

# ENSURING THE INTEGRITY OF THE NEW YORK STATE TESTING PROGRAM

## TEST SECURITY UNIT UPDATE

DECEMBER 2012

Tina E. Sciocchetti  
Executive Director  
Test Security and  
Educator Integrity

# HISTORY OF TEST SECURITY INITIATIVES

- **June 2011:** Prohibition on rescoring open-ended questions on Regents examinations.
- **September 2011, Board of Regents:**
  - Requires universal Grade 3-8 examination dates.
  - Directs independent review of incident reporting, investigation, and resolution of testing impropriety allegations.
  - Requires all test proctors and administrators to certify receipt and adherence to state test security protocols.
- **October 2011:** Board of Regents prohibits teachers from scoring their own students' examinations.
- **November 2011:** Special Investigator Henry "Hank" Greenberg appointed to review SED test security protocols.
- **March 2012:** Special Investigator Greenberg presents report and recommendations for improving security and integrity of NYS Assessments.

# **SPECIAL INVESTIGATOR RECOMMENDATIONS**

- **Establish Test Security Unit (TSU).**
- **Institute Intake and Data Gathering System.**
- **Pursue Existing Test Fraud Cases.**
- **Aggressively Oversee Local Investigations.**
- **Increase Use of Audits and Data Forensics.**
- **Establish Statewide Standards and Guidelines for Educators.**
- **Increase Transparency Concerning Test Fraud.**

# **RECOMMENDATION: ESTABLISH NEW TEST SECURITY UNIT**

- **Test Security Unit fully staffed.**
  - **Tina E. Sciocchetti, Executive Director.**
  - **Four experienced investigators (combined total of 85 years of state and federal law enforcement experience).**
  - **Legal counsel (former Assistant District Attorney).**
  - **IT Specialist.**

# **RECOMMENDATION: INSTITUTE INTAKE AND DATA GATHERING SYSTEM**

- **Created comprehensive case tracking database.**
  - **Input active cases.**
  - **Assigned each to TSU investigator.**
  - **Designed multiple fields to facilitate data collection and allow comprehensive reporting.**
- **Building TSU website to include electronic “tipline” for test fraud complaints, test integrity training materials, and public reporting of TSU activities.**
- **Added email option for new test fraud complaints.**

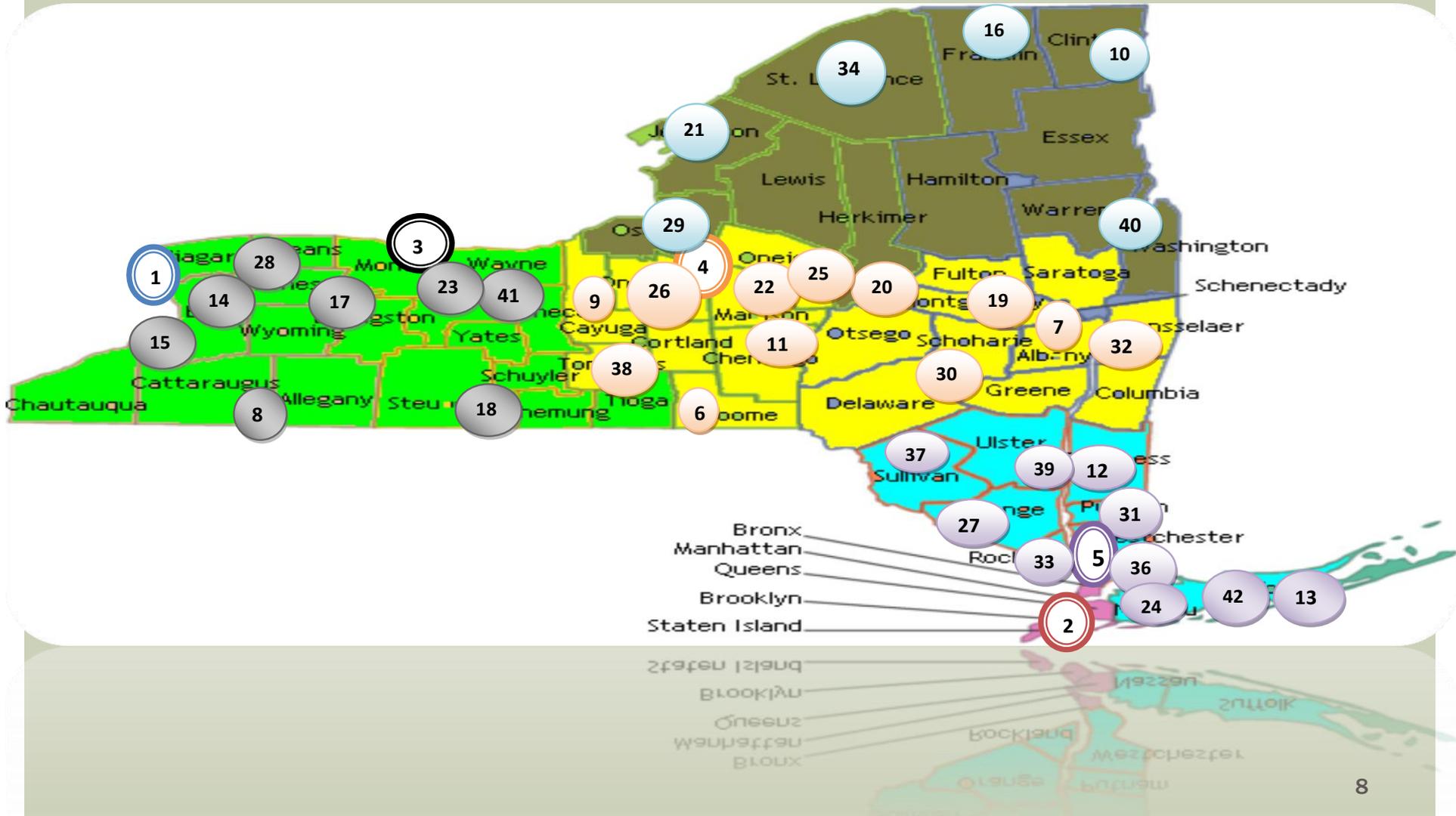
# RECOMMENDATION: PURSUE EXISTING TEST FRAUD CASES

- **Adopted, reviewed, and evaluated open educator test fraud matters received during the past five years.**
  - **On August 1, TSU adopted open test fraud matters from Office of State Assessments.**
  - **Commenced or continued investigations of viable cases.**
  - **Closed stale and unviable cases (e.g. lack of evidence, witnesses unavailable).**
  - **Established improved means for tracking NYC test fraud investigations and outcomes.**
  - **Presented first Part 83 Moral Character cases to Professional Standards and Practices Board for Teaching.**

# RECOMMENDATION: AGGRESSIVELY OVERSEE LOCAL INVESTIGATIONS

- Implemented recommendation to require LEAs and BOCES Superintendents to designate “Integrity Officers” to assist in test fraud investigations and distribution of training materials to field.
  - Identified Integrity Officer responsibilities and qualifications.
  - Met with BOCES DSs and reps from Big 5 to discuss Integrity Officer model and to solicit designations.
  - All 42 Integrity Officers currently identified ([IO network](#)).
  - Collaborative model allows support, uniformity, and oversight.
- Developed IO Handbook and training.
  - Interview tips/techniques, standardized forms for reports, and SED testing policies, guidelines, and procedures.
  - Conducted regional training sessions for IOs.

State Education Department  
Test Security Unit  
Integrity Officer Network



# RECOMMENDATION: ESTABLISH STATEWIDE STANDARDS AND GUIDELINES FOR EDUCATORS

- Ongoing review of current SED, district, and other state test security policies and procedures for best practices.
  - Site visits to schools and regional scoring centers to observe field processes, and identify areas for improvement and best practices.
- Issued new electronic devices policy to prevent large-scale cheating with electronic devices during testing.
- Issued Important Notice for educators for June 2012 Regents/RCTs containing content-based examples of prohibited conduct and potential penalties for cheating.
- Developing test proctor and scoring security oaths that require attestation of understanding of test security obligations and consequences for knowing violations.
- Developing Testing Code of Ethics and mandatory reporting requirements.



To: District Superintendents  
Superintendents of Schools  
Principals of Public, Nonpublic, and Charter Schools

From: Tina Sciocchetti, Executive Director

Re: Prohibition of Cell Phones and Electronic Devices in New York State Assessments

Date: July 12, 2012

Currently, students are prohibited from using cell phones and other communications devices while taking New York State assessments. However, State Education Department policy does not prohibit students from possessing the devices in exam locations. To further ensure the integrity of State assessments, the current policy is being enhanced to prohibit all students from bringing cell phones and certain other electronic devices into a classroom or other location where a New York State assessment is being administered.

Prohibited devices include, but are not limited to:

- Cell phones
- BlackBerry devices and other PDAs
- iPods and MP3 players
- iPads, tablets, and other eReaders
- Laptops, notebooks or any other personal computing devices
- Cameras or other photographic equipment
- Headphones, headsets, or in-ear headphones such as earbuds
- Any device capable of recording audio, photographic or video content, or capable of viewing or playing back such content

Test proctors, test monitors, and school officials, shall have the right to collect cell phones and other prohibited electronic devices prior to the start of the test and to hold them while the test is being administered, including break periods. Admission to the test shall be denied to any student who refuses to relinquish a prohibited device.

Some students with disabilities may use certain recording/playback devices provided that such an accommodation is specified in the student's IEP or 504 Plan. Prohibited devices further may be allowed if there is documentation from a medical practitioner on file at the school that a student requires such a device during testing. In all other cases, the prohibition as provided above remains in effect and the student may not enter the exam room with any prohibited device.

This policy is effective immediately for all New York State assessments, including Regents Exams, Regents Competency Tests, Grades 3-8 Tests in English Language Arts and Mathematics, Grades 4 and 8 Science Tests, NYSESLAT, and the NYS Alternate Assessment. The *Directions for Administering Regents Examinations for August 2012* and the *School Administrator's Manual, 2012 Edition*, will be amended by July 31, 2012, to incorporate this new cell phone and electronic devices policy.



# IMPORTANT

**BEFORE YOU ADMINISTER THE JUNE 2012  
REGENTS EXAMS OR REGENTS COMPETENCY TESTS (RCTs)  
PLEASE REVIEW THIS IMPORTANT TEST SECURITY INFORMATION**

The State Education Department is devoting greater attention to the security and integrity of the New York State Testing Program. We appreciate your commitment and professionalism as we strive to ensure the most fair administration and scoring of Regents Exams and RCTs. Please accept this reminder of prohibited testing conduct.

Some examples of prohibited testing conduct include:

- Giving a student more time to take the test than is allowed for that student under State regulations.
- Defining or explaining for a student words, concepts, or questions, contained in the test.
- Suggesting answers to a student during testing or otherwise coaching a student during testing.
- Commenting on an answer a student has provided on the answer sheet while the test is in progress.
- Allowing a student to alter exam answers after the student has handed in his/her test materials.
- Altering a student's answers after the student has handed in his/her test materials.
- Improperly inflating a student's valid, earned test score in order to help the student pass the exam.
- Making any attempt to improve a student's test score during scoring, recording, or reporting.

Some potential consequences of engaging in prohibited testing conduct include:

- The test score of the affected student will likely be invalidated.
- The affected student may have to retake the exam.
- The person who intentionally engaged in testing misconduct could face sanctions and discipline, including termination and/or the loss of his/her New York State teacher certification.

**Please report any violation of the testing rules to your administrator and the Department.**

\* Full instructions concerning the administration and scoring of exams are contained in *Directions for Administering Regents Examinations, June 2012 Administration*, and on the Department's website at <http://www.p12.nysed.gov/apda/hsgen>. Any person administering a Regents Exam or RCT must abide fully by these instructions. The examples provided above are simply illustrative of prohibited testing conduct.

# **RECOMMENDATION: INCREASE USE OF AUDITS AND DATA FORENSICS**

- **Increased use of data forensics as part of TSU test fraud investigations.**
- **In conjunction with Office of State Assessments, working to develop increased use of forensics and audits to deter and prevent security breaches.**
  - **Erasure analysis.**
  - **Spike cluster analysis.**
  - **Enhanced monitoring program.**
- **Scope dependent on approval of budget request.**

# UPCOMING TSU ACTIONS

- Launch TSU website and electronic “tipline.”
- Continue aggressive case investigations.
- Ongoing pursuit of discipline in appropriate cases.
- Requiring Corrective Action Plans from Districts (CAP).
- Finalization and incorporation of security oaths.
- Continued work on Testing Code of Ethics and mandatory reporting requirements.
- Continued review of SED testing policies and practices, and implementation of best security practices.
- Continued work with Office of State Assessments and Integrity Officers to provide guidance about test security to educators in the field.



**NEW YORK STATE EDUCATION DEPARTMENT**  
**Test Security and Educator Integrity**  
**Test Security Unit**

Corrective Action Plan

TSU Case #:
Date:                      Date Due:

**Direction:** The School District is to complete this Corrective Action Plan (CAP) by the due date identified above. Guidance regarding the CAP may be obtained from the Test Security Unit (TSU) and/or the Integrity Officer assigned to the District. The School Principal, the School District Superintendent, and the Integrity Officer must review, sign and date the CAP prior to submission to the TSU fax at (518) 473-5261 or email at [tsu@mail.nysed.gov](mailto:tsu@mail.nysed.gov)

**Confidentiality:** All information contained in this CAP should be treated confidentially.

**1. Identifying Information:**

BOCES or Big 5 District	
School Name and BEDs Code	
Type of State Assessment and School Year Given	
Educator(s) identified in the complaint/report (if applicable)	
School District Superintendent	
Integrity Officer	

**2. Description of Incident (to be completed by NYSED):**

CONFIDENTIAL

**3. Issues/Areas to be addressed in the CAP (to be completed by NYSED based on the incident reported):**

**4. District Corrective Action Plan (include any disciplinary action taken and the date that this incident was reported to the school board):**

\_\_\_\_\_  
 Signature of School Principal and Date

\_\_\_\_\_  
 Integrity Officer and Date

\_\_\_\_\_  
 Signature of School District Superintendent and Date

\_\_\_\_\_  
 NYSED TSU Investigator and Date

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