

3745-7-19 Examination providers.

The director may approve an entity to be an examination provider.

(A) To be eligible for approval as an examination provider, the applicant shall:

- (1) Submit an application on a form acceptable to the director;
- (2) In accordance with division (O) of section 3745.11 of the Revised Code, pay the agency an application fee;
- (3) Demonstrate they have developed multiple classifications of water treatment, water distribution, wastewater collection and wastewater treatment examinations for the purpose of assessing the entry-level skills necessary for each operator classification. The examinations shall meet the requirements listed in paragraph (B) of this rule;
- (4) Be the responsible body for overseeing the development and scoring of the examinations;
- (5) Demonstrate the ability to proctor and enforce requirements for conduct during the examinations that are consistent with the provisions in rule 3745-7-18 of the Administrative Code;
- (6) Provide security guidelines for protecting the confidentiality and integrity of examination development, examination questions and the grading of examinations;
- (7) Demonstrate the ability to enforce the security guidelines documented in paragraph (A)(6) of this rule;
- (8) Document policy for the amount of time required before an examinee may retake an examination. Such policy shall at a minimum require an applicant to wait thirty days prior to retaking an examination;
- (9) Demonstrate an ability to provide computerized examinations at a minimum of four locations throughout the state of Ohio. The examinations shall be available at each location on multiple days and varying times throughout the year;
- (10) Demonstrate an ability to provide the examinee with immediate feedback and allow the examinee to provide feedback regarding questions on the examination they have taken. The feedback shall include the score achieved on the examination and identify core competencies or "Need to Know Criteria" where the examinee scored poorly. Examinees shall have the ability to print a hard copy of the examination results which identifies the examinee, examination classification, score and provider name;
- (11) Demonstrate the ability to provide examinations for examinees who document a disability that necessitates special accommodation;

- (12) Document the application process and that applicants are required to meet minimum eligibility requirements for taking examinations that are equivalent or more stringent than those contained in rule 3745-7-06 of the Administrative Code.
 - (13) Submit copies of the question database and examinations to be used for each classification to the Ohio environmental protection agency. The operator certification advisory council and agency staff will determine the equivalency of the examinations to the Ohio environmental protection agency's previously administered examinations and consistency with professional standards. Examination questions and databases shall be treated as trade secrets and be exempt from the public records provisions of Chapter 149. of the Revised Code; and
 - (14) Demonstrate they have questions and examinations available for the Ohio environmental protection agency's class I and class II water distribution and wastewater collection system classifications, as well as class A, class I, class II and class III water supply and wastewater treatment classifications. These examinations shall meet the criteria established in paragraph (B) of this rule.
- (B) The applicant shall demonstrate their examinations meet the following:
- (1) The purpose of the examination shall be to test an operator's knowledge of entry-level standards of practice that shall be common to each water and wastewater operator classification;
 - (2) Be developed based on a job analysis and survey process (updated at least every five years) conducted with individuals representative of the classification for the examination. The job analysis and survey process shall identify the core competencies and "Need to Know Criteria" for each classification;
 - (3) Incorporate items based on "Need to Know Criteria" which serve as an outline for each examination classification. The content of the examinations shall be weighted so as to represent the most critical job duties performed by an operator in each classification;
 - (4) Consist of questions which have been developed and validated in a manner consistent with the professional standards contained in the most recent version of "Standards for Educational and Psychological Testing (1999)";
 - (5) Have been reviewed by a psychometrician to ensure consistency with psychometric principles regarding examination validation and cut score development;
 - (6) The examinations and questions undergo statistical review following the administration of the examinations to ensure they are performing as intended. The procedures, process and the details associated with actions taken based on the statistical review shall be provided.

- (C) Approval of an examination provider shall be based upon the criteria in paragraphs (A)(1) to (A)(14) of this rule and an examination equivalency review by the Ohio environmental protection agency and the operator certification advisory council.
- (D) Upon approval by the director, the approved examination provider shall:
- (1) Begin giving examinations to Ohio operators within one year of the director's approval;
 - (2) Upon delivering the first Ohio based examination, provide monthly reports to the operator certification program documenting analysis of the examination questions and the amount of fees collected during the month from operators seeking certification in Ohio. The monthly report shall be submitted within ten business days of the end of the reporting month;
 - (3) Upon delivering the first Ohio based examination, provide a weekly report of individuals taking the examinations, the classification of the examination, and their scores in a format approved by the director;
 - (4) Pay an annual fee in accordance with division (O) of section 3745.11 of the Revised Code. The fee shall be submitted no later than forty-five days after the end of the preceding calendar year. The fee shall be based on the amount of fees collected in the preceding calendar year from operator taking examinations who intend to seek certification in Ohio;
 - (5) At a minimum of every three years, question databases and examinations for each classification will be reviewed by the agency. Reviews may be conducted more frequently at the discretion of the director.
- (E) Written examinations developed by or for the agency may include trial test questions for the purpose of evaluating the statistical or psychometric qualities of new or revised questions prior to their use in an examination. Trial test questions will not be identified to the candidates as trial test questions on the examination.
- (1) The maximum number of trial test questions included in a single examination shall not exceed twenty per cent of the total number of questions on examination.
 - (2) Trial test questions shall not be counted toward a candidate's score on the examination.
- (F) Failure to maintain the standards under which the provider was approved or meet the criteria above may result in the withdrawal of the director's approval and invalidation of examination scores.

[Comment: This rule incorporates, by reference the "Standards for educational and psychological testing (1999)." At the effective date of this rule, a copy may be obtained from "American Educational Research Association, 1430 K Street NW, Suite 1200, Washington, DC 20005," (202) 238-3200, <http://www.aera.net>. The reference is available for review at "Ohio EPA, Lazarus Government Center, 50 West Town Street,

Suite 700, Columbus, OH 43215-3425."]

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