



Ohio Administrative Code

Rule 3301-13-02 Administering required state tests at the designated grades.

Effective: April 27, 2018

(A) Each participating school shall administer the state tests to all students who are enrolled in grade nine for the first time before July 1, 2014 and who are not specifically excused in accordance with the Ohio Revised Code or the Administrative Code as follows:

(1) Administer the Ohio graduation tests:

(a) The administration for persons who may or may not have completed their high school requirements will be provided three opportunities during the school year to take any required Ohio graduation test for which a proficient score has not been obtained. The tests shall be administered in any order. Multiple tests may be administered on one day. The tests will be offered at sites approved by the department;

(b) The testing window for the Ohio graduation tests will be established by the superintendent of public instruction by March first of each year and will be open continuously during the designated window with the exception of the month of August. The open testing window will be available beginning after July 1, 2018 and ending June of 2022; and

(c) The time between administrations of the test for each person is at least 30 school days from the date the person has taken the test in the school year. Each person should receive or obtain targeted intervention services to make satisfactory progress toward passing the test.

(2) Administer the third-grade English language arts test on any day of the test administration period determined by the superintendent of public instruction, as required by section 3301.0710 of the Revised Code as follows:

(a) The fall test administration period each school year shall last for a period not to exceed five consecutive school days, which includes the make-up testing period; and



(b) The summer test administration period each school year shall be optional and shall last for a period not to exceed five consecutive school days. No intervention is required.

(3) Administer once annually in the spring with the test window determined by the superintendent of public instruction, as required by section 3301.0710 of the Revised Code, which shall last for a period not to exceed fifteen consecutive school days, including the make-up testing period. The participating school may schedule the test in any order on any day of the test administration period for each of the following state tests:

(a) The third-grade tests in English language arts and mathematics;

(b) The fourth-grade tests in English language arts and mathematics;

(c) The fifth-grade tests in English language arts, mathematics and science;

(d) The sixth-grade tests in English language arts and mathematics;

(e) The seventh-grade tests in English language arts and mathematics; and

(f) The eighth-grade tests in English language arts, mathematics and science.

(4) Administer the end-of-course high school tests to students who first enrolled in grade nine on or after July 1, 2014. The participating school may schedule the tests in any order on any day of the test administration period determined by the superintendent of public instruction as follows:

(a) The fall test administration period each school year shall last for a period not to exceed ten consecutive school days including make-up testing;

(b) The spring test administration period each school year shall last for a period not to exceed fifteen consecutive school days including make-up testing; and

(c) The summer test administration period shall be optional and shall last for a period not to exceed ten consecutive school days. No intervention is required.



(5) Administer annually the alternate assessment at all grade levels and content areas to students with a significant cognitive disability. The superintendent of public instruction shall designate the test window for the administration of the alternate assessment.

(6) Administer annually the English language proficiency test to English learners in grades kindergarten through twelve. The superintendent of public instruction shall designate the test window for the administration of the English language proficiency test.

(B) All students shall take all state tests appropriate for their specified grade level during the designated test administration unless a student is excused from taking a test for one of the following reasons:

(1) A student scored at the proficient level on the English language arts test in grade three during the fall test window and a participating school has determined that the student is not required to take that test again during the spring administration. This does not, however, prohibit a student from taking the grade three English language arts test in the spring if the student and/or parent requests the student to participate in the test;

(2) A student is properly authorized to take an alternate assessment pursuant to section 3301.0711 of the Revised Code and rule 3301-13-03 or 3301-13-09 of the Administrative Code;

(3) A student has a serious medical emergency caused by circumstances beyond the participating school's control pursuant to section 3301.0711 of the Revised Code; or

(4) A student is enrolled in a subject-area accelerated program in a participating school and is taking a course in high school at an accelerated grade level. The specific test requirements are based upon the number of years that the student has been enrolled in the acceleration program as follows:

(a) During the first year of a student's acceleration, for situations where no test exists at their accelerated-subject grade level, but a test does exist in that subject at their overall-grade level, it will be optional for the district to test the student.



(b) In any year other than the first year of a student's acceleration, for situations where no test exists at their accelerated-subject grade level, but a test does exist in that subject at their overall grade level, the district shall not test the student.

(C) Breach forms provided by the department may be administered at the sole discretion of the department in a limited number of situations. The district shall not use a breach form with any student involved in a potential cheating case. Test score results from the administration of a breach test form will be reported to the participating school at the individual, group and school level as deemed appropriate by the department. The following is a list of situations of test security violations or administration irregularities that warrant the use of the breach form. There may be other situations where the use of the breach form is appropriate and those shall be determined on a case by case basis by the department's office of curriculum and assessment and the district superintendent.

(1) When a participating school receives test materials which are clearly flawed, damaged, missing key information or content; or otherwise contain errors that prevent a valid administration of said tests in that participating school.

(2) When a disruptive or extraordinary event interrupts and prevents a valid administration of a test at a participating school.

(3) If a student or student(s) at a participating school compromise the security of a test prior to or during the administration of a test; and subsequently prevent a valid administration of a test at the participating school as a result of that security compromise.

(4) If any district employee or other individual compromises the security of a test prior to or during the administration of a test; and subsequently prevent a valid administration of a test at the participating school as a result of that security compromise.

(D) Breach forms of the state tests for grades three through eight, end-of-course high school tests, or the Ohio graduation tests shall be administered to a single student or all students within a participating school within a grade level or to large subgroups of students within a grade level at a participating school.



(E) Test score results from the administration of a breach test form will be reported to the district and participating school at the individual, group and school level as deemed appropriate by the department.

(F) The procedure for using the breach form of a test shall follow all the following steps:

(1) The school district or participating school shall report orally, followed up by a written report, the security violation or incident to the department within twenty-four hours or as soon as the district becomes aware of the occurrence of the irregularity at the participating school. The report must be filed with the department within two business days of the incident for the breach form to be a viable option;

(2) The school district or participating school must submit to the department in writing a list of students who will have their scores invalidated for the content area for which the breach form is being used; the content area being invalidated, and the reason for the invalidation. The list must include all the relevant student information including their names or unique state identification code, and the school and district IRNs. Charter nonpublic schools may substitute the student identification code for the state identification code for those students who are not required to have a state identification code;

(3) The department will notify the testing contractor of the need for the breach form and direct the testing contractor to send the required number of breach test forms and materials to the district test coordinator or district designee;

(4) The participating school must administer the breach form in accordance with all established test administration procedures established by the department;

(5) The breach test form administration shall occur within two weeks of the end of all scheduled test administration windows for the Ohio graduation tests, grades three through eight English language arts, mathematics and science, and the end-of-course high school tests; and

(6) All tests and test materials must be returned to the site designated by the department.



(G) There shall be no breach form administered for the fall administration of the third grade English language arts test or the spring administration of the Ohio English language proficiency assessment.

(H) The cost of administering the breach tests shall be shared by the department and the participating school when test security violations occur in accordance with rule 3301-13-02 of the Administrative Code.

(I) To facilitate the test administration at each grade, each school district and participating school shall annually appoint one named person in a school district and one person in each building, as the case may be, whose duties shall be to ensure that all test administration and test security provisions included in Chapters 3301-13 and 3301-7 of the Administrative Code and all testing procedures adopted by the department and by a participating school are followed explicitly by all appropriate staff. In addition, each participating school shall appoint enough test administrators and monitors to satisfy the provisions of this rule.

(J) During each test administration, all tests shall be administered by each participating school in accordance with the following provisions:

(1) All tests and answer documents shall be considered secure and subject to the provisions of rule 3301-13-05 of the Administrative Code and section 3319.151 of the Revised Code;

(2) All test administration rooms shall be selected such that test security provisions can be ensured while student comfort is maximized;

(3) Except for accommodations made in accordance with rule 3301-13-03 of the Administrative Code, only materials specifically designated by the department shall be provided to students and/or permitted in the test administration room during testing;

(4) Each test administration period in each testing room shall be conducted by a staff member who holds a current license, certificate, or permit issued by the department, or a staff member certificated under sections 3301.071 and 3319.22 of the Revised Code and Chapters 3301-23, 3301-24, and 3301-25 of the Administrative Code who is employed by the participating school, is assigned to that testing room as the test administrator, and is responsible for following explicitly the online and paper



test administration directions provided by the department, including all security provisions included in Chapter 3301-13 and rule 3301-7-01 of the Administrative Code and all testing procedures adopted by the department and established by the participating school;

(5) When the number of students taking any test in an assigned testing room exceeds thirty, additional staff and/or adult volunteers shall be assigned as test monitors to that room to ensure that the ratio does not exceed thirty students to one test administrator/monitor at any time in any test administration room. The test monitor is not required to meet the criteria stated in this rule. A student may not serve as a test monitor; and

(6) The test administrator and all test monitors assigned to a testing room shall be informed of, and agree to follow, all prescribed test administration and test security provisions. Test administrators and test monitors shall remain in the assigned testing room during the entire administration of any test to assure that security is maintained.

(K) Upon receipt of a written request by a school district superintendent, head administrator or designee with evidence that a participating school has experienced an emergency interruption of the school schedule by events beyond the control of the school that will not permit the designated test window stated in this rule, the state superintendent of public instruction may approve a modified testing schedule that permits testing to be completed in accordance with the provisions of this chapter.

(L) Any student in grades three through eight, who was retained in the same grade level from one school year to the next school year, shall take the state tests as specified in this rule for the grade level in which the student currently is enrolled, regardless of any score previously received by a student on any such test during a prior school year.

(M) In addition to section 3301.0714 of the Revised Code and Chapter 3301-14 of the Administrative Code, each participating school shall keep records for each student including the following:

(1) A unique state student identification code or a student data verification code in accordance with division (D)(2) of section 3301.0714 of the Revised Code;



- (2) A list or designation of which state tests are required and which tests are not taken for each test administration period;
 - (3) The score and performance level for each state test taken;
 - (4) Any test that must still be taken;
 - (5) If intervention must be provided; and
 - (6) An indication the student has met all high school graduation requirements.
- (N) When a student who has taken tests administered pursuant to this rule in a participating school leaves that school to enroll in another participating school, the previously attended school shall provide, immediately upon request by a school official from the enrolling school, all applicable records specified in paragraph (M) of this rule.
- (O) Any school district, community school, or chartered nonpublic school with territory in a joint vocational school district may enter into an agreement with the joint vocational school district for the joint vocational school district to administer any test prescribed in this rule provided that any such test administration is conducted in accordance with the provisions of this chapter and under the direction of the school district and building testing coordinators. For any student who enrolls at a joint vocational school, the school previously attended shall provide up-to-date records, as specified in paragraph (M) of this rule, to the joint vocational school. For any student who takes tests required for graduation at a joint vocational school, that joint vocational school shall provide such records, as specified in paragraph (M) of this rule to the high school from which the student will receive a diploma.
- (P) Each joint vocational school district shall administer the state tests under the direction of the school district and building test coordinators identified in accordance with this rule.
- (Q) Any correctional or penal institution that maintains a chartered high school serving residents or nonresidents shall administer state tests in accordance with this chapter of the Administrative Code.



(R) A student who has been excused from attendance at school for the purpose of home instruction under section 3321.04 of the Revised Code is not required to take state tests. However, both the participating school and the student's parent may mutually agree to allow the student to take any of the state tests. The state tests must be taken under the same rules and procedures as students enrolled in the participating school. If a home-school student is enrolled in a participating school for a course in which there is a state test, the student is required to take that state test. The school district will not issue a high school diploma to a part-time enrolled home school student.

(S) A student who attends a nonchartered nonpublic school is not required to take state tests. However, both the participating school and the nonchartered nonpublic school, or the student's parents may mutually agree to allow the student to take any of the state tests. The tests must be taken under the same rules and procedures as students enrolled in the participating school, with the participating school ultimately making the final decision.