

# **KENTUCKY DEPARTMENT OF EDUCATION**

## **STAFF NOTE**

### **Review Item:**

703 KAR 5:080, Administration Code for Kentucky's Educational Assessment Program (First Reading)

### **Applicable Statute or Regulation:**

KRS 158.6451, KRS 158.6453, 703 KAR 5:080

### **History/Background:**

*Existing Policy.* Senate Bill 1 (SB1), passed by the 2009 Kentucky General Assembly, established multiple assessment requirements and charged the Kentucky Board of Education (KBE) to create a new accountability system to classify districts and schools. With the guidance and approval of the KBE, the new accountability model, Unbridled Learning: College- and Career-Ready for All, offers a balanced approach organized around the KBE's four strategic priorities of next-generation learners, professionals, support systems and schools/districts.

As staff in the Office of Assessment and Accountability work on implementation of the new state-required assessments, test administration and security procedures are being examined. With the increased focus nationally on test security issues and cheating allegations, the Kentucky Department of Education contracted with Caveon to conduct a testing security audit. The results of the audit, information gleaned from KDE's testing allegation process and conversations with stakeholders have shaped the proposed revisions to this regulation.

The proposed changes are not sweeping in nature and fall into these categories:

- incorporate test security suggestions from Kentucky's security audit;
- clarify issues highlighted during the allegation process and in conversations with stakeholders; and
- make language and format improvements.

The specific changes in each of the categories are listed below.

### **Test Security Enhancements**

- Enhances wording on staff altering student answers and providing inappropriate assistance.
- Adds information regarding a student honor code and signature.
- Adds that the release of embargoed data constitutes a violation of the regulation.
- Adds that schools identified during the allegation process with serious test security problems may be required to follow specific testing guidelines including two-person control of test materials.
- Provides a process for minor allegations to be handled at the local district level.
- Adds language to the signature process regarding training.

## **Clarifications**

- Adds wording that the regulation applies to both pencil/paper and computer-based testing as well as optional tests administered by school staff where results are used in accountability.
- Prohibits moving students from one grade level to another in the student information system or falsifying student data for the purpose of accessing or avoiding testing.
- Provides more description of dedicated training time for the Administration Code.
- Clarifies use of electronic devices and Internet access during or after testing sessions.
- Adds requirement for seating charts for each testing session.
- Clarifies verbal reminders given by test administrators during testing sessions, including time warnings.

## **Language Improvements**

- Removes old terminology (i.e., open-response) and inserts updated terminology (i.e., constructed response).
- Removes inconsistencies in format and wording.
- Rearranges statements in the regulation into a more logical order.

## **Impact on Getting to Proficiency:**

The new accountability system establishes how schools/districts are held responsible for ensuring Kentucky's students are proficient and prepared for success. The revised regulation clarifies test administration and security procedures to ensure consistent test administration across the Commonwealth.

## **Groups Consulted and Brief Summary of Responses:**

The School Curriculum, Assessment and Accountability Council (SCAAC) reviewed the proposed regulation during its September meeting. The District Assessment Coordinators' Advisory Group as well as the Local Superintendents Advisory Council and other stakeholder groups will be discussing the proposed revisions. Any additional feedback that is received prior to the KBE October meeting will be shared at the meeting.

## **Contact Person:**

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**Commissioner of Education**

## **Date:**

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