



## Ohio Administrative Code

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

Effective: May 12, 2024

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(A) Each participating school will administer the state tests to all students in the designated grade levels who are not specifically excused in accordance with the Ohio Revised Code or the Administrative Code as follows:

(1) Administer the third-grade English language arts test on any day of the test administration period designated by the director of education and workforce, in accordance with section 3301.0710 of the Revised Code as follows:

(a) The fall test administration period each school year is not to exceed five consecutive school days, including the make-up testing period; and

(b) The summer test administration period each school year is optional and is not to exceed five consecutive school days. Intervention is optional.

(2) Administer the following state tests once annually in the spring with the test administration period designated by the director of education and workforce in accordance with section 3301.0710 of the Revised Code, which is 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.
- (3) Administer the high school end-of-course examinations as follows:
- (a) Administer the high school end-of-course examinations to students who first enrolled in grade nine on or after July 1, 2014 in any order on any day of the test administration period designated by the director of education and workforce as follows:
    - (i) The fall test administration period each school year is not to exceed fifteen consecutive school days, including make-up testing;
    - (ii) The spring test administration period each school year is not to exceed fifteen consecutive school days, including make-up testing; and
    - (iii) The summer test administration period is optional and is not to exceed ten consecutive school days. Intervention is optional.
  - (b) Administer the high school end-of-course examinations in place of the Ohio graduation tests to students who entered ninth grade for the first time prior to July 1, 2014, in accordance with paragraph (A)(3)(a) of this rule. The Ohio graduation tests will not be administered after September 1, 2022.
  - (c) If the participating school is a dropout recovery community school as defined in section 3319.301 of the Revised Code, in addition to the annual testing windows established by the director of education and workforce under division (C) of section 3301.0710 of the Revised Code and paragraph (A)(3)(a) of this rule, administer the high school end-of-course examinations to students enrolled in the dropout recovery community school in any order on any day of the extended fall and spring test administration periods and summer test administration period established by the director of education and workforce in accordance with division (C) of section 3301.0727 of the Revised Code.
- (4) Administer annually the alternate assessment at all grade levels and content areas to students with



the most significant cognitive disabilities. The director of education and workforce will designate the test administration period for the administration of the alternate assessment.

(5) Administer within thirty days of enrollment the Ohio English language proficiency screener to potential English learners in grades kindergarten through twelve.

(6) Administer annually the Ohio English language proficiency assessment to English learners in grades kindergarten through twelve. The director of education and workforce will designate the test administration period for the administration of the Ohio English language proficiency assessment.

(7) Administer annually the alternate Ohio English language proficiency assessment to English learners with the most significant cognitive disabilities in grades kindergarten through twelve. The director of education and workforce will designate the test administration period for the administration of the alternate Ohio English language proficiency assessment.

(B) All students will 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 administration period and a participating school has determined that is not mandatory for the student to take that test again during the spring administration. This does not, however, prevent 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.



Any student in grades three through eight who was retained in the same grade level from one school year to the next school year will 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.

(C) Breach forms provided by the department may be administered at the sole discretion of the department in a limited number of situations. The following is a list of situations of test security violations or administration irregularities that warrant the use of a breach form:

(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 students 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 prevents a valid administration of a test at the participating school as a result of that security compromise.

(5) Any other situation in which the use of a breach form is appropriate, as determined by the department on a case-by-case basis.

(D) Breach forms of the state tests for grades three through eight or high school end-of-course examinations may 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 is as follows:

(1) The school district or participating school will report orally, followed up by a written report, the test security violation or incident to the department within twenty-four hours of the occurrence of the irregularity at the participating school, or as soon as the district becomes aware of the occurrence of the irregularity at the participating school. The report will 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 will 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 will include all the relevant student information including their names or unique state identification code, and the school and district IRNs. Chartered nonpublic schools may substitute the student identification code for the state identification code for those students who are not obligated 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 make available the appropriate number of breach test forms and materials to the district test coordinator or district designee;

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

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

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

(G) No breach form will be administered for the following:



- (1) The fall administration of the third grade English language arts test;
  - (2) The summer administration of the third grade English language arts test;
  - (3) The spring administration of the alternate assessment;
  - (4) The spring administration of the Ohio English language proficiency assessment;
  - (5) The spring administration of the alternate Ohio English language proficiency assessment;
  - (6) Any administration of the high school end-of-course examinations except for the regular fall and spring test administration periods; and
  - (7) Any student involved in a potential cheating case, regardless of test administration period or test in question.
- (H) In the event that a test security violation or test irregularity occurs in accordance with this rule, the cost of administering the breach tests will be determined in a manner specified by the department.
- (I) To facilitate the test administration at each grade, each school district and participating school will annually appoint one named person in a school district and one person in each building, as the case may be, as a test coordinator whose duties are 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 will appoint enough test administrators and monitors to satisfy the provisions of this rule.
- (J) During each test administration, all tests will be administered by each participating school in accordance with the following provisions:
- (1) All online and paper test questions and all other test materials are 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 will 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 will be provided to students and/or permitted in the test administration room during testing;

(4) Each test administration period in each testing room will be conducted by a test administrator. A person is qualified to serve as a test administrator if:

(a) The person is a staff member employed by the participating school;

(b) The staff member holds a current license, certificate, permit, or registration issued by the state board of education, or is 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;

(c) The staff member is assigned to that testing room as the test administrator by the participating school; and

(d) The staff member is responsible for following explicitly the online and paper test administration directions provided by the department, including all test 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 will 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. In such cases, the test monitor is not subject to the criteria stated in paragraph (J)(4) of this rule. A student is not permitted to serve as a test monitor; and



(6) The test administrator and all test monitors assigned to a testing room will be informed of, and agree to follow, all prescribed test administration and test security provisions. Test administrators and test monitors will 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 administration period stated in this rule, the director of education and workforce may approve a modified testing schedule that permits testing to be completed in accordance with the provisions of this chapter.

(L) In addition to section 3301.0714 of the Revised Code and Chapter 3301-14 of the Administrative Code, each participating school will 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 the student is obligated to take for each test administration period and which tests are not taken for each test administration period;

(3) The score and performance level for each state test taken;

(4) If intervention is to be provided; and

(5) An indication the student has met all of the conditions prescribed in order to qualify for a high school diploma.

(M) 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 will provide, immediately upon request by a school official from the enrolling school, all applicable records specified in paragraph (L) of this rule.





(N) 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 will provide up-to-date records, as specified in paragraph (L) of this rule, to the joint vocational school. For any student who takes tests prescribed for graduation at a joint vocational school, that joint vocational school will provide such records, as specified in paragraph (L) of this rule to the high school from which the student will receive a diploma.

(O) Each joint vocational school district will administer the state tests under the direction of the school district and building test coordinators identified in accordance with this rule.

(P) Any correctional or penal institution that maintains a chartered high school serving residents or nonresidents will administer state tests in accordance with this chapter of the Administrative Code.

(Q) Any student who, while not obligated to participate in the system of assessments administered under divisions (B)(1) and (B)(2) of section 3301.0712 of the Revised Code, elects to participate in the system of assessments in accordance with division (E)(1) of that section will take the tests under the same rules and procedures as students enrolled in the participating school. The tests will be administered under the same rules and procedures as students enrolled in the participating school.