

Current Policy

TITLE 28

EDUCATION

Part XI. Accountability/Testing

Subpart 3. Bulletin 118—Statewide Assessment Standards and Practices

Chapter 53. Test Security

§5305. Test Security Policy

[Formerly LAC 28:CXL305]

A. The state Board of Elementary and Secondary Education holds the test security policy to be of utmost importance and deems any violation of test security to be serious. The test security policy follows.

1. Tests administered by or through the SBESE shall include but not be limited to:
 - a. all alternate assessments;
 - b. all criterion-referenced tests (CRTs) and norm-referenced tests (NRTs).
2. For purposes of this policy, school districts shall include:
 - a. local education agencies (LEAs) as well as the Recovery School District (RSD);
 - b. special school districts;
 - c. statewide schools authorized through acts of the Louisiana Legislature;
 - d. laboratory schools;
 - e. type 2 and type 5 charter schools;
 - f. participating nonpublic/other schools that utilize tests administered through the SBESE or the LDE.
3. It shall be a violation of test security for any person to do any of the following:
 - a. administer tests in a manner that is inconsistent with the administrative instructions provided by the LDE that would give examinees an unfair advantage or disadvantage;
 - b. give examinees access to test questions prior to testing;
 - c. examine any test item at any time (except for students during the test or test administrators while providing the accommodations Tests Read Aloud or Communication Assistance, Transferred Answers, or Answers Recorded for students determined to be eligible for those accommodations);
 - d. at any time, copy, reproduce, record, store electronically, discuss or use in a manner inconsistent with test regulations all or part of any secure test item, test booklet, answer document, or supplementary secure materials;
 - e. coach examinees in any manner during testing or alter or interfere with examinees' responses in any manner;
 - f. provide answers to students in any manner during the test, including provision of cues, clues, hints, and/or actual answers in any form:
 - i. written;
 - ii. printed;
 - iii. verbal; or
 - iv. nonverbal;
 - g. administer published parallel, previously administered, or current forms of any statewide assessment;
 - h. fail to follow security regulations for distribution and return of secure test booklets, answer documents, student log-in information, supplementary secure materials as well as overages as directed; or fail to account for and secure test materials before, during, or after testing;
 - i. conduct testing in environments that differ from the usual classroom environment without prior written permission from the LDE except for the purpose of providing accommodations;
 - j. fail to report any testing irregularities to the district test coordinator (a testing irregularity is any incident in test handling or administration that leads to a question regarding the security of the test or the accuracy of the test data), who must report such incidents to the LDE;
 - k. participate in, direct, aid, counsel, assist in, encourage, or fail to report any of the acts prohibited in the section.
4. Each local education agency (LEA) as described in this policy shall develop and adopt a LEA test security policy and procedures for handling emergencies during testing that is in compliance with the state's test security policy. The LDE shall audit LEA test security policies every three years to ensure compliance with all aspects of Bulletin 118. The policy shall provide:
 - a. for the security of the test materials during testing, including test booklets, answer documents, student log-in information, supplementary secure materials, videotapes, and completed observation sheets;
 - b. for the storage of all tests materials, except district and school test coordinator manuals and test administration manuals, in a designated secure locked area before, during, and after testing; all secure materials, including any parallel

forms of a test, must be kept in locked storage at both the district and school levels; secure materials must never be left in open areas or unattended;

c. a description and record of professional development on test security, test administration, and security procedures for individual student test data provided for all individuals with access to test materials or individual student test data (access to test materials by school personnel means any contact with or handling the materials but does not include reviewing tests or analyzing test items, which are prohibited);

d. a list of personnel authorized to have access to the locked secure storage area;

e. procedures for investigating any testing irregularities, including violations in test security, such as plagiarism and excessive wrong-to-right erasures identified through erasure analysis;

f. procedures for the investigation of employees accused of irregularities or improprieties in the administration of standardized tests, as required by the amended R.S. 17:81.6;

g. procedures for the investigation of any missing test booklets, answer documents, student log-in information, or supplementary secure material;

h. procedures for ensuring the security of individual student test data in electronic and paper formats—including encryption of student demographics in any email correspondence;

i. to the extent practicable, procedures to assign a different test administrator for a class than the teacher of record for the class, except for teachers testing students with accommodations and younger students, grades 3 through 8;

j. starting with the 2014–2015 school year, procedures to code testing materials at no more than two secure central locations and to house the testing materials at the central locations until no more than three working days prior to test administration, to the extent practicable;

k. procedures for monitoring of test sites to ensure that appropriate test security procedures are being followed and to observe test administration procedures.

5. Procedures for investigating missing secure materials, any testing irregularity (including cheating), and any employees accused of improprieties must, at a minimum, include the following.

a. The district test coordinator shall initiate the investigation upon the district's determination of an irregularity or breach of security or upon notification by the LDE. The investigation shall be conducted by the district test coordinator and other central office staff as designated by the district superintendent.

b. The location of the designated secure locked area for storage of materials shall be examined, and the individuals with access to secure materials shall be identified.

c. Interviews regarding testing administration and security procedures shall be conducted with the principal, school test coordinator(s), test administrator(s), and proctor(s) at the identified schools. All individuals who had access to the test materials at any time must be interviewed, when necessary.

d. Interviews shall be conducted with students in the identified classes regarding testing procedures, layout of the classroom, access to test materials before the test, and access to unauthorized materials during testing.

6. After completion of the investigation, the school district shall provide a report of the investigation and a written plan of action to the state superintendent within 30 calendar days of the initiation of the investigation. At a minimum, the report shall include the nature of the situation, the time and place of occurrence, and the names of the persons involved in or witness to the occurrence. Officials from the LDE are authorized to conduct additional investigations.

7. All test administrators and proctors must sign the *Oath of Security* and return it to the STC to keep on file for three years. The STC and principal must sign an oath of security and return it to the DTC to be kept on file at the district for three years.

8. Test materials, including all test booklets, answer documents, student log-in information, and supplementary secure materials containing secure test questions, shall be kept secure and accounted for in accordance with the procedures specified in the test administration manuals and other communications provided by the LDE. Secure test materials include test booklets, answer documents, student log-in information, and any supplementary secure materials.

9. Procedures described in the test manuals shall include, but are not limited to, the following.

a. All test booklets, answer documents, student log-in information, and supplementary secure materials must be kept in a designated locked secure storage area prior to and after administration of any test.

i. Test administrators are to be given access to the tests and any supplementary secure materials only on the day the test is to be administered, and these are to be retrieved immediately after testing is completed for the day and stored in the designated locked secure storage area each day of testing.

b. All test booklets, answer documents, student log-in information, and supplementary secure materials must be accounted for and written documentation kept by test administrators and proctors for each point at which test materials are distributed and returned.

c. Any discrepancies noted in the serial numbers of test booklets, answer documents, and any supplementary secure materials, or the quantity received from contractors must be reported to the LDE by the designated institutional or school district personnel prior to the administration of the test.

d. In the event that test booklets, answer documents, or supplementary secure materials are determined to be missing while in the possession of the institution or school district or in the event of any other testing irregularities or breaches of security, the designated institutional or school district personnel must immediately notify by telephone the LDE, Division of Assessments and Accountability, and follow the detailed procedures for investigating and reporting specified in this policy.

e. Only personnel trained in test security and administration shall be allowed to have access to or administer any statewide assessments.

f. Each district superintendent or institution must annually designate one individual in the district or institution as district test coordinator, who is authorized to procure test materials that are utilized in testing programs administered by or through the SBESE of the LDE. The name of the individual designated must be provided in writing to the LDE, and included on the statement of assurance.

g. Testing shall be conducted in class-sized groups. Bulletin 741 (§913.A) states that K-3 classroom enrollment should be no more than 26 students, and in grades 4-12, no more than 33, except in certain activity types of classes in which the teaching approach and the material and equipment are appropriate for large groups. For grades K-8, the maximum class size for health and physical education classes may be no more than 40. Class size for exceptional students is generally smaller [Bulletin 741, (§915)]. Permission for testing in environments that differ from the usual classroom environment must be obtained in writing from the LDE at least 30 days prior to testing. If testing outside the usual classroom environment is approved by the LDE, the school district must provide at least one proctor for every 30 students.

h. The state superintendent of education may disallow test results that may have been achieved in a manner that is in violation of test security.

10. The LDE shall establish procedures to identify:

- a. improbable achievement of test score gains;
- b. situations in which collaboration between or among individuals may occur during the testing process;
- c. a verification of the number of all tests distributed and the number of tests returned;
- d. excessive wrong-to-right answer changes;
- e. any violation to written composition or open-ended responses (including electronic submissions) that involves plagiarism;
- f. any other situation that may result in invalidation of test results:

11. In cases in which test results are not accepted because of a breach of test security or action by the LDE, any programmatic, evaluative, or graduation criteria dependent upon the data shall be deemed not to have been met.

12. Individuals shall adhere to all procedures specified in all manuals that govern mandated testing programs.

13. Anyone known to be involved in the presentation of forged, counterfeit, or altered identification for the purposes of obtaining admission to a test administration site for any test administered by or through the SBESE or the LDE shall have breached test security. Any individual who knowingly causes or allows the presentation of forged, counterfeited, or altered identification for the purpose of obtaining admission to any test administration site must forfeit all test scores but will be allowed to retake the test at the next test administration.

14. School districts must ensure that individual student test data are protected from unauthorized access and disclosure.

a. The eDIRECT system is designed to be an all-inclusive testing and reporting system for grades 3-12. The system contains students' private information, including state test scores and state identification numbers. The system is password protected and requires a user ID and an assigned password for access. LDE assigns DTCs and back-up DTCs accounts in the eDIRECT system. DTCs are responsible for entering staff into the system and assigning the appropriate permissions.

15. District test coordinators are responsible for providing training regarding the security and confidentiality of individual student test data (in paper and electronic formats) and of aggregated data of fewer than 10 students.

16. LDE staff will conduct site visits during testing to observe test administration procedures and to ensure that appropriate test security procedures are being followed. Schools with prior violations of test security or other testing irregularities will be identified for visits. Other schools will be randomly selected.

17. Any teachers or other school personnel who breach test security or allow breaches in test security shall be disciplined in accordance with the provisions of R.S. 17:416 et seq., R.S. 17:441 et seq., R.S. 17:81 et seq., policy and regulations adopted by the SBESE, and any and all laws that may be enacted by the Louisiana Legislature.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.7(C)(G).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1528 (July 2005), amended LR 32:233 (February 2006), LR 33:255 (February 2007), LR 33:424 (March 2007), LR 33:2033 (October 2007), LR 34:65 (January 2008), LR 34:431 (March 2008), LR 34:1351 (July 2008), LR 35:217 (February 2009), LR 37:858 (March 2011), repromulgated LR 37:1123 (April 2011), amended LR 38:747 (March 2012), LR 39:1018 (April 2013), LR 40:2510 (December 2014), LR 43:634 (April 2017), LR 44:463 (March 2018).

§5309. Erasure Analysis and Online Answer Changes
[Formerly LAC 28:CXL309]

A. To investigate erasures on student answer documents of the state testing programs, the SBESE and the LDE have developed the following procedures.

1. Scoring contractors scan every answer document for wrong-to-right erasures. The state average and standard deviation are computed for each subject at each grade level.

2. Students whose wrong-to-right erasures exceed the state average by more than four standard deviations are identified for further investigation. For each student with excessive erasures, the proportion of wrong-to-right erasures to the total number of erasures is considered.

3. Based on the criteria for excessive wrong-to-right erasures, scoring contractors produce the following reports.

a. District/School Erasure Analysis Report. This report identifies districts and schools within the districts whose answer documents have excessive wrong-to-right erasures.

b. Student Erasure Analysis Report. This report identifies individual students whose answer documents have excessive wrong-to-right erasures. The answer documents of students identified as having excessive wrong-to-right answers are available for review at the LDE upon request.

4. Once districts, schools, and individual students have been identified, the state superintendent of education sends letters to district superintendents stating that students in those districts have been identified as having excessive wrong-to-right erasures. Copies of the district/school and student erasure analysis reports are enclosed with the letters. Copies of the correspondence are provided to the coordinator of test security.

5. The local superintendent must investigate the case of the irregularity and provide a report of the investigation and a written plan of action to the state superintendent of education within 30 calendar days.

6. A summary report of erasure analysis irregularities will be presented to the SBESE after each test administration.

7. Erasure refers to online answer changing as well as erasing answers on a paper and pencil test.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24 et seq.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1530 (July 2005), amended LR 32:234 (February 2006), LR 33:257 (February 2007), LR 35:217 (February 2009), LR 35:443 (March 2009), LR 40:2512 (December 2014), LR 43:634 (April 2017), LR 44:463 (March 2018).

§5311. Addressing Suspected Violations of Test Security and Troubling Content in Written Responses [Formerly LAC 28:CXL311]

A. The test security policy approved by the SBESE requires that the LDE establish procedures to deal with breaches of test security. District authorities provide the LDE information about voiding student tests because of student violations observed during test administration or violations by school personnel or others that have been reported. In addition, the scoring process produces information regarding written responses that have common elements, which indicate a student brought unauthorized materials to testing and used them to assist in writing; that indicate that teacher interference might have been a significant factor, and in which troubling content was evident. Procedures for dealing with these issues follow.

1. Violation by Student as Observed by Test Administrator

a. The test administrator must notify the school test coordinator about any suspected incident of cheating and provide a written account of the incident. Answer documents in such cases should be processed like all other answer documents.

b. The school test coordinator must then convene a school-level test security committee consisting at a minimum of the principal, the school test coordinator, and the test administrator to determine whether a test should be voided.

c. If it is deemed necessary to void the test, the school test coordinator must notify the district test coordinator of the void request in a letter written on school letterhead, signed by the school principal and the school test coordinator. The original account of the incident written by the test administrator must be enclosed.

d. The district test coordinator must then email a completed void form to the LDE, as directed in the *District and School Test Coordinators Manual*.

2. Reported Violations by School Personnel or Other Persons. All suspected instances of cheating should be reported directly to the school's district test coordinator (DTC) for further investigation, and a report of the incident must be sent by the DTC to LDE. If it is deemed necessary to void tests, the DTC must submit a completed void form to the LDE. The original void verification form along with a written report of the investigation carried out must be mailed to the LDE.

3. Suspected Violations Discovered by Scoring Contractors

a. In addition to erasure analysis for multiple-choice and multi-select items, possible incidents of the following violations may be discovered during the scoring process:

i. plagiarism. Responses contain exact or almost exact content, and/or words or phrases, and/or format;

ii. use of unauthorized materials, including cell phones or other unauthorized electronic devices. Students brought unauthorized materials into the testing environment and used them to assist in written responses;

iii. teacher interference. Teacher interference is evident in written responses.

b. If possible incidents of violations are discovered in the scoring process, the scoring contractor notifies the LDE, Division of Assessments and Accountability, of suspect documents with a summary of its findings.

c. Professional assessment and related-content personnel from the Division of Assessments and Accountability review the suspect documents and determine whether the evidence supports voiding the responses.

d. If voiding is recommended, LDE mails the district superintendent a letter of what was observed during the scoring process that caused the alert and identifies the particular document that was voided. Copies of the correspondence are provided to the deputy superintendent of education, the assistant superintendent of the Office of Student and School Performance, the director of the Division of Assessments and Accountability, and the local district test coordinator.

i. Within 30 calendar days of the receipt of such a letter, the district must investigate the incident and provide a written plan of action to the state superintendent of education. If the district and/or parent/guardian(s) wish to discuss the situation further or to examine the student responses, a meeting may be scheduled at the LDE offices between staff members from the Division of Assessments and Accountability district representatives, and parent/guardian(s).

4. Disturbing Content. If student responses with disturbing content are discovered during the scoring process, the scoring contractor will notify the appropriate staff member at the LDE, Division of Assessments and Accountability.

a. Professional assessment personnel review the responses. If it is determined that disturbing content causes a compelling need to break confidentiality, LDE will contact the district superintendent by telephone to summarize findings and inform him or her that materials are being mailed regarding the alert.

b. Issues regarding troubling content are for the district's information to assist the student and do not require further communication with LDE.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24 et seq.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1531 (July 2005), amended LR 33:257 (February 2007), LR 35:217 (February 2009), LR 43:635 (April 2017), LR 44:464 (March 2018).