Members Brief

An informational brief prepared by the LSC staff for members and staff of the Ohio General Assembly

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Assessments Required Under State and Federal Law

State and federal law requires that students in public schools be assessed for their grade-level achievement in reading, math, and science in specified grades. Accordingly, the Department of Education and Workforce has prescribed a series of annual assessments to be administered to students in grades 3-8 and high school and a scoring system of five ranges of achievement. Those state assessments meet the requirements of federal law, which is a condition to receive Title I education funding. State law also prescribes diagnostic assessments in reading and math for grades K-3 that are not required under federal law.

In addition to the prescribed high school assessments, as part of the system of college and work ready assessments, a nationally standardized assessment that measures college and career readiness (ACT or SAT) must be administered to eleventh grade students.

Under state law, chartered nonpublic schools that enroll state scholarship students generally must administer the state assessments or alternative assessments to their scholarship students and, in some cases, to all of their students.

There are exceptions from the testing requirements for certain students with disabilities and certain students whose first language is not English.

In some cases, a student may be retained in the student's current grade level for failure to attain a proficient or other specified score on an assessment. In addition, assessment scores are a factor in determining a school district's or school's performance rating on the annual state report card and other measures.

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Comparison of state and federal testing requirements

Federal law requires states to administer annual assessments to public school students in specified subjects and grade levels. Ohio complies with federal requirements through the administration of state achievement assessments and the end-of-course exams. State law, however, requires additional assessments – generally, for high school students, American history and government end-of-course exams and a nationally standardized college and career-readiness assessment (SAT or ACT) and, for K-3 students, reading and math diagnostic assessments.

The tables below indicate the subjects and grade levels for which Ohio and federal law require annual assessments for grades 3-12.

Assessments by Subject and Grade Level

	Ohio				Federal		
	English Language Arts	Math	Science	Social Studies	Reading	Math	Science
Grade 3	√	√			√	√	One assessment in any of grades 3-5
Grade 4	√	√		[1]	√	√	
Grade 5	√	√	√		√	√	
Grade 6	√	√			√	√	One assessment in any of grades 6-9
Grade 7	√	√			√	√	
Grade 8	√	√	√		√	√	
Grade 9-12	One end-of-course exam in English Language Arts II	One end-of-course exam in Algebra I and one end-of-course exam in geometry (or Integrated Math I and II)[2]	One end-of-course exam	One end-of-course exam in American History and one end-of-course exam in American Government	One assessment in any of grades 10-12	One assessment in any of grades 10-12	One assessment in any of grades 10-12

[1] There are no state assessments for social studies before high school. However, state law requires school districts and schools to "teach and assess social studies" in at least grades 4 and 6. They are not required to report results of those assessments to the Department of Education and Workforce (R.C. 3301.0710(A)(4)).

[2] R.C. 3301.0712(B)(2)(b) requires the Department to seek a federal waiver to use Algebra I as the primary assessment of high school math. If the Department does not receive a waiver, the testing system must include a geometry exam. While the Department did receive a waiver from the geometry (or Integrated Math I and II) exam as being the primary end-of-course exam, the state is still required to administer it as part of the testing system. However, it is not required to qualify for a high school diploma.

Diagnostic assessments

In addition to the subject matter tests addressed above, public schools must administer diagnostic assessments in reading and math for grades K-3.[3] Among the required assessments is the Third Grade Reading Guarantee, which is a program to identify students in grades K-3 who are reading below grade level. As part of that program, schools must use the diagnostic assessments in reading for grades K-3 to identify students who are reading below grade level and to provide intervention services for those students prior to taking the third grade English language arts assessment.[4]

Additionally, the law requires public schools and permits chartered nonpublic schools to administer the Kindergarten Readiness Assessment (KRA) to all entering kindergarten students. It must be administered no earlier than July 1 of the school year and no later than the 20th day of instruction.[5]

Nationally standardized college and career readiness assessments

As part of Ohio's system of college and work ready assessments, state law requires that a nationally standardized assessment that measures college and career readiness (the ACT or SAT) be administered to all eleventh grade students in the spring.[6] The state pays for the ACT or SAT one time for all eligible high school students during the state administration of the exam. Schools may pay for additional administrations of the ACT or SAT, but they are not required to. A student's parent or guardian may opt the student out of this assessment.

Federal testing requirements

As a condition of receiving federal Title I education funds, the Every Student Succeeds Act (ESSA) requires states to administer annual assessments in math, English language arts, and science in specified grades. Each state must file a state plan with the U.S. Department of Education detailing how those federal funds will achieve the state's education goals. While ESSA specifies assessment subjects and grade bands, each state prescribes the test content and may require other assessments as long as the plan creates a uniform statewide system.[7]

State achievement test administration

In compliance with ESSA, Ohio law requires public schools to administer English language arts and math assessments in each of grades 3-8 and one science assessment in grades 5 and 8. For grades 9-12, one end-of-course exam is required in each of the following: English language arts II,

[3] R.C. 3301.079(D) and 3301.0715.

[4] R.C. 3313.608. A similar K-3 testing and intervention mandate applies to state scholarship students enrolled in chartered nonpublic schools (see R.C. 3301.163).

[5] R.C. 3301.0715(A)(2).

[6] R.C. 3301.0712(B)(1).

[7] 20 United States Code (U.S.C.) 6311(b)(1)(B).

science (biology), Algebra I, geometry (or integrated math I and II), American history, and American government.[8]

The state assessments are generally administered in an online format. However, there are exceptions. For instance, a school district or school may administer the third grade English language arts or math assessments, or both, in a paper format in any school year by adopting a resolution and filing it with the Department of Education and Workforce by May 1 of the prior school year.[9] A community school that is a member of the Ohio Classical School Association and uses a curriculum substantially similar to that of a nationally recognized classical school network may administer all state assessments in a paper format.[10] Finally, a dropout prevention and recovery (DOPR) community school may administer end-of-course exams in an online or paper format based on the needs of a student.[11]

Administration dates

The Director of Education and Workforce must designate dates and times for the administration of elementary and high school state assessments, including make-up assessments. In doing so, the Director must allow a reasonable time between the administration of state assessments and any administration of the National Assessment of Educational Progress (NAEP; currently administered on a two-year cycle in grades four and eight).[12]

The Department has adopted rules establishing parameters for the Director to use in designating testing windows including how long the testing windows are and what time of year each test must be administered.[13] The testing dates for each school year are posted on the Department's website, including the 2026-2027 testing dates.

If a student who is required to take an assessment does not do so on the prescribed date or make-up date, the school may deny the student promotion to the next grade.[14]

Additionally, for DOPR community schools specifically, the Director must establish extended testing windows of ten weeks in duration in the fall and spring so that they may administer assessments in closer proximity to when students complete related coursework. The Director also must establish a summer testing window for students participating in summer instruction.[15]

[8] R.C. 3301.0710(A), 3301.0711(B), and 3301.0712(B)(2)(b).

[9] R.C. 3301.0711(G)(4).

[10] R.C. 3301.0711(G)(5) and (P)(7).

[11] R.C. 3301.0727(B)(1).

[12] R.C. 3301.0710(C). For more information on NAEP, see the Department's National Assessment of Educational Progress in Ohio overview.

[13] Ohio Administrative Code 3301-13-02(A).

[14] R.C. 3301.0711(E).

[15] R.C. 3301.0727(C).

Range of scores

The Department of Education and Workforce must designate five ranges of scores for the elementary and middle school achievement assessments and the high school end-of-course exams, as follows:

- An advanced level of skill;
- An accomplished level of skill;
- A proficient level of skill;
- A basic level of skill; and
- A limited level of skill.[16]

A table of the scores and ranges can be found on page 4 of a document published by the Department entitled "Understanding Ohio's State Tests Score Reports 2025-2026 (PDF)."

Use of scores

Student scores are an important factor in district and school ratings on the annual state report cards.[17] For instance, student scores on the assessments factor into determining which school district-operated schools might qualify a student for a traditional Educational Choice scholarship.[18] Furthermore, student scores are used in determining promotion under the Third Grade Reading Guarantee. An elementary student may be denied promotion to the next grade for failing to attain at least a proficient score on one or more of the required assessments.[19]

Private schools

State law generally requires each chartered nonpublic (private) school that participates in a state scholarship program to administer the state elementary assessments or approved alternative assessments to its scholarship students. State scholarship programs include the Jon Peterson Special Needs Scholarship, Autism Scholarship, Educational Choice Scholarship, and the Cleveland Scholarship. A school must administer the elementary assessments to all of its students if 65% or more of its students are attending with a state scholarship, but the parent or guardian of a nonscholarship student may opt the student out of an assessment.

Schools that primarily serve special education students may apply to the Director for a waiver from the elementary testing requirements under certain conditions.[20]

Generally, a school must administer to its high school students each required end-of-course exam or an approved alternative assessment. In the case of a school accredited by the Independent

[16] R.C. 3301.0710(A)(2) and 3301.0712(B)(5).

[17] R.C. 3302.03 and 3314.17.

[18] R.C. 3310.03.

[19] R.C. 3301.0711(N).

[20] R.C. 3301.0711(K), 3310.14, 3310.552, and 3313.976.

Schools Association of the Central States (ISACS), only state scholarship students are required to take the end-of-course exams or alternative assessments.[21]

Assessment requirements for students with IEP or 504 plan

Under both state and federal law, the individualized education program (IEP) developed for a student with a disability must specify the manner in which that student will participate in state assessments. The IEP may excuse a student with significant cognitive or intellectual disabilities from taking a particular assessment if it instead specifies an approved alternate assessment method. To the extent possible, the IEP must not completely excuse a student from taking an assessment unless no reasonable accommodation can be made to enable the student to take the assessment.[22]

Similarly, a student with a disability enrolled in a chartered nonpublic school for whom the school has developed a "Section 504 plan" may be excused from an assessment, if (1) the plan expressly excuses the student from taking that assessment, or (2) the school, in consultation with the student's parents, determines that an assessment or alternative assessment with accommodations does not accurately assess the student's academic performance.[23] State law does not expressly require public schools to develop a Section 504 plan for students with disabilities when the precision of an IEP is not needed; however, they are required to do so under federal law.

Assessment requirements for English learners

An "English learner" (formerly known as limited English proficient student) is a student who may be new to the United States or is a Native American or Alaska Native and whose first language is not English.[24] Generally, under state and federal law, English learners must take the state assessments but may be provided with appropriate accommodations. Each public school also must assess an English learner's progress in learning English annually. On the other hand, any English learner who has been enrolled in U.S. schools for less than one full school year is not required to take any reading, writing, or English language arts assessment. Moreover, a public school may not require an English learner who has been enrolled in U.S. schools for less than two years to take the state-administered ACT or SAT, if no appropriate accommodations are specified for the student by ACT or the College Board.[25] In addition, state law specifies that a chartered nonpublic school may excuse an English learner from taking any state achievement assessment and may not require such a student to take the ACT or SAT.[26]

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[21] R.C. 3301.0711(L) and 3313.612(B)(2).

[22] R.C. 3301.0711(C)(1). See also R.C. 3323.011(F) and 20 U.S.C. 6311(b)(1)(E).

[23] R.C. 3301.0711(C)(1)(c). "Section 504" refers to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. 794), which prohibits discrimination based on a disability in any program or activity receiving federal financial assistance.

[24] 20 U.S.C. 7801(20).

[25] ACT, Allowable ACT Accommodations & English Learner Supports (PDF).College Board, SAT Supports for English Learners.

[26] R.C. 3301.0711(C)(3) and (4). See also 20 U.S.C. 6311(b)(1)(F) and (J) and (b)(3).