

3301-13-02

Administering required state assessments at the designated grades.

(A) ~~In Each participating school shall administer, in~~ accordance with the following schedule, each participating school shall administer required state assessments to all students pursuant to paragraph (D) of rule 3301-13-01 of the Administrative Code.

~~(1) Until September 15, 2008, administer the ninth grade proficiency tests each year, in a special proficiency only testing session, to any student who entered the ninth grade prior to July 1, 2003 who has not yet attained a score at the proficient level in all required test areas. Each participating high school shall administer the ninth grade proficiency tests as necessary four times annually as follows:~~

~~(a) The first test administration shall begin on the third Monday in October. The tests shall be administered in the prescribed order, one test per day; the make-up testing shall be completed within nine calendar days of the last regularly scheduled test administration date;~~

~~(b) The second test administration period each year shall begin on the first Monday of March; the tests shall be administered in the prescribed order, one test per day; the make-up testing shall be completed within nine calendar days of the last regularly scheduled test administration date;~~

~~(c) The third test administration period each year shall be from the first through the tenth of May each year; the tests shall be administered in the prescribed order, one test per day; and make-up testing shall be completed within nine calendar days of the last regularly scheduled test administration date; and~~

~~(d) The fourth test administration shall begin Monday of the week that contains July tenth and continuing for three weeks; the tests shall be administered in the prescribed order, one test per day.~~

~~(2)~~(1) Administer the Ohio graduation tests for the first time to students enrolled in tenth grade; the regular test administration period shall begin on the Monday of the week containing March fifteenth; the tests shall be administered in the prescribed order, which is reading, mathematics, writing, science, social studies, one test per day, and on consecutive days; the make-up testing period shall be completed within nine calendar days of the last regularly scheduled test administration date.

~~(3)~~(2) Administer the Ohio graduation tests two times during the school year to students enrolled in the eleventh and twelfth grades (and beyond) as follows:

- (a) The first regular test administration period shall begin on the fourth Monday in October; the tests shall be administered in the prescribed order, one test per day, and on consecutive days; the make-up testing period shall be completed within nine calendar days of the last regularly scheduled test administration date; and
 - (b) The second regular test administration period shall begin on the Monday of the week containing March fifteenth; the tests shall be administered in the prescribed order, one test per day, and on consecutive days; the make-up testing period shall be completed within nine calendar days of the last regularly scheduled test administration date.
- (4)(3) An optional summer testing session shall begin on the Monday of the week containing June fifteenth and will continue for fourteen calendar days for those students who qualify under paragraph (A)(12) of rule 3301-13-01 of the Administrative Code. Participating schools may begin testing at any time during this session and shall administer the tests in the manner prescribed by the Ohio department of education. All ~~However, all~~ testing must be completed within the designated testing session.
- (5)(4) Administer the third-grade achievement test in reading two times annually as follows:
- (a) The first test administration period each year shall begin the week containing the first Monday in October and shall last for a period not to exceed five days, which includes the including make-up testing period. A participating school may schedule the regular administration of the test on any day of this test administration period, but the regular administration of the test shall occur on the same day throughout all buildings of each participating school as defined in paragraph (A)(14) of rule 3301-13-01 of the Administrative Code; and
 - (b) The second test administration period each year shall begin not earlier than ~~on~~ Monday of the week containing April twenty-fourth ~~May first~~ and the make-up testing shall be completed by the Friday of the week following the regular test administration. A participating school may schedule the regular administration of the test on any day of this test administration period, but the regular administration of the test shall occur on the same day throughout all buildings of each participating school as defined in paragraph (A)(14) of rule 3301-13-01 of the Administrative Code.

- ~~(6)(5) Administer once annually in the prescribed order for each of the following the third-grade achievement tests: test in mathematics once annually; the test administration period each year shall begin on the Monday of the week containing the first day of May and shall be administered on the day after the administration of the third grade reading achievement test; the make-up testing shall be completed by the Friday of the week following the regular administration.~~
- ~~(a) The third-grade achievement test in mathematics on any day after the administration of the third-grade reading achievement test;~~
 - ~~(b) The fourth-grade achievement tests in reading, mathematics, and writing;~~
 - ~~(c) The fifth-grade achievement tests in reading, mathematics, science, and social studies;~~
 - ~~(d) The sixth-grade achievement tests in reading and mathematics;~~
 - ~~(e) The seventh-grade achievement tests in reading, mathematics, and writing; and~~
 - ~~(f) The eighth-grade achievement tests in reading, mathematics, science, and social studies.~~
- ~~(6) For each of the tests listed in paragraphs (A)(5)(a) to (A)(5)(f) of this rule, the regular test administration period each year shall begin not earlier than Monday of the week containing April twenty-fourth; the make-up testing shall be completed by the Friday of the week following the regular test administration. A participating school may schedule the regular administration of the test on any day of this test administration period, but the regular administration of the test shall occur on the same day throughout all buildings of each participating school as defined in paragraph (A)(14) of rule 3301-13-01 of the Administrative Code.~~
- ~~(7) Administer the fourth-grade achievement tests in reading, mathematics, and writing once annually in that prescribed order and on consecutive days; the test administration period each year shall begin on the Monday of the week containing the first day of May; the make-up testing shall be completed by the Friday of the week following the regular administration.~~
- ~~(8) Administer the fifth-grade achievement tests in reading, mathematics, science, and social studies once annually in that prescribed order on consecutive days; the test administration period each year shall begin on the Monday of the week containing the first day of May; the make-up testing shall be completed by the Friday of the week following the regular administration.~~

- ~~(9) Administer the sixth-grade achievement tests in reading and mathematics once annually in that prescribed order on consecutive days; the test administration period each year shall begin on the Monday of the week containing the first of May; the make-up testing shall be completed by the Friday of the week following the regular administration.~~
- ~~(10) Administer the seventh-grade achievement tests in reading, mathematics, and writing once annually in that prescribed order on consecutive days; the test administration period each year shall begin on the Monday of the week containing the first day of May; the make-up testing shall be completed by the Friday of the week following the regular administration.~~
- ~~(11) Administer the eighth-grade achievement tests in reading, mathematics, science, and social studies once annually in that prescribed order on consecutive days; the test administration period each year shall begin on the Monday of the week containing the first day of May; the make-up testing shall be completed by the Friday of the week following the regular administration.~~
- ~~(12)~~(7) Administer annually the alternate assessment at all grade levels and content areas ~~contained in and~~ to students with significant cognitive disability in accordance with the provisions of paragraphs ~~(A)(4), (A)(5), and (A)(5)(b); (A)(6) to (A)(11), and paragraph (C) (D)~~ of this rule not later than the first day of April of the school year during which the test is administered between September first and March ninth.
- ~~(13)~~(8) Administer annually the English language proficiency test to limited English proficient students in grades kindergarten through twelve in accordance with the provisions of rule 3301-13-11 of Administrative Code between January second and April fifteenth.
- (B) Annually, all students shall be required to take all tests appropriate for their specified grade level during the designated testing or make-up testing periods unless a student is excused from taking a particular test such as an Ohio graduation test in accordance with paragraph (D) of this rule, or for one of the following reasons: either because the student has already scored at the proficient level on that test and, as a result, a participating school has determined that such the student is not required to take that test again, or because a student is properly authorized to take an alternate assessment pursuant to rule 3301-13-03 or 3301-13-09 of the Administrative Code.
- (1) A student has already scored at the proficient level on the Ohio achievement test in grade three reading in October, and, as a result, a participating school has determined that the student is not required to take that test again during the

spring administration; or

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

(3) A student has a serious medical emergency caused by circumstances beyond the participating school's control when a student cannot be assessed at any time during the testing session due to a significant medical emergency (e.g. a student is hospitalized due to an accident); 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 up on 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) Annually, until September 15, 2008, in accordance with the provisions of paragraph (D)(12) of rule 3301-13-01 of the Administrative Code, all students who are required by division (B) of section 3313.614 of the Revised Code to attain, but who have not yet attained a score at least at the proficient level on all ninth-grade proficiency tests and who are not specifically excused from taking all of these tests in accordance with rule 3301-13-03 or 3301-13-09 of the Administrative Code, shall be required to take, during each designated test administration period, all ninth-grade proficiency tests for which the performance standards have not been met.~~

~~(D)~~(C) Annually, all tenth-grade students who are not specifically excused from taking all the Ohio graduation tests in accordance with rule 3301-13-03 or 3301-13-09 of the Administrative Code, shall be required to take, during the designated test administration period in March, all Ohio graduation tests.

~~(E)~~(D) Annually, all eleventh-grade and all twelfth-grade students who have not yet attained a score at least at the proficient level on all Ohio graduation tests and who are not specifically exempted from all of these tests in accordance with rule 3301-13-03 or 3301-13-09 of the Administrative Code, shall be required to take, during each designated test administration period, all Ohio graduation tests for

which the performance standards have not been met.

~~(F)~~ Annually, all twelfth-grade students who have not yet attained a score at least at the proficient level on all Ohio graduation tests and who are not specifically exempted from all of these tests in accordance with rule 3301-13-03 or 3301-13-09 of the Administrative Code, shall be required to take, during each designated test administration period, all Ohio graduation tests for which the performance standards have not been met.

~~(G)~~ Annually, until September 15, 2008, each participating school shall administer ninth-grade proficiency tests to any individual who entered ninth grade prior to July 1, 2003, and has not yet passed one or more ninth-grade proficiency tests required for graduation. Each participating high school shall administer the tests as necessary during the test administration periods identified in paragraph (A)(1) of this rule.

~~(H)~~(E) Breach forms provided by the department may be administered at the sole discretion of the department of education but in conjunction with the district superintendent 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 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 of education 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.

~~(H)~~(E) Breach test forms of the achievement tests for grades three through eight shall be administered only to all students within a participating school within a grade level

or to large subgroups of students within a grade level at a participating school.

~~(K)~~(G) Breach test forms of the Ohio graduation tests shall be administered to all students within a participating school within a grade level and to subgroups of students within a grade level at a participating school at the sole discretion of the department of education.

~~(K)~~(H) Test questions used on breach forms shall not be part of a public record.

~~(L)~~(I) 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 of education.

~~(M)~~(J) The procedure for using the breach form of a test shall follow all the following steps ~~given paragraph (M) of this rule, as follows:~~

- (1) The school district or participating school shall report orally, followed up by a written report, the security violation or incident to the department of education 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 of education 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 of education 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 student who are not required to have a state identification code;
- (3) The department of education 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 school district and/or participating school must administer the breach form in accordance with all established test administration procedures established by the department of education;

- (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 and within one week of the end of the scheduled spring test administration window for the achievement tests for grades three through eight; and
- (6) All assessments and assessment materials must be returned to the site designated by the department of education.

~~(N)~~(K) There shall be no breach form administered for the fall administration of the third grade reading achievement test or the Ohio test of English language acquisition.

~~(O)~~(L) The cost of administering the breach tests shall be shared by the department of education and the participating school or school district when test security violations occur in accordance with paragraphs ~~(E)~~(H)(3) and ~~(E)~~(H)(4) of rule 3301-13-02 of Administrative Code.

~~(P)~~(M) To facilitate 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 of the 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 of education and by a participating school are followed explicitly by all appropriate staff. In addition, each participating school shall appoint a sufficient number of named examiners and monitors to satisfy the provisions of paragraphs ~~(N)~~(Q)(7) and ~~(N)~~(Q)(8) of this rule.

[Testing procedures can be accessed at education.ohio.gov ~~www.ode.state.oh.us~~ by entering "rules book" in the search box and clicking on either "rules book link" or "documents and forms for testing and assessment."]

~~(Q)~~(N) During each test administration period, all assessments 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) During each test administration period, tests shall be administered in the order prescribed by this rule;

- (4) No student shall take more than one of the tests required for graduation on any single day;
- (5) No student shall take any test more than once during any test administration period unless authorized by the department of education;
- (6) Except for accommodations made in accordance with paragraph ~~(N)~~(12) of this rule or paragraph (H) of rule 3301-13-03 of the Administrative Code, only materials specifically designated by the department of education shall be provided to students and/or permitted in the test administration room during testing;
- (7) Each test administration session in each testing room shall be conducted by a licensed staff member or a staff member certificated under section 3301.071 of the Revised Code who is employed by the participating school, is assigned to that testing room as the examiner, and is responsible for following explicitly the printed test administration directions provided by the department of education and 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 of education and established by the participating school;
- (8) When the number of students taking any test in an assigned testing room exceeds thirty, additional licensed staff and/or adult volunteers shall be assigned as test monitors to that room in sufficient numbers to ensure that the ratio of examinees to examiners or adult monitors does not exceed thirty to one at any time in any test administration room;
- (9) The examiner and all adult monitors assigned to a testing room shall be informed of, and agree to follow, all prescribed test administration and test security provisions; examiners and monitors shall remain in the assigned testing room during the entire administration of any test to assure compliance with paragraphs ~~(N)~~(7) and ~~(N)~~(8) of this rule;
- (10) Each student shall be allowed as much time as needed to complete each assessment, but no more than two and one-half hours shall be allowed for any assessment, except as required by accommodations made in accordance with paragraph ~~(N)~~(12) of this rule or paragraph (H) of rule 3301-13-03 of the Administrative Code;
- (11) Notwithstanding the provisions of paragraph ~~(N)~~(10) of this rule, a participating school may establish a test administration schedule that contains

less than the maximum total allotted time for each test area, provided that additional time, up to the maximum total amount of two-and-a-half hours designated by this rule, is provided on that same day to any student who was not able to complete the test in the amount of time initially scheduled;

(12) Any student who has been identified by a participating school as ~~being having~~ limited English proficient may be permitted the following accommodations during administration of the tests:

(a) Use of dictionaries, including, but not limited to English to primary language and primary language to English; and

(b) Extended time to take each test, up to a maximum of one school day, and each test must be completed within the same school day.

~~(R)~~(O) Notwithstanding other provisions of this rule, any high school student, who moves into a school district or a community school in Ohio from another state and whose previously attended school provides an official transcript of the student having passed that state's graduation examination in a test area corresponding to one of Ohio's tests required for graduation, shall be credited with having passed Ohio's test in that area, provided the department of education has a reciprocal agreement in effect with said state, and the school district or participating school follows the procedures established in paragraph (P) ~~(S)~~ of this rule.

~~(S)~~(P) At least once annually, the department of education shall post on its website (education.ohio.gov ~~www.ode.state.oh.us~~) for use by each school district and participating school a list of states with which Ohio has a reciprocal agreement in effect pursuant to the provisions of paragraph (N) of rule 3301-13-01 of the Administrative Code. The list shall also identify, by state, the names of approved test areas. Upon receipt of an official transcript from a school in another state indicating that a student has already passed one or more of the approved tests administered by that state, the school district or participating school shall credit said student with having passed the corresponding test required for graduation. Such credit shall be recorded in accordance with the provisions of paragraph (H) of rule 3301-13-01 of the Administrative Code.

~~(T)~~(Q) A make-up testing session may be scheduled on any one or combination of the nine calendar days following the last day of each regular test administration period provided that all provisions of any applicable section of the Revised Code and all provisions of this chapter are met. The make-up testing session for the Ohio achievement tests shall be completed by the Friday of the week following the regular testing session (two weeks). A make-up test may be administered during the regular testing session if time allows; however, a make-up test shall not be

administered before the initial test administration during the regular testing session.

~~(U)~~(R) A participating school shall administer the Ohio graduation tests during the regular school day for any tenth-grade student.

~~(V)~~(S) A participating school may administer any ~~ninth-grade proficiency~~ or Ohio graduation test outside of the regular school day for any student not identified in paragraph (R) ~~(U)~~ of this rule under all of the following conditions:

- (1) A district board of education or governing authority of a community school or of a chartered nonpublic school shall develop a schedule of any alternative administration times with input from diverse members of the school community, including staff, parents and students affected by the action;
- (2) A district board of education or a governing authority of a community school or of a chartered nonpublic school shall provide its proposed schedule of alternative administration times to diverse members of the school community, including staff, parents and students affected by the action and conduct a public forum on the matter prior to the adoption of any such a schedule;
- (3) Annual notice of any schedule of alternative administration times approved by a school board or governing authority shall be provided to all affected persons, including staff, parents and students, prior to the start of each school year;
- (4) Any affected student who enrolls in a participating school after an annual notice of a testing schedule is provided shall be provided with a copy of the schedule of alternative administration times at the time of enrollment;
- (5) No alternative administration schedule shall discriminate against students participating in religious observations or in any extracurricular activity approved by a school board or governing authority; and
- (6) All test administration provisions contained in this rule and all test security provisions contained in rule 3301-13-05 of the Administrative Code shall be followed.

~~(W)~~(T) Any student adversely affected by an adopted alternative administration schedule may file a written complaint with the school district superintendent, head administrator or designee at least fifteen school days prior to the test administration. The written complaint shall set forth the basis of a potential adverse impact. Within five school days the school district superintendent, head administrator or designee shall provide a response or offer alternative testing arrangements.

~~(X)~~(U) Within three school days, a student may appeal an adverse decision of a school district superintendent, head administrator or designee to the state superintendent of public instruction. Upon receiving a complaint, the state superintendent of public instruction shall investigate the complaint, review the school's policy and compliance with the requirements of paragraphs (R) ~~(U)~~ and (S) ~~(V)~~ of this rule. Prior to the test administration, the state superintendent of public instruction shall issue a report and final decision either upholding the decision of the school district superintendent, head administrator or designee or requiring alternative testing arrangements for the student. This report shall be provided to the school district superintendent, head administrator or designee and the person or persons filing the complaint.

~~(Y)~~(V) 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, or that the school calendar adopted by a school board or governing authority for that year will not permit at least two consecutive weeks in which to complete the regular and make-up testing sessions, 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.

~~(Z)~~(W) Each participating school shall administer any additional tests and provide any such additional information as may be required by the department of education as part of any research authorized and/or conducted by the department to study the factors that improve education effectiveness in Ohio. This provision includes, but is not limited to, participation in national or international assessment programs for the purpose of establishing national and/or international benchmarks for student achievement.

(X) 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 all of the Ohio achievement tests as specified in paragraphs (A)(4) and (A)(5) of 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.

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Certification

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