



# Frequently Asked Questions about Budget Bill Changes to the Third Grade Reading Guarantee

House Bill 33 of the 135<sup>th</sup> General Assembly included several legislative changes to the Third Grade Reading Guarantee for all districts and schools. Responses to frequently asked questions about changes to the Third Grade Reading Guarantee are provided below. In addition to this document, the Department will continue to develop additional guidance and resources regarding these changes. Please direct additional questions to [ThirdGradeGuarantee@education.ohio.gov](mailto:ThirdGradeGuarantee@education.ohio.gov).

## ***What is the science of reading?***

Under [Ohio law](#), the science of reading means an interdisciplinary body of scientific evidence that:

- Informs how students learn to read and write proficiently;
- Explains why some students have difficulty with reading and writing;
- Indicates that all students benefit from explicit and systematic instruction in phonemic awareness, phonics, vocabulary, fluency, comprehension and writing to become effective readers;
- Does not rely on any model of teaching students to read based on meaning, structure and syntax, and visual cues, including a three-cueing approach.

Ohio Governor Mike DeWine recently launched [ReadOhio](#), an exciting statewide effort to encourage improved literacy skills for all ages, including the implementation of high-quality instructional materials aligned with the science of reading in Ohio's schools. In addition, this [video](#) featuring Ohio's educators, school leaders, students and institutions of higher education explains what the science of reading is and why it is important. More information about the science of reading can be found on the Department's [science of reading webpage](#).

## ***Has the Third Grade Reading Guarantee's retention provision been eliminated?***

No. Under [Ohio law](#) (Ohio Revised Code 3313.608, schools may retain students who score below the promotion score on Ohio's State Test for grade 3 English language arts unless those students are exempt from retention. However, the following changes were made to the Third Grade Reading Guarantee's retention provision.

- Promotion of 2022-2023 School Year Third Grade Students: Under House Bill 33 of the 135<sup>th</sup> General Assembly, any district, community school, STEM school or chartered nonpublic school that would have retained students who did not meet the promotion score on Ohio's State Test for grade 3 English language arts during the 2022-2023 school year must promote those students to fourth grade unless a student's parent or guardian requests otherwise. Students promoted to fourth grade must continue to receive at least 90 minutes of daily reading instruction that includes intensive intervention until the student is able to read at grade level.
- Parent Request Exemption Beginning in the 2023-2024 School Year: Under Ohio law (Ohio Revised Code 3313.608(A)(2)(f)), beginning in the 2023-2024 school year and each school year thereafter, a student's parent or guardian, in consultation with the student's reading teacher and principal, may request that a student be promoted to fourth grade regardless of the student's score on Ohio's State Test for grade 3 English language arts. Students promoted to fourth grade through this exemption must continue to receive intensive reading instruction until the student is able to read at grade level.



**Will there still be a fall administration of Ohio's State Test for grade 3 English language arts?**

Yes. Testing dates for all Ohio's State Tests can be found on the Department's [testing dates webpage](#).

**What if the building principal and reading teacher disagree with a parent's request for promotion?**

While building principals and reading teachers must be consulted under [Ohio law](#), the ultimate authority for this decision rests with the student's parent. Therefore, the parent's choice would be the deciding factor in the event of a disagreement with the principal and reading teacher.

**Are other components to the Third Grade Reading Guarantee's retention provision still in place (such as the mid-year promotion policy, outside services for retained students and third grade teacher qualification requirements for retained students)?**

Yes. Under [Ohio law](#), these components are required for students retained in third grade who did not meet the promotion score and are not promoted under the parent request exemption.

**Does the parent exemption need to be in writing?**

The law does not specify that the parent's request be in writing.

**Are the other exemptions to retention still in place?**

Yes. Under [Ohio law](#), schools may retain students who score below the promotion score on Ohio's State Test for grade 3 English language arts unless those students are exempt from retention. Below is a full list of exemptions to retention under the [Third Grade Reading Guarantee](#):

- A student who is an English learner enrolled in U.S. schools for less than three full school years and with less than three years of instruction in an English as a second language program;
- A student whose IEP specifically exempts the student from retention under the Third Grade Reading Guarantee;
- A student who demonstrates reading competency on an alternative assessment for reading approved by the Ohio Department of Education (see detailed guidance below);
- A student whose IEP shows the student received intensive remediation in reading for two years, the student has taken the third grade English language arts achievement assessment, and the student was previously retained in any of grades kindergarten through grade 3;
- A student who received intensive remediation in reading for two years, and the student was previously retained in any of grades kindergarten through grade 3; and
- A student's parent or guardian, in consultation with the student's reading teacher and building principal, requests that the student, regardless of whether the student is reading at grade level, be promoted to the fourth grade.

**Will districts and schools still be required to administer alternative reading assessments?**

This is a local decision. Districts are not required to, but may, administer alternative reading assessments to provide additional promotion opportunities under [Ohio law](#) and for other instructional purposes.

**For what grade levels are districts and schools required to develop and implement RIMPs in the 2023-2024 school year?**

In the 2023-2024 school year, districts and schools are required to develop and implement RIMPs for specific students in grades K-4. Under [Ohio law](#), districts and schools must create a RIMP for any student in grades K-3 who scores not on track (reading below grade level) on the reading diagnostic assessment.

In grade 4, districts and schools are required to [develop and implement RIMPs](#) for the following students:

- Students who did not meet the promotion score (685) on Ohio's State Test for grade 3 English language arts, but the student's parent or guardian, in consultation with the student's reading teacher and principal, requested the student be promoted to grade 4. These same students must receive 90 minutes of daily reading instruction that includes intensive intervention.



- RIMPs must also continue for students who had a RIMP in grade 3 and still are not reading at grade level (700 or higher on Ohio’s State Test for grade 3 English language arts).

The RIMP continues throughout the student’s K-12 academic career until the student is reading on grade level (proficient on Ohio’s State Test for English language arts).

***What determines “reading at grade level”?***

A score of proficient on Ohio’s State Test for English language arts (700 or higher) is considered reading at grade level. For students in grades K-3, reading at grade level is determined by the results of an approved reading diagnostic administered at the beginning of the school year.

***Will districts and schools be required to report RIMP intervention codes for fourth grade students?***

Yes, as required under [Ohio law](#).

***Will there be changes to the Department’s RIMP template?***

Yes. Changes to the Department’s template are forthcoming and will be shared broadly to the education community when available.

## HIGH-DOSAGE TUTORING

***Which students are required to receive high-dosage tutoring opportunities?***

High dosage tutoring now is a requirement for reading improvement and monitoring plans (RIMPs). Beginning in the 2023-2024 school year, districts and schools will be required under [state law](#) to provide all those K-4 students who have been provided RIMPs the following: high-dosage tutoring opportunities aligned with high-quality tutoring best practices and the science of reading. In addition to other RIMP requirements, high-dosage tutoring must continue beyond grade 4 if the student still is not reading at grade level.

***What is high-dosage tutoring?***

[High-dosage tutoring](#) is defined as additional instruction time of at least three days per week or at a rate of at least 50 hours over 36 weeks. High-dosage tutoring is required for all students with reading improvement and monitoring plans (RIMPs) High-dosage tutoring must occur at least three days a week or at least 50 hours over 36 weeks.

State law requires districts and schools to select tutoring opportunities that align to high-dosage tutoring best practices. The tutoring must:

1. **Support a high-dosage model:** High-dosage tutoring focuses on 1:1 or small groups (no more than 4:1) for at least 30 minutes at least three times a week.
2. **Align instruction and materials:** Using high-quality instructional materials that are **aligned with grade-level classroom content helps tutors support in-class instruction.**
3. **Use quality tutors:** Initial training is important, but ongoing professional learning and support (particularly for new tutors) is a critical component of all tutoring programs. Relationships also are key, and ensuring a student has a consistent tutor who can build a positive relationship and understand the student’s learning needs is crucial.
4. **Identify delivery mode:** Most research to date has focused on in-person tutoring, but there is emerging evidence that tutoring can be effective when delivered through distance learning. Both delivery modes are permissible.
5. **Prioritize scheduling:** Research shows that tutoring interventions that occur during the school day tend to result in greater learning gains vs. after-school or summer programs (which tend to aid in maintaining learning or remediation). Schools should aim to provide high-dosage tutoring during the school day.



6. **Utilize data:** Data should be used to prioritize the grade level and student population served and monitor progress through the tutoring experience.
- Progress monitoring: Ongoing informal assessments and communication with classroom teachers allow tutors to personalize instruction and provide appropriate scaffolding and support aligned to each student's learning needs.

***Does the Department have an approved list of high-dosage tutoring vendors?***

Yes. The Department has an approved [High-Quality Tutoring Provider Vendor Directory](#). All vendors listed in this directory indicated they provide a comprehensive tutoring program that incorporates the six “Key Components of High-Quality Tutoring,” including:

- Use of high-quality instructional materials;
- Instruction aligned with research on effective teaching and learning;
- Integration of high-dosage tutoring practices;
- Use of data-driven instruction;
- Quality tutors; and
- Demonstrated effectiveness.

***Who pays for high-dosage tutoring?***

Districts and schools are responsible for paying for tutoring services for students. Districts may leverage allowable federal, state and local dollars to procure services from providers on the Department's [High-Quality Tutoring Provider Vendor Directory](#) or locally approved tutoring programs that follow best practices for high-dosage tutoring.

***Is high-dosage tutoring required for all students with RIMPs?***

Yes. [Ohio law](#) requires all students with a RIMP to receive high-dosage tutoring at least three days a week or at least 50 hours over 36 weeks.

***Is the tutoring required to occur during school hours or after school?***

Timing of tutoring services is a local decision. Tutoring can occur during school hours, before school hours or after school hours.

***Should high-dosage tutoring replace existing intervention services provided by the district or school?***

No, high-dosage tutoring does not replace existing intervention services provided by districts and schools. High-dosage tutoring should be in addition to intervention provided to a student under a functioning multi-tiered system of support (MTSS). The high-dosage tutoring must supplement existing intervention services.

***Are districts and schools required to use a state-approved vendor?***

No. [Ohio law](#) provides the following two options for districts and schools to provide high-dosage tutoring:

- A state-approved vendor from the [High-Quality Tutoring Provider Vendor Directory](#); or
- A locally approved opportunity that aligns with high-dosage tutoring best practices.
  - Additional guidance regarding locally approved opportunities and high-dosage tutoring best practices are forthcoming.

**CHARTERED NONPUBLIC SCHOOLS**

***Which students are required to receive high-dosage tutoring?***

Under [Ohio law](#), an EdChoice Scholarship student or Cleveland Scholarship student who is not reading proficiently but is promoted to fourth grade must receive the following:

- High-dosage tutoring opportunities aligned with the student's classroom instruction through either a [state-approved vendor](#) or locally approved opportunity that aligns with high-dosage tutoring best practices. High-dosage tutoring must include additional instruction time either:



- At least three days per week; or
- At least 50 hours over 36 weeks.
- Intervention services aligned to the science of reading as defined in [Ohio law](#).

Chartered [nonpublic schools must continue to provide reading intervention services](#) throughout the student's academic career until the student is reading proficiently at their current grade level.

**The Department is continuing to develop additional guidance and resources regarding these changes. Please direct questions to [ThirdGradeGuarantee@education.ohio.gov](mailto:ThirdGradeGuarantee@education.ohio.gov).**