of the remediation services. 291

(3) The parents of participating students are involved in 292
programming decisions. 293

(F) Any intervention or remediation services required by this 294
section shall include intensive, explicit, and systematic 295
instruction. 296

(G) This section does not create a new cause of action or a 297
substantive legal right for any person. 298

(H)(1) ~~Prior to July 1, 2014, each~~ Except as provided under 299
divisions (H)(2), (3), and (4) of this section, each student 300
described in division (B)(3) or (C) of this section who enters 301
third grade for the first time on or after July 1, 2013, shall be 302
assigned a teacher who has ~~been actively engaged in the reading~~ 303
~~instruction of students for the previous three years~~ at least one 304
year of teaching experience and who satisfies one or more of the 305
following criteria: 306

(a) The teacher holds a reading endorsement on the teacher's 307
license and has attained a passing score on the corresponding 308
assessment for that endorsement, as applicable. 309

(b) The teacher has completed a master's degree program with 310
a major in reading. 311

(c) The teacher ~~has demonstrated evidence of a credential~~ 312
~~earned from a list of scientifically research-based reading~~ 313
~~instruction programs approved by the department~~ was rated "most 314
effective" for reading instruction consecutively for the most 315
recent two years based on assessments of student growth measures 316
developed by a vendor and that is on the list of student 317
assessments approved by the state board under division (B)(2) of 318
section 3319.112 of the Revised Code. 319

(d) The teacher was rated "above expected value added," which 320
means ~~most effective~~ in reading instruction, as determined by 321
criteria established by the department, for the ~~last~~ most recent, 322
consecutive two ~~school~~ years. 323

~~(2) Effective July 1, 2014, each student described in 324~~
~~divisions (B)(3) and (C) of this section shall be assigned a 325~~
~~teacher who has been actively engaged in the reading instruction 326~~
~~of students for the previous three years and who satisfies one or 327~~
~~more of the following criteria:~~ 328

~~(a) The teacher holds a reading endorsement on the teacher's 329~~
~~license and has attained a passing score on the corresponding 330~~
~~assessment for that endorsement. 331~~

~~(b) The teacher has completed a master's degree program with 332~~
~~a major in reading. 333~~

~~(c) The teacher was rated above "above value added," which 334~~
~~means most effective for the last two school years. 335~~

~~(d)(e) The teacher has earned a passing score on a rigorous 336~~
~~test of principles of scientifically research-based reading 337~~
~~instruction. This test shall be selected through a competitive 338~~
~~bidding process and shall be as approved by the state board. 339~~

~~(3)(f) The teacher holds an educator license for teaching 340~~
~~grades pre-kindergarten through three or four through nine issued 341~~
~~on or after July 1, 2017. 342~~

(2) Notwithstanding division (H)(1) of this section, a 343
student described in division (B)(3) or (C) of this section who 344
enters third grade for the first time on or after July 1, 2013, 345
may be assigned to a teacher with less than one year of teaching 346
experience provided that the teacher meets one or more of the 347
criteria described in divisions (H)(1)(a) to (f) of this section 348
and that teacher is assigned a teacher mentor who meets the 349
qualifications of division (H)(1) of this section. 350

(3) Notwithstanding division (H)(1) of this section, a student described in division (B)(3) or (C) of this section who enters third grade for the first time on or after July 1, 2013, but prior to July 1, 2016, may be assigned to a teacher who holds an alternative credential approved by the department or who has successfully completed training that is based on principles of scientifically research-based reading instruction that has been approved by the department. Beginning on July 1, 2014, the alternative credentials and training described in division (H)(3) of this section shall be aligned with the reading competencies adopted by the state board of education under section 3301.077 of the Revised Code.

(4) Notwithstanding division (H)(1) of this section, a student described in division (B)(3) or (C) of this section who enters third grade for the first time on or after July 1, 2013, may receive reading intervention or remediation services under this section from an individual employed as a speech-language pathologist who holds a license issued by the board of speech-language pathology and audiology under Chapter 4753. of the Revised Code and a professional pupil services license as a school speech-language pathologist issued by the state board of education.

(5) A teacher, other than a student's teacher of record, may provide any services required under this section, so long as that other teacher meets the requirements of division (H) of this section and the teacher of record and the school principal agree to the assignment. Any such assignment shall be documented in the student's reading improvement and monitoring plan.

As used in this division, "teacher of record" means the classroom teacher to whom a student is assigned.

(I) Notwithstanding division (H) of this section, a teacher may teach reading to any student who is an English language

learner, and has been in the United States for three years or 383
less, or to a student who has an individualized education program 384
developed under Chapter 3323. of the Revised Code if that teacher 385
holds an alternative credential approved by the department or has 386
successfully completed training that is based on principles of 387
scientifically research-based reading instruction that has been 388
approved by the department. Beginning on July 1, 2014, the 389
alternative credentials and training described in this division 390
shall be aligned with the reading competencies adopted by the 391
state board of education under section 3301.077 of the Revised 392
Code. 393

(J) If, on or after the effective date of this amendment, a 394
school district or community school cannot furnish the number of 395
teachers needed who satisfy one or more of the criteria set forth 396
in division (H)~~(1)~~ of this section for the 2013-2014 school year, 397
the school district or community school shall develop and submit a 398
staffing plan by June 30, 2013,~~in a manner determined by the~~ 399
~~department indicating the criteria that will be used to determine~~ 400
~~those teachers in the school district or community school who will~~ 401
~~teach and how the school district or community school will meet~~ 402
~~the requirements set forth in division (H)(2) of this section.~~ 403

~~A school district or community school may include in this~~ 404
~~plan the option to contract with another school district or~~ 405
~~private provider that has been screened and approved by the~~ 406
~~department to provide intervention services. If the school~~ 407
~~district or community school's plan is not approved by the~~ 408
~~department by August 15, 2013, the school district or community~~ 409
~~school shall use a private contractor from a list approved by the~~ 410
~~department or contract with another district to provide~~ 411
~~intervention services for these students. The staffing plan shall~~ 412
include criteria that will be used to assign a student described 413
in division (B)(3) or (C) of this section to a teacher, 414

credentials or training held by teachers currently teaching at the 415
school, and how the school district or community school will meet 416
the requirements of this section. The school district or community 417
school shall post the staffing plan on its web site for the 418
applicable school year. 419

Not later than March 1, 2014, and on the first day of March 420
in each year thereafter, a school district or community school 421
that has submitted a plan under this division shall submit to the 422
department a detailed report of the progress the district or 423
school has made in meeting the requirements under this section. 424

A school district or community school may request an 425
extension of a staffing plan beyond the 2013-2014 school year. 426
Extension requests must be submitted to the department not later 427
than the thirtieth day of April prior to the start of the 428
applicable school year. The department may grant extensions valid 429
through the 2015-2016 school year. 430

Until June 30, 2015, the department annually shall review all 431
staffing plans and report to the state board not later than the 432
thirtieth day of June of each year the progress of school 433
districts and community schools in meeting the requirements of 434
this section. 435

(K) The department of education shall designate one or more 436
staff members to provide guidance and assistance to school 437
districts and community schools in implementing the third grade 438
guarantee established by this section, including any standards or 439
requirements adopted to implement the guarantee and to provide 440
information and support for reading instruction and achievement. 441

Sec. 3318.62. Any agreement between the Ohio school 442
facilities commission and the board of trustees of a 443
college-preparatory boarding school to provide facilities 444
assistance under section 3318.60 or 3318.61 of the Revised Code 445

shall include the following stipulations: 446

(A) If the school ceases its operations, the school's board 447
of trustees may permit the classroom facilities to be used for 448
only an alternative public purpose, including, but not limited to, 449
primary, secondary, vocational, or higher education services. 450

(B) If the school ceases its operations due to either the 451
failure of the school's operator to comply with any of the 452
requirements of the contract prescribed under section 3328.12 of 453
the Revised Code or the default by the school's board of trustees 454
on an underlying leasehold or mortgage agreement, the school's 455
board of trustees shall return to the commission the unamortized 456
portion of the state funds provided to the board of trustees under 457
this chapter, based on a straight-line depreciation over the first 458
eighteen years of occupancy. However, if, within twenty-four 459
months after the school's cessation from operation, the classroom 460
facilities of a college-preparatory boarding school are used for 461
an alternative public purpose as prescribed by division (A) of 462
this section, no return of funds by the board of trustees under 463
this division shall be required. 464

Sec. 3319.233. (A) Beginning July 1, 2017, all new educator 465
licenses issued for grades pre-kindergarten through three or four 466
through nine shall require the applicant to attain a passing score 467
on a rigorous examination of principles of scientifically 468
research-based reading instruction that is aligned with the 469
reading competencies adopted by the state board of education under 470
section 3301.077 of the Revised Code. 471

(B) The state board shall adopt rules in accordance with 472
Chapter 119. of the Revised Code prescribing criteria and 473
procedures necessary to implement the requirements of this 474
section. 475

Sec. 3328.02. (A) Each college-preparatory boarding school 476
established under this chapter is a public school and is part of 477
the state's program of education. 478

(B) Acting through its board of trustees, the school may sue 479
and be sued, acquire facilities as needed, contract for any 480
services necessary for the operation of the school, and enter into 481
contracts with the department of education pursuant to this 482
chapter. The board of trustees may carry out any act and ensure 483
the performance of any function that is in compliance with the 484
Ohio Constitution, this chapter, other statutes applicable to 485
college-preparatory boarding schools, and the contract entered 486
into under this chapter establishing the school. 487

(C) Each college-preparatory boarding school shall be 488
established as a public benefit corporation under Chapter 1702. of 489
the Revised Code. 490

Sec. 3328.15. (A) Each college-preparatory boarding school 491
established under this chapter shall be governed by a board of 492
trustees consisting of up to twenty-five members. Five of those 493
members shall be appointed by the governor, with the advice and 494
consent of the senate. The governor's appointments may be based on 495
nonbinding recommendations made by the superintendent of public 496
instruction. Of the remaining members, initial members shall be 497
appointed by the school's operator and future members shall be 498
appointed pursuant to the bylaws adopted under section 3328.13 of 499
the Revised Code. The governor, operator, or any other person or 500
entity who appoints a member of the board of trustees under this 501
section or the bylaws adopted under section 3328.13 of the Revised 502
Code may remove that member from the board at any time. 503

(B) The terms of office of the initial members shall be as 504
follows: 505

(1) Two members appointed by the governor shall serve for an initial term of three years.	506 507
(2) Two members appointed by the governor shall serve for an initial term of two years.	508 509
(3) One member appointed by the governor shall serve for an initial term of one year.	510 511
(4) One-third of the members appointed by the operator, rounded down to the nearest whole number, shall serve for an initial term of three years.	512 513 514
(5) One-third of the members appointed by the operator, rounded down to the nearest whole number, shall serve for an initial term of two years.	515 516 517
(6) One-third of the members appointed by the operator, rounded down to the nearest whole number, shall serve for an initial term of one year.	518 519 520
(7) Any remaining members appointed by the operator shall serve for an initial term of one year.	521 522
Thereafter the terms of office of all members shall be for three years.	523 524
The beginning date and ending date of terms of office shall be as prescribed by the school's operator, unless modified in the bylaws adopted under section 3328.13 of the Revised Code.	525 526 527
(C) Vacancies on the board shall be filled in the same manner as the initial appointments. A member appointed to an unexpired term shall serve for the remainder of that term and may be reappointed subject to division (D) of this section.	528 529 530 531
(D) No member may serve for more than three consecutive three-year terms.	532 533
(E) The officers of the board shall be selected by and from among the members of the board.	534 535

(F) Compensation for the members of the board, if any, shall 536
be as prescribed in the bylaws adopted under section 3328.13 of 537
the Revised Code. 538

(G) It shall be construed that any contract entered into by 539
the board of trustees or any officer or trustee of a 540
college-preparatory boarding school, including, but not limited 541
to, an agreement or contract required by section 3318.08, 3318.60, 542
or 3318.61 of the Revised Code, is entered into by such 543
individuals in their official capacities as representatives of the 544
college-preparatory boarding school. No officer, trustee, or 545
member of the board of trustees of a college-preparatory boarding 546
school incurs any personal liability by virtue of section 3318.08, 547
3318.60, or 3318.61 of the Revised Code or the entering into any 548
contract on behalf of the school. 549

Sec. 3333.049. Not later than July 1, 2016, the chancellor of 550
the Ohio board of regents shall revise the requirements for 551
reading endorsement programs offered by institutions of higher 552
education to align those requirements with the reading 553
competencies adopted by the state board of education under section 554
3301.077 of the Revised Code. 555

Section 2. That existing sections 3313.608, 3328.02, and 556
3328.15 of the Revised Code are hereby repealed. 557

Section 3. The Department of Education shall conduct a study 558
of diagnostic assessments for reading and writing for grades 559
kindergarten through three that may be considered for approval by 560
the State Board of Education under section 3301.079 of the Revised 561
Code. The study shall include an examination of various diagnostic 562
assessments to determine which are reliable and valid in 563
indicating a student's ability and progress toward reading at 564
grade level. The study shall also include methods to establish 565

correlations between assessment results in order to determine 566
equivalent performance levels across different assessments. 567

Not later than March 31, 2014, the Department shall submit a 568
report of the study to the State Board of Education, the Governor, 569
and the General Assembly, in accordance with section 101.68 of the 570
Revised Code, with specific recommendations on diagnostic 571
assessments, including recommended legislative changes regarding 572
the approval and use of such assessments. 573

Section 4. This act is hereby declared to be an emergency 574
measure necessary for the immediate preservation of the public 575
peace, health, and safety. The reason for such necessity is to 576
facilitate timely implementation of the act's revisions regarding 577
reading intervention and to coordinate those revisions with other 578
recently enacted amendments regarding reading intervention. 579
Therefore, this act shall go into immediate effect. 580