703 KAR 5:080

Administration Code

For Kentucky's

Educational Assessment Program

February 2014

703 KAR 5:080 Administration Code for Kentucky's Educational Assessment Program

Table of Contents

Rationale	3
Appropriate Assessment Practices	4
Test Security	5-7
Classroom Materials	8-9
Administration Practices	10-12
Test Preparation and Student Motivation/Rewards	13-14
Inclusion of Special Populations	15
Alternate Assessment	15
Procedure for Reporting Concerns Regarding Assessment Materials	16
Violations of the 703 KAR 5:080 Administration Code for Kentucky's Educational Assessment Program	17-18
Review of Secure Assessment Components by Parents and Persons not in the Employment of a Kentucky Public School District	19
Proper Reporting of Student Data and Nonacademic Indicators	19
Signature Page	20

Rationale

The Kentucky General Assembly continues to require an innovative student assessment program designed to measure progress toward the education goals specified in legislation. Kentucky's assessment and accountability program includes multiple assessments and data reports. This Administration Code shall be followed for all state-required assessments and optional tests administered by school personnel that are reported in Kentucky's accountability system. This regulation applies to test administrations using paper/pencil and computers/digital technology. This document describes the practices considered appropriate in preparing students for the assessments, in administering them, and in providing for proper security of the assessment materials. The following standards were used in determining appropriate practices:

1. **Professional Ethics**: The ethical standards of the education profession in 16 KAR 1:020 shall apply to certified personnel engaged in administering the state student assessment program. No test preparation practice shall violate the ethical standards of the education profession in 16 KAR 1:020. It shall be considered a violation of this regulation to alter student information (e.g., grade level) or data in the state student information system in order to access or to avoid testing.

2. **Educational Defensibility:** Students and schools have the right to valid and reliable test results. All test preparation practices shall be designed and used for the purpose of increasing student learning. Activities that are created or implemented, before or during testing, for the sole purpose of artificially increasing test scores, and do not contribute to the students' overall education are considered a violation of this regulation.

3. **Student Ownership:** All assessment work shall be done entirely by the student. During test administration, students may be asked to read and sign a Student Honor Code that emphasizes the work included in the test is the student's effort alone. If the student refuses to sign the honor code, testing should move forward.

Appropriate Assessment Practices

KRS 158.6455 requires that the school accountability system shall be inclusive of all students. The Kentucky Department of Education (KDE) shall hold schools and school districts accountable for the performance of all students. In the absence of assessment information about the performance of a student, the school shall be assigned a non-performance or zero score for that student.

Dedicated time for training on this Administration Code and 703 KAR 5:070, Procedures for the Inclusion of Special Populations in the State-Required Assessment and Accountability Programs, shall be provided for every individual (e.g., administrators, supervisors, teachers, instructional assistants, parents, scribes, and readers) potentially involved in any component of the assessment.

This training shall occur before any test-related processes or test administration begins. Solely reading the regulation shall not be considered adequate training. Training shall include interaction regarding the content of the regulation with supporting examples and situations. Schools and districts may use materials provided by KDE or locally produced.

Everyone involved in any component of assessment shall read and comply annually with this Administration Code. Any individual providing support for students with disabilities or limited English proficiency shall receive training on 703 KAR 5:070 regarding appropriate accommodations, as well as confidentiality training.

Each test administrator shall complete the signature page of this document or group training signature sheet. The completed signature page of this document shall be filed within the district in a location agreed upon by the District Assessment Coordinator (DAC) and Building Assessment Coordinator (BAC), and accessible upon request from KDE.

The accommodation guidelines for the state-required assessments are found in 703 KAR 5:070 Inclusion of Special Populations in the State-Required Assessment and Accountability Programs.

Test Security

DACs, administrators and teachers shall ensure the security of the assessment materials before, during and after test administration. When not being used for a scheduled testing session, all assessment materials shall be stored in a secure location with access granted to authorized personnel only.

Test Security

ACCEPTABLE	NOT ACCEPTABLE
It is appropriate for teachers to know the concepts measured by the state-required assessment and to teach those concepts.	Test administrators with knowledge of the content of any secure test item shall not reveal this content to anyone.
Concepts appropriate for curriculum instruction can be found in Kentucky's content standards.	Test administrators or other staff, who become aware of specific test items through any means, shall not use this knowledge to prepare students for the assessment.
Test administrators may use test items and support materials posted on the KDE website to help prepare their students for the assessment.	No deliberate reviewing or reading of test items by an individual or group is permitted.
All persons helping with testing (i.e., packing materials, providing accommodations, escorting students to test sites) must annually sign a form committing to nondisclosure of information and to following appropriate practices as outlined in this regulation.	No one shall take notes about or discuss the content, concepts or structure of any secure test item before, during or after testing.
Test materials may be taken from school or district buildings by trained staff in order to administer the test to homebound/ hospitalized students or for offsite group administrations approved by KDE or test vendor.	Test materials may not be taken outside district or school buildings for purposes such as bubbling demographics or modifying Alternate Assessment materials.
Students using technology to respond to test items are allowed to save responses to CDs or portable drives, but not to drives or servers.	Electronic or other versions of the secure assessment materials or student responses shall not be maintained in the district.

Test Security

ACCEPTABLE	NOT ACCEPTABLE
Test administrators shall collect and destroy (i.e. shred) any notes, rough drafts or scratch paper produced by students during testing to ensure that no test items are compromised.	Scoring of test items, pre-writing areas, or drafts is not permissible.
Visually scanning student response books to meet good faith effort criteria is permissible.	Student responses shall not be read in their entirety as part of visually scanning for good faith effort criteria.
Test Administration Manuals shall be distributed to test administrators prior to the testing window.	Test booklets shall not be made available to test administrators until the first scheduled day of testing and shall be secured between testing sessions.
Tests shall be distributed in the order in which they are packaged.	Local district staff may not show items in the test booklets to anyone not administering the test.
Alert papers (i.e., evidence within a student response that the student may cause harm to self or to others or may otherwise be suffering abuses) may be copied only by the DAC, BAC or school administrator. In this case these local district staff may photocopy the pertinent section of the student response and turn those pages over to the appropriate local authorities to assure the safety of the child and the community. The local district shall direct all local authorities that the student response may contain information related to secure test items. The local authorities shall sign a nondisclosure form.	No one may have test booklets without authorization from the DAC or BAC.
If directed by KDE or test vendors for the purpose of test administration, accessing the Internet or imaging capabilities on electronic devices during test sessions is permissible.	Test booklets shall not be stored in class-rooms unless double locked (such as a lockable storage unit inside a locked room). Access to these locks shall be limited to authorized personnel.
	Test booklets outside of locked storage shall not be left unattended.

Test Security

ACCEPTABLE	NOT ACCEPTABLE
	Secure test materials shall not be reproduced in whole, in part or paraphrased in any way. Examples include: discussing, e-mailing, photocopying, photographing, handwriting, typing, or posting to social network sites or other Internet sites.
	Electronic devices shall not be used in any way to gain a testing advantage.
	Accessing the Internet, wireless communication functions or imaging capabilities on electronic devices during testing sessions for purposes other than test administration is prohibited.

Classroom Materials

Classroom materials shall not provide a testing advantage to any student.

Classroom Materials

ACCEPTABLE	NOT ACCEPTABLE
Materials may be placed on classroom walls and bulletin boards for instructional purposes anytime during the year.	Materials containing content information or strategies for solving problems must be covered or removed from classroom walls, bulletin boards, or other surfaces (e.g., ceilings, floors, blinds, windows, and clothing) during testing sessions.
Periodic tables or materials without content or strategies for solving problems need not be removed or covered.	Providing any resources not listed in the administration manuals during testing is prohibited.
Staff shall follow the specific directions in administration manuals regarding display of classroom materials to ensure reportable scores.	During testing, test administrators shall not distribute, make available, or attach to students' workstations any information or materials that are not sent as part of the assessment materials, or specified in the test administration manuals. Examples include: copies of acronym sheets or sheets of paper containing a system for organizing answers; textbooks; mathematics manipulatives; computer tools; or other reference resources.
Dictionaries and thesauri, including non-programmable, electronic dictionaries, and thesauri may be used **only** for on-demand writing.	Dictionaries and thesauri shall not be used on the reading, mathematics, science, or social studies content area tests.
Students shall have access to the types of calculators as designated in the test administration manuals accompanying each state-required assessment.	
Resources specified in a student's Individualized Education Program, (IEP), 504 Plan or Program Services Plan (PSP), and are consistent with instructional strategies may be provided in the testing environment to be available upon the student's request.	Students shall not leave the testing area to gain access to any calculators, dictionaries or thesauri, blank writing or graph paper, or any resources used for accommodations as specified in 703 KAR 5:070.

Classroom Materials

ACCEPTABLE	NOT ACCEPTABLE
Permitted electronic devices such as calculators will be listed in test administration manuals. Best practice is for schools to provide calculators.	Students shall not share calculators within the testing session.
Blank writing or graph paper, blank (clear or colored) overlay sheets and bookmarks free of content may be made available at student workstations.	
After the test administrator has collected an individual student's test materials, the student may have non-content related materials such as books, puzzles, etc. at the workstation.	
Test administrator may use electronic devices to contact school administrators regarding test sessions (i.e., problem with materials, student illness, administration questions).	Neither students nor test administrators shall use electronic devices such as, but not limited to, cell phones, tablets, e-readers for personal reasons during testing sessions except in the case of an emergency.
Students may use personal electronic devices for test administration as long as the device meets the acceptable use criteria for a particular assessment. Communication and Internet features must be disabled.	

Administration Practices

DACs or BACs shall schedule test administration, arrange for adequate staff to administer the assessment, prepare accurate student testing rosters and seating charts, and ensure that all assessment materials are kept secure before, during and after the testing sessions.

Administration Practices

ACCEPTABLE	NOT ACCEPTABLE
Words of encouragement and general instructions that direct students to apply themselves to the task at hand, but do not imply evaluation of student work or allow an advantage are permissible. Examples include, "Do your best," "Get started," and "Stay on task".	During testing, test administrators shall not engage in any behavior that would assist the students in understanding or responding to any item on the test.
During testing, test administrators shall circulate throughout the testing site to monitor students as they work. Principals and district administrators shall ensure that proper monitoring occurs.	No one shall coach, edit, point out errors or missing answers in student work on any item of the test to improve student scores.
A student can be allowed a restroom break during a testing session as long as the student is monitored at all times.	Test administrators shall not encourage students to edit their responses by providing evaluation of student work through tone, gesture or phrase such as "You can do better," or "You can write more."
	No district/school staff shall alter student answers at any time (e.g., changing student answers, erasing answers or adding to constructed-response answers).
Test sessions shall be scheduled to prevent overcrowding in the testing location(s). Areas accommodating large numbers of students should have adequate staff to conduct active monitoring.	Space in testing locations shall not limit the test administrator's ability to circulate and monitor students during testing.
	Students shall not be allowed to move about the room during a testing session.
	Testing locations or rooms shall not exceed reasonable seating capacity.

Administration Practices

ACCEPTABLE	NOT ACCEPTABLE
Interval or restroom breaks may be conducted by the test administrators at the discretion of the district/school. The length of time, refreshments served and the monitoring of students shall not affect the integrity of testing in any way.	A student shall not be left alone at any time with test materials.
Test sections shall be administered in the order in which they appear in the test booklets, with students of the same grade being simultaneously tested in the same content area and test session in a given school.	The order of testing shall not be altered to facilitate the need for calculators or to provide accommodations.
The principal, BAC and anyone assisting with test administration to students in special populations shall ensure that any accommodations provided shall be consistent with the student's evaluation data, IEP, 504 Plan, PSP, and the routine delivery of instructional services.	The use of any accommodations for the assessment shall not inappropriately interfere with or influence the administration of the assessment to other students (e.g. reading/scribing for one student within hearing distance of any other student).
When administering the state-required assessment, the test administrator shall observe any time limits and follow the specific directions in the manuals provided.	Students shall not take more than a single school day to complete a testing session, except where there is a scheduled make-up session. Make-up sessions are conducted for such purposes as absences caused by student illness/injury or serious family/personal circumstance.
When students with an IEP, 504 Plan or PSP need extended time to complete a test session, this additional time shall begin immediately following the initial administration. If students must move to another test location, they shall be escorted by a school staff member.	
Tests should be scheduled to avoid conflicts with lunch; however, if a lunch break is required during testing, lunch shall be brought to the students in the testing area. If there are too many students for this to be reasonable, test materials shall be secured and students shall be escorted to the lunchroom, told not to discuss the test, sufficiently monitored to prevent discussion of test items during the	

Administration Practices

ACCEPTABLE	NOT ACCEPTABLE
entire lunch period, and escorted back to the testing area.	
The testing schedule may be changed only if a shortage of personnel exists for providing accommodations to students. If the schedule is changed, all students in the same grade must complete the same testing section by the end of the school day.	Students shall not be allowed to work ahead to future test session parts or to return to past test session parts.
Alternate Assessment testing materials may be modified to the extent described in the administration manuals.	A student may not be given more time on a specific test part than specified in the administration manual, unless the student has extended time as an accommodation on an IEP, 504 Plan or PSP.
Students who are absent or missed test sections for any reason may complete these during make-up sessions. The order of the test may be changed for make-up test sessions.	A student shall not be allowed to take a test booklet or answer booklet out of the testing area without proper supervision.
Rulers and reference sheets may be kept after the completion of testing and used for instruction if so stated in specific test administration manuals.	Testing materials are not to be altered prior to test administration (i.e., trimming rulers, adding or removing information on reference sheets).
Students who exhibit disruptive behavior prior to or during testing may be tested in a different location from their peers. A plan to avoid a disruptive situation can be in place prior to testing.	

Test Preparation and Student Motivation/Rewards

Schools and districts should ensure that all other regulations regarding curriculum, instructional time, and school finances are adhered to when providing test preparation activities and/or student rewards and motivational activities. Rewards or motivational strategies related to state-required assessments shall be consistent with those applied within the regular curriculum or within the larger school program in general.

District and school employees charged with test administration and oversight shall not require teachers and other staff to conduct test preparation or practice activities instead of regular classroom instruction. Teachers and other staff shall not be required to conduct test preparation or practice activities outside the normal work day.

Test Preparation and Student Motivation/Rewards

ACCEPTABLE	NOT ACCEPTABLE
Normal instruction shall continue during the testing window as planned in the school/district curriculum map and lesson plans.	Cessation of all normal instruction during the testing window, except during test sessions, is not acceptable. The order of instruction should not be altered to match the order of content area tests.
Regular review of content as part of the ongoing year-long instructional practice is acceptable.	A culminating review of content shall not be developed or modified based on information gained from secure test booklets.
Test taking strategies embedded in regular content instruction are acceptable.	Test prep activities that simulate test administration without providing feedback to students to enhance learning and to teachers to improve instruction are prohibited.
Test prep courses and strategies that implement content instruction and Kentucky's content standards are permissible.	Evaluative statements shall not be made to students regarding their responses.
	Individual results from checklists or any other evaluative statements shall not be made available to students until the entire assessment has been administered and submitted to the BAC or DAC. Teachers may not assign grades to student responses based on specific content area evaluations that require creating a specific scoring guide or making the student responses available to support the assigned scores.

Test Preparation and Student Motivation/Rewards

ACCEPTABLE	NOT ACCEPTABLE
Scrimmages, content review, benchmark testing, etc. types of activities are acceptable, if results are used to guide further instruction and to identify and improve areas of student weakness.	Specifying a particular organizer or pre-write method for the good faith effort checklist is not acceptable. Pre-write activities on state-required assessments shall not require students to develop a complete first draft.
Student responses may be visually scanned during or after the testing session to determine disciplinary problems.	If disciplinary problems are determined to exist, students shall not be allowed to modify their initial response to test items.
When a student's responses to test items are reviewed and are found to contain inappropriate language or drawings (e.g., obscenities), the student may be instructed to answer the questions again on separate sheets of paper for disciplinary purposes. The original responses shall be submitted for scoring to the testing contractor. The rewritten ones, clearly marked NOT TO BE SCORED—ITEMS RETAKEN FOR DISCIPLINARY PURPOSES, shall be submitted to the Kentucky Department of Education.	Extended School Services (ESS) funds shall not be used for test preparation.
Student responses may be visually scanned during or after the testing session to determine good faith efforts based on a checklist created and communicated to students and parents prior to testing. The checklist may include whether students answered all parts of the questions, wrote legibly, and focused on testing during the administration time.	Results or rewards based on individual checklists shall not be made available to students until all testing is complete and materials are returned to the BAC or DAC.
A good faith effort checklist may include a pre-writing requirement. The type of pre-write used shall be determined by the student.	
Donations from individuals, businesses, parents, or school staff can be used for student incentives.	Local school board funds or cash awards from school activity funds generated by students, shall not be used for student incentives or rewards to: (a) attend school during the testing window, (b) participate in assessment

Test Preparation and Student Motivation/Rewards

ACCEPTABLE	NOT ACCEPTABLE
	activities, or (c) perform well on state-required assessments.
Instructional activities that positively contribute to students' overall learning experience are acceptable.	

Inclusion of Special Populations

An individual who provides any accommodation to a student with disabilities on any component of the state-required assessment shall be trained in the role and responsibilities and the conditions under which each student uses the accommodations as described in the student's IEP, 504 Plan, or PSP. Individuals shall also receive Administration Code training and agree to abide by confidentiality laws (KRS 160.700 et seq).

Properly-administered accommodations are intended to support students in earning valid and reliable test results. Accommodations do not automatically lead to student proficiency. Any accommodations provided during assessment shall be consistent with the requirements specified in 703 KAR 5:070, Inclusion of Special Populations in the State-Required Assessment and Accountability Programs.

Any violation of 703 KAR 5:070, Inclusion of Special Populations in the State-Required Assessment and Accountability Programs is considered a violation of this Administration Code regulation and will be processed under its guidelines.

Alternate Assessment

Only a student who meets all of the eligibility requirements for the Alternate Assessment Program may participate. Eligible students shall be identified through the Admissions and Release Committee (ARC) process.

Alternate Assessment

ACCEPTABLE	NOT ACCEPTABLE
Students have primary ownership of their assessment pieces. Any intervention from teachers, peers or others should enhance rather than remove or diminish that ownership.	Altering results of Alternate Assessment components is prohibited.
Training is required for administration of the Alternate Assessment components.	The use of any accommodation or assistive device that is not a regular part of instruction (e.g., if the student uses a communication system for the Alternate Assessment entry, but does not use the same system as a regular part of his or her instruction) is not permitted.
Alternate Assessment components are considered secure and shall be kept in locked storage until administration.	Adding or subtracting, revising or working on Alternate Assessment materials after the completion deadline is prohibited.

Procedure for Reporting Concerns Regarding Assessment Materials

If you have a concern regarding an error, content, appropriateness of an item, etc., do not discuss, in any manner, with others.

To report the concern, complete the following steps:

1. Do not reproduce the test item in any way (photocopying, photographing, handwriting, typing, or e-mailing the question in whole, in part or paraphrasing in any way.

2. Identify the location of the error (grade level, subject area, test form identification, item number, and page number.

3. Summarize the error in general. The summary shall not unduly compromise the security of the assessment by revealing the content of the item. An example of acceptable reporting is as follows: Grade 4, Reading, Form 1A, Multiple Choice Item number 2, page 30, no correct answer choice provided.

4. Notify the local DAC who shall then contact KDE, Office of Assessment and Accountability and forward any requested documentation.

Violations of the Administration Code for Kentucky's Educational Assessment Program

All district and school individuals (full-time, part-time and volunteers) participating in the administration of the testing program or providing supervision and oversight of test administration shall comply with the Administration Code for Kentucky's Educational Assessment Program.

Allegations surrounding the administration or the security of the state-required assessments that have been determined by the DAC to have not resulted in a student receiving a testing advantage or disadvantage or did not jeopardize the security of any state-required assessment shall not be filed with KDE for further investigation.

Allegations that need not be submitted to KDE are such things as, but not limited to:

- Students working ahead in a test booklet while proper monitoring was taking place, and no other student gained a testing advantage.
- Students responding in the wrong area of the answer document where appropriate practices were used to correct the answer document and the student did not gain a testing advantage.
- Students accessing cell phones for personal communication not related to testing and the student did not gain a testing advantage.
- Students with accommodations, but were not provided that accommodation.

For allegations that are not filed with KDE, a record of documentation of the district's findings or resolution must be kept on file and made available to KDE upon request. The documentation shall include a description of the allegation, explanation of how the allegation does not impact test scores or test security, a description of the actions taken to resolve the issue, and any disciplinary measures implemented by the district.

All other allegations where there is uncertainty regarding the seriousness or validity of the test scores or whether the student received a testing advantage shall be filed by following these steps:

STEP 1 An allegation of inappropriate testing practices received at KDE shall be referred to the Testing Allegations Coordinator.

STEP 2 KDE staff shall manage the process for investigating each allegation of inappropriate testing practice. In order to make an investigation possible, an allegation shall include at least the name of the school or school district and a specific allegation. An anonymous allegation of inappropriate testing practices shall be investigated where: (a) the allegation is submitted in writing or by phone call; (b) the specific name of the school is provided; (c) the names of individuals allegedly committing the inappropriate practices are provided; and (d) the allegation can be corroborated through an identifiable source or document other than the person making the anonymous allegation. Local school district personnel shall be expected to cooperate in the investigation process as requested.

STEP 3 The Testing Allegations Coordinator shall report all findings for each allegation to the Board of Review. This Board shall consist of members appointed by the Commissioner of Education representing various divisions within KDE or agencies outside the Department of Education.

STEP 4 The Board of Review shall review the findings and make a recommendation to the Commissioner of Education.

STEP 5 The Commissioner of Education shall make a final determination and then notify the school district superintendent of this determination. If one or more of the allegations is determined to be valid and warrants invalidation or change of scores, the Commissioner of Education shall direct department staff to make appropriate adjustments in a school's or district's scores.

If one or more of the allegations is determined to be valid and it appears that a school district employee is responsible for the wrongdoing, within 45 days of the date of notification by the Commissioner of Education to the school's district superintendent of the final determination or at the point which the local district superintendent has confirmed the wrongdoing by a certified staff member, whichever is earlier, the local district superintendent shall:

a.) report in writing to the Commissioner of Education whether or not disciplinary action was taken or considered necessary; and
b.) comply with his reporting responsibility to the Education Professional Standards Board pursuant to KRS 161.120.

The Commissioner or his designee shall also communicate findings of allegations investigations to the Education Professional Standards Board for their information and action.

If individual student, school or district scores are adjusted as a result of the Commissioner's final determination, the changes shall be reflected in the next scheduled score report release.

KDE may require schools with serious test security issues, as determined during the allegation process, to follow specific testing guidelines (e.g., two-person control of test booklets) during future test administration.

STEP 6 After the local district receives the letter from the Commissioner of the action to be taken by the Department, the school may challenge the action by appealing the next accountability classification it receives. This process is described in 703 KAR 5:240, Accountability Administrative Procedures and Guidelines.

Review of Secure Assessment Components by Parents and Persons not in the Employment of a Kentucky Public School District

Local districts shall not be required to allow reviews of secure materials. Parents and others outside the employment of a local public school district who have expressed an interest in reviewing the secure components of the state-required assessment can request a time to review materials at the KDE offices in Frankfort.

KDE may permit this review, based on the availability of appropriate staff to supervise the review activities and on the condition that the reviewer signs a nondisclosure form before reviewing test materials.

Proper Reporting of Student Data and Nonacademic Indicators

Student data and nonacademic indicators are reported publicly for schools and districts. Local districts shall be responsible for submitting this data as accurately as possible and are responsible for informing KDE of any known errors in the data reported. Reporting of incorrect data for the purpose of inaccurately affecting public reports shall be considered a violation of this Administration Code and shall be treated as described of this document.

Schools and districts shall follow guidance and direction provided by KDE on the release of data during the data review period. Releasing embargoed data without consent of KDE shall be considered a violation of this regulation.

Signature Page

TO BE SIGNED UPON COMPLETION OF TRAINING

District_____School_____

By signing, I acknowledge having received a copy of the Administration Code for Kentucky's Educational Assessment Program (703 KAR 5:080) and have participated in training for this regulation. I also agree to comply with the complete content of the regulation and understand that I will be held professionally accountable.

Administration Code
For
Kentucky's Educational Assessment Program
703 KAR 5:080

_____

Signature Date