Academic Intervention Services in Reading and Math under ORC 3313.6034



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READ Ohio

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Introduction

The purpose of this document is to outline the statutory requirements under ORC 3313.6034 as enacted by Senate Bill 19 of the 136th General Assembly for Academic Intervention Services in mathematics and reading for students in grades kindergarten through 12.

Please send questions about math to Mathematics@education.ohio.gov. Direct questions about reading to ReadOhio@education.ohio.gov.

Academic Intervention Service Requirements

Under ORC 3313.6034, each school district, community school, and STEM school must provide evidence-based academic intervention services, free of cost, to each qualifying student. The district or school must provide those services directly, through a contracted vendor, or as a combination of both options.

The district or school must provide services that align with a qualifying student's assessed level of skill and provide accelerated learning and skill mastery when possible to help the student demonstrate a level of skill appropriate to the student's grade level.

Districts and schools have the discretion to provide academic intervention services to a student who does not meet the definition of a qualifying student under ORC 3313.6034. Other provisions of law may require intervention services beyond those required by ORC 3313.6034.

Qualifying Students

Under ORC 3313.6034, a "qualifying student" means a student who, on a K-3 diagnostic assessment[1] or a state assessment, demonstrates a limited level of skill in the subject area of mathematics, English language arts, or both.

For purposes of the academic intervention services requirements, "state assessment" means either an achievement assessment prescribed under ORC 3301.0710 or an end-of-course examination prescribed under ORC 3301.0712. ORC 3313.6034(A)(2). “Diagnostic assessment” means a diagnostic assessment for mathematics or reading prescribed under ORC 3301.079. ORC 3313.6034(A)(1).

"Qualifying student" does not include either of the following:

- A student who has an IEP that includes services related to a traumatic brain injury or a significant cognitive disability, unless the student's parent or guardian and district or school have determined the services would be appropriate for the student;
- A student who attends a dropout prevention and recovery community school, as defined in ORC 3314.02.

[1] “Diagnostic assessment” means a diagnostic assessment for reading or math prescribed under ORC 3301.079. ORC 3313.6034(A)(1).

Intervention Exit Criteria (Grades K-8)

A student who receives academic intervention services in mathematics or English language arts is no longer eligible for services in that subject area when the student demonstrates a proficient level of skill in that subject area on either a K-3 diagnostic assessment or a state assessment. ORC 3313.6034(G)(1). However, other provisions of law may require intervention services beyond those required by ORC 3313.6034.

If a qualifying student receiving academic intervention services in both mathematics and English language arts demonstrates a level of skill that is proficient or higher in one, but not both, subject areas, the student must continue to receive academic intervention services for the subject area in which the student has not demonstrated a proficient level of skill. ORC 3313.6034(G)(2).

Intervention Exit Criteria (Grades 9-12)

A student in any of grades 9-12 who fails to demonstrate a level of skill that is proficient or higher on an end-of-course examination in mathematics or English language arts, or both, and is not required to retake the examination, continues to qualify for intervention services. For such a student, the district or school must align intervention services with the student's selected graduation pathway prescribed under ORC 3313.618. ORC 3313.6034(G)(3).

What Counts as Academic Intervention Services?

Under ORC 3313.6034, academic intervention services provided to a student may encompass a variety of evidence-based supports, including the following:

- Tutoring supports
- Additional instruction time
- An extended school calendar
- Participation in a learning support program, or
- Any other academically centered support service that the district or school determines will improve the student's academic performance.

Intervention services may also be offered in combination with integrated student supports.

All academic intervention services provided to a qualifying student must align with the academic instruction the student receives. Intervention services provided must be in addition to, and not a replacement for, existing academic instruction and other services provided to students. All academic intervention services in English language arts must align with the science of reading as defined in ORC 3313.6028.

Districts and schools must ensure that academic intervention services provided to a qualifying student do not supplant the student's core academic instructional time, except that in grades K-3, instruction aligned with science and social studies standards may be integrated into core mathematics and reading instruction rather than being taught in separate instructional periods.

HIGH-DOSAGE TUTORING

Under ORC 3301.6034(C)(1), academic intervention services may include tutoring supports. "Tutoring supports" means high-dosage tutoring opportunities aligned with the student's classroom instruction through a state-approved vendor on the Ohio Department of Education and Workforce's approved list of high-quality tutoring vendors or a locally approved tutoring opportunity that aligns with high-dosage tutoring best practices.

High-dosage tutoring opportunities must include instruction time delivered at least three days per week, or at least 50 hours over 36 weeks.

High-dosage tutoring may be incorporated into a student's regular classroom instruction. To the extent practicable, districts and schools must endeavor to provide each of a student's tutoring supports with the same tutor.

Parent Notification and Involvement

Districts and schools must notify the parent or guardian of a qualifying student that the student will receive academic intervention services prior to providing services to the student. The notification must include a description of which intervention or interventions the qualifying student will receive and who will provide services to the student. ORC 3313.6034(E)(1).

The district or school periodically must update the parent or guardian on the academic intervention services provided to the qualifying student and must provide resources and recommendations for ways the parent or guardian may assist the qualifying student. ORC 3313.6034(E)(2).

EMIS Reporting

Districts and schools must annually report into EMIS all of the following:

- The number of qualifying students enrolled in the district or school
- The number of qualifying students receiving academic intervention services in mathematics, English language arts, or both
- The number of qualifying students receiving academic intervention services from the district or school directly, through a vendor, or a combination of both options

For specific guidance about EMIS reporting, please consult with the district or school's EMIS coordinator or Information Technology Center (ITC).

Department On-Site Compliance Review

Under ORC 3313.6034(F), beginning with the 2027-2028 school year and each school year thereafter, the Department must randomly identify and select individual schools operated by a school district, community schools, and STEM schools for a review of their academic intervention services for qualifying students. The Department must not select more than 5% of all schools to review each year. No school must be selected for review more than once every three years.

The Department's review must include, at a minimum, the following:

- A document review
- Interviews with applicable school staff
- Observations of interventions

Additionally, the Department's review must assess all of the following:

- Whether qualifying students receive academic intervention services in accordance with ORC 3313.6034(B)
- The types and methods of academic intervention services that qualifying students receive
- The quality of the academic intervention services provided by the school or the contracted vendor

To determine quality, the Department may consider the length and duration of the intervention, specific programs and curriculum being used, credentials and training of intervention providers, and data regarding qualifying student progress.

The Department must provide a report to the school containing its review of the school's academic intervention services within 75 days after the Department completes the review. Each report must include an assessment of the efficacy of the academic intervention services provided to qualifying students, along with any recommendations the Department considers necessary. The school must post a copy of the report on its web site and must make the report available upon request to any person.

The Department must include the review in the school's Student Opportunity Profile on the Ohio School Report Cards. More information about the Department's on-site compliance reviews will be available in the coming months.