

MEMORANDUM

TO: Members, Utah State Board of Education

FROM: Rich Nye, Associate Superintendent, Assessment and Accountability
Jo Ellen Shaeffer, Director of Assessment and Accountability

DATE: January 7, 2016

ACTION: Requirements for Test Administration and Testing Ethics Policy

Background:

Due to the changes in 2015 S.B. 204 *Parental Rights in Education* and subsequent Board rule R277-404-6, updates to the Testing Ethics Policy have been made and submitted for review and approval of Utah State Board of Education.

Key Points:

The change reflects that teachers may not use SAGE scores in determining students' academic grades for a course.

Anticipated Action:

It is proposed that the Standards and Assessment Committee consider approving the changes to the Test Administration and Testing Ethics Policy. If approved by the Committee, the Board will consider approving the changes to the Test Administration and Testing Ethics Manual.

It is also proposed that the Committee consider making the Test Administration and Ethics expectations effective in Board rule rather than policy.

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Standard Test Administration and Testing Ethics Policy

For Utah Educators
Approved by Utah State Board of Education
August 8, 2014

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Purpose of Testing

When administered properly, standardized assessments allow students to demonstrate their abilities, knowledge, aptitude, or skills (see [R277-404](#)).

Valid and reliable results from uniform assessments provide information used by:

- **Students**, to determine how well they have learned the skills and curriculum they are expected to know.
- **Parents**, to know whether their student is gaining the skills and competencies needed to be competitive and successful.
- **Teachers**, to gauge their students' understanding and identify potential areas of improvement in their teaching.
- **LEAs (districts or charter schools)**, to evaluate programs and provide additional support.
- **The public**, to evaluate schools and districts.

As educators, we are obligated to provide students with an opportunity to demonstrate their knowledge and skills fairly and accurately.

Educators involved with the state-wide assessment of students must conduct testing in a fair and ethical manner (see [Utah Code 53A-1-608](#); [R277-404](#)).

The best test preparation a teacher can provide is good instruction throughout the year that covers the breadth and depth of the standards for a course, using varied instructional and assessment activities tailored to individual students.

State Assessments

The following state provided assessments require that educators must adhere to all ethical practices and procedures as outlined in this policy when administering the following provided assessments and submit accurate data to the USOE on these assessments (see Board Rule [R277-404-3](#)).

- [Student Assessment of Growth and Excellence \(SAGE\)](#)
Required summative computer adaptive tests for English language arts grades 3-11; online writing assessment grades 3-11; mathematics grades 3-8 and Secondary I, II, and III; science grades 4-8, earth science, biology, physics and chemistry.
- [SAGE Interim](#)
Optional assessments which are predictive of SAGE summative performance. SAGE interim assessments are for English language arts grades 3-11; mathematics grades 3-8 and Secondary I, II, and III; science grades 4-8, earth science, biology, physics and chemistry. Students have up to two opportunities to participate each year.
- [Dynamic Learning Maps \(DLM\)](#)/[Utah's Alternate Assessment \(UAA\)](#)
Required Utah's Alternate Assessment for students with significant cognitive disabilities used to map learning throughout the year culminating with summative assessment.
- [Benchmark reading assessment](#)
Required LEA administered benchmark reading assessment (DIBELS) for grades 1-3 used to assess the acquisition of early literacy skills.
- [WIDA ACCESS](#)
Required English language proficiency assessment for K-12 students who have been identified as English learners.
- [ACT](#)
National college admissions examination that consists of subject area tests in English, math, reading and science, administered statewide to all 11th grade students annually.
- [National Assessment of Educational Progress \(NAEP\)](#)
Informs the public about academic achievement of elementary and secondary students in the United States. The nation's report card compares performance among states, urban districts, public and private schools and student demographic groups. NAEP is sponsored by the U.S. Department of Education and has been administered since 1969.

Information about these tests can be found on the Assessment pages of the Utah State Office of Education website: <http://www.schools.utah.gov/assessment/default.aspx>.

Before Testing: Teaching Practices

Ethical testing begins with ethical teaching. Licensed Utah educators should:

- Ensure students are enrolled in appropriate courses and receive appropriate instruction.
- Provide instruction to the intended depth and breadth of the course curriculum.
- Provide accommodations throughout instruction to eligible students as identified by an ELL, IEP, or 504 team.
- Use a variety of assessment methods to inform instructional practices.
- Introduce students to various test-taking strategies throughout the year.
- Use the science reference sheets provided for specific assessments as instructional tools throughout the year.
- Provide students with opportunities to engage with available training tests to ensure that they can successfully navigate online testing systems, and to ensure that local technology configurations can successfully support testing.

Educators may also:

- Use formative assessments throughout the year using high-quality, non-secure test questions aligned to Utah Standards.

Preparation guidelines for specific assessments can be found on the Test Administration Manuals (TAMs) page:

<http://schools.utah.gov/assessment/>
~~[http://www.schools.utah.gov/assessment/Testing-Director-Resources/Test-Administration-Manuals-\(TAMs\).aspx](http://www.schools.utah.gov/assessment/Testing-Director-Resources/Test-Administration-Manuals-(TAMs).aspx)~~

During Testing: Assessment Practices

Utah school districts or charter schools shall ensure that:

- All students who are eligible to test are tested, or accounted for according to the specific assessment's policy.
- Parents are provided with clarifications and procedures in regards to student participation in state testing.
- All tests are administered under the supervision of a Utah licensed educator.
- Educators and school employees who serve as standardized assessment administrators that administer and/or proctor tests shall participate in annual ethics training provided by the local LEA and are accountable for ethically administering tests.
- Hardware, software and network specifications can successfully administer appropriate tests.

Utah licensed educators shall ensure that:

- An appropriate environment reflective of an instructional setting is set for testing to limit distractions from surroundings or unnecessary personnel.
- All students who are eligible for testing are tested.
- A student is not discouraged from participating in state assessments, but upon a parent's opt-out request (following LEA procedures), the student is provided with a meaningful educational activity.
- Tests are administered in-person and testing procedures meet all test administration requirements.
- Active test proctoring occurs: walking around the room to make sure that each student has or is logged into the correct test; has appropriate testing materials available to them; and are progressing at an appropriate pace.
- No person is left alone in a test setting with student tests left onscreen or open.
- The importance of the test, test participation, and the good faith efforts of all students are not undermined.
- All information in the Test Administration Manual (TAM) for each test administered is reviewed and strictly followed (see [53A-1-608](#); [R277-404](#)).

- Accommodations are provided for eligible students, as identified by an ELL, IEP, or 504 team. These accommodations should be consistent with accommodations provided during instruction throughout the instructional year.
- Any electronic devices that can be used to access non-test content or to record/distribute test content or materials shall be inaccessible by students (e.g., cell phones, recording devices, internet-capable devices). Electronic security of tests and student information must not be compromised.
- Test materials are secure before, during, and after testing. When not in use, all materials shall be protected, where students, parents cannot gain access.

No one may enter a student's computer-based test to examine content or alter a student's response in any way either on the computer or a paper answer document for any reason.

After Testing Is Complete

Utah licensed educators shall ensure that:

- Test administration manual instructions for ending testing sessions are followed.
- Make-up and test completion sessions are provided for students who miss all or part of the test, as appropriate for and according to the policies and procedures of each assessment.
- All test materials are to be organized and returned to the School Testing Coordinator, as appropriate.
- All by-products of student testing are collected and protected between and after testing sessions, and securely destroyed as appropriate. This includes notes, outlines, graphic organizers, student drafts, etc.

Educators may not change student answers in any way, for any reason.

Test Results

Test results should be:

- Provided to students and parents, with information on how to appropriately interpret scores and reports.
- Made available to educators for use in improving their instruction.
- Maintained according to local policies and procedures.
- Kept confidential.

~~It is recommended that educators work in groups to decide how test data will be used. An LEA, school, or educator may not use a student's score on a state required assessment to determine the student's academic grade, or a portion of the student's academic grade, for the appropriate course; or whether the student may advance to the next grade level (R277-404-65).~~

Unethical Practices

It is unethical for educators to jeopardize the integrity of an assessment or the validity of student responses.

Unethical practices include:

- Providing students with questions from the test to review before taking the test.
- Changing instruction or reviewing specific concepts because those concepts appear on the test.
- Rewording or clarifying questions, or using inflection or gestures to help students answer.
- Allowing students to use unauthorized resources to find answers, including dictionaries, thesauruses, mathematics tables, online references, etc.
- Displaying materials on walls or other high visibility surfaces that provide answers to specific test items (e.g. posters, word walls, formula charts, etc.).
- Reclassifying students to alter subgroup reports.
- Allowing parent volunteers to assist with the proctoring of a test their child is taking or using students to supervise other students taking a test.
- Allowing the public to view secure test items or observe testing sessions.
- Reviewing a student's response and instructing the student to, or suggesting that the student should, rethink his/her answers.
- Reproducing, or distributing, in whole or in part, secure test content (e.g., taking pictures, copying, writing, posting in a classroom, posting publically, emailing).
- Explicitly or implicitly encouraging students to not answer questions, or to engage in dishonest testing behavior.
- Administering tests outside of the prescribed testing window for each assessment.

Accountability for Ethical Test Administration

Educators are accountable to their LEA (district or charter school) and the Utah State Board of Education for ethical practices. LEAs are required to ensure all school testing coordinators, administrators, and teachers administering tests are aware of their role in state-wide assessments, and may include ethical testing practices in educator evaluations.

Ethics Violations

Ethical violations are to be reported to the supervisor of the person who may be investigated, the school administrator, the LEA assessment director, or the state assessment director.

Protocol

- Each LEA must determine local policies and procedures regarding ethics violations.
- In most cases, an initial investigation should be conducted at the school level.
- The LEA assessment director will review the initial investigation and determine findings.
- If the violation is of sufficient concern, the incident may also be forwarded to the [Utah Professional Practices Advisory Commission](#) (UPPAC) for review.
- If inappropriate practices are substantiated, educators or other staff may receive further training or a reprimand, be subject to disciplinary action, be terminated, and/or lose their Utah teaching license (see [53A-1-608](#); [R277-404](#)).

For more information about the processes in place concerning the investigation of ethical violations, contact your local LEA testing director.

Additional Resources

Utah State Law – Chapter 53A

<http://le.utah.gov/~code/TITLE53A/53A01a.htm>

Utah State Office of Education

<http://www.schools.utah.gov>

Utah State Board of Education – Rules

<http://www.rules.utah.gov/publicat/code/r277/r277-.htm>

<http://www.rules.utah.gov/publicat/code/r277/r277-404.htm>

Utah Professional Practices Advisory Commission (UPPAC)

<http://www.schools.utah.gov/uppac/>

Assessment Section, Utah State Office of Education

<http://www.schools.utah.gov/assessment>

Utah State Core Standards

<http://www.schools.utah.gov/curr/core>

National Assessment of Educational Progress (NAEP)

<http://nces.ed.gov/nationsreportcard/>