



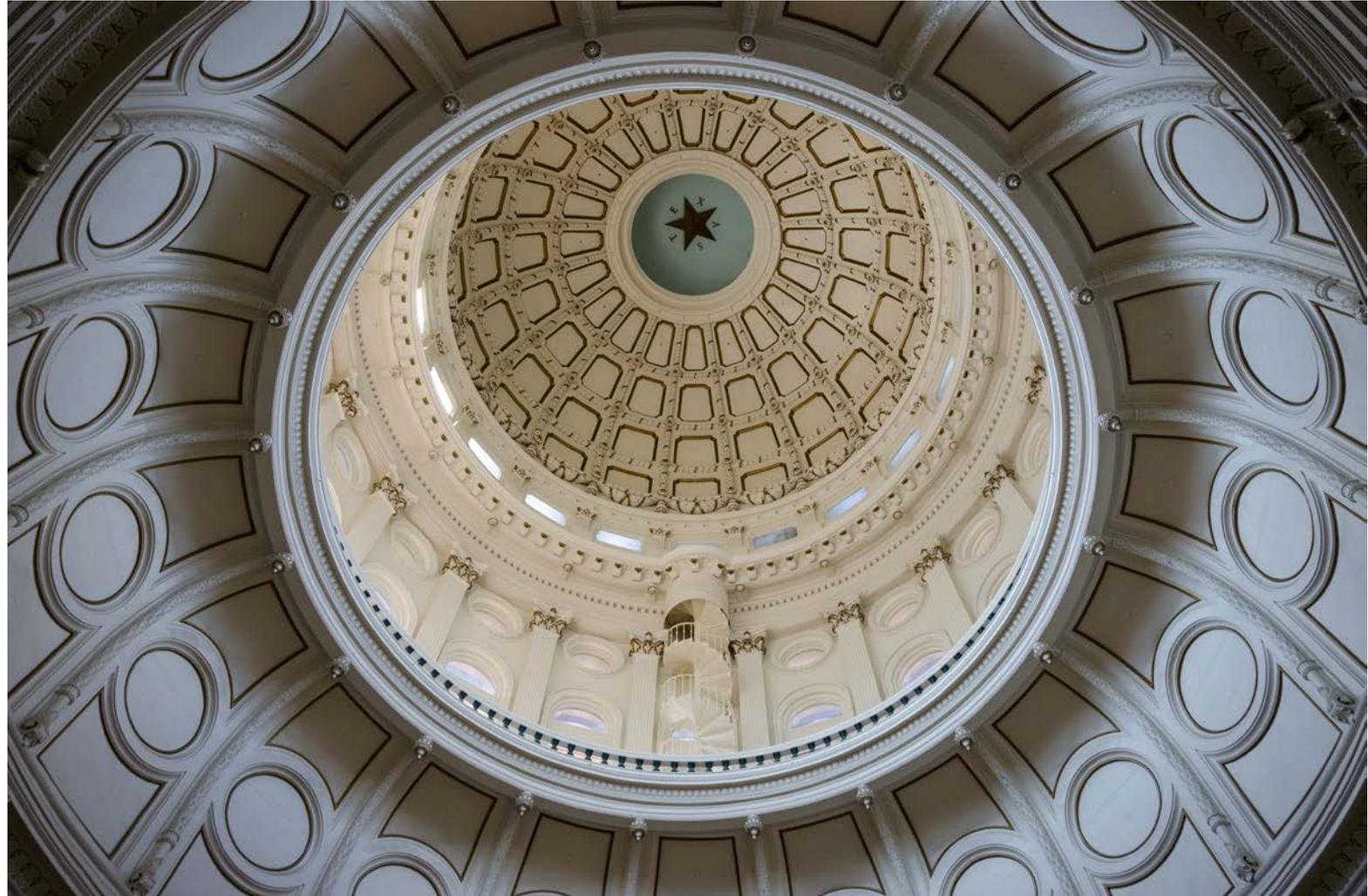
# Test Security Policies and Procedures

33<sup>RD</sup> ANNUAL TEXAS ASSESSMENT CONFERENCE

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# Agenda

- Overview
  - Statutory Requirements
  - Test Security & Confidentiality
  - Policy Reminders
- Testing Irregularities
  - Serious vs Procedural
  - 2018 Recap
  - Reporting Requirements
  - Penalties
- Investigating Testing Irregularities



# Overview

**Maintaining the security and confidentiality of the Texas student assessment program is critical for ensuring fair and equal testing opportunities for all students. Given the high stakes associated with student performance and the need to assure parents, students, and the public that test results are meaningful and valid, it is imperative that individuals participating in the program preserve the integrity of all test content and student data through strict adherence to the instructions and procedures contained in the test administration manuals and resources.**

## Texas Education Code (TEC)

### Sec. 39.0301. SECURITY IN ADMINISTRATION OF ASSESSMENT INSTRUMENTS.

“The commissioner shall establish procedures for the administration of assessment instruments... including procedures designed to ensure the security of the assessment instruments...” Includes:

- Implementing statistical methods and standards for identifying potential violations
- Identifying patterns of inappropriate assessment practices that occur over time

### Sec. 39.0302. ISSUANCE OF SUBPOENAS.

- Commissioner may issue a subpoena to compel the attendance of a relevant witness or the production of relevant evidence.

### Sec. 39.0302. SECURE ASSESSMENT INSTRUMENTS; CRIMINAL PENALTY.

- It is a Class C misdemeanor offense if an individual intentionally discloses the contents of a secure assessment, including the answer to any item in the assessment, and the disclosure is likely to affect the performance of one or more students.



# It's the Law!

## Texas Administrative Code (TAC)

19 TAC §101.3031. REQUIRED TEST ADMINISTRATION PROCEDURES AND TRAINING ACTIVITIES TO ENSURE VALIDITY, RELIABILITY, AND SECURITY OF ASSESSMENTS.

- Districts and charter schools must comply with all of the applicable requirements specified in the test administration materials provided to school districts and charter schools annually.
- Test coordinators and administrators must receive all applicable training as required in the test administration materials.
- Applicable training includes general testing program information, requirements for ensuring test security and confidentiality, test administration procedures, materials control procedures, and records retention.

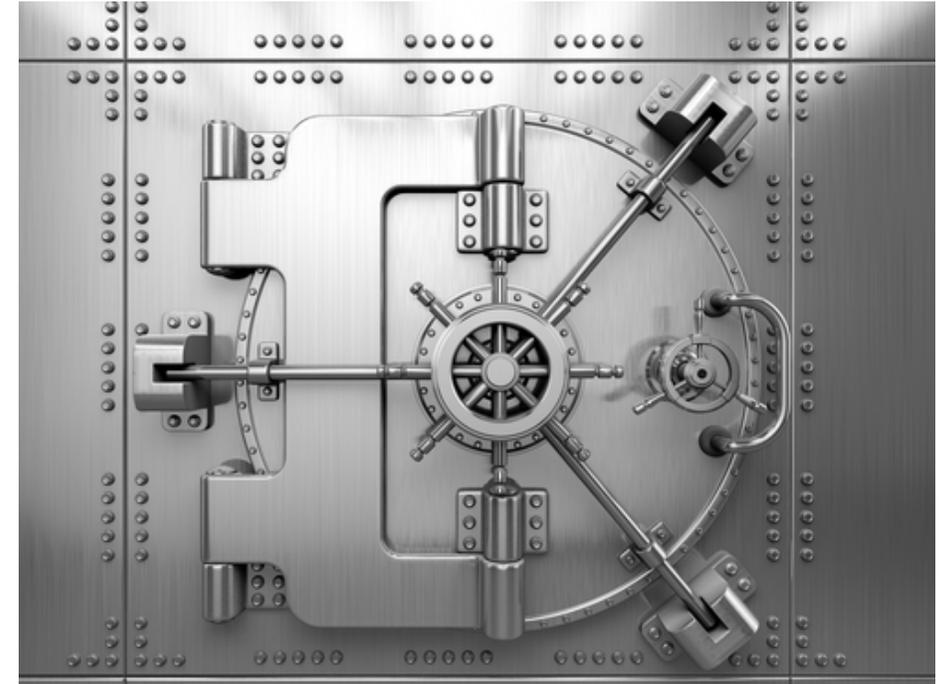
TEC and TAC References for the Texas Assessment Program  
[https://tea.texas.gov/student.assessment/Code\\_references/](https://tea.texas.gov/student.assessment/Code_references/)

# Test Security and Confidentiality

## Test Security

Involves accounting for all secure materials before, during, and after each test administration. This includes:

- Identifying who can handle secure materials
  - Individuals qualified to participate must:
    - Be trained
    - Sign a security oath
- Properly storing materials
  - Consider location
  - Limit access
- Maintaining and tracking the chain of custody
  - Document the transfer of materials through each stage of an administration
- Maintaining the integrity of tracking documentation
  - Store securely
  - Audit periodically



# Test Security and Confidentiality

## Confidentiality

Involves protecting all secure test content. Instruments that contain this content include:

- Test booklets
- Online assessments
- Online test tickets
- Completed answer documents
- STAAR Alternate 2 stimulus images and text
- TELPAS calibration activities and components for holistically rating student performance

Compliance with confidentiality requirements involves:

- Training testing personnel on their obligations concerning confidentiality
- Monitoring administrations to ensure all assessments are administered in strict accordance with the test administration procedures
- Investigating and reporting any alleged or confirmed breaches

# Important Policy Reminders

## Handling of Reference Materials, Scratch Paper, Graph Paper, & Duplicated or Recorded Secure Test Content

- Districts must ensure the collection and destruction of any scratch paper, graph paper, or reference materials that students wrote on, as well as any recordings.
- Verify that campuses are destroying these materials promptly after the test administration.
- Exception: Photocopies or reproductions of secure STAAR Alternate 2 test materials or test materials for an approved accommodation must be collected and returned to the state's testing contractor with the other nonscorable materials.



# Important Policy Reminders

## Material Security & Secure Storage

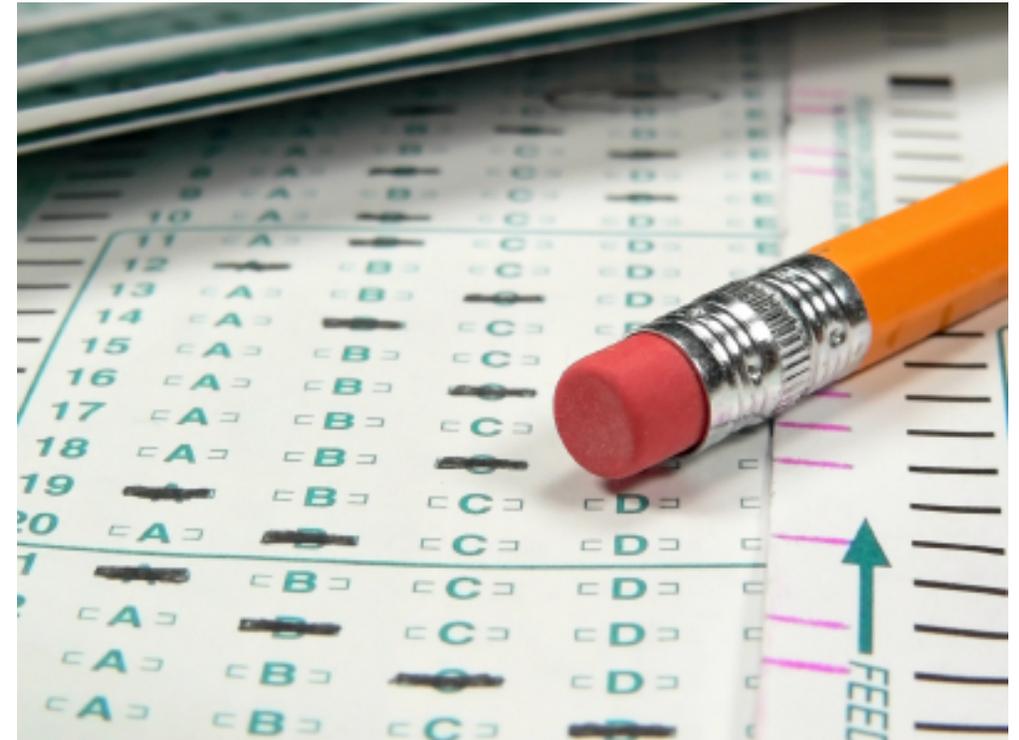
- Districts are required to implement the controls necessary to ensure the proper handling, storage and accurate tracking of secure materials throughout each stage of all test administrations.
- Ensure that access to secure storage is limited to one person or very few individuals and that these individuals are the only people who possess keys to the locked storage area.
- Verify that all campuses are following these storage requirements.



# Important Policy Reminders

## Participation in Testing

- Districts are required to provide all eligible students who are in attendance during the administration of an assessment with an opportunity to participate in the test.
- Students who are in attendance on the day of testing and choose not to participate or refuse to mark their answers on the answer document or in the online form, and who are in grades 3-8 or are taking an EOC for the first time, will have their tests submitted for scoring as is.
- EOC testers who are not taking an EOC for the first time are not required to participate in an administration; HOWEVER, they must be provided an opportunity.



# Testing Irregularities

**Incidents resulting in a deviation from documented testing procedures are defined as testing irregularities.**

# Testing Irregularities

## SERIOUS

Serious irregularities constitute severe violations of test security or confidentiality and can result in the individual(s) responsible being referred to the TEA Educator Standards and Certification Legal Division for consideration of disciplinary action (including suspension or revocation of educator certification credentials).

## PROCEDURAL

Procedural irregularities are less severe, more common, and typically the result of minor deviations in testing procedures.

# Testing Irregularities

## Serious Irregularities

- Constitute severe violations of test security or confidentiality
- Require a prompt investigation by the district
- Require a call to TEA test security as soon as the district coordinator is made aware of the incident
- Can result in the individual(s) responsible being referred to the TEA Educator Standards and Certification Legal Division for consideration of disciplinary action

## Examples of Serious Irregularities

- Directly OR indirectly assisting students with responses to test questions
- Tampering with student responses
- Scoring student tests, either formally or informally
- Solving secure test questions
- Falsifying TELPAS holistic ratings or STAAR Alt 2 student responses

# Testing Irregularities

## Examples of Serious Irregularities (continued)

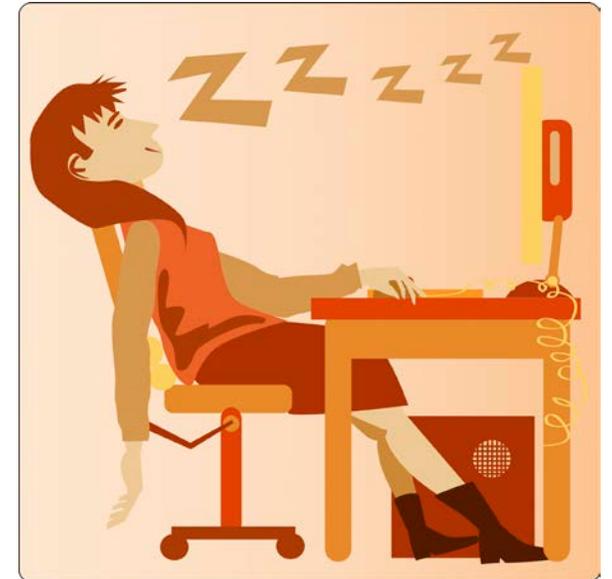
- Viewing secure test content before, during, or after an administration unless specifically authorized by TEA or by the procedures outlined in the test administration manuals
- Duplicating, recording, or electronically capturing confidential test content unless specifically authorized to do so
- Discussing or disclosing secure test content or student responses
- Fraudulently exempting or preventing a student from participating in the administration of a required state assessment
- Receiving or providing unallowable assistance during the TELPAS calibration activities (e.g., taking notes, providing answer sheets, or verbally sharing answers)
- Encouraging or assisting an individual to engage in the conduct described in the items listed above or in any other serious violation of security and confidentiality
- Failing to report to an appropriate authority that an individual has engaged in conduct outlined in the items listed above or in any other serious violation of security and confidentiality

## Procedural Irregularities

- Reflect minor errors or deviations in testing procedures
- Do not represent severe breaches in security or confidentiality
- Do not require a call to TEA unless guidance is needed by the district
- Do not require the submission of supporting documentation

## Examples of Procedural Irregularities

- Failing to actively monitor
- Administering the incorrect test
- Failing to test an eligible student
- Failing to provide the full time allotment to complete a test
- Failing to provide an accommodation or providing an unallowable accommodation



# Testing Irregularities

## 2018 Recap

| Most common irregularities reported in 2018        | Number |
|--|--------|
| Accommodation not provided                         | 494    |
| Exempt or ineligible student tested                | 285    |
| Unmonitored/improperly secured test material       | 255    |
| Failed to detect/prevent improper student behavior | 242    |
| Provided unallowable accommodation                 | 230    |
| Accepted blank answer document                     | 181    |
| Issued incorrect test                              | 166    |
| Eligible student not tested                        | 143    |

# Testing Irregularities

## Reporting Requirements

Each person participating in the assessment program is responsible for reporting any violation or suspected violation of test security or confidentiality. District coordinators are responsible for notifying TEA (when applicable) and for completing the necessary steps to report violations to TEA.

All confirmed testing irregularities must be reported to TEA within 10 working days.

Reporting requirements differ based on the severity of the confirmed or alleged violation(s). The requirements can be grouped by:

- Requirements for all violations
- Requirements for serious violations

# Testing Irregularities

## Reporting Requirements – All Violations

- The reporting requirements for all testing irregularities, both serious and procedural, include the submission of an Online Incident Report.
  - The description of the incident in the online form must:
    - explain what happened and how it occurred,
    - clearly outline the sequence of events,
    - include information about how the problem was resolved,
    - include the name of the individual who assisted you (if TEA was contacted), and
    - include a district determination regarding the irregularity.
  - The Plan of Action in the online form should include a description of the measures the district will put into effect to prevent the incident from reoccurring.



# Testing Irregularities

## Reporting Requirements – Serious Violations

TEA must be notified as soon as the district coordinator is made aware of an alleged or confirmed serious violation, and a prompt investigation must be conducted. In addition to the reporting requirements for all irregularities, serious violations require additional documentation to be collected and submitted, including but not limited to:

- Signed and dated statements from the individuals involved
- A district determination regarding all violations allegedly committed
- Interview notes
- Any analyses conducted in support of the district findings
- Oaths and training confirmation for the individual(s) involved
- Any punitive actions taken against the individual(s) involved

# Testing Irregularities

## Penalties

Testing violations can result in the individual(s) responsible being referred to the TEA Educator Standards and Certification Legal Division for consideration of disciplinary action. Any person who violates, assists in the violation of, or solicits another to violate or assist in the violation of test security or confidentiality, as well as any person who fails to report such a violation is subject to the following penalties:

- placement of restrictions on the issuance, renewal, or holding of a Texas educator certificate, either indefinitely or for a set term
- issuance of an inscribed or non-inscribed reprimand
- suspension of a Texas educator certificate for a set term
- revocation or cancellation of a Texas educator certificate without opportunity for reapplication for a set term or permanently
- impose any additional conditions or restrictions upon a certificate that the State Board of Educator Certification deems necessary to facilitate the rehabilitation and professional development of the educator or to protect students, parents of students, school personnel, or school officials



# Investigating Testing Irregularities



# Investigating Testing Irregularities

In order to ensure that all reports to TEA accurately and succinctly describe all pertinent aspects of an incident, district coordinators should be aware of how to properly investigate all alleged or confirmed testing violations. Keep in mind the following when investigating testing issues:

- First steps in investigating all incidents
- Addressing procedural incidents
- Addressing serious incidents

# Investigating Testing Irregularities

## First Steps

- Act quickly and encourage campus personnel to promptly report any testing issues. Addressing a situation immediately helps to:
  - ensure that all necessary information can be obtained while the individuals involved are still available and able to recall details;
  - minimize the possibility of testimony being influenced;
  - allow coordinators to spot potentially serious issues and quickly obtain TEA guidance;
  - prevent minor issues from becoming more problematic; and
  - increase the possibility that a remedy can be applied.
- Be careful not to underestimate the scope of a situation. Avoid the assumption that a potential error or allegation will be limited to one individual or just the situation at hand.



# Investigating Testing Irregularities

## First Steps (continued)

- If the situation involves secure test materials, ensure that a proper chain of custody is maintained to avoid any appearance of impropriety.
- Ascertain to the degree possible whether the situation likely involves a serious or procedural irregularity. Notify TEA immediately if it appears a serious irregularity occurred. If procedural, contact TEA if guidance is needed.
- Remain objective while gathering information.

## Addressing Procedural Irregularities

- Gather the necessary information to determine:
  - exactly what happened;
  - who was involved; and
  - how or why the error occurred.
- Determine whether additional action is needed (contact TEA for guidance, notify parents, etc.)
- Evaluate the information collected in order to report the following to TEA via the Online Incident Report:
  - An explanation of what happened and how the event occurred
  - The sequence of events - clearly laid out
  - Who was involved and the individual(s) responsible for the error(s)
  - How the problem was resolved or remedied
  - The name of the TEA staff member contacted, if applicable
  - The district determination in the matter

## Addressing Procedural Irregularities (continued)

- Administration details
  - Testing year (2018, 2017, etc.)
  - Program (STAAR, STAAR Alternate 2, TELPAS)
  - Administration month (March, April, May, etc.)
  - Grade/assessment level (grade 5, EOC, etc.)
  - Subject (mathematics, reading, English I EOC, etc.)
- A Plan of Action that:
  - lists the individual steps involved and specifically addresses the irregularity type;
  - contains a timeline describing how and when the plan will be implemented;
  - describes how the district will evaluate the effectiveness of the plan; and
  - provides specific corrective actions for the district, campus, or individual(s) involved.

# Investigating Testing Irregularities

## Addressing Serious Irregularities

Depending on the nature of a serious violation, the following are investigative steps that should be taken in most situations:

- Gather test administration information.
  - Assemble seating chart(s), roster(s), and Materials Control Forms.
  - Identify all of the involved and potentially involved individuals.
  - Identify whether any involved students had accommodations.
- Prepare a timeline of events.
  - Identify who had materials and at what times throughout the day.
  - Determine when events transpired.

**REMEMBER** that you must notify TEA as soon as you are made aware of any alleged or suspected violations that fall under the category of a serious irregularity.

## Addressing Serious Irregularities (continued)

- Conduct interviews.
  - Identify who will be interviewed and in what order.
  - Generate a list of questions for the interviews.
  - Document interviews (collect signed statements and transcribe interviews).
  - Review interview statements, reconcile disparities, and conduct follow-up interviews if necessary.
- Assemble and evaluate student performance data.
  - Collect historical performance data for students involved.
  - Compare performance data between comparable groups.

# Investigating Testing Irregularities

## Addressing Serious Irregularities (continued)

- The following information must be provided if collected or evaluated in the course of the district's investigation:
  - interview questions, notes, and transcriptions;
  - any physical evidence collected;
  - any student performance data that was evaluated;
  - seating charts; and
  - any documentation, including Materials Control Forms, used to record the chain of custody for secure test materials.

**PLEASE REMEMBER** that TEA has to have documentation in order to move forward with appropriate action steps. Districts are required to submit its investigative findings within 10 days of becoming aware of a serious irregularity.



# Test Security Policies and Procedures

Questions?



# Test Security Policies and Procedures