

**Ohio Department of Education – Legislative  
Recommendations  
Office of Curriculum and Assessment  
September 2012**

**3301-13-01 Defining terms and establishing statewide assessments**

1. Amend Ohio Administrative Code section 3301-13-01 (A) (10) "... during the regular test administration Ohio achievement ~~tests (OAT)~~ Ohio Achievement ~~Assessments (OAA)~~..."  
Rationale: The name of the Ohio Achievement Assessments was changed in HB 1 in July 2009.
2. Delete Ohio Administrative Code section 3301-13-01 (A) (13).  
Rationale: The section refers to the administration of the Ohio ninth-grade proficiency tests which have been replaced with the Ohio Graduation Tests.
3. Delete Ohio Administrative Code section 3301-13-01 (A) (16).  
Rationale: The section refers to the administration of the Ohio ninth-grade proficiency tests which have been replaced with the Ohio Graduation Tests.
4. Amend Ohio Administrative Code section 3301-13-01 (A) (17) "... the first two weeks (for ~~OAT OAA~~)..."  
Rationale: The name of the Ohio Achievement Assessments was changed in HB 1 in July 2009.
5. Delete Ohio Administrative Code section 3301-13-01 (A) (20).  
Rationale: The section refers to the administration of the Ohio ninth-grade proficiency tests which have been replaced with the Ohio Graduation Tests.
6. Amend Ohio Administrative Code section 3301-13-01 (A) (25) "'Tests required for graduation' means ~~ninth-grade proficiency tests given until September 15, 2008, for any student who entered ninth grade prior to July 1, 2003, and~~ the Ohio graduation tests..."  
Rationale: The section refers to the administration of the Ohio ninth-grade proficiency tests which have been replaced with the Ohio Graduation Tests.
7. Delete Ohio Administrative Code section 3301-13-01 (D) (11).  
Rationale: The section refers to the administration of the Ohio ninth-grade proficiency tests which have been replaced with the Ohio Graduation Tests.
8. Amend Ohio Administrative Code section 3301-13-01 (K) "~~Until September 15, 2008, any individual who has previously completed the curriculum requirements of a participating high school, but did not earn a diploma pursuant to section 3313.61, 3313.611, or 3313.612 of the Revised Code and who subsequently attains the ninth-grade levels of proficiency in all ninth-grade proficiency test areas prescribed by this rule shall be awarded a high school diploma.~~ Any individual...."  
Rationale: The section refers to the administration of the Ohio ninth-grade proficiency tests which have been replaced with the Ohio Graduation Tests.

**3301-13-02 Administering required state assessments at the designated grades**

9. Amend Ohio Administrative Code section 3301-13-02 (A) (5) (b) – (f)

- “... (b) The fourth-grade achievement tests in reading, mathematics, writing (**suspended HB 1 2009**);
  - (c) The fifth-grade achievement tests in reading, mathematics, science, and social studies (**suspended HB 1 2009**);
  - (e) The seventh-grade achievement tests in reading, mathematics, writing (**suspended HB 1 2009**); and
  - (f) The eighth-grade achievement tests in reading, mathematics, science, and social studies (**suspended HB 1 2009**)”;
- Rationale: The section refers to subject tests that have been suspended – grade four and seven writing, and grade five and eight social studies.

10. Amend Ohio Administrative Code section 3301-13-02 (F) “...shall be administered **only to a single student**, all students within a participating school....”  
 Rationale: The section refers to groups of students but single students may take the Breach test form.
11. Amend Ohio Administrative Code section 3301-13-02 (N) (7) “...shall be conducted by a licensed staff member or a staff member certificated under section 3301.071 **and 3319.22** of the Revised Code **and under section 3301.24 of the Administrative Code** ....”  
 Rationale: The section left out an additional Revised Code reference and an Administrative Code reference.

**3301-13-05 Establishing security and security investigation provision for assessments**

12. Amend Ohio Administrative Code section 3301-13-05 (B) (1) – (3) “Except for diagnostic assessments, no assessment, achievement tests for grades three through eight or the Ohio graduation tests, shall be released as a public record. **until both the test developer for the state and the department of education have given permission. The release of the assessments shall occur as follows:**  
**(1) By the first of July following the school year in which the assessment was administered;**  
**(2) With a minimum of forty per cent of the achievement tests in grades three through eight with the remaining questions remaining secure questions for reuse on later test forms; and**  
**(3) With one hundred percent release of the spring form of the Ohio graduation tests.**  
 Rationale: The section referring to OAA and OGT being released as a public record was changed by HB 1 in July 2009 and HB 153 in July 2011. The law prohibits releasing OAA and OGT as a public record.
13. Amend Ohio Administrative Code section 3301-13-05 (D) “in accordance with paragraph **(P) (M)** of rule 3301-13-02...”  
 Rationale: The section had an incorrect reference.
14. Amend Ohio Administrative Code section 3301-13-05 (E) “in accordance with paragraph **(Q) (N) (7)** of rule 3301-13-02...”  
 Rationale: The section had an incorrect reference.
15. Delete Ohio Administrative Code section 3301-13-05 (H) (7).  
 Rationale: The section is a duplicate of section 3301-13-05 (I) (3).

**3301-13-06 Scoring and reporting assessments**

16. Delete Ohio Administrative Code section 3301-13-06 (F) (1) (2) (a) – (d).  
 Rationale: The section refers to a district or parent/guardian obtaining a copy of a student’ Ohio graduation test answer document which is no longer permissible as the public release of the OGT was changed under HB 1 in July 2009.

**3301-13-08 Establishing provisions for an oral administration of the ninth-grade proficiency tests required for graduation**

17. Delete Ohio Administrative Code section 3301-13-08.

Rationale: The section refers to the administration of the Ohio ninth-grade proficiency tests which have been replaced with the Ohio Graduation Tests.