

**Pershing County School District  
Test Security Plan 2018-2019**

**INTRODUCTION**

**\*Strict adherence to procedures protects the integrity of the State testing program, and ensures consistency in test administration, security of test materials, and the validity of scores.**

Consistency in test administration and concerns regarding test security resulted in passage of Assembly Bill 214 which mandates the creation and implementation of detailed state and district test security plans and investigation procedures. In accordance with NRS 390.275, Pershing County School District submits this District Test Security Plan and will ensure the security of all state and district-mandated tests.. This local plan is aligned with the Nevada Department of Education’s Test Security Manual dated 2018-201 and refers to policies and procedures in place at the state level. The PCSD Test Security Manual can be viewed at the PCSD office at 1150 Elmhurst St., Lovelock, NV 89419.

District and/or department assessment personnel may conduct unannounced on-site observations or audits to verify implementation of the school test security plans.

**REPORTING AND INVESTIGATING TESTING IRREGULARITIES**

Irregularities in testing administration and testing security are defined as:

- **“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 NDE or PCSD 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 on an examination.
- If a school official or any other person has reason to believe that a violation of the Pershing County School District test security plan may have occurred, he/she is encouraged to report the violation to the school principal. Furthermore, it is the intent of the Nevada State Legislature to protect the rights of a school employee who makes such a disclosure. If a reprisal or retaliatory action is taken against a school official making such a claim, that school official will have legal recourse.
- After having received a report of test security violation, the principal or other school official must then immediately report the violation in writing to the board of trustees of the school district or its designee, Mr. Russell Fecht, Superintendent.
- Evidence of testing irregularities will be retained for three years
- The district test director must submit all investigative findings to the department test security coordinator, even if the district determines at the conclusion of the investigation that an irregularity did not occur.
- A school official or any other person who is aware of a violation in the district test security plan may also report the violation directly to the:
  - Board of Trustees of the Pershing County School District  
1150 Elmhurst St.  
Lovelock, NV 89419  
(775) 273-7819

- Pershing County School District Test Director, Sandy Condie  
Pershing County High School  
Lovelock NV 89419  
(775) 273-2625

[scondie@pershing.k12.nv.us](mailto:scondie@pershing.k12.nv.us)

- Nevada Department of Education  
Carol Mason, Test Security Coordinator  
700 E. Fifth Street  
Carson City, NV 89701  
775-687-9260 (phone)  
775-687-9118 (fax)  
*cmason@doe.nv.gov*

- If the Pershing County Board of Trustees or its designee, the Superintendent, has reason to believe that a violation of the district test security plan has occurred, and that the violation has also resulted in an irregularity in test administration for a state-mandated test, the PCSD Board of Trustees or its designee, the Superintendent must:
  - Immediately report the incident to the Nevada Department of Education orally and/or in writing. The original Report of Test Irregularity (found in the Nevada Document of Appendices for 2018-2019) is to be filed with the at the Nevada Department of Education, 700 East Fifth Street, Carson City, NV 89701 within 14 days after the incident occurred.
  - Begin an investigation of the incident in accordance with AB 214, section 5, including the issuance of a subpoena, as needed, to compel attendance or testimony of witnesses or the production of relevant materials. A refusal to provide testimony or relevant materials may result in referral to the district court. Failure to comply with these requests with the district court will be deemed contempt of court.

Further:

- The school principal, PCSD Test Director, or other school official involved in the reported test irregularity will comply with all Nevada Department of Education requests including submitting additional information to NDE reviewers and/or formulating and submitting a Corrective Action Plan, if requested.

### **“Whistle-Blower” Protection**

During the 2001 Legislative Session, A.B. 214 was created to address test security issues. This bill also offers “whistle-blower protection” for a student or employee who comes forward to report a breach in test security. **All** school district employees or “others” must disclose their knowledge of any alleged test irregularities. It is the intent of the State Legislature, as well as the District, to protect the rights of a school district employee who makes such disclosure. This protection will apply to both state-required and district assessments.

If reprisal or retaliatory action is taken against a school employee who discloses information concerning testing irregularities within two years after the information is disclosed, the school employee may file a written appeal with the State Board for a hearing on the matter and determination of whether the action was a reprisal or retaliatory action. A written appeal must include the following information:

- 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 employee.

If the State Board determines that the action was a reprisal or retaliatory action, it may issue an order directing the proper person to desist and refrain from engaging in such action. If, however, a person willfully discloses untruthful information concerning testing irregularities, s/he is guilty of a misdemeanor and is subject to appropriate disciplinary action.

## **SECURITY OF TEST MATERIALS**

- Test tickets are secure documents and must be stored, distributed, and collected according to test security procedures. Under no circumstances may student-identifying information printed on the tickets be distributed via email or any other non-secure method.
- Test tickets must be collected when students complete a part of a test, and redistributed for administration of the second part.
- All documents containing student-identifying information, responses, or test content must be stored securely and must not be accessible to anyone other than the principal or school test coordinator (or other designated individuals who require access).
- Secure testing materials, including test tickets, are not to be distributed to test administrators until the prescribed date for test administration. **EXCEPTION:** materials for the Nevada Alternate Assessment (NAA) may be distributed, then securely stored prior to the test date, provided it is **NOT** a violation of the test security plan.

If a fire drill or any emergency situation requiring evacuation of the school occurs during the administration of a state-mandated test, the testing area must be locked after the last student has exited to keep testing materials secure.

Only the site principal or school 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. The locked area/file cabinet used for the storage of materials must not be used for the storage of other materials. 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.

Each school participating in state assessments will produce a school test security plan that will be kept on file at the school sight. These plans are not submitted to the department of education. The school plan must be consistent with the procedures outlined in the district plan and must include, but are not limited to:

- a. Site-specific provision for locked storage and access.
- b. The manner in which materials will be distributed, collected and returned.
- c. The names and titles of the individuals responsible for carrying out the procedures.
- d. Procedures for handling students who require additional time for testing
- e. Certification that computers are prepared for online testing.

Upon any distribution of test booklets and writing prompts, written documentation must be maintained indicating the quantity and serial numbers (when applicable) of the materials being distributed, including confirmation of receipt of those materials. This includes distribution to and from the PCSD Test Director, as well as between the school test coordinators and the classroom test administrators. The attached forms used for these distributions are called Pershing County School District Test Delivery Verification Forms.

Once delivery at the school site is accomplished and the test materials verified, the appropriate form will be signed and a copy retained by the District Test Director. The original will be left on site to be used as a check-in/out form for the School Test Coordinator when assigning test materials to the Classroom Test Administrators. If a test is administered over a period of more than one day, the form will be used to check in and check out the tests for each day. All classroom test administrators must:

- a. Maintain a log identifying the serial number of the test booklet assigned to each student in the classroom
- b. Account for all test booklets (including those not distributed to students for testing), writing prompts, student responses, and other testing materials, including scratch paper, before student are allowed to leave the room for any reason.
- c. Place test booklets in serial number order before returning to the school test director.
- d. Test tickets for online assessments are secure documents and must be distributed according to test security procedures.

On completion of testing, all materials are to be returned to the School Test Coordinator in a timely manner and not later than the end of the school day on which the test(s) is/are administered. For materials shipped directly from the school site, the school test coordinator will check in and secure answer documents, test booklets and other secure materials. If the materials are to be shipped from the district office, the **original** PCSD Test Delivery Verification Form will be used to return all test materials to the office at the end of the testing period. All materials will be counted, verified and the original form will be signed and retained by the District Test Director. Upon completion of testing, the materials that are not returned to the test vendors will be collated, boxed and retained in secure storage maintained by the District Test Director.

At the secondary level each test will be individually assigned to the student and the Classroom Test Administrator will personally verify each student's identity by 1) personal knowledge or 2) photo identification. The Classroom Test Administrator will indicate on the PCSD Secondary Test Delivery Verification Form which method of verification was used for each student.

## **CONSISTENCY OF TEST ADMINISTRATION**

A high level of consistency in test administration in Pershing County School District will be maintained with mandated training. Test administration and security training will take place each fall before testing commences. Key staff members will attend the Test Security trainings offered by N.D.E. in September 2018. The remaining test administration staff will attend a district training to be held at the school sites. PCSD Site Administrators, School Test Coordinators, and classroom Test Administrators will attend this training. Some of the topics to be covered will include:

- Examinations must be administered by licensed employees of the district. Unlicensed personnel, substitute teachers, emergency substitute teachers, student teachers, and parent or community volunteers may act as proctors and not as test administrators. **EXCEPTION:** qualified paraprofessionals who have certified on the WIDA website ([www.wida.us](http://www.wida.us)) for the appropriate assessments may administer the speaking (all grades) and Kindergarten portions of the ELPA. Administration must occur under the direct supervision of assigned, licensed personnel who are trained in the 2018-2019 test security and administration procedures.
- Test administrators, proctors, or other adults may not provide assistance of any kind (including gestures, signals, rewards, or any other form of communication) beyond making certain that students understand the instructions for taking the test.
- Photographing, recording, or transmitting any part of a test or testing session is **PROHIBITED** unless the activity is required for the administration of the NAA.
- Instruction in proper handling of test materials (before, during and after testing)

- Instructions in proper test administration and test preparation. Security procedures. *Confidentiality agreements will be signed prior to test administration.*
- 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 PCSD Administrative Regulations.
- The use of all electronic devices (calculators, cell phones, PDA's, etc), other than approved calculators as stipulated in IEP's, is prohibited, or if an online assessment requires a specific device. Any student possessing these devices during the testing periods will be dismissed from the testing room, the tests will be invalidated, and the student will be subject to appropriate disciplinary action.
- Examinations are to be administered in English. See the designated supports for each specific assessment regarding glossaries and translated directions.
- Place-value indicators, number lines, charts, posters, or any materials that provide specific factual information or guidance must be removed or covered with blank, opaque material.
- Scratch paper may only be plain unlined, lined, or grid-only graphing paper.
- The use of highlighters is permissible as long as their use is part of normal instruction.
- Other accommodations will be provided in accordance with students' testing accommodation plans.
- A parent or guardian of a student who is participating in a specific test must not be present in the testing room.
- Students participating in the Nevada Alternate Assessment (NAA) may take as many breaks as necessary and may resume testing on another day (within the prescribed testing window).
- Nevada Formative Writing Tools, ELPA, and CTE Assessments are timed tests for students who are not testing with accommodations. See the specific testing accommodation forms for information regarding additional time for these assessments.
- Test items may not be translated into another language. The translation of ANYTHING regarding the tests is prohibited.
- Bilingual dictionaries for LEP students testing with accommodations: are permissible for math and science for the CRT and HSPE; are not permissible on the 8<sup>th</sup> grade writing assessment; and are not permissible on any reading test (all grades)
- The former *Procedures for the Nevada Proficiency Examination Program* manual will become *Test Security Procedures for the Nevada Proficiency Examination Program*, and will address participation requirements, assessment terms and definitions, test security and general administration procedures, and testing students with special needs. Other chapters included in the past will be posted on the NDE website, as they are informational, not procedural, documents.
- Any previous references to the NDE Office of Assessment, Program Accountability, and Curriculum will be the Office of Assessment and Data Accountability Management.
- The Authorization to administer form now includes the Assistant Principal. At this time, our district does not have any assistant principal positions.
- References to NV Formative Writing Tools will be removed.
- CRT will be referred to as "ELA, math, and science assessments in grades 3 through 8." These are now SBAC or Smarter Balanced assessments.
- Calculator restriction will be changed to include use as a universal tool, not an accommodation (except for specialized devices—talking calculators, Braille calculators), but will STILL have a prohibition against programmable and graphing features.
- We are adding a "no appeals" reminder for invalidations resulting from student cheating/misconduct.

- All individuals present in the testing room (students, licensed and unlicensed personnel, and any unauthorized individuals who may have entered the room) must be documented. This could include the teacher attached to test sessions for online testing.
- We are now requiring a 3-year retention period for test security documentation. This includes school test security plans, training logs, irregularity reports, and evidence from investigations.
- If a school has a video surveillance system, the school must retain footage from the time test materials arrive until the time materials leave the school. Footage must be retained for 3 years.
- 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 (in the event a test director or other district official is conducting an investigation), or in the case of retaining copies of high school writing responses to allow for remediation.
- Documents related to test security investigations are confidential and may not be released to the public.
- Students are only permitted to complete a test one time at a school during a test administration window. Online test administration manuals include information for unlocking and resetting guidelines.
- **Unlocking Performance Tasks**—online Performance Tasks lock down (expire) each night, or after 20 minutes of inactivity, or when a student submits a test for scoring. Unlocking a test allows a student to access a test that has expired or has already been submitted.
  - If an *expired* test is unlocked, the test will reopen at the location at which the student stopped testing. The student will be able to review items within the current segment of the test, but cannot return to previous segments.
  - If a *submitted* test is unlocked, the test will reopen at the last page of the test.
  - For **interruptions** in testing occurring for more than 20 minutes, the NDE grants permission to district test directors or their designees to unlock tests for the following:
    - A student has completed 5 or fewer responses, and is unable to complete a test due to a technological difficulty that results in the expiration of the test (**must** be reported as a testing irregularity).
    - A student has completed 5 or fewer responses, and is unable to complete a test before it expires due to a sudden illness or unanticipated school closure/evacuation (**must** be reported as a testing irregularity).
  - For instances of **human error, when discovered on the day of testing**, the NDE grants permission to district test directors or their designees to unlock tests if:
    - A student begins a part of the test unintentionally. The student should stop the test as soon as the error is noticed and should be directed to log in to the appropriate test part. The district test director or their designee may unlock the test part that was begun erroneously prior to administration of that part if the student had completed 5 or fewer responses (**must** be reported as a testing irregularity).
    - A student has completed 5 or fewer responses, and unintentionally submits a Performance Task—if the incident is reported **immediately** and the test is unlocked and completed the same day (**not** reported as a testing irregularity).
  - In certain circumstances, unlocking a test will not correct a situation. District test directors or their designees must obtain permission from the NDE to have DRC **regenerate** the test ticket for the following:
    - A student begins testing using another student’s test ticket or log in information, and has completed 5 or fewer responses (**must** be reported as a testing irregularity).

- A student begins testing without having an accommodation or designated support activated, and has completed 5 or fewer responses (**must** be reported as a testing irregularity).
- The testing computer must be secured and monitored throughout the testing session.

### **Testing Homebound Students**

Schools must obtain written permission from their **district test director** for homebound test administration, and must adhere to the following procedures:

- Tests must be administered in accordance with NDE test security procedures.
- A licensed Nevada educator who has received training in test security and administration for the current school year must administer the tests.
- Materials must be transported securely to and from the student's home.
- The test administrator is responsible for all activities in the testing environment.
- If the student's IEP or 504 testing accommodations require the test administrator or ASL interpreter to read or sign test content, or transcribe responses, that individual must sign a Confidentiality Agreement prior to testing (template available to district test directors at Bighorn > Files > Assessment Group).
- All individuals present in the testing environment must be documented.
- Individuals who are not participating in test administration or providing medical care are **NOT** permitted in the testing environment.
- Medical caregivers required to be present must sign a Confidentiality Agreement prior to testing, and are **NOT** permitted to assist with test administration.

**Training Requirements:**

All personnel involved in test administration will attend a yearly training and will sign a Verification of Training statement.

District test directors must certify that all school test coordinators and appropriate district personnel have participated in the department's program of training. The department may request proof of training as part of the investigative process.

**EXAMPLE**  
**Pershing County School District**  
**Elementary**  
**Test Delivery Verification Form**  
**September 2018**

SCHOOL: \_\_\_\_\_

GRADE: FIFTH

DATE: \_\_\_\_\_

Test #	Student Assigned	Out	IN	Out	IN	Out	IN
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

I verify **delivery** of the above referenced tests: Signature School Test Coordinator/Date

I verify **return** of the above referenced tests: \_\_\_\_\_  
 Signature District Test Director/Date

**Pershing County School District  
Verification of AB 214 Mandatory Staff Training**

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Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Site: \_\_\_\_\_

I verify that I have received training in Pershing County School District's Test Security procedures and practices.

- This training included:
  - use of required forms to maintain security
  - definition of secure area
  - what constitutes a breach of security
  - penalties for each person who willfully breaches security
  - consistency in test administration
  - my responsibility in the testing procedure

I further verify that I have received a copy or have access to the PCSD Test Security plan.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

This signed form is to be submitted to the Test Director's office-- BEFORE test administration

**Pershing County School District  
Sample Secondary  
Test Delivery Verification**

Test: \_\_\_\_\_ Test Form: \_\_\_\_\_

Grade: \_\_\_\_\_ Classroom Test Administrator Signature: \_\_\_\_\_

Date of Test Administration: \_\_\_\_\_ School: \_\_\_\_\_

	Test Number	Student Signature	Recognition	Picture ID	Test Out	Test In
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						

I verify delivery of the above referenced tests: \_\_\_\_\_  
Signature of school official

I verify return of the above referenced tests: \_\_\_\_\_  
Signature of school official

PERSHING COUNTY SCHOOL DISTRICT  
P.O. Box 389  
1150 Elmhurst Ave.  
Lovelock, Nevada 89419  
(775) 273-7819

Pershing County School District Employees and Parents:

Consistency in test administration and concerns regarding test security were a topic of concern during the 2003 Legislature. As a result, all schools are required to develop a Test Security Plan that is submitted to the Nevada Department of Education and to the Legislature. Enclosed you will find a summary of our plan.

Please be assured that the requirement for this plan is not a result of security problems with Pershing County School District. All school districts in Nevada are preparing security plans and sending notices like this one to parents and employees. We have always taken test security and administration very seriously, and will continue to do so.

If you have any questions regarding the Pershing County School District Test Security Plan, contact your school administrator.

Sincerely,

Sandy Condie  
District Test Director

## A Summary of the Pershing County School District Test Security Plan

The Nevada Legislature has passed legislation that requires all local school districts to develop a Test Security Plan. This plan is submitted to the Nevada Department of Education and to the Legislature. The following is a summary of PCSD's Test Security Plan.

- Anyone who has reason to believe that a violation of the Test Security Plan may have occurred is encouraged to report the violation to the school principal, school test coordinator, or to the district test coordinator. The school receiving the report will then report the violation to Mr. Russell Fecht, Superintendent.
- It is the intent of the Legislature to protect the rights of a school employee who makes such a disclosure. There is legal recourse for reprisal or retaliatory action.
- If the Pershing County Board of Trustees, or the Superintendent has reason to believe that a violation has occurred, and that violation has resulted in an irregularity in test administration or security, the superintendent will report the incident to the Nevada Department of Education within 14 days, and begin an investigation of the incident. The school district will comply with all Nevada Department of Education requests, including a Corrective Action Plan, if requested.
- Test security procedures will be followed with regard to test materials. Test materials will be locked in storage cabinets when not in use and a strict accounting of test materials will accompany the use of all tests. This includes test tickets for online testing.
- In the event of a fire drill or other emergency that requires the evacuation of the classroom during testing, the room will be secured after the last student has exited to keep test materials secure.
- The consistency of test administration will be maintained. All staff involved in the administration of the tests will receive instruction in proper handling of test materials, test security and in test administration. Conditions under which a school official, teacher, or employee may be demoted, suspended or dismissed will be included in training.
- The use of all electronic devices (calculators, cell phones, PDA's, etc), other than approved calculators as stipulated in IEP's, is prohibited. Any student possessing these devices or any testing materials not provided to them by the school during the testing periods will be dismissed from the testing room, the tests will be invalidated, and the student will be subject to appropriate disciplinary action.

## **An Appropriate Testing Environment**

### **In developing this document, the following rationale was used:**

All students should have the opportunity to test under the same conditions. Students should demonstrate that they can transfer the knowledge and skill learned during regular classroom instruction to the testing situation, and apply the knowledge and skills to the task of answering developmentally appropriate questions in the content areas defined by the standards.

### **The following test administration guidelines must be followed:**

- Number lines, charts, or posters that provide specific factual information that could assist students in computation, answering questions regarding facts, problem solving on the math sections of an assessment (e.g., multiplication charts, hundreds charts, fraction-decimal-percent equivalency charts), and test-taking strategies must be removed or covered. Posters or other materials that provide specific guidance to students taking a state writing assessment must be removed or covered (e.g., graphic organizers, annotated samples of essays or paragraphs, or sample introductory and concluding techniques).
- Material on desks is not allowed. Student desktops must be covered or cleared of any material.
- Students may use **only** materials and/or supplies that are specified in the test administration manuals or provided with the test booklet for a specific test and grade level, or as otherwise approved by an IEP committee.
- Students may not have access to personal materials, including electronic devices, during testing unless specified in the student's IEP.
- Test administrators may provide students with blank scratch paper during the test (college or wide ruled, lined or plain). Graphing paper is allowed on math and science tests only, and must be a generic grid. All scratch paper must be blank on the front and back, free of pre-printed material that might guide students through an organizational process.
- Prior to and during testing, a test administrator must follow the script provided in the test administrator's manual and cannot provide additional assistance or direct the students' attention to any materials in the room for the purpose of enhancing test performance.
- Test administrators or proctors who are required to read test content to students as provided in their testing accommodation forms must complete a "Confidentiality Agreement Form" prior to test administration.
- Test items may not be translated into another language with the exception: directions located at the beginning of the test may be translated.
- Bilingual dictionaries for LEP students testing with accommodations: are permissible for math and science for the CRT and HSPE; are not permissible on the 8<sup>th</sup> grade writing assessment; and are not permissible on any reading test (all grades)
- Security threats to online test administration (test security and administration training in January, 2017, and every subsequent year, will address online proctoring standards):
  - CHEATING THREATS:
    - Colluding with others
    - Using cheating aids
    - Using a proxy test taker
    - Copying answers from other test takers

- STEALING THREATS:
  - Capturing content by digital photography devices
  - Transcribing questions verbally (on paper or recording device)

**The following guidelines will be adhered to for additional time, breaks, and students who finish early:**

- For the CRT, the end of course (EOC), and science assessments, NDE has established the following guidelines for additional time, breaks, and students who finish testing early:
- Breaks during the scheduled testing period are discouraged unless absolutely necessary. Breaks should **not** be given during a scheduled testing period except in the event of an emergency.
- Online testing allows 20 minutes before the test session is locked.
- Students who may not finish their parts or sessions of the CRT (including performance tasks), or the science assessment during the scheduled testing period must be given additional time as long as they are working productively.
- Students who finish an assessment before the end of the scheduled testing period may be excused according to school test security procedures. For the CRT, students may bring books or other reading materials to occupy their time if they finish early.

**The following aids have been developed for the purpose of providing appropriate assistance to students and are permitted for use with the CRTs in reading, math, and science:**

- The online assessments include designated supports for all students. The EOC assessments include a formula sheet for each part of the test.

**The following scoring guides may be displayed on the walls during the writing assessments, but may not be provided to students for use during the test:**

- Word walls or word lists without definitions, visual aids (including color coding), or labels

For information regarding the assessment of students with special needs, please refer to the “Students with Special Needs” section in *Guidelines for the Nevada Proficiency Examination Program: 2018-2019*

## APPENDIX

### Protection of School District Personnel: **Regarding the Disclosure of Testing Irregularities** 2018-2019 SCHOOL YEAR

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 examination. NRS 390.425 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) and mathematics in grades 3-8
  - Science assessments in grades 5, 8, and 10
  - End-of-Course Examinations
  - College and Career Readiness Assessments (CCR)
  - NWEA Reading Assessment in grades K-3 (Measure of Academic Progress: MAP)
  - Any other examinations that measure achievement and proficiency of pupils and which are administered to pupils on a district-wide basis. Currently, this includes Measures of Academic Progress (MAP) assessments in grades K-10 in Pershing County.
- **“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
  - 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
  - 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
- Upon receipt of this summary, the board of trustees or governing body shall provide a copy of the written summary to all school officials within the school district or charter school.
- **“District Test Director”** is appointed by the school district superintendent and refers to the individual who represents an individual school district on all matters of testing, including, but not limited to, the following:
  - Serving as a liaison between the local school district and the Nevada Department of Education
  - Assisting the local board of trustees in the development of a district test security plan
  - Organizing the district testing calendar
  - Ensuring that school principals and school test coordinators are adequately trained and informed of all relevant test administration guidelines and procedures
  - Disseminating and collecting testing materials
- **“School Test Coordinator”** or **“Test Coordinator”** is the school principal or a licensed individual appointed by the school principal and refers to the person who represents the school on all matters of testing that may include, but are not limited to, the following:

- Assisting the school principal by serving as a liaison between the school and the district test director
- Assisting the school principal in the development of school test administration procedures
- Assisting the school principal in providing annual training for school officials involved in test administration
- Assisting the school principal in organizing the test schedule
- Assisting the school principal in the dissemination and collection of test materials
- Assisting the school principal in assigning school officials to administer or proctor the assessments

**Although school principals may delegate testing responsibilities to a school test coordinator, the school principal assumes final responsibility for the proper training and administration of all state-mandated testing.**

- **“Classroom Test Administrator”** or **“Test Administrator”** is assigned by the school principal or school test coordinator and refers to a school official whose responsibilities may include, but are not limited to, the following:
  - Administering the assessment to an assigned group of students in accordance with all test security and test administration procedures
  - Assuming primary responsibility for the verification of the identity and eligibility of each student participating in the assessment (in accordance with procedures outlined in the district test security plan)
  - Assuming primary responsibility for the dissemination and collection of each student’s test materials
  - Assuming primary responsibility for the supervision of students during their participation in the assessment
  - Ensuring that students are taking the assessment in accordance with test security and test administration procedures
  - Following up on unusual behavior or activity on the part of the students
  - Assuming primary responsibility for ensuring that applicable time limits are being adhered to
- **“Classroom Proctor”** or **“Proctor”** is assigned by the school principal or school test coordinator and refers to a school official whose responsibilities may include, but are not limited to, the following:
  - Assisting the classroom test administrator in supervising students during their participation in the assessment
  - Ensuring that students are taking the assessment in the manner in which they were instructed by the classroom test administrator
  - Immediately notifying the classroom test administrator of any unusual behavior or activity on the part of students
  - Assisting the classroom test administrator in the dissemination and/or collection of test materials
  - Assisting the classroom test administrator in ensuring that applicable time limits are being adhered to