

# Mineral County School District Test Security Plan 2018-2019

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## INTRODUCTION

Nevada Revised Statute 390.275 mandates that the Board of Trustees of each school district adopt and enforce a plan that sets forth procedures to ensure the security of state and district mandated examinations. In accordance with state requirements, this document outlines Mineral County School District's test security plan and procedures. This local plan is aligned with the Nevada Department of Education's *Security Procedures for the Nevada SBAC and EOC Testing mandates* and is applicable to all state and district mandated test administrations unless specified otherwise.

MCSD's test security plan is to be followed by all district employees that are associated in any manner with state and/or district assessment administrations.

The MCSD Board of Trustees delegates the responsibility for implementation of the *MCSD Test Security Plan* and the reporting of test irregularities to the district assessment coordinator.

Per NRS, a copy of this plan must be submitted for review to the State Board and the Legislative Committee on Education by September 1 of each year. In order to comply with this statute, the district will submit a copy of this plan, as written and approved by our own local board, to the state prior to September 1.

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## SECTION 1

### REPORTING AND INVESTIGATING TESTING IRREGULARITIES

In order to maintain the integrity and validity of state and district assessments, school officials<sup>1</sup> are required, and pupils and parents are encouraged, to report any suspected test administration or test security irregularities.

An irregularity in test administration is the failure to administer an examination in the manner intended by the person or entity that created the examination.

An irregularity in testing security is an act or omission that tends to corrupt or impair the security of an examination. Irregularities in testing security include such things as failing to comply with state and district security procedures or disclosing questions, or answers to questions, on an examination in a manner not otherwise approved by law. Test questions, approved answers, unreleased writing prompts, and answer documents containing student identifying information and/or responses are the confidential property of the NDE, and not public record. Disclosure is prohibited without written permission from the NDE. Testing irregularities may be committed by school officials, students, or any other parties involved in the testing process.

Nevada law specifically prohibits any school official from directly or indirectly using his or her official authority to influence a student, parent, or another school official in an effort to interfere with the disclosure of information concerning a testing irregularity.<sup>2</sup>

A person who willfully discloses untruthful information concerning testing irregularities may be guilty of a misdemeanor and subject to disciplinary action.

A teacher or administrator may be demoted, suspended, not re-employed, or his or her license suspended, for failure to observe and carry out state, school and/or district test security plans.

In the event of an alleged or suspected testing irregularity, the following sequence will be followed:

- The situation shall be immediately reported to the site principal.
- The site principal shall immediately notify the district assessment coordinator.
- The site principal shall complete an investigation of the situation and report the findings of the investigation to the district assessment coordinator via the NDE Report of Testing Irregularities. If such investigation should fail to support an irregularity has occurred, the investigation and reporting process may be discontinued with approval from the district assessment coordinator and/or superintendent.
- The district assessment coordinator shall report the breach to the appropriate district level administrators and the Nevada Department of Education's test security coordinator within

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<sup>1</sup> School Official is defined as a member of a board of trustees of a school district or a licensed or unlicensed person employed by the board of trustees of a school district.

<sup>2</sup> Nevada Revised Statutes (NRS) 390.350 through 390.430 provide for specific rights and responsibilities of school district personnel with regard to the disclosure of irregularities in testing administration and testing security relative to all state and district mandated examinations. A copy of these rights and responsibilities can be found in the attachments section of this document (Attachment A).



- 14 days after the incident occurred.
- Further steps will be followed as directed by Nevada law, specifically NRS 390.285.

Violations of the state, district, or site test security plan may also be reported directly to the:

- Board of Trustees of the Mineral County School District,
- District Assessment Coordinator, or
- Nevada Department of Education Assessment Coordinator, Carol Mason, 775-687-9260.

## **SECTION 2**

### **SECURITY OF TEST MATERIALS**

#### **Receipt and Distribution of Testing Materials – District Level**

##### **Online Assessments**

All preliminary work needed to set up state mandated online testing will be completed at the district level. The preliminary set up of such tests will include the validation of student test populations and demographic files. The district will also work with the technology department to ensure that all necessary software and network/internet connections are established to enable online testing at the sites.

Schools will be responsible for establishing test schedules that ensure that all students will have the opportunity to test on all assessments applicable to them within the state mandated test windows. The sites will also be responsible for documenting student participation on all tests and for providing make-up test administrations for students as needed.

##### **Pencil/Paper Assessments**

Testing materials provided by the Nevada Department of Education will be shipped directly to the Mineral County School District assessment coordinator or the site test coordinator. Upon arrival, the testing materials will be inventoried and kept in locked storage until they are to be distributed to sites.

The site principal or site test coordinator of each school participating in a state mandated administration will be responsible for ensuring the following information is gathered and utilized at the site for the test administration:

- the name, grade and student number of each student to participate in the administration by testing group<sup>3</sup>,
- special accommodations and/or modifications that may apply to each testing group,
- the name of the licensed employee that will administer the assessment to the testing group,
- the location of the test administration, and
- the administrator and site test coordinator overseeing the site administration.

This information will be used to create test rosters for each testing group. The site principal and/or site test coordinator will use the rosters to document the delivery and return of test booklets to each

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<sup>3</sup> Testing Group-The students selected to take the assessment together under the direction of the same test administrator.

test administrator each day of testing. This document will also be used to record the time a student begins and finishes a test.

Storage and Distribution of Testing Materials – Site Level - Only the site principal and/or site test coordinator will have access to the storage area/cabinet used for the storing of on-site test materials. The key to the storage area/cabinet will not be kept in a desk drawer or other readily accessible location. If the area/cabinet can be unlocked with a master key shared by persons other than the site principal or school test coordinator, the area/cabinet is not secure. Examination materials will not be removed from the secure area or distributed to test administrators until the prescribed date for test administration.

Upon the distribution of test booklets to test administrators, test rosters must be utilized to maintain written documentation of test quantity and serial numbers each time tests are distributed and returned. If a test is administered over a period of more than one day, the rosters will be used to check in and check out the tests for each day. Test administrators must account for all test booklets and other testing materials at the completion of each test administration. At the completion of testing for each day, all materials must be returned to the school test coordinator in a timely manner and not later than the end of the school day.

Within a reasonable amount of time, to be determined by the assessment coordinator with each administration, the site administrator and/or site test coordinator will return all testing materials and rosters to the district test coordinator.

All testing materials will be accounted for and verified by serial number if applicable upon return to the district test coordinator. The district test coordinator will then return all required test materials to the test vendors for scoring, secure disposal or storage.

The state and district recognize that the Nevada Alternate Assessment (NAA) requires variation in the handling of testing materials for that specific administration. Please see the NAA test coordinator/administrator manual for guidelines specific to this administration.

### **SECTION 3**

#### **CONSISTENCY OF TEST ADMINISTRATIONS**

Members of the Board of Trustees, the superintendent, school administrators, teachers, and other appropriate school personnel are responsible together for effectively implementing the state and district mandated testing program.

In support of this collective effort, administrators and site test coordinators will annually attend the test security training offered at the beginning of each school year by the Nevada Department of Education.



Each school principal will annually certify in writing, via the NDE's *Authorization to Administer Tests* form, that the testing expectations of the district and the state will be met at the school level. The original document will be submitted to NDE electronically and a copy will be kept at the school site and the assessment office.

Prior to the first state mandated test administration, all staff and substitutes that may be affiliated in any manner with the administration of any state and/or district mandated testing will attend a district test security training. Each person that is required to attend such training will annually acknowledge in writing that s/he has received, read and understands the *MCSD Test Security Plan*. The original of this acknowledgement form will be stored in a locked, secured cabinet at each school/program site. In addition, each site will forward a copy of the group sign-in sheet(s) and the individual test security acknowledgement forms to the district assessment office. These documents will be kept for three years.

Topics to be included, but not limited to, in test security trainings will be:

- Instruction in proper handling of test materials (before, during and after testing)
- Instructions on proper identification via photo ID or personally known and documentation of identification on testing rosters (secondary only)
- Instructions in proper test administration and test preparation
  - Knowledge/disclosure of actual test content is prohibited
  - Examination booklets or writing tests must NOT be copied or circulated
  - Administration of a state mandated examination to an ineligible student is unauthorized disclosure of testing material
- Security procedures
- Information regarding protection of school district personnel with regard to the disclosure of testing irregularities.
- Conditions related to testing as stated in NRS 391.312 and NRS 391.330 under which a school official, teacher or administrator may be demoted, suspended, dismissed or not reemployed.
- Disciplinary actions to be taken against a student found guilty of test irregularity as defined in *MCSD Code of Conduct: Student Discipline*.
- Each individual who is involved with the administration of NPEP examinations will acknowledge in writing through signature of attendance that he/she has participated in the test security training and:
  - Has read and understands all information provided by the school district related to proper test security and test administration.
  - Understands the potential consequences for failure to observe and carry out the requirements of the state and district test security plans.
  - Understands the potential consequences for failure to comply with the state and district test security plans.

Test administrators will be accountable for verifying the identities of students who are assessed. At the secondary level, if a student is not personally known by the test administrator, the student will be identified by photo identification tags printed from the school's student information system, PowerSchool. If this identification is not available, the student must provide a photo identification

card to validate his/her identity or a staff member that can personally identify the student must be located.

## **SECTION 4**

### **SITE TEST SECURITY PLANS**

Each school will annually develop and implement a school test security plan that will be kept on file at the school site. A copy of the annual plan for the current school year will be sent to the district testing director no later than October 15. The school plan must be consistent with the procedures outlined in the state and district plans and must include, but is not limited to, the following:

- Site-specific provision for locked storage and access
- The manner in which test materials will be distributed, collected, and returned
- The names and titles of the individuals responsible for carrying out the procedures
- Procedures for handling students who require additional time for testing
- Procedures to ensure compliance with testing accommodation plans



## Protection of School District Personnel

### Regarding the Disclosure of Testing Irregularities

Nevada Revised Statutes (NRS) 391.600 through 391.648 provide for specific rights and responsibilities of school district personnel with regard to the disclosure of irregularities in testing administration and testing security relative to all state and district-mandated examinations. NRS 391.644 also requires the Department to annually submit a written summary of these rights and responsibilities to the board of trustees of each school district and to the governing body of each charter school.

#### Definitions

- **“Examination”** means achievement and proficiency examinations that are administered to pupils pursuant to 389.550, 389.805, and 389.807, and includes the following:
  - English Language Arts (ELA), mathematics, and science assessments in grades 3 – 8
  - High School Proficiency Examinations in Reading, Mathematics, Science (including grade 10), and Writing
  - End-of-Course Examinations
  - College and Career Readiness Assessment
  - Any other examinations that measure achievement and proficiency of pupils and which are administered to pupils on a district-wide basis
- **“Irregularity in testing administration”** means the failure to administer an examination in the manner intended by the person or entity that created the examination.
- **“Irregularity in testing security”** means an act or omission that tends to corrupt or impair the security of an examination, including, without limitation:
  - The failure to comply with the department or district security procedures.
  - The disclosure of questions or answers to questions on an examination in a manner not otherwise approved by law.
  - Other breaches in the security or confidentiality of the questions or answers to questions on an examination.
- **“Reprisal or retaliatory action”** is action that is taken because the school official disclosed information concerning testing irregularities and includes, without limitation:
  - Frequent or undesirable changes in the location of an office;
  - Frequent or undesirable transfers or reassignments;
  - The issuance of letters of reprimand, letters of admonition or evaluations of poor performance;
  - A demotion;
  - A reduction in pay;
  - The denial of a promotion;
  - A suspension;

- A dismissal;
  - A transfer; or
  - Frequent changes in working hours or workdays.
- “School official” means:
  - A member of a board of trustees of a school district;
  - A member of a governing body of a charter school; or
  - A licensed or unlicensed person employed by the board of trustees of a school district or the governing body of a charter school.

### **Rights and Responsibilities**

- School officials are encouraged to disclose testing irregularities, and it is the intent of the legislature to protect the rights of a school official who makes such a disclosure.
- A school official shall not directly or indirectly use or attempt to use his official authority or influence to intimidate, threaten, coerce, command, or influence another school official in an effort to interfere with or prevent the disclosure of information concerning testing irregularities. “Official authority or influence” includes taking, directing others to take, recommending, processing, or approving any personnel action such as an appointment, promotion, transfer, assignment, reassignment, reinstatement, restoration, reemployment, evaluation, or other disciplinary action.
- If reprisal or retaliatory action is taken against a school official who discloses information concerning testing irregularities within 2 years after the information is disclosed, the school official may file a written appeal with the state board for a hearing on the matter and determination of whether the action taken was a reprisal or retaliatory action. The written appeal must be accompanied by a statement that specifies:
  - The facts and circumstances leading to the disclosure of information concerning testing irregularities; and
  - The reprisal or retaliatory action that is alleged to have been taken against the school official.
- The state board may issue a subpoena to compel the attendance or testimony of any witness or the production of any materials needed as part of the appeal investigation.
- If the state board determines that the action taken was a reprisal or retaliatory action, it may issue an order directing the proper person to desist and refrain from engaging in such action.
- The state board may not rule against the school official based on the identity of the person or persons to whom the information concerning testing irregularities was disclosed.
- No school official may use the provisions outlined in this summary to harass another school official.
- A person who willfully discloses untruthful information concerning testing irregularities:
  - Is guilty of a misdemeanor; and
  - Is subject to appropriate disciplinary action.
- These provisions do not apply to offenses committed before July 1, 2001.



- If the school official bringing the written appeal before the State Board fails to appear at the scheduled hearing and has not provided a valid excuse for the failure, State Board President may vacate the hearing with prejudice. The failure to appear shall be noted in the official transcript of the hearing.
- The Board President may but is not required to grant a continuance of the hearing to enable a party to submit additional proof of any fact.
- Statements, evidence and arguments are normally received in the following order, but the Board President may modify the order in his or her sole discretion:
  1. Opening statement school official bringing the written appeal before the State Board.
  2. Opening statement by the entity or school official accused of reprisal or retaliatory action.
  3. Evidence by school official bringing the written appeal before the State Board.
  4. Evidence by the entity or school official accused of reprisal or retaliatory action.
  5. Rebuttal evidence by school official bringing the written appeal before the State Board.
  6. Closing argument by school official bringing the written appeal before the State Board.
  7. Closing argument by the entity or school official accused of reprisal or retaliatory action.
  8. Rebuttal argument by the school official bringing the written appeal before the State Board.
- Arguments and evidence may be limited by the Board President in the event the evidence being presented is duplicative or irrelevant.
- The school official bringing the written appeal before the State Board has the burden of proving by a preponderance of the evidence that that the action taken was reprisal or retaliatory.
- At the close of the hearing the Board may discuss whether sufficient evidence was presented to establish that the action taken was a reprisal or retaliatory. After discussion the State Board shall vote and shall vote to determine whether sufficient evidence was presented to establish that the action taken was a reprisal or retaliatory. If the State Board determines that the action taken was reprisal or retaliatory, it may issue an order directing the proper person to desist and refrain from engaging in such action.