



Ohio Administrative Code Rule 3301-13-01 Definitions.

Effective: [May 12, 2024](#)

Except as otherwise specified, the definitions contained in rule 3301-7-01 of the Administrative Code and the following definitions apply to this chapter.

- (A) "Alternate assessment" means an assessment aligned to alternate learning standards for students with the most significant cognitive disabilities that complies with all applicable federal and state laws and rule 3301-13-03 of the Administrative Code.
- (B) "Alternative assessment" means an assessment that is comparable to the state tests in terms of alignment to Ohio's learning standards and proficiency levels.
- (C) "Appeal" means a request for a verification or rescoring of a student's responses to the state tests as applicable in accordance with rule 3301-13-06 of the Administrative Code.
- (D) "Breach form" means an equivalent or parallel form of a test provided by the department that may be used in lieu of the test in limited situations and within a limited time frame.
- (E) "Commercial test" means a test developed by a vendor and selected by the department for a state program but not owned, developed, or copyrighted by the department.
- (F) "Department" means the department of education and workforce.
- (G) "Diagnostic assessment" means a test adopted by the department in accordance with division (D) of section 3301.079 of the Revised Code that is aligned with Ohio's learning standards and model curriculum, designed to measure student comprehension of academic content and mastery of related skills for a relevant subject area at each grade level, kindergarten through three.
- (H) "English learner" has the same meaning as "English learner" defined in 20 U.S.C. 7801 (2015).



(I) "Individualized education program" (IEP) means a written statement for a student with a disability that is developed, reviewed, revised, and implemented in accordance with rule 3301-51-07 of the Administrative Code.

(J) "Intervention" means alternative or supplemental instruction or services commensurate with both a student's test performance and classroom performance, provided to a student who failed to attain a proficient score on any state test, or failed to demonstrate academic performance at grade level based on the results of a state test, including any intensive prevention, intervention, or remediation prescribed under section 3301.0711, 3301.0715, 3313.608, or 3313.6012 of the Revised Code that is designed to help a student meet performance standards and is based on individual student needs.

(K) "Kindergarten readiness assessment" means the developmentally appropriate test aligned with Ohio's early learning and development standards designed to measure a child's developmental readiness for engaging with kindergarten instruction.

(L) "Ohio English language proficiency assessment" means the test aligned with Ohio standards for English language proficiency designed to measure the acquisition of English by English learners in kindergarten through grade twelve.

(M) "Ohio English language proficiency screener" means the test aligned with Ohio standards for English language proficiency designed to identify students in grades kindergarten through twelve as English learners.

(N) "Ohio graduation tests" means the achievement tests prescribed in division (B) of section 3301.0710 of the Revised Code, designed to measure a student's level of academic achievement expected at the end of the tenth grade in writing, reading, mathematics, social studies, and science.

(O) "Ohio's state tests" means the grades three to eight English language arts, mathematics, and science tests, prescribed in division (A) of section 3301.0710 of the Revised Code, and the high school end-of-course examinations prescribed in division (B) of section 3301.0712 of the Revised Code.

(P) "Participating school" means any city, exempted village, local cooperative education, or joint



vocational school district; any community or chartered nonpublic school that participates in state tests; the state school for the blind; the state school for the deaf; any school operated by the departments of youth services or rehabilitation and corrections; or any entity that participates in the state tests.

(Q) "Performance standard" means a score designated by the department indicative of a particular level of academic achievement at a designated grade for each state test.

(R) "Section 504 plan" means a written statement for a student who has been identified as having a disability based on an evaluation conducted in accordance with section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794 (December 10, 2015).

(S) "Section 504 student" means a student identified as having a disability based on an evaluation conducted in accordance with section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794 (December 10, 2015).

(T) "State test" means any test that is provided by the department for use in all participating schools in the state including the grades three to eight English language arts, mathematics, and science tests; high school end-of-course examinations; Ohio graduation tests; diagnostic tests; alternate assessments; Ohio English language proficiency assessment; Ohio English language proficiency screener; or the kindergarten readiness assessment.

(U) "Student with a disability" refers either to a student receiving special education services under Chapter 3323. of the Revised Code in accordance with an individualized education program (IEP) developed pursuant to section 3323.011 of the Revised Code, or to a student who has been identified as having a disability based on an evaluation conducted in accordance with section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794 (December 10, 2015).

(V) "Summer test administration period" means the test administration period designated by the director of education and workforce during which the third grade English language arts assessment prescribed under division (A) of section 3301.0710 of the Revised Code may be administered to an individual who has not yet attained at least the equivalent level of achievement designated under division (A)(3) of section 3301.0710 of the Revised Code and any test prescribed for high school



graduation under section 3301.0710 or 3301.0712 of the Revised Code may be administered to any individual who has not yet met all the conditions prescribed in order to qualify for a high school diploma.

(W) "Test administration period" means the dates specified by the director of education and workforce for the administration of any state test in accordance with rule 3301-13-02 of the Administrative Code.

(X) "Test materials" means materials that are considered part of a test, including, but not limited to, oral or written directions, test booklets, test questions, answer documents, reading passages, writing prompts or styles, charts, graphs, maps, and tables, whether in digital or physical form, and does not include materials that are considered part of a commercial test.