

3301-13-05 Establishing security and security investigation provisions for tests.

(A) All test questions and all other test materials, which are considered part of a test, including, but not limited to, oral or written directions, reading passages, writing prompts or styles, charts, graphs, maps, and tables shall be 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 prohibiting any person from revealing any specific question and/or materials that are part of a test.

(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, shall:

(1) Ensure that all test security provisions are complied with while test materials remain in a participating school;

(2) Ensure that all test provisions are complied with while each online and/or paper/ pencil test administration session, including makeup sessions, is in progress; and

(3) Account for all test materials, including booklets by serial number, CDs containing translations of the tests, English language proficiency listening and speaking CDs, and answer documents.

(D) No person shall 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 shall 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 not be 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; and

(4) Requirement that not later than seven calendar days after the completion of a test administration period, all nonscorable used and unused test booklets, unused secure answer documents, and any other materials specified by the department, shall be shipped to the specified location in accordance with the directions provided by the designated scoring service provider.

(G) Each participating school shall establish written procedures to protect the security of the online and paper tests in these areas, which shall include, but 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) Any alleged test security violation must be reported to 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 shall call the participating school to request the opening of an investigation and shall follow up with a letter to the participating school.

(2) Within ten calendar days after the completion of the participating school's investigation, a written report shall be filed with the department delineating the cause and results of the investigation including any corrective action taken.

(3) After a determination that a test security violation has occurred, a school district board or governing authority of a participating school and/or the state board of education may take any action or actions specified in section [3319.151](#) of the Revised Code or in this rule.

(4) Each participating school shall 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.

(5) Prior to commencing a department investigation through the office of professional conduct and taking action as a result of an allegation of a test security violation, the state board of education shall provide the individual with notice of the allegation and an opportunity to respond and present a defense.

(I) By the first of October of each school year, each participating school shall 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. Students and staff shall 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 using commercial tests for state or local purposes are required to follow the rules and procedures established by the commercial test provider.

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