

## SECTION THREE

### RATING EXAMINATION PAPERS, RECORDING SCORES, AND PROVIDING ACADEMIC INTERVENTION SERVICES

#### Rating Exam Papers

##### General Information

The principal is responsible for establishing rating procedures that will ensure reasonable confidence in the accuracy of the scores assigned to the answer papers by individual teachers or by committees of teachers. The principal is responsible for the rating of all answer papers written in the school, including papers written by persons admitted to exams in subjects not regularly taught in the school, papers written by persons not enrolled in the school, papers written by students taking the alternative language editions of exams, and papers written in braille.

To maintain uniform rating standards, all teachers involved in rating State exams must be thoroughly familiar with the rating instructions provided by the Department. Each exam has a scoring key for multiple-choice questions and guidelines for rating the open-ended questions.

The teachers rating each answer paper must write their name or initials clearly on the answer paper or scoring record, as required. Teachers must rate strictly according to the scoring materials provided by the Department. They may allow credit for other answers to open-ended questions only if those answers are clearly equivalent to that indicated in the scoring material. A teacher may not give credit for answers that the teacher considers merely “possible” or “reasonable.”

As soon as the testing of each exam is completed, the principal must arrange for the collection and secure storage of **all** used and unused restricted test books (regular, large-type, and braille) and all used answer sheets. Used answer sheets must not be left unattended and must not pass from the custody of the teacher during scoring. Except when answer papers are being scored in cooperation with another school, answer papers must not be removed from the school building until the rating has been completed and the test scores have been recorded on each student’s permanent record. When the papers are being scored in cooperation with another school, it remains the principal’s responsibility to ensure the security of the answer papers while they are out of the building.

##### Rating Regents Exams

At least two teachers must rate the answer papers for the Regents Comprehensive Examination in English and for the Regents Examinations in Global History and Geography, United States History and Government, Living Environment, Physical Setting/Chemistry, Physical Setting/Earth Science, and Physical Setting/Physics. For the Regents Exams in English and social studies, a third teacher must score all essays when the scores of the first and second raters differ by more than one credit. All raters must follow the procedures described in the appropriate Information Booklet available on the Department’s web site at <http://www.p12.nysed.gov/apda/hsgen/>.

At least three teachers must rate the answer papers for the Regents Examinations in Integrated Algebra, Geometry, and Algebra 2/Trigonometry. Raters must follow the procedures described in the *Information Booklet for Scoring the Regents Examinations in Mathematics*.

When scoring student responses to multiple-choice questions on any Regents Exam, teachers must follow the directions provided by the Department or by the school’s RIC or scanning center. For Regents Exams, raters must follow the procedures specified in the appropriate rating guide for recording the credits awarded for responses to open-ended questions. If the total score for the open-ended questions ends in .5, round that

total score up to the nearest whole number. The names and initials of raters must be clearly written in the designated areas.

**Schools are not permitted to rescore any of the open-ended questions on any Regents Exam after each question has been rated the required number of times as specified in the rating guide, regardless of the final exam score. Schools are required to ensure that the raw scores have been added correctly and that the resulting scale score has been determined accurately.**

### **Machine Scoring of Regents Exams**

Before answer sheets are machine scored, several samples must be both machine scored and hand scored to ensure the accuracy of the machine-scoring process. All discrepancies must be rectified before student answer sheets are machine scored. When the machine scoring is completed, a sample of the answer sheets must be rescored manually to verify the accuracy of the machine-scoring process. Instances of students receiving incorrect scores because of inaccuracies in machine scoring have been found during the Department review of answer papers.

### **Rating RCTs**

For the RCT in Writing, at least three teachers must rate the answer papers. All other RCTs should be rated by two teachers to ensure the accuracy of the scores. For all RCTs, the number of credits allowed for each open-ended response must be clearly marked on the answer sheet. The procedures to be followed when scoring the answer papers for the RCTs are included in the directions for administering and scoring provided with each of the tests.

### **Finality of Exam Scores**

When the teacher scoring committee completes the scoring process, test scores must be considered final and must be entered onto students' permanent records. In addition, each rater must sign the Examination Scoring Certificate attesting that he or she fully and faithfully observed the rules and regulations for scoring the exams. The principal must also sign this certificate to attest that the rules and regulations for scoring were fully and faithfully observed.

**Principals and other administrative staff in a school or district do not have the authority to set aside the scores arrived at by the teacher scoring committee and rescore student exam papers or to change any scores assigned through the procedures described in this manual and in the scoring materials provided by the Department.** Any principal or administrator found to have done so, except in the circumstances described below, will be in violation of Department policy regarding the scoring of State exams. Teachers and administrators who violate Department policy with respect to scoring State exams may be subject to disciplinary action in accordance with Sections 3020 and 3020-a of Education Law or to action against their certification pursuant to Part 83 of the Regulations of the Commissioner of Education.

On rare occasions, an administrator may learn that an error occurred in the calculation of a final score for a student or in recording students' scores in their permanent records. For example, the final score may have been based on an incorrect summing of the student's raw scores for parts of the test or from a misreading of the conversion chart. When such errors involve the final scores on any Regents Exam of no more than 5% of the school's test takers for that exam or five students, whichever is greater, and when such errors are detected within four months of the test date, the superintendent of a public school district or the chief administrative officer of a nonpublic or charter school may arrange for the corrected score to be recorded in the student's permanent record. However, in all such instances, the superintendent or chief administrative officer must advise APDA in writing via fax at 518-474-1989 or via e-mail at [emscassessinfo@mail.nysed.gov](mailto:emscassessinfo@mail.nysed.gov) that the student's score has been corrected. The written notification to the Department must be signed by the superintendent or chief administrative officer and must include the names of the students whose scores have been corrected, the name of the exam, the students' original and corrected scores, and a brief explanation of the nature of the scoring error that was corrected.

If an administrator has substantial reason to believe that the teacher scoring committee has failed to accurately score more than 5% or five student answer papers, whichever is greater, on any exam, or when errors are detected more than four months after the test date, the administrator must first obtain permission in writing from APDA before arranging for or permitting a rescoring of student papers. The written request to APDA must come from the superintendent of a public school district or the chief administrative officer of a nonpublic or charter school and must include the exam title, date of administration, and number of students whose papers would be subject to such rescoring. This request must also include a statement explaining why the administrator believes that the teacher scoring committee failed to score appropriately and, thus, why he or she believes rescoring the exam papers is necessary. As part of this submission, the school administrator must make clear his or her understanding that such extraordinary re-rating may be carried out only by a full committee of teachers constituted in accordance with the scoring guidelines presented above and fully utilizing the scoring materials for this test provided by the Department.

The Department sometimes finds it necessary to notify schools of a revision to the scoring key and rating guide for an exam. Should this occur after the scoring committee has completed its work, the principal is authorized to have appropriate members of the scoring committee review students' responses only to the specific question(s) referenced in the notification and to adjust students' final exam scores when appropriate. Only in such circumstances is the school not required to notify or obtain approval from the Department to correct students' final exam scores.

## **Rating Exam Papers for Students with Disabilities**

For students with disabilities, the only permissible testing accommodations that have any bearing on the scoring of answer papers are the IEP or 504 Plan exemption(s) from spelling, paragraphing, and/or punctuation requirements. Otherwise, the answer papers written by students with disabilities must be scored according to the same standards used to score answer papers for all students.

## **Passing Scores**

*Regents Exams.* The minimum passing score on a Regents Exam taken to satisfy the testing requirements for a Regents diploma is 65. Only for students who first entered Grade 9 prior to September 2008 and subject to further restrictions specified in Section 100.5(a) of the Regulations of the Commissioner of Education, public school districts and nonpublic schools were permitted to establish a lower passing score at or above 55 for each Regents Exam to satisfy the testing requirements for a local diploma. For students with disabilities who first enter Grade 9 in September 2005 and thereafter, the score required on Regents Exams for a local diploma is 55. The regulations pertaining to passing scores on Regents Exams may be found on the Department's web site at <http://www.p12.nysed.gov/part100/>.

Students taking Regents Exams to earn course credit in accordance with the Regulations of the Commissioner of Education must meet all of the requirements specified in Section 100.5(d)(1) (<http://www.p12.nysed.gov/part100/pages/1005.html#d>) including earning a score of 85 or higher for credit to be awarded. All State exam scores earned in each attempt to earn credit in this manner, including those below 85, must be entered into the student's permanent record.

*RCTs.* The minimum passing score for the RCTs in Global Studies, United States History and Government, Mathematics, Science, and Writing is 65. Each of the specific *Directions for Administering and Scoring* the RCTs includes a chart to assist schools in converting the student's raw score to a final exam score.

The minimum passing score for the RCT in Reading may vary from one test to another because of differences in the readability levels of the passages used. The passing score is indicated on the scoring key provided for each test. Regardless of the specific raw score that is required to pass a particular RCT in Reading, the meaning of the passing score does not change. It represents a 70% likelihood of success in reading with comprehension the prose material typically used in required high school courses.

## Recording Exam Scores

Schools must maintain complete and accurate permanent records. Each time that a student takes a State exam at the scheduled time under proper supervision, the name of the exam, the date of administration, and the score must be entered in the student's permanent record, unless the score has been canceled because of fraud or misadministration.

No exam score may be entered as a Regents Examination score unless it has been obtained on a Regents Examination. Scores earned on Department-approved alternative exams (<http://www.p12.nysed.gov/apda/hsgen/archive/list.pdf>) must *not* be recorded on the permanent record as Regents Exam scores. If a student fails to take a Regents Exam, no score may be recorded in the student's permanent record.

For the RCTs, the school should indicate whether the raw scores obtained by students are passing or failing scores. For the RCTs in Mathematics, Science, and social studies, the raw score that is equivalent to 65 percent is indicated on the scoring key and in the specific *Directions for Administering and Scoring*.

If a student who has failed an exam retakes the exam and achieves a passing score, the school is required to record only the higher score on the student's transcript. All scores must be recorded on the permanent record. If a student retakes a State exam, the student's option to have only the higher score reported on the transcript should be honored. These decisions should be made in consultation with the student, and the student's choice of score for official transcript purposes should be respected whenever possible.

## Individual Student Results

At the school's earliest opportunity after tests have been scored, schools are expected to provide results to each student's parent/guardian.

## Retention of Answer Papers

All the papers not requested for Department review must be retained in the school files for at least one year. Any or all of these papers may be called for review during this period.

## Required Academic Intervention Services

Section 100.2(ee) of the Regulations of the Commissioner of Education requires that students who fail any of the core State exams required for high school graduation shall be provided with the appropriate academic intervention services to enable them to pass the test by the time they are otherwise qualified to graduate (<http://www.p12.nysed.gov/part100/pages/1002.html#ee>). Charter schools are exempt from this provision. Providing academic intervention services is not mandated for nonpublic schools.

Academic intervention services are intended to assist students who are at risk of not achieving the State learning standards in English language arts, mathematics, social studies and/or science, or who are at risk of not gaining the knowledge and skills needed to meet or exceed designated performance levels on State assessments. Academic intervention services shall be made available to students with disabilities on the same basis as non-disabled students, provided that these services are in accordance with the student's IEP. The regulations also require that the parent or guardian of each such student shall be notified in writing, by the principal, of the academic intervention services to be provided to the student, the reason the student needs such services, and the consequences of not achieving expected performance levels. Such notification must be provided in the language best understood by the parent or guardian.

In the fall of 2010, the Board of Regents amended the regulations regarding academic intervention services (§100.2 (ee)), to allow school districts to replace, in whole or in part, academic intervention services with Response to Intervention (RtI). A school district that chooses to do so must file an Assurance Form with the Department indicating the buildings, grades, and subject that RtI will be used in place of academic intervention services. School districts must also agree to adhere to the requirements in §100.2 (ii), which defines the RtI process. Information on this option can be found at <http://www.p12.nysed.gov/docs/ais-rti-memo.pdf>.