

Ohio Test Security Provisions and Procedures



**Department of
Education &
Workforce**

Ohio Test Security Provisions and Procedures

Test security is vital to the successful administration of state assessments for many reasons, such as:

- Ensuring student results are accurate and meaningful;
- Maintaining confidentiality of tests;
- Safeguarding the investment of resources, time, and effort required to develop assessments at the school, district, and state levels;
- Avoiding investigations, invalidations, or disciplinary actions; and
- Providing accurate measures for use in accountability.

Districts and schools must maintain test and data security before, during, and after all test administrations. All individuals who are involved with test administrations in any way must maintain test security. Under no circumstances shall students have access to secure assessment materials or items before or after any test administration.

Districts and schools shall refer to statutory requirements for test security and test incidents (see Appendix F of this document for the complete text). Statutory requirements include the following:

- Ohio Revised Code (ORC) [3319.151](#): Confidentiality for State Tests;
- Ohio Administrative Code (OAC) [3301-13-02](#): Administering State Tests;
- OAC [3301-13-05](#): Establishing Security and Security Investigation Provisions for Tests; and
- OAC [3301-7-01](#): Standards for the Ethical Use of Tests.

All online and paper state tests including Ohio’s State Tests (OST), the Ohio English Language Proficiency Screener (OELPS), the Ohio English Language Proficiency Assessment (OELPA), the Alternate Ohio English Language Proficiency Assessment (Alt-OELPA), and the Alternate Assessment for Students with the Most Significant Cognitive Disabilities (AASCD) are secure. This includes all test passages, test questions, and any other secure material developed for use with any operational test. Practice tests, Readiness Assessments, educator-authored tests (Assessment Authoring), state-developed diagnostic tests, and released test items are not secure.

Release of Secure Test Material

All test booklets and other secure test materials are subject to the same strict test security procedures per OAC [3301-13-05 \(D\)](#):

No person shall reveal, cause to be revealed, release, cause to be released, reproduce, or cause to be reproduced any secure assessment materials through any means or medium including, but not limited to, electronic, photographic, photocopy, written, paraphrase, or oral.

All tests and answer documents, including special versions, are serially numbered, tracked, and kept secure prior to the day of testing, during the test administration, and then returned to the scoring contractor. Special versions of the tests include braille and large print.

Penalty for Revealing Test Questions

ORC [3319.151](#) prohibits any person from revealing in any manner any questions known to appear on a state test to students who will be taking a test. Releasing any test questions or other contents of a test or helping students cheat in any other way may result in an invalidation of test scores, suspension of licenses, certificates, permits, or registrations, termination of employment, and/or prosecution. Violations of test security provisions in a district’s written procedures also may be punishable by penalties specified by the district.

District Test Policy and Procedures

To protect the security of tests, each district, community school, and nonpublic school should establish written procedures that address the following components:

- Identification of personnel authorized to have access to the test;
- Procedures for handling and tracking test materials before, during, and after test sessions;
- Procedures for investigating any alleged violation of test security provisions; and
- Procedures for annually communicating in writing the test security provisions, including but not limited to the Ohio Department of Education and Workforce's (Department) electronic device policy and social media policy, and sharing this information with all district employees, families, and students.

Districts, community schools, and participating chartered nonpublic schools must establish a written test security plan no later than **Oct. 1** of each school year. The test security plan must include procedures on test security which includes many areas that are listed in the Ohio Administrative Code (OAC) section [3301-13-05 \(H\) and \(I\)](#). See Appendix F of this document for the complete text. The test security plan must be presented to all staff who are involved with state tests. Districts must ensure that students are aware of test security requirements and associated consequences.

Electronic Device Policy

Districts must have a policy on electronic device usage during and after test sessions. Electronic devices include but are not limited to cell phones, smartwatches, and other WIFI-enabled non-testing devices. These policies should include language for whether listening to music while actively testing is permitted and the consequences of listening to music if it is not permitted to do so. Although accessing an electronic device during testing can be grounds for an invalidation, if cheating can be ruled out, the district may elect not to invalidate the test and the student can continue testing.

If a student was observed using a cell phone or other Wi-Fi enabled device during or after testing during the test session, it is important to determine if any test question, passage, or prompt was photographed, texted, shared with anyone at any time, or in any way compromised. In extreme cases where test questions, passages, or prompts were posted on any social media platform, the district must immediately contact the Office of Assessment at 1-614-466-1317. These are test security violations. The student's test opportunity is over, and the test must be invalidated. The breach form is not allowed in these cases.

Students who use an electronic device for medical purposes (for example, glucose monitoring or hearing aid) may have access to the device during testing. The device should only support the student for medical reasons and the test administrator must closely monitor the use of the device to maintain test security during testing.

Districts must determine if electronic devices may be used after students have completed their tests during test sessions. Please be aware that any electronic device in a testing room, even after a student has completed testing, has the potential to be a test security violation. It is recommended that if students are permitted to use electronic devices after their testing that they do so outside the testing location during test sessions. However, silent work may be allowed after the completion of a test and may include electronic devices if this is permitted within district policy and does not pose a threat to test security during test sessions.

Test administrators may have a cell phone or other Wi-Fi enabled device for medical and technological emergencies, to use as a timekeeper or to otherwise perform necessary test-related actions. Test administrators must not use these devices for non-test related activities or for personal use. Test administrators should be reminded to never take photographs of students, tests, computer screens, or the testing room during testing.

District and schools may keep security cameras on as usual during test sessions as long as the cameras are not zooming in on a particular testing device or test content.

Social Media

Sharing an image of a test item or a description in words on any social media is a test security violation and identified as cheating. All students deserve a fair testing experience. Sharing images of test items via X, Instagram, Snapchat, Facebook, or other social media sites or posting a description or basic information about test items, results in an unfair test environment by providing some students and teachers with advanced information about test questions. This creates an uneven playing field and gives some students an advantage over others and impairs the ability of schools to get valuable information about how their students are performing. In addition, when test items are compromised, they must be replaced at the expense of Ohio taxpayers.

When the Office of Assessment becomes aware of a test item that has been posted to social media sites or elsewhere on the internet, it treats it as a test security violation. When the source is identified, the Department works with the district to request the student or individual who posted the item to remove it immediately. X, Facebook, and other social media sites all have processes for requesting the removal of copyrighted material which are applied when necessary. Social media and other web pages often include information that indicates the name and location of the person who posted the live test item. **Both parts of the test for the student who posted the secure material must be invalidated and no breach form will be allowed.** The district will be asked to conduct an investigation to determine if the test administrator was actively monitoring the testing session.

Test Incidents

A test incident is any event or procedure that may impact a student's performance on a test or may potentially impact the integrity of tests or test results before, during, and after testing.

All reported test incidents and alleged test security violations are confidential. Investigations of irregularities, incidents, and violations are not discussed with anyone other than identified staff. Confirmation of a test or data security violation has the potential to affect a student's score, a staff member's career, and/or a district's accountability. The investigation (including all details) remains confidential until the case is officially closed. Any requests for investigation details once a case is officially closed are referred to the district. All Ohio schools that administer state tests are required to follow standardized test administration and test security procedures.

Types of Test Incidents

There are three types of test incidents:

- **Testing Irregularity:** A testing irregularity is an incident that may or may not compromise test results but could affect a student's performance on the test (for example, a fire alarm is activated in the school). A testing irregularity also could be an unexpected change in the established test administration procedures and protocols that may, or may not, compromise the test result (for example, a student does not receive the appropriate accommodations as determined by an IEP or 504 Plan; or a student receives an inappropriate accommodation).
- **Test Security Violation:** A test security violation is an unethical testing practice or violation of the state or school's test security procedures that compromises test security, data security, or the integrity of a student's results (for example, an individual uses a cell phone to take pictures of the test or test item).
- **Technology Incident:** A technology incident is a technology-related event that may or may not compromise test results but could affect the student's performance on the test (for example, school loses internet access or electric power during the testing session).

For additional guidance on test incidents, refer to the Test Incident Guidance Document located in each test administration manual of a particular assessment. Test administration manuals are posted on the [test portal](#) and each state test has its own test portal page.

Actively Monitor Test Sessions

A test administrator must **actively** monitor the test session. This includes but is not limited to the following:

- Leading the test session;
- Making sure the student's enrolled grade level and the grade or grade band of the test match;
- Observing that students are not cheating;
- Monitoring test completion per student;
- Monitor how much time is left in a test session; and
- Walking around the room.

A test administrator may sit for short periods but may not be involved with non-test activities. This includes but is not limited to the following:

- Do not review a test so closely that student responses are clearly examined;
- Do not work on non-test administration activities such as grading papers, completing lesson plans, completing tasks on an electronic device for a non-test reason, or having a cell phone conversation that is not test related; and
- Do not leave the student(s) unattended while the test is still in session.

If local policy allows students to leave the room while testing is in progress, students must first get permission from the test administrator. Districts and schools must follow the guidelines set forth under "Breaks" in the Schedules section located in each test administration manual of a particular assessment. Leaving students unattended is not only a test security issue but a safety issue as well.

Test Security Violations

The following are test security violations, which need to be discussed with the Office of Assessment as soon as the alleged violation is known. This is not an exhaustive list.

- The test administrator does not have a current license, certificate, permit, or registration issued by the State Board of Education at the **time of the test administration**;
- Reading a test booklet or a student's answer document to review test content or student responses;
- Using a student's login information to access an online test in order to review the test content;
- Reviewing the test and creating a study guide or in some way releasing test items to students;
- Describing or discussing secure test information (for example, the test items) with anyone at any time (for example, a teacher discussing test items with students after the test administration);
- Indicating in some manner that a student's answer is correct, incorrect, blank, or deficient;
- Changing, revising, or deleting a student's responses with or without the student's knowledge;
- Recording or noting secure test content and/or student responses;
- The test administrator or monitor looking ahead at test subjects or questions printed in a test booklet or on a computer;
- Unauthorized persons present during a state test administration;
- The test administrator having a non-test related conversation on a cell phone or with staff during the test administration;
- Students with tests or tests being left unattended;
- A student having a cell phone, smart watch, or other Wi-Fi-enabled non-testing device during a test administration without a valid reason (for example, medical need).
- Sharing, recording, or posting any test content, verbatim or paraphrased, and/or students' responses before, during, or after the test administration;
- Marking, tampering with, or contaminating students' responses in any way, unless by a scribe or test administrator with permission to transcribe students' responses making no changes;

- Failing to collect and securely shred any scratch paper provided to and used by students during a test and that contains marks or writing made by students;
- Failing to erase or having students erase any whiteboards used by students before or after a test administration;
- Failing to account for and return any secure paper test materials including secure *Directions for Administration Manuals*;
- Discussing test questions after the test has been administered;
- Altering any student responses or assisting students to cheat in any other way; and
- Releasing secure test material including test items to any person, student, media, or the public at any time.

At any point, if staff believe a violation of test security has occurred, staff should contact the building test coordinator about the alleged test security violation. The building test coordinator will immediately report the alleged test security violation to the district test coordinator. The district test coordinator will immediately contact the Department’s Office of Assessment to discuss the situation.

Procedures for a Possible Test Security Violation

- All test incidents **must** be reported immediately to the district’s designated staff. Reporting follows this hierarchy: test administrator to building test coordinator; building test coordinator to district test coordinator.
- The district test coordinator shall report to the Office of Assessment as soon immediately after a test security violation becomes known.
- Call the Office of Assessment at 1-614-466-1317. The alleged test security violation will be discussed via telephone. **Do not send any written details** unless requested.
- It may be possible to determine during the initial discussion if a test must be invalidated; if so, the procedure for an invalidation and the possibility of a breach form is discussed.
- The district will be asked to conduct an investigation, which may include interviews with students; if so, parents should be made aware of the interviews. It is expected that the district will complete the investigation as soon as possible to make sure the most accurate evidence is collected. The district determines the scope of the investigation.
- A letter from the Administrator of the Office of Assessment will be sent to the superintendent of the public school district, the sponsor for a community school, or the head of school for a chartered nonpublic school for a case that is opened for a possible test security violation.
- In general, the Department does not investigate anonymous reports but may evaluate the circumstances and determine otherwise.

District Investigation Report

A district conducts an investigation when an alleged test security violation has been reported to the Office of Assessment and the Office of Assessment has determined that the alleged test security violation warrants an inquiry.

The district may take up to two weeks (or longer if necessary) to complete the investigation. Once the district investigation has been completed, a written investigation report is to be submitted electronically to the Office of Assessment. OAC [3301-13-05 \(H\)\(2\)](#) requires the district investigation report to be filed with the Department within 10 days after the completion of the district’s investigation.

The investigation report must include the following content:

- Name(s) of the person(s) believed to be involved in the incident, including position(s) and title(s);
- Detailed description of the incident;
- Interviews and/or testimony (If students are interviewed, do not include student names. Students may be identified as Student 1 or A; Student 2 or B.);
- Statement of evidence or statement of lack of evidence;

- District’s conclusion and disciplinary action if applicable; and
- Corrective plan of action.

A secure upload link will be provided via email along with the formal notification from the Administrator of the Office of Assessment.

Consequences

The investigation report will be reviewed by the Office of Assessment. If the report confirms there is not a test security violation, a letter will be sent to close the case with no further action by the Office of Assessment. If the report confirms there is a test security violation, a letter from the Office of Assessment to close the case may include a statement that the case will be shared with the State Board of Education’s Office for Professional Conduct. The Office of Assessment only has authority regarding the test. With authority for school staff conduct, the Office for Professional Conduct will determine further action, which may include an additional investigation. See [Office for Professional Conduct-Statutes and Rules](#). Based on the result of the investigation, the State Board of Education, following appropriate procedures, may suspend a license, certificate, permit, or registration; and a law enforcement agency, following an appropriate investigation, may prosecute under the state criminal code.

If the district investigation determines that a test security violation occurred, the district authority may take several actions: one or more students’ tests may be invalidated; a district board of education, after appropriate procedures are followed, may suspend or terminate an employee found guilty of helping a student to cheat or found guilty of another type of test security violation.

Guidelines to Help Districts Document an Inquiry

Describe in the written report what occurred in the building or classroom during the test administration. These questions may help the district or school in writing the report:

- Have you determined that state-mandated testing procedures were followed by all school staff?
- Have you interviewed all individuals who were involved in or may have information about the alleged incident?
- If you found evidence indicating an irregularity, have you described exactly what happened and why?
- If you found evidence indicating an irregularity; did you prepare a timeline, if necessary, to establish when events occurred?

If evidence or indication of a testing irregularity is discovered, appropriately document the testing irregularity. These questions may help you:

- Have you ensured that the report and any provided statements clearly lay out the sequence of events and explain exactly what happened?
- Have you received typed, signed, and dated statements from all individuals who were involved in or may have information about the testing irregularity?
- Do all statements include the name and role (position title) of all individuals involved? (Do not identify students by name.)
- Do the statements include how the individuals were involved in the incident?
- Do the statements include a description of the incident from the individuals’ perspectives?

Guidelines to Help Districts Develop a Corrective Plan of Action

If evidence or indication of a testing irregularity is discovered, describe a plan to correct and mitigate any future occurrences of the testing irregularity. A corrective action plan must accompany the written investigation report. Here are some tips to help with preparing the corrective action plan:

- Does the plan include a description of the specific procedure(s) that will be implemented to help prevent future occurrences of this type of testing irregularity?
- Does the plan include the name and role (position title) of the person(s) responsible to implement the plan?

- Have you submitted all statements in letter form on paper with letterhead? Are they typed, signed, and dated?
- Have you submitted a final written determination about what happened and who is responsible?

Procedure for Submitting an Invalidation

An invalidation occurs when a test has been compromised by a student, test administrator, or unauthorized party to the test administration. A confirmed test security violation may require the district superintendent, school administrator, or the district test coordinator to request an invalidation of the test. An inquiry may be required. There are two ways for a district to submit an invalidation:

- Submit the request to invalidate via the online Test Information Distribution Engine (TIDE) system. The student does not receive a score. The invalidation also is reported on the student data file sent back to the districts by the test vendor.
- Submit the invalidation directly through the Education Management Information System (EMIS) if the deadline was missed to submit the invalidation through the test vendor’s TIDE system, and if the test was scored and reported back to the district by the test vendor.

Breach Form for Ohio’s State Tests (OST)

The breach form (a different but parallel form of the test) is intended to be used when a student’s test has been compromised by a test irregularity or a test security violation. The breach form applies **only** to these Ohio’s State Tests (OST):

- Grade 3-8 spring test administration only; and
- High school fall and spring test administrations only.

District test coordinators must contact the Department’s Office of Assessment to determine whether a student qualifies to receive a breach form. The Office of Assessment determines if the use of the breach form is an appropriate option as a result of a district test security violation or a test irregularity. If a breach form is warranted, the Office of Assessment will provide the district with the information needed to order the breach form.

Districts are advised to contact the Office of Assessment to discuss the situation that may lead to a breach form *before* an invalidation is entered. **Student cheating does not qualify for a breach form.** Test security violations or test irregularities caused by school or district personnel that require an administration of a breach form are at the district’s expense. Incidents that are caused by acts of nature or the state (the Department or the test contractor) and require an administration of a breach form are at the state’s or the vendor’s expense (for example, missing items). Whether or not a breach test is administered, districts should not use the family report of an invalidated test.

Districts are required to administer the breach form in the same test mode that a student was administered the regular test. That is, students testing online take an online breach form, and students testing on paper use a paper breach form. Breach forms are not offered by test part. If a student is approved to take a breach form, the student **must take both test parts** of the breach form.

All breach tests are administered using the same guidelines, processes, and procedures as the general test. If a student is approved to take a breach form, the district must do the following:

- Submit a Test Status Request in [TIDE](#) to invalidate the online test part(s); or
- Apply a Do-Not-Score label to the student’s scorable answer document if taken on paper and return with the nonscorable materials.

IMPORTANT: The district test coordinator must **NOT** take either action above before the breach request is reviewed and approved by the Department. All breach test administrations, online and paper, take place during a separate test window after the state test window has closed. There will be no modifications or extensions to the published breach test windows. All breach test administration scores are reported after on-time test results are reported.

Districts must retain scorable return labels to return breach paper test materials to the test vendor at the end of the breach test administration.

Standards for the Ethical Use of Tests for all Tests

The Department of Education and Workforce has adopted rules of ethical practice for the use of state tests and other tests, such as district and school standardized tests. Tests shall include the test itself and any part of the process of assessing a student. District and school personnel may reference OAC [3301-7-01](#) for standards concerning unethical or inappropriate practices that involve preparing students for tests, administering and scoring tests, and interpreting and/or using test results.

SCENARIOS RELATED TO THE STANDARDS FOR THE ETHICAL USE OF TESTS

IS THIS ACTIVITY OR BEHAVIOR AN ETHICAL PRACTICE?	
Using the state-provided practice tests as an activity after students have received instruction on the learning standards and item formats	YES
Preparing students for the tests by incorporating Ohio’s Learning Standards and Ohio’s English Language Proficiency Standards in the appropriate subject curriculum	YES
Using the results of the tests as one source of information on which to evaluate the effectiveness of curriculum	YES
Providing teachers and counselors with information they need to interpret test results	YES
Using the state-provided practice tests as the sole method of preparing students for the tests without teaching the learning standards measured by the tests	NO
Making a copy of the operational tests and/or preparing a student study guide based on the operational tests	NO
Copying the vocabulary words from a secure published test that will be administered and incorporating them into instruction	NO
Changing answers that students have marked, written, typed, or gridded in	NO
Hinting to a student to reconsider an answer given on a test	NO
Encouraging students who are underperforming to stay home during the administration of a standardized test and/or coding the lower-performing students out of the district or school summaries to exclude their scores from accountability calculations	NO
Correcting student responses to ensure a student a place in a gifted program	NO
Setting a testing schedule that limits students from receiving the maximum time allowed for the test	NO
Revealing the test scores of one student to another student	NO

ADDITIONAL MONITORING PROCEDURES

As needed, the Office of Assessment will analyze results from tests to help ensure valid and fair results for students and districts, including using a variety of commonly accepted statistical and audit procedures to review test score data and individual test documents for anomalies that may be related to testing irregularities. If anomalies appear, districts may be contacted and asked to assist in reviewing and, if necessary, investigating the circumstances surrounding the anomalies. For instance, procedures may identify highly unlikely patterns of responses or specific patterns of erasures and other marks on scannable documents.

The Office of Assessment will also audit vendor testing records to ensure appropriate test participation and test administration procedures are followed (for example, testing at appropriate grade levels). The Office of Assessment and its testing vendors monitor the prompt return of all secure test materials from each test administration by districts. In

addition, the Office of Assessment may request permission from a district to observe and inspect test administration procedures in a building during a test window.

Additional Test Security Resources

The resources listed below are additional reference documents on test security.

- [*Code of Fair Testing Practices in Education*](#)
- [*Standards for Educational and Psychological Testing*](#)

On the following pages are resources for districts and schools to use during and after test administration. These resources include optional forms for district and school use, a required nondisclosure form for translators, a scribe documentation form, and complete texts of the Ohio Revised Code and Ohio Administrative Code that are applicable to the state test program. The optional forms for district and school use include the following:

- District Test Coordinator Agreement Form
- Building Test Coordinator Agreement Form
- Test Administrator Agreement Form

Districts and schools may use the forms to document that the district test coordinator, building test coordinator, and test administrators are aware of and understand the district's or school's test security policy and all possible consequences and are aware of other resources regarding test security. While the forms are optional, the Office of Assessment recommends using the forms to document the staff's awareness of the district's or school's test security policy.

A nondisclosure form is **required** to be used to document that the translator understands the district's or school's test security policy, agrees not to disclose or discuss the contents of the secure tests, and agrees that all student-specific information remains strictly confidential.

A scribe documentation form may be used to document that the student's responses have been accurately transcribed to the test booklet or answer document.

Appendix A

District Test Coordinator Agreement Form

This **optional** form can be used to document that the District Test Coordinator is aware of and understands the district's test security policy and all possible consequences and is aware of other resources regarding test security.

TEST PROCEDURES AGREEMENT FOR DISTRICT TEST COORDINATORS

The district test coordinator acknowledges that:

- All Ohio state tests are secure tests (except Ohio Diagnostic Tests, Readiness Assessments, educator-created tests from Assessment Authoring, practice tests, and released test items);
- Procedures shall be implemented to ensure maximum test security;
- Training on Ohio Revised Code (ORC) [3319.151](#) Cheating on Assessments has been provided to all building test coordinators *prior* to the test administration;
- Training on Ohio Administrative Code (OAC) [3301-13-05](#) Rule on Test Security has been provided to all building test coordinators *prior* to the test administration;
- Training on Ohio Administrative Code (OAC) [3301-7-01](#) Standards for the Ethical Use of Tests has been provided to all building test coordinators *prior* to the test administration;
- Training on the district's test security policy, including possible consequences of test security violations, has been provided to all building test coordinators *prior* to the test administration;
- Test security will not knowingly be violated in any manner;
- Student test scores or test performance data shall not be disclosed to unauthorized persons;
- Any violation of test security, loss of test materials, or other deviation from acceptable test security and test administration procedures shall be reported immediately to the district superintendent and to the Department's Office of Assessment;
- The signed Test Procedures Agreement for each building test coordinator has been collected and retained; and
- Secure test materials shall not be released to the school before the signed Test Procedures Agreement has been collected from the building test coordinator.

DO NOT SEND THIS FORM TO THE OFFICE OF ASSESSMENT. Please keep for district record.

I have read, understand, and with my signature agree to comply with procedural, statutory, and regulatory requirements. I also understand that I must return this signed agreement to the district superintendent before test booklets and other test materials are released to the school. By signing this form and returning it to the district superintendent, I verify that the above conditions have been met.

District

District Test Coordinator Signature

Date

Appendix B

Building Test Coordinator Agreement Form

This **optional** form can be used to document that the Building Test Coordinator is aware of and understands the district's test security policy and all possible consequences and is aware of other resources regarding test security.

TEST PROCEDURES AGREEMENT FOR BUILDING TEST COORDINATORS

The building test coordinator acknowledges that:

- All Ohio state tests are secure tests (except Ohio Diagnostic Tests, Readiness Assessments, educator-created tests from Assessment Authoring, practice tests, and released test items);
- Procedures shall be implemented to ensure maximum test security;
- Training on Ohio Revised Code (ORC) [3319.151](#) Cheating on Assessments has been provided to all test administrators *prior* to the test administration;
- Training on Ohio Administrative Code (OAC) [3301-13-05](#) Rule on Test Security has been provided to all test administrators *prior* to the test administration;
- Training on Ohio Administrative Code (OAC) [3301-7-01](#) Standards for the Ethical Use of Tests has been provided to all test administrators *prior* to the test administration;
- Training on the district's test security policy, including possible consequences of test security violations, has been provided to all test administrators *prior* to the test administration;
- Test security will not knowingly be violated in any manner;
- Student test scores or test performance data shall not be disclosed to unauthorized persons;
- Any violation of test security, loss of test materials or other deviation from acceptable test security, and test administration procedures shall be reported immediately to the district test coordinator;
- The signed Test Procedures Agreement for each test administrator has been collected and retained; and
- Secure test materials shall not be released to the school before the signed Test Procedures Agreement has been collected from each test administrator.

DO NOT SEND THIS FORM TO THE OFFICE OF ASSESSMENT. Send this form to the District Test Coordinator.

I have read, understand, and with my signature agree to comply with procedural, statutory, and regulatory requirements. I also understand that I must return this signed agreement to the district test coordinator before test booklets and other test materials are released to the school. By signing this form and returning it to the district test coordinator, I verify that the above conditions have been met.

District

School

Building Test Coordinator Signature

Date

Appendix C

Test Administrator Agreement Form

This **optional** form can be used to document that the Test Administrator is aware of and understands the district's test security policy and all possible consequences and is aware of other resources regarding test security.

TEST PROCEDURES AGREEMENT FOR TEST ADMINISTRATORS

The test administrator acknowledges that:

- All Ohio state tests are secure tests (except Ohio Diagnostic Tests, Readiness Assessments, educator-created tests from Assessment Authoring, practice tests, and released test items);
- Procedures shall be implemented to ensure maximum test security;
- Training on Ohio Revised Code (ORC) [3319.151](#) Cheating on Assessments has been provided *prior* to the test administration;
- Training on Ohio Administrative Code (OAC) [3301-13-05](#) Rule on Test Security has been provided *prior* to the test administration;
- Training on Ohio Administrative Code (OAC) [3301-7-01](#) Standards for the Ethical Use of Tests has been provided *prior* to the test administration;
- Training on the district's test security policy, including possible consequences of test security violations, has been provided *prior* to the test administration;
- Test security will not knowingly be violated in any manner;
- Student test scores or test performance data shall not be disclosed to unauthorized persons;
- Any violation of test security, loss of test materials or other deviation from acceptable test security, and test administration procedures shall be reported immediately to the building test coordinator; and
- Secure test materials shall not be released to the school before the signed Test Procedures Agreement has been collected from the test administrator.

DO NOT SEND THIS FORM TO THE OFFICE OF ASSESSMENT. Send this form to the Building Test Coordinator.

I have read, understand, and with my signature agree to comply with procedural, statutory, and regulatory requirements. I also understand that I must return this signed agreement to the building test coordinator before test booklets and other test materials are released to me. By signing this form and returning it to the building test coordinator, I verify that the above conditions have been met.

District

School

Test Administrator Signature

Date

Appendix D

Nondisclosure Agreement for Translators

This form is used to document that the translator is aware of and understands the district’s test security policy and all possible consequences and is aware of other resources regarding test security.

This is a Required Form.

I agree not to disclose or discuss the contents of the online and paper tests in a manner that would assist a person to cheat or would in any other way compromise the validity of the test questions. Furthermore, I agree that all student-specific information obtained either prior to or during the oral test administration will remain strictly confidential.

I understand that these test materials are restricted. I understand that all test questions and all other materials related to these tests including, but not limited to, passages, prompts, charts, graphs, and tables are considered secure and subject to the provisions of Sections 3319.151 of Ohio Revised Code and Rules 3301-7-01, 33-0113-02 and 3301-13-05 of the Ohio Administrative Code.

My responsibility for maintaining the security of student information, test questions, and test materials continues even after the test concludes and the test materials have been returned.

Name of Translator Printed

Date

Signature of Translator

District or School

The district or school must maintain a copy of this form and provide it to the Department upon request.

Do NOT return with other test materials.

Appendix E

Scribe Documentation Form

This **optional** form can be used to document that the student's responses have been accurately transcribed to the test booklet or answer document.

Student Name:
Grade:
Subject:
District:
School:
Date of Administration:

Test: (Circle one)

Grades 3-8

End-of-Course

OELPS

OELPA

Alt-OELPA

PLEASE CHECK ONE OF THE FOLLOWING REASONS FOR THE USE OF A SCRIBE:

- Student identified with disabilities and has a written Individualized Education Program (IEP) or 504 Plan to specify the use of a scribe.
 - Under an IEP or 504 Plan, the student receives a scribing accommodation as a part of daily classroom instruction and assessment.
 - Student is unable to write their answers into a standard test booklet or answer document.
- Student identified as English learner (EL) who is eligible to receive additional accommodations (translated form of tests) that may require translation and transcription. The translator is the scribe.
- Student has a short-term medical condition (for example, broken arm or wrist, short-term visual problem, student vomited on test booklet or answer document) that requires scribing or transcribing.

PROVIDE A BRIEF EXPLANATION OF THE MEDICAL CONDITION:

The test administrator and scribe must both sign this form. Signatures verify that no changes, edits, or deletions were made to the student's responses. The student's responses were transcribed by the scribe exactly as given by the student, including errors. Scribing guidelines for Ohio's State Tests have been adhered to as defined in [Ohio's Accessibility Manual](#).

Scribe Signature

Date When Scribing Occurred

Test Administrator Signature

Date

Send this form to the District Test Coordinator. **Do not send this form to the Office of Assessment.**

Appendix F

Ohio Revised Code and Ohio Administrative Code

The following code is applicable to the state test security program and provided for reference.

- Ohio Revised Code [3319.151](#): Confidentiality for State Tests;
- Ohio Administrative Code [3301-13-02](#): Administering State Tests;
- Ohio Administrative Code [3301-13-05](#): Establishing Security and Security Investigation Provisions for Tests;
- Ohio Administrative Code [3301-7-01](#): Standards for the Ethical Use of Tests.

Ohio Revised Code 3319.151

Prohibition on assisting students in cheating on assessments.

- (A) As used in this section, "assessment" means an assessment administered under section [3301.0711](#) of the Revised Code.
- (B) No person shall do any of the following:
- (1) Reveal to any student any specific question that the person knows is part of an assessment or in any other way assist a pupil to cheat on an assessment;
 - (2) Obtain prior knowledge of the contents of an assessment;
 - (3) Use prior knowledge of the contents of an assessment to assist students in preparing for the assessment;
 - (4) Fail to comply with any rule adopted by the department of education and workforce regarding security protocols for an assessment.
- (C) On a finding by the state board of education, after investigation, that a school employee who holds a license, as defined in section [3319.31](#) of the Revised Code, has violated division (B) of this section, the state board shall take any action against the employee under section [3319.31](#) of the Revised Code that it considers appropriate, based on the nature and extent of the violation. The state board shall give the employee notice of the allegation upon commencing an investigation and shall give the employee an opportunity to respond prior to taking any disciplinary action.
- (D)(1) Violation of division (B) of this section is grounds for termination of employment of a nonteaching employee under division (C) of section [3319.081](#) or section [124.34](#) of the Revised Code.
- (2) Violation of division (B) of this section is grounds for termination of a teacher contract under section [3311.82](#) or [3319.16](#) of the Revised Code.

Effective: October 3, 2023

Ohio Administrative Code 3301-13-02

Administering required state tests at the designated grades.

- (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.

Effective: May 12, 2024

Ohio Administrative Code 3301-13-05

Establishing security and security investigation provisions for tests

- (A) All test questions and all other test materials, are considered secure and subject to the provisions of sections [3319.151](#) and [3319.99](#) of the Revised Code and to the provisions of this rule.
- (B) The test materials that are specifically designated as "practice tests" and any test released by the department as a public record in accordance with section [3301.0711](#) of the Revised Code and this rule are not considered secure.
- (C) Persons designated as test coordinators for participating schools, in accordance with rule [3301-13-02](#) of the Administrative Code, are responsible for:
- (1) Ensuring that all test security provisions are complied with while test materials remain in a participating school;
 - (2) Ensuring that all test security provisions are complied with during the administration of each test administration session, including makeup sessions; and
 - (3) Accounting for all test materials, including booklets by serial number and answer documents.
- (D) No person will reveal, cause to be revealed, release, cause to be released, reproduce, or cause to be reproduced any secure test materials through any means or medium including, but not limited to, electronic, photographic, photocopy, written, paraphrase, or oral.
- (E) No unauthorized person will be permitted to be in a test room during any test administration session or be permitted to have access to any secure test materials at any time such materials are in a participating school.
- (F) Each participating school shall establish written procedures to protect the security of the paper test materials. Such procedures shall include, but are not limited to, the following:
- (1) Specification of district procedures for handling, tracking, and maintaining security of test materials from the time and point of receipt in a participating school until the time and point of shipping to the scoring contractor;
 - (2) Specification of procedures for handling, tracking, and maintaining security of test materials at a site before, during, and after a test administration, including, but not limited to, procedures for accounting for and storing test booklets, answer documents, and all other test materials in a secure location before, during, after, and between test administration sessions;
 - (3) Specification of building procedures for handling, tracking, and maintaining security of the test materials from the time and point of receipt in a building prior to testing, until after the last regular test administration session when the test materials are returned to the district's central collection location; A provision mandating the shipping and returned of all scorable used test booklets, secure answer documents, and any other materials specified by the department to the specified location not later than one business day after the completion of a test administration period in accordance with the directions provided by the designated scoring service provider, and
 - (4) A provision mandating the shipping and return of all nonscorable used and unused test booklets, unused secure answer documents, and any other materials specified by the department to the specified location not later than seven calendar days after the completion of a test administration period in accordance with the directions provided by the designated scoring service provider.
- (G) Each participating school will establish written procedures to protect the security of the online and paper tests that include, but are not be limited to, the following:
- (1) Identification of each person by name with a designated title as being either a test coordinator, test administrator, monitor, translator, or scribe who is authorized to be present in a test room during a test administration session, including a makeup session, and/or who is authorized to have access to the test materials;
 - (2) Specification of a procedure for investigating any alleged violation of a test security provision or any alleged unethical testing practice, including ensuring due process for any individual accused;

(3) Specifications of a procedure for determining an action or actions to be taken in response to any confirmed violation of section [3319.151](#) of the Revised Code, rule [3301-7-01](#) of the Administrative Code, this rule, or the school's security procedures, including, but not limited to, cheating by a student, anyone assisting a student to cheat, and/or anyone compromising a student's test;

(4) Specification of a procedure for determining whether to invalidate a student's test in response to a test security violation caused either by a student and/or by any other person; and

(5) Specification of how the written procedures will be communicated in writing and discussed each school year with employees who have access to secure test materials, students enrolled in the participating school who are being tested, and with any other person authorized to be present in a test room and/or have access to any secure test materials.

(H) Each participating school will report any alleged test security violation to the department in accordance with the procedures specified by the department as soon as it becomes known to the participating school.

(1) Upon receipt of information about an alleged test security violation, the department will call the participating school to request the opening of an investigation. After the initial contact, the department will notify the participating school in writing that a case has been opened for an alleged test security violation.

(2) Within ten calendar days after the completion of the participating school's investigation, the participating school will file a written report with the department containing the following:

(a) The names, positions, and titles of all persons believed to be involved in the incident;

(b) A detailed description of the incident;

(c) The interviews or testimony obtained during the investigation

(d) A statement of evidence or a statement of lack of evidence that a test security violation occurred;

(e) The results of the investigation, including the grounds for determining the occurrence of a test security violation or lack thereof; and

(f) An explanation of any corrective or disciplinary action taken, including actions taken under authority of section [33119.151](#) of the Revised Code

(3) Each participating school will ensure the cooperation of all of its employees in any investigation that is conducted by the department pursuant to any allegation or other indication that a test security violation may have occurred.

(I) By the first of October of each school year, each participating school will communicate in writing and discuss with all employees who have access to the secure test materials and students who are being tested the applicable written security procedures and actions to be taken in response to any violations established pursuant to this rule. In the event that a participating school administers a state test during a fall test administration period that occurs prior to the first of October, prior the beginning of the applicable test administration each school year, the participating school will communicate in writing to and discuss with all employees who have access to the secure test materials and students who are being tested the applicable written security procedures and the actions to be taken in response to any violations established pursuant to this rule. Students and staff will be reminded orally of these provisions prior to the beginning of each test administration period by a test coordinator and test administrator.

(J) Each joint vocational school district that has executed an agreement with a participating school to administer any test pursuant to rule [3301-13-02](#) of the Administrative Code shall comply with all requirements of this rule.

(K) The rules identified in this section do not apply to commercial tests, as defined in rule [3301-13-01](#) of the Administrative Code. Districts and schools using commercial tests for state or local purposes are directed to follow the rules and procedures established by the commercial test provider.

Effective: May 12, 2024

Ohio Administrative Code 3301-7-01

Standards for the ethical use of tests

(A) These standards of ethical test practice shall be used in determining if a practice related to a test is consistent with the principles of performing one's duties with honesty, integrity, due care, fairness to all, ensuring the integrity of the test process, and the reliability and validity of any inference made from any result of a test. Except as otherwise specified, the following definitions shall be used in this rule:

- (1) "Test" shall include secure and non-secure state tests as required by sections [3301.0715](#), [3301.0710](#), [3301.0711](#) and [3301.0712](#) of the Revised Code, and provided by the department. Test also includes district and school standardized tests including norm referenced tests. Test includes the test instrument itself and any part of the process of assessing or testing a student.
- (2) "Participating school" means any city, exempted village, local, cooperative education, or joint vocational school districts or any community or any chartered nonpublic school which participates in testing; the state school for the blind; the state school for the deaf; or any school operated by the departments of youth services or rehabilitation and corrections; or any entity that tests its students with the state tests.
- (3) "Appropriate staff" includes any designated certificated or non-certificated employee of a participating school who has direct access to a test or participates in any activity related to preparing a student for a test. Appropriate staff shall be required to hold a license, certificate permit, or registration issued by the department to administer or score a test and/or interpret or use any result of a test.
- (4) "Secure test" shall include any test, whether state or national, that is administered to the entire or a portion of the entire state student population and/or that is provided by the state, the results of which are included in Ohio's accountability system, are included as part of a student's course of study, are part of the pre-college admission process, or are prescribed by state and/or federal law. Secure tests are treated as secure materials until released by the test developer and/or the department. They do not include any diagnostic test required to be administered pursuant to section [3301.0715](#) of the Revised Code, any practice test, or any test that already has been released to the public by the test developer or by the department as a public record following the school year that the test was administered in accordance with section 3301.0711 of the Revised Code
- (5) "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, English language proficiency assessment, kindergarten readiness assessment, or early learning assessments.

(B) Each participating school and district will ensure that all appropriate staff have knowledge of these standards of ethical test practice and will monitor the practices of all appropriate staff to ensure compliance with these standards. Each participating school and district's duties include, but are not limited to, the following:

- (1) Communicate in writing to all appropriate staff at least once annually the standards defining what is an unethical and/or inappropriate practice that are contained in paragraphs (C) to (E) of this rule as well as any additional standards of ethical test practice adopted by a participating school and district;
- (2) Clearly define and communicate in writing at least once annually to all appropriate staff how the standards shall be monitored and what sanctions will apply for any violations of the standards and under what circumstances such sanctions will apply;
- (3) Clearly define and communicate to all appropriate staff prior to each test the purpose(s) for each test;
- (4) Clearly define and communicate in writing to all appropriate staff at least once annually all security procedures established by a participating school for each type of secure test identified in paragraph (A)(4) of this rule, including, but not limited to, the test security provisions required by rule [3301-13-05](#) of the Administrative Code";
- (5) Provide any other information and training as may be necessary to ensure that all appropriate staff have the knowledge and skills necessary to make ethical decisions related to preparing students for a test, administering and/or scoring a test, and/or interpreting and/or using any result of a test;

(6) Establish written procedures for reviewing the materials and practices to be used in a participating school to prepare students for a test, and clearly communicate in writing these procedures, materials, and practices at least once annually to all appropriate staff;

(7) Periodically review materials and practices related to preparing students for a test, administering and/or scoring a test, and/or interpreting and/or using any result of a test to ensure that the materials and practices are up-to-date, and clearly communicate in writing any additions or changes at least once annually to all appropriate staff;

(8) Provide channels of communication that allow teachers, other educators, students, parents, and/or other members of the community to voice any concern about any practice they consider unethical and/or inappropriate; and

(9) Establish written procedures for investigating any complaint, allegation, and/or concern about an unethical and/or inappropriate practice, ensuring protection of the rights of an individual, the integrity of a test, and any result of a test.

(C) In monitoring practices related to preparing students for a test, each participating school will use, but not be limited to, the following standards that define the types of practices that are unethical and/or inappropriate:

(1) Any preparation practice that results solely in raising scores or performance levels on a specific test without simultaneously increasing a student's achievement level as measured by other tasks and/or test designed to assess the same content domain;

(2) Any practice involving the reproduction of any secure test materials, through any medium, for use in preparing a student for a test;

(3) Except for materials that are developed and specifically designated as "practice tests" by the department, any preparation activity that includes a question, task, graph, chart, passage, or other material included in a test, and/or material that is a paraphrase or highly similar in content to what is in a test;

(4) Preparation for a test that focuses primarily on the test, including its format, rather than on the Ohio learning standards being assessed;

(5) Any preparation practice that does not comply with, or has the appearance of not complying with any statutory and/or regulatory provision related to security of a test; and

(6) Any practice that supports or assists others in conducting unethical or inappropriate preparation activities.

(D) Except as specifically permitted by written instructions provided by the developer of a test, by the department, or by Chapter 3301-13 of the Administrative Code pertaining to accommodations and/or alternate assessment, each participating school will use, but not be limited to, the following standards that define the types of practices related to administering and/or scoring tests that are unethical and/or inappropriate:

(1) Any test used for purposes other than that for which it was intended;

(2) Any practice that results in a potential conflict of interest or one that exerts undue influence on a person administering and/or scoring a test, either making or appearing to make a testing process unfair to some examinees;

(3) Except for accommodations and/or alternate assessments expressly permitted under Chapter 3301-13 of the Administrative Code, any change in procedures for administering and/or scoring a test that results in a nonstandard condition for one or more students;

(4) Any practice that allows a person without sufficient and appropriate knowledge, skills, and/or training to administer and/or score a test;

(5) Any administration and/or scoring practice that may produce a result contaminated by a factor not relevant to the purpose(s) of a test;

(6) Any practice of excluding one or more students from a test solely because a student has not performed well, or might not perform well, on the test and/or because the aggregate performance of a group may be affected;

(7) Any practice immediately preceding and/or during a test including, but not limited to, the use of a gesture, facial expression, body language, tone of voice, language, or any other action and/or sound that may guide a students' response;

(8) Except for the directions for administration as prescribed by the test developer and/or by the department, any practice such as providing to a student, immediately preceding and/or during administration of a test, any definition and/or clarification of the meaning of a word or term contained in a test;

(9) Any practice that corrects or alters any student's response to a test either during and/or following the administration and/or scoring of a test; and

(10) Any practice that supports or assists any person in unethical and/or inappropriate practices during administration and/or scoring of a test.

(E) In monitoring practices related to interpreting and/or using any result of a test, each participating school will use, but not be limited to, the following standards that define the types of practices that are unethical and/or inappropriate:

(1) Providing interpretations of and/or using any result of a test in a manner and/or for a purpose that was not intended;

(2) Making false, misleading, or inappropriate statements and/or unsubstantiated claims that may lead to false and/or misleading conclusions about any result of a test;

(3) Any practice that permits appropriate staff without the necessary knowledge and skills to interpret and/or use any result of a test;

(4) Any practice that violates, or places at risk, the confidentiality of personally identifiable information pursuant to section [3319.321](#) of the Revised Code;

(5) Any practice that provides an interpretation or suggests a use of any result of a test without due consideration of the purpose(s) for the test, the limitations of the test, an examinee's characteristics, any irregularities in administering and/or scoring the test, and/or other factors that may affect any result; and

(6) Any practice that supports or leads any person to interpret and/or use any result of a test in unethical and/or inappropriate ways.

(F) Each participating school shall cooperate with the state board of education in conducting an investigation of any alleged unethical and/or inappropriate assessment practice as defined in this rule.

Effective: May 12, 2024