

**Regents Examinations,  
Regents Competency Tests, and  
Second Language Proficiency Examinations**

**School Administrator's Manual**

**2008 Edition**



**The University of the State of New York  
THE STATE EDUCATION DEPARTMENT  
Office of State Assessment  
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Albany, New York 12234  
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## FOREWORD

This publication is intended for use by school administrators and counselors. It provides general information on Regents Examinations, Regents Competency Tests (RCTs), and Second Language Proficiency Examinations, as well as the specific requirements and procedures for requesting, administering, and rating these examinations. An index is provided at the end of the manual to provide assistance in locating information about specific topics.

The Office of State Assessment has overall responsibility for the administration of Regents Examinations, RCTs, and Second Language Proficiency Examinations and NYSAA. All questions and comments concerning the administration of these examinations should be addressed to that office. Examples would include admission to examinations, scheduling of examinations, testing accommodations for limited-English-proficient students, and rating of papers.

The contact information for the Office of State Assessment is provided below.

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## SECTION ONE

### GENERAL INFORMATION

#### **Purposes of the Examinations**

*Regents Examinations* are achievement tests that are aligned with New York State's Learning Standards. Prepared by teacher examination committees and Department subject and testing specialists, Regents Examinations provide schools with a basis for evaluating the quality of instruction and learning that have taken place. They are used by school personnel to identify major learning goals, offering both teachers and students a guide to important understandings, skills, and concepts. The examinations also provide students, parents, counselors, administrators, college admissions officers, and employers with objective and easily understood achievement information for use in making sound educational and vocational decisions. Passing scores on the Regents Examinations in English, mathematics, science, and social studies satisfy the State testing requirements for a high school diploma.

*Regents Competency Tests (RCTs)* are achievement tests designed to assess basic proficiency in the areas of reading, writing, mathematics, science, and social studies. In the past, schools could award local high school diplomas to students who passed all six RCTs as well as the required coursework. The Department, in accordance with a timetable that was adopted by the Board of Regents, has phased out the eligibility of general education students in public schools to take these tests. Students are instead required to pass the Regents Examinations in order to receive a high school diploma. However, the RCTs continue to be available for students with disabilities who first enter grade 9 prior to the 2010-11 school year as part of a safety net for such students. To earn a high school diploma, students with disabilities must take each Regents Examination ordinarily required for graduation at least once. If unsuccessful on one or more of the required Regents Examinations, eligible students with disabilities may be granted a local high school diploma on the basis of passing the corresponding RCT(s). The RCT Safety Net is available to all students who have Individualized Education Programs (IEPs) and to students who have Section 504 Accommodation Plans (504 Plans) that specify RCT Safety Net eligibility. It is also available to students with disabilities declassified while in grades 8 through 12 whose last IEP specifies RCT Safety Net eligibility. The RCTs are administered to eligible students with disabilities as follows:

- Mathematics and Science in Grades 9 through 12;
- Global Studies in Grades 10 through 12; and
- Reading, Writing, and United States History and Government in Grades 11 and 12.

*Second Language Proficiency Examinations* are achievement tests designed to measure learning outcomes at Checkpoint A of the State syllabi *Modern Languages for Communication* and *Latin for Communication*. These examinations are administered primarily to students in grades lower than Grade 9 who wish to earn one unit of high school credit in a second language.

#### **Required Use of Examinations**

##### **Regents Examinations**

Section 3.35 of the Rules of the Board of Regents relating to apportionment provides in part that schools receiving State aid shall make general use of Regents Examinations in the senior high school grades. Nothing in this section, however, prohibits State aid to any school that administers approved alternative assessments in lieu of Regents Examinations. (See Appendix I of this Manual.)

Section 100.2(e) of the Regulations of the Commissioner of Education (<http://www.emsc.nysed.gov/part100/pages/1002.html#e>) requires public school districts to offer Regents courses of study and examinations to all students who wish to earn a Regents diploma. Students shall have the

opportunity to take Regents courses and Regents Examinations in Grades 9 through 12 and, when appropriate, in Grade 8.

Regents Examinations are designed to measure the achievement of students who have had instruction based on curriculum aligned with the commencement-level learning standards. Students are entitled to take Regents Examinations no earlier than their completion of high school-level coursework deemed appropriate by the school.

### **Second Language Proficiency Examinations**

The Second Language Proficiency Examinations are intended for students in Grade 8 who have completed two units of second language study or one unit of accelerated study and have attained Checkpoint A of the State syllabus (*Modern Languages for Communication* or *Latin for Communication*). Students who pass the Second Language Proficiency Examination prior to Grade 9 may be awarded one unit of high school credit in a second language.

### **State Testing Requirements for Graduation**

Section 100.5(a)(5) of the Regulations of the Commissioner of Education (<http://www.emsc.nysed.gov/part100/pages/1005.html#a>) requires that all public school students earn passing scores on State examinations in the areas of English; mathematics; United States history and government; science; and global history and geography to obtain a high school diploma.

General education students in public schools who first entered Grade 9 in September 1999 and thereafter, excepting students with disabilities who are eligible for the RCT Safety Net, must earn passing scores on the Regents Examinations in English, Global History and Geography, United States History and Government, one of the Regents Examinations in the sciences, and one of the Regents Examinations in mathematics. They are not eligible to take any RCTs. Information on alternative language competency testing available only to limited-English-proficient (LEP) students who, due to a disability, are eligible for the RCT Safety Net may be found in Appendix V.

*RCT Safety Net and 55-64 Passing Score for a Local Diploma for Students with Disabilities.* Students with disabilities are required to take the same Regents Examinations as general education students. However, students with disabilities who first enter Grade 9 in September 2005 and thereafter may meet the examination requirements for a local diploma by earning scores between 55 and 64 on the five Regents examinations required for high school graduation. In addition, students with disabilities first entering Grade 9 prior to September 2010 who take the required Regents Examination but do not achieve a passing score on that examination may fulfill the examination requirement for a local diploma by passing the corresponding RCT(s). (<http://www.vesid.nysed.gov/specialed/publications/learnstand/safetynetbrochure>)

Students who are eligible to take the RCTs may also satisfy the State testing requirements for a local diploma by earning the minimum acceptable scores on the Department-approved alternative assessments listed in Appendix II.

*Component Retesting.* Students who have failed the Regents Examinations in English and/or Mathematics A at least twice may be eligible to participate in component retesting in those subjects. The school determines which component(s) to administer based on the student's performance on the corresponding Regents Examinations (<http://www.emsc.nysed.gov/osa/component.html>).

*Transfer Students.* Students transferring into New York State schools must satisfy the State testing requirements in English, mathematics, and United States history and government. Depending on the grade to which the student is assigned upon such entry, the passing of the Regents Examination in Global History and Geography and a Regents examination in science may also be required to earn a high school diploma. More specific information on this topic may be found in Section 100.5(d)(5) of the Regulations of the Commissioner of Education (<http://www.emsc.nysed.gov/part100/pages/1005.html#d>).

## **Examination Centers**

Regents Examinations, RCTs, and Second Language Proficiency Examinations may be administered only at official centers within New York State. The official centers include all registered secondary schools and other educational institutions that have been given specific approval to administer secondary-level State examinations. Pursuant to Section 102.3 of the Regulations of the Commissioner of Education, the school principal or chief administrative officer of the examination center is responsible for the school's compliance with all regulations and Department policies governing the administration of these examinations.

## **Subjects**

The Department offers the following secondary-level examinations:

### **Regents Examinations**

#### **English**

Comprehensive English  
Sessions One and Two

#### **Foreign Languages**

Comprehensive French  
Comprehensive German  
Comprehensive Hebrew  
Comprehensive Italian  
Comprehensive Latin  
Comprehensive Spanish

#### **Mathematics**

Mathematics A (last administration January 2009)  
Mathematics B (last administration June 2010)  
Integrated Algebra (first administration June 2008)  
Geometry (first administration June 2009)  
Algebra 2/Trigonometry (first administration June 2010)

#### **Science**

Living Environment  
Physical Setting/Chemistry  
Physical Setting/Earth Science  
Physical Setting/Physics

#### **Social Studies**

Global History and Geography  
United States History and Government

## **RCTs**

Global Studies

Mathematics

Reading

Science

United States History and Government

Writing

## **Second Language Proficiency Examinations**

French

German

Italian

Latin

Spanish

## **Dates of Administration**

Each fall, the Department provides schools with examination schedules for the school year. Regents Examinations in all subjects listed in the preceding section are offered each year in June while a limited number of Regents Examinations are offered each January and August. The RCTs are offered in all subjects in January, June, and August. The Second Language Proficiency Examinations are offered once per year in June.

In general, the examination periods are scheduled in accordance with the following principles:

1. **January.** The four-day Regents Examination period is scheduled to occur during the last full week in January.
2. **June.** The eight-day Regents Examination period is scheduled to provide at least two, but no more than six, weekdays in the period that begins the day after the Regents Examination period and ends the last day of June.
3. **August.** The two-day Regents Examination period is scheduled to follow a summer school session of approximately 30 days.

Announcements concerning the dates and schedules for future Regents Examination periods are posted on the Department's web site at: <http://www.emsc.nysed.gov/osa/sched.html>.

## **Examinations Not Administered Due to Inclement Weather**

During the January Regents Examination period, superintendents must follow normal procedures in determining whether school should be closed due to inclement weather. Schools may not administer State examinations when weather conditions are severe enough to warrant closing school and canceling normal bus transportation.

If a school is closed and unable to administer State examinations in January due to inclement weather, the principal must notify the BOCES district superintendent of the date(s) of closing and any examination(s) that were canceled.

## Attendance Records

For purposes of meeting the 180-day requirement for calculation of State aid allocations, days on which secondary-level State examinations are administered are counted. Schools are permitted to excuse students not taking a secondary-level State examination who are located in the same building as students taking a State examination, yet count the day toward fulfilling the requirement that school districts provide at least 180 days of instruction during the school year, if such excusal is necessary to provide adequate staff and space for the administration of State examinations.

Regents Examination days may also be claimed for the administration of local final examinations, provided that the examinations are administered during the regularly scheduled January and June Regents Examination periods. Regents Examination days may not be claimed for the administration of local final examinations administered at times other than during the January and June Regents Examination periods.

If students in Grades 7 and/or 8 are located in the same building as students in Grades 9 through 12 who are taking State examinations in January and June, the Grade 7 and/or 8 students may be excused from attending school, if doing so is necessary to provide adequate staff and space for the administration of examinations.

Schools are expected to continue regular instruction during the January and June Regents Examination periods to the fullest extent possible. Classes may be canceled only when the number of students taking examinations is so large that normal instruction cannot be carried on effectively.

## Admission Requirements

### Regents Examinations

In accordance with Section 8.2 of the Rules of the Board of Regents, all students who have completed the course of study leading to a Regents Examination have the right to be admitted to that examination. **Students may not be barred from an examination for disciplinary reasons or because their achievement in a subject is considered unsatisfactory.** In the case of a science Regents Examination, only students who have also met the laboratory requirement (1200 minutes) may be admitted.

### RCTs

In public schools, only students with disabilities who first enter Grade 9 prior to September 2010 are eligible to take the RCTs. All students who have IEPs and only students with 504 Plans that indicate eligibility for the RCT Safety Net or declassified students whose last IEP indicates eligibility for the RCT Safety Net are permitted to take RCTs once they have completed the unit of study requirements. RCT Safety Net eligible students may be admitted to the RCT in Mathematics only after studying one unit of mathematics in Grades 9 through 12, and to the RCT in Science only after studying the science 7, 8, and 9 curriculum. These eligible students may be admitted to the RCT in Global Studies only after studying two units of global studies in Grades 9 through 12, and to the RCT in United States History and Government only after studying one unit of United States history and government in Grades 9 through 12. Eligible students may not be barred from any of these tests because their achievement in a course is considered unsatisfactory.

Only RCT Safety Net eligible students enrolled in Grades 11 and 12 may be admitted to the RCTs in Reading and Writing and are permitted to take these tests initially no earlier than January of Grade 11.

### Second Language Proficiency Examinations

The Second Language Proficiency Examinations are intended primarily for Grade 8 students who have completed two units of study, or one unit of accelerated study, and who have attained the Checkpoint A learning outcomes provided in the State syllabi *Modern Languages for Communication* and *Latin for Communication*. However, the examinations may be administered at any grade level.

## Credit by Examination

In accordance with Section 100.5(d)(1) of the Regulations of the Commissioner of Education, students who have not completed the generally expected units of study may be admitted to a Regents Examination or a Second Language Proficiency Examination for the purpose of demonstrating academic proficiency acquired through independent, out of school, or other study (<http://www.emsc.nysed.gov/part100/pages/1005.html#d>). Such students may be admitted to an examination only upon the determination by the superintendent of a public school district or the chief administrative officer of a nonpublic school, or his or her designee, that based on the student's past academic performance, the student will benefit academically by exercising this option. School administrators are expected to develop local criteria, consistent with Section 100.5(d), for determining which students may attempt to earn credit without completing the course of study. Up to 6½ units of credit may be earned in this manner.

Pursuant to Section 8.2(c) of the Rules of the Board of Regents, in the case of the science Regents Examinations, the student must meet the laboratory requirement before admission to the examination. This requirement can be met through industrial and commercial experiences or by completing the necessary number of school laboratory exercises.

## Testing Students Enrolled in Other Schools

Students enrolled in a high school other than the school in which an examination is to be administered must provide the test site administrator with written permission from their home school principal before being admitted to a State examination. The school administering the examination may require that students from other schools provide adequate prior notice, present satisfactory personal identification, and pay a reasonable fee to cover administrative and rating costs.

## Use of Alternative Assessments

In accordance with Section 100.2(f) of the Regulations of the Commissioner of Education (<http://www.emsc.nysed.gov/part100/pages/1002.html#f>), the Department may authorize the use of alternative examinations in lieu of Regents Examinations. To be approved as substitutes for Regents Examinations, the proposed alternative assessments must:

- be aligned with the New York State Learning Standards for that subject and be at least as rigorous as the corresponding required Regents Examination;
- meet technical criteria for validity, reliability, and freedom from bias. At a minimum, the assessment under consideration must document relationship to domain or learning standards; document reliability and interrater reliability, as appropriate; have standard rubrics, as appropriate; document the test development process; document procedures for establishing test performance standards, as appropriate; and document equating procedures or methods to ensure comparability of forms;
- be externally developed and administered under secure conditions; i.e., the assessment cannot be developed exclusively by the teachers in the school nor can the teachers have previous knowledge of the specific examination questions; and
- be available for use by any school or school district in New York State.

The Office of State Assessment will first screen proposed alternative assessments that are submitted to the Department for consideration. Upon screening, submissions that appear to meet the above criteria will then be presented to the State Assessment Panel, which is charged with the responsibility to advise the Commissioner of Education and Department staff on the acceptability of proposed alternative assessments. The Commissioner will make the final decision whether the proposed alternative assessment may be accepted in place of a Regents Examination. A list of the assessments which have been approved for use in lieu of Regents Examinations as a result of this process is available at <http://www.emsc.nysed.gov/osa/hsgen/list.pdf>.

## **Alternative Language Editions for LEP Students**

### **General Information**

Students in public schools who first entered Grade 9 in September 1999 and thereafter, excepting those with disabilities who are eligible for the RCT Safety Net, must earn passing scores on the following Regents Examinations in order to earn a high school diploma: Comprehensive English, Global History and Geography, United States History and Government, one of the Regents Examinations in the sciences, and one of the Regents Examinations in mathematics. General education students including LEP students enrolled in public schools are not eligible to take any RCTs. Alternative language competency testing is available only to LEP students who, due to a disability, are eligible for the RCT Safety Net. Information on alternative language competency testing for these students may be found in Appendix V.

A complete listing of the testing accommodations that may be provided to LEP students may be found under *Administering Examinations to LEP Students* in Section Two.

### **Mathematics, Science, and Social Studies**

LEP students may demonstrate proficiency in mathematics, science, and social studies by passing an alternative language edition of the required Regents Examinations. During the January and June examination periods, translated editions of the Regents Examinations in Integrated Algebra, Mathematics A, Living Environment, Physical Setting/Earth Science, Global History and Geography, and United States History and Government are available in the following five languages: Chinese (Traditional), Haitian Creole, Korean, Russian, and Spanish. During the August examination period, each of these Regents Examinations is available in Spanish translation.

**SECTION TWO**  
**REQUESTING AND ADMINISTERING**  
**REGENTS EXAMINATIONS, RCTS,**  
**AND SECOND LANGUAGE PROFICIENCY EXAMINATIONS**

**Informational Materials**

Two sets of materials concerning the requesting and administering of Regents Examinations, RCTs, and/or Second Language Proficiency Examinations are sent to schools for each examination period. The first set of materials includes an examination schedule and a memorandum that provides information on the procedures for requesting and storing the examinations. These materials are mailed well in advance of the January and June examination periods to all registered secondary schools and to other educational institutions that have been given specific approval to administer the secondary-level State examinations. The materials for requesting the August examinations are sent to all secondary schools that during the regular school year have indicated the need for these materials via the online examination request system. Other schools wishing to request August examinations should notify the Office of State Assessment by June 30 via e-mail to [examrequest@mail.nysed.gov](mailto:examrequest@mail.nysed.gov). Online requests for each Regents Examination period should be submitted by the date specified in the memorandum.

Approximately three weeks before each examination period, the second set of materials is sent to school administrators via mail and e-mail. Included for each examination period are two memorandums: the first provides information on the shipping and administration of the examinations and the return of examination materials to the Department; the second provides information on the format and content of the examinations.

**Obtaining Examination Materials**

**General Requesting Procedures**

Schools may request only the quantities of examination materials that are actually needed during an examination period. Schools that need examination materials for review purposes may fax a request on the school's letterhead to the Office of State Assessment at 518-474-2021. These materials will be shipped after each examination period. Since the Department retains only a limited supply of past examinations, it may not be able to fill requests for multiple copies received after the examinations are administered. Copies of past Regents Examinations are posted on the Department's website at <http://www.emsc.nysed.gov/osa>.

When requesting regular examination booklets, indicate the number of booklets needed plus no more than five percent to provide for unanticipated increases. When submitting an online examination request, principals must indicate whether the school plans to use the separate machine-scorable answer sheets provided by the Department for the RCTs. Based on the number of examination booklets requested, appropriate quantities of these answer sheets, the answer booklets and the Student Identification Sheets for the RCT in Writing, the essay booklets for the English and social studies Regents Examinations, answer booklets for the Regents Examinations in French, German, Italian, and Spanish, scoring keys, teacher dictation copies, teacher's directions, and reference tables will be included in each examination shipment.

**Examinations for Students with Visual Disabilities**

Braille and large-type test booklets are available for most examinations and may be requested via the online examination request system. The braille and large-type test booklets requested will be included in the regular shipment to the school. Only the exact number of copies required for the students actually taking each examination may be requested. Because of the time required for the production of braille and large-type examination booklets, the Department may not be able to fill requests for braille and large-type materials that are received after the deadline for submitting examination requests.

If an examination is to be administered to a student with a visual disability by reading the examination to the student, a special edition will not be necessary. The teacher can read from a regular printed edition and appropriate adjustments may be made in administration. (See *Reader-Administered Examinations*.)

Sample copies of past examinations and reference tables in braille and large type may be borrowed from the New York State Resource Center for the Visually Impaired, 2A Richmond Avenue, Batavia, New York 14020 (telephone 585-343-5384; fax 585-344-5557). To make this loan service possible, schools are asked to return all braille materials and unused large-type examinations and reference tables to the Department in the Regents box after each examination period.

### **Examinations for LEP Students**

LEP students may take State examinations in mathematics, science, and social studies either in an alternative-language edition or in English, whichever is more appropriate to the student's reading skills. During the January and June examination periods, the Regents Examinations in Integrated Algebra, Mathematics A, Global History and Geography, United States History and Government, Living Environment, and Physical Setting/Earth Science are available in five languages other than English: Chinese (Traditional), Haitian Creole, Korean, Russian, and Spanish. During the August examination period, these Regents Examinations are available in Spanish translation. During all three examination periods, only English-language editions are provided for other Regents Examinations and for Second Language Proficiency Examinations. All translated editions of Regents Examinations can be requested using the online request system.

Information about alternative language editions of the RCTs available for RCT Safety Net eligible LEP students is provided in Appendix V. The alternative-language editions of the RCTs are available only in restricted form and are *not* direct translations of the English-language editions that will be administered during the same examination period. The alternative-language editions of the RCTs cannot be requested online. These editions must be requested in a letter signed by the principal and faxed to the Office of State Assessment at 518-474-2021. The letter must specify the *exact quantity* of each test needed in each language.

The translated editions of Regents Examinations are direct translations of the English editions that will be administered during the same examination period, so students identified as LEP may be permitted to use both editions simultaneously. Because the alternative-language editions of the RCTs in Mathematics, Science, Global Studies, and United States History and Government are not direct translations of the English-language editions, students *may not* be given both. Schools may not request both the English and the alternative language editions of an RCT for individual students. Students may *not* be provided with both editions of the test and then be allowed to choose which edition they wish to take. The decision concerning which edition to administer must be made before test materials are requested.

### **Restricted Forms of Examinations**

Certain examinations may be provided only in restricted form. For restricted editions, each test booklet is numbered and then shipped to the school and returned to the Department in a sealed envelope. Information concerning the examinations that will be available in restricted form is provided to school administrators on the examination schedule and in the memorandum that is sent to them regarding the procedures for requesting and storing State examinations.

Schools must request the exact number of restricted test booklets required since all copies, whether used or unused, must be returned to the Department. Request one booklet for each student to be tested. Also request one additional copy for each proctor who will be reading the test to a student with a disability in accordance with a student's IEP or 504 Plan.

## Reference Materials

The Regents Examinations in Physical Setting/Chemistry, Physical Setting/Earth Science and Physical Setting/Physics require the use of reference tables provided by the Department. Students taking these examinations may use no other reference materials.

These reference tables are separate publications. The Department will provide the proper quantity, based on the number of examinations requested. No separate request for reference tables is required. Reference tables will be shipped in cardboard cartons in advance of the shipment of locked Regents boxes.

After each examination has been administered, the reference tables should be collected for classroom use during the subsequent year. Schools may obtain additional reference tables for classroom use on the Department's web site at <http://www.emsc.nysed.gov/osa/scire/reftable.html>.

## Confirmation of Examination Requests

Each school submitting an examination request will receive from the Department via e-mail a confirmation notice indicating the number of test booklets requested and the number of test booklets that will be shipped for each examination. The confirmation notice will also indicate the address of the storage location to which shipments of secure examination materials will be sent. The confirmation notice must be carefully checked against the school's record of examinations requested to ensure that the correct quantities of materials will be shipped.

## Supplemental Requests

Online requests for each Regents Examination period must be submitted by the date specified in the memorandum that is sent to schools regarding the procedures for requesting and storing secondary-level State examinations. All requests received by the deadline will be shipped directly to the approved storage location indicated on the online request system. Principals who find they need additional materials after the submission deadline may amend the school's request via the online request system or may fax a supplemental request on the school's letterhead to the Office of State Assessment at 518-474-2021. Telephone requests are not accepted. School administrators who place requests after the deadline will probably have to obtain the requested examination materials from a regional center on the day that each examination is scheduled. Thus, school administrators are urged to carefully ascertain the needs of their schools before the school's examination request is submitted, eliminating the need for last-minute requests for examination materials.

## Safeguarding Examination Materials

The principal of each school requesting examinations is responsible for making the necessary arrangements for safeguarding the materials shipped to the school. Before the Department will ship examination materials to a school, the principal must certify, by providing any information or affirmations required on the online request system, that the locked Regents box(es) containing the secure examination materials will be stored in a safe or vault that meets the following requirements.

1. **Safes** must meet or exceed the burglary resistance performance standards incorporated in Underwriters Laboratories (UL) classification TRTL-30, and must have all of the following: steel door at least 1½ inches thick; steel walls at least 1 inch thick; 750-lb. minimum weight; built-in combination lock; and minimum inside dimensions to contain the Regents box(es) for a school's typical examination order.
2. **Walk-in vaults** must have *all* of the following: poured concrete floor; walls of reinforced concrete or reinforced cement block, sealed to a poured concrete floor below and structural floor or roof deck above; metal door in a metal frame with inside or welded-pin hinges; no windows or access panels; and a built-in dead latching combination or key lock that allows exiting at all times.

Principals of schools that do not have either of the above secure storage facilities must make arrangements to store the examination materials in a Department approved safe or vault in another school, school district building, or BOCES building. If these arrangements cannot be made, it is the responsibility of the principal to notify the Office of State Assessment.

Principals who need to amend their school's storage information must send a fax to the Office of State Assessment (518-474-2021) with the school name and address where the examinations are to be securely stored. The Office of State Assessment will then request written verification of the storage arrangements from the person in charge of the proposed "host" storage location before secure examination materials can be shipped to that address.

Since the vast majority of schools requesting materials for high school examinations tend to use the same in-house or alternative storage facility for each administration, the Department has made it possible for schools to "lock in" an ongoing storage arrangement. School principals who have ongoing storage arrangements are reminded by the Department of the location on the school data sheet that accompanies their request memorandum. In providing the affirmations required on the online request system, these principals are indicating their intent to continue with the ongoing storage arrangement and reaffirming that the storage facility is in compliance with the safe and vault requirements specified in this manual. Principals who need to revise their storage plans must send a fax to the Office of State Assessment (518-474-2021) specifying the new location where the examinations will be stored. Examinations will be shipped only to school locations that have Department approved storage facilities.

Approximately three weeks before the examinations are scheduled to be administered, principals will be notified as to when the examination materials will be shipped to the schools. Shortly before the expected delivery date(s), principals must notify all personnel who may be expected to receive examination shipment(s) that they will be delivered within the next few days and instruct them to contact the principal immediately upon receipt of the shipment(s).

After an examination shipment has been delivered, the locked Regents box(es) must immediately be placed in the safe or vault. If, for any reason, the Regents box(es) containing secure examination materials cannot be stored in the safe or vault at that location, the school administrator must contact the Office of State Assessment immediately for assistance in arranging for the proper storage of the Regents box(es).

The padlock key(s) for the Regents box(es) and the combination or key to the safe or vault must be maintained under strict security conditions to preclude access to the examination materials by students and other unauthorized persons. When the safe or vault where the Regents boxes are stored is unlocked, school personnel must keep it under continuous supervision. Also, the locked Regents box(es) must be visually checked daily by the person in charge of the administration of the examinations to ensure that they have not been tampered with and that the materials in them remain secure.

If the examination materials are stored in a building other than the school in which the examinations will be administered, the materials for both the morning and afternoon examinations of each day may be picked up from the storage location on the morning of that day. However, the materials may *not* be picked up from the storage location before the day on which that examination is scheduled to be administered. If the materials for both morning and afternoon sessions are picked up in the morning, the principal must ensure that the afternoon examination materials are stored in a secure location until needed for administration. The packages containing secure materials must *not* be opened until the day that each examination is to be administered. The packages containing scoring keys for morning examinations must not be opened prior to 10:00 a.m. (9:15 a.m. for August examinations) on the day of the examination. The packages containing scoring keys for afternoon examinations must not be opened prior to 2:00 p.m. (1:15 a.m. for August examinations) on the day of the examination.

Department personnel will make random unannounced visits to some schools after the examinations have been delivered to verify that the tests are being properly stored and that the packages containing examination booklets, teacher dictation copies, and scoring keys are not opened until the proper time on the day that each examination is to be administered. If a violation of examination storage procedures is found, all examination materials will immediately be removed from the school and transferred to a location designated by the Department representative. Further, the school will be required to store all examination materials at a location designated by the Department for a period of at least one year from the end of the examination period during which the violation occurred. In addition, the Department may cancel the school's privilege to administer examinations.

## **Shipment and Emergency Supplies of Examination Materials**

### **Shipment of Examination Materials**

Each school requesting examinations will receive two or more shipments of examination materials, depending on what was requested. The materials listed below will be shipped in cardboard cartons or padded mailers and will be sent directly to schools at approximately the intervals specified.

1. The modern language speaking tasks and the publications *Regents Comprehensive Examinations in Modern Languages, Teacher's Manual for Administering and Scoring Part 1: Speaking* and *Regents Comprehensive Examination in Latin, Teacher's Manual, Part I: Oral Reading* (These materials will be shipped separately and will arrive in schools about November 30 for the January examination period and April 15 for the June examination period.)
2. The modern language speaking tasks and the publications *Second Language Proficiency Examinations, Modern Languages, Teacher's Manual for Administering and Scoring Part 1: Speaking* and *Second Language Proficiency Examinations, Latin, Teacher's Manual, Part I: Oral Skills* (These materials will be shipped separately and will arrive in schools around April 15 for the June examination period.)
3. Nonsecure examination materials will arrive at schools approximately twenty days before the examination period is to begin and, depending upon the examination titles requested by the school, may include the following:

Earth Science Performance Test materials

Reference tables for the Physical Setting Science Regents Examinations

Teacher directions for Regents Examinations, RCTs, and Second Language Proficiency Examinations

Answer booklets and Student Identification Sheets for the RCT in Writing

Machine-scorable answer sheets for the RCTs other than writing. (Machine-scorable answer sheets are sent only to the schools that indicate on the request booklet that they require them. Additionally, the Department does not provide machine-scorable answer sheets to New York City public schools. Special machine-scorable answer sheets for these tests will be provided to New York City public schools by the New York City Division of Assessment and Accountability.)

Essay booklets for the Regents Examinations in English and social studies

Answer booklets for the Regents Comprehensive Language Examinations

Regents diplomas

The secure examination materials will be shipped in locked Regents boxes to the location designated in the online request system. School administrators may receive one shipment (Single Shipment) comprising the secure examination materials for the entire examination period or multiple shipments (Daily Delivery)

consisting of one shipment for each day of the examination period. About one month prior to the delivery of the secure examination materials, school administrators will be informed of the type of shipment they will receive and the date(s) on which the shipment(s) are scheduled to arrive at schools. The padlock keys will be sent to principals by first-class mail or UPS and will arrive about two to four school days before the Regents boxes are to be delivered.

### **Checking Receipt of Examination Materials**

The principal is responsible for verifying that all materials requested by the school have been received. All shipments must be inventoried as soon as possible after delivery to the school (or alternative approved storage location). When checking the examination shipments, the principal should use the shipping notice included in the shipment, which indicates the quantity of each type of examination material that should have been included in the shipment. If the expected quantities of examination materials have not been received, contact the nearest regional center immediately to arrange to obtain the required materials. (See the section below, *Emergency Supplies of Examination Materials*.)

**Under no circumstances may the sealed packages of secure examination materials (test booklets, teacher dictation copies, scoring keys, and rating guides) be opened while the inventory is being conducted.** The packages may *not* be opened until the day of the examination, and no earlier than is necessary to permit the distribution of materials prior to the scheduled starting time.

Upon completion of the inventory, all secure examination materials for each examination must be stored in the locked Regents box in a safe or vault until the morning of the day of the test. The Office of State Assessment must be notified immediately by fax to 518-474-2021 if any packages of secure examination materials are not properly sealed. The Office of State Assessment must be similarly notified if the school receives any secure examination materials over and above the quantities requested, taking into account the rounding factor used in packaging the examinations.

### **Emergency Supplies of Examination Materials**

In January, June, and August, emergency supplies of examination materials are available from regional centers throughout the State. The list of the regional centers is provided for schools on the Department's web site (<http://www.emsc.nysed.gov/osa/hsgen.html>) prior to each examination period. Materials will be released from the regional centers *only* on the day of each examination. Secure materials for morning examinations will be released in the morning; secure materials for afternoon examinations will not be released until after 11:00 a.m. Scoring keys will not be released by regional centers until after the Uniform Statewide Admissions Deadlines which are specified later in this section.

In order to obtain examination materials at a regional center, an individual must present a letter of authorization written on school letterhead and signed by the principal. The letter must identify the person picking up the materials and list the specific materials requested. Anyone obtaining examination materials must provide identification with a photograph and countersign the authorization letter before the examination materials will be released.

## **Preparations for Testing**

### **Orientation of Proctors**

The principal must appoint a chief proctor for each room in which an examination is administered and sufficient deputy proctors to maintain adequate supervision of students at all times. If both boys and girls are to take the examination, both male and female proctors must be in attendance.

Several days before the examination period, the specific directions for administering and scoring the examinations must be distributed to all school personnel who will be responsible for proctoring and/or scoring these examinations.

A proctor orientation session should be held before the beginning of each examination period, during which the principal or the principal's designee can disseminate any special administrative information concerning the examination period and ensure that the proctors are familiar with the administrative procedures for the examinations they will be administering.

All proctors must enforce in every particular the Department's regulations for administering examinations. Each proctor must sign the Deputy and Proctor Certificate to indicate that the rules and regulations for administering examinations were properly observed.

### **Materials Provided by the School and by Students**

When students take the RCTs in Mathematics, Science, Reading, Global Studies, and United States History and Government, the school must furnish each test taker with the separate answer sheet supplied by the Department or with a similar answer sheet designed for use with the test. The school must provide the Department's answer booklets and Student Identification Sheets to students taking the RCT in Writing. If the quantity of answer booklets shipped to the school for the RCT in Writing is not sufficient and the principal is unable to obtain an emergency supply, the school should provide ruled answer paper to students.

The school must provide scrap paper for student use for all secondary-level State examinations except for the Regents Examinations in mathematics. (Students are not permitted to use scrap paper for Regents Examinations in mathematics unless this is indicated as an accommodation on the student's IEP or 504 Plan.) Schools should also have a supply of coordinate graph paper available for students taking the Regents Examinations in mathematics who request it in order to change their work on graphs.

Students should be informed before the day of the examination that they are expected to provide their own pens, pencils, erasers, and rulers. Information concerning the use of calculators and reference materials by students is provided later in this section of this manual under the headings *Use of Calculators*, *Administering Examinations to LEP Students*, and *Reference Materials for Examinations*.

### **Preparation of the Examination Room**

The room in which State examinations are administered should be well lit, well ventilated, and quiet. Preparations must be made before the testing period to keep noise and other distractions to a minimum. A "Do Not Disturb" sign may be placed on the door to prevent interruptions.

If examinations are to be administered in a classroom, the teacher using the room must be instructed to make sure that it has been properly prepared. Desks and any shelves underneath them must be clear of all books, papers, and other materials. Charts or maps on the walls and all board work pertinent to the subject being tested must be completely covered or removed.

Seating arrangements must be made in advance so that each student will be clearly visible to the proctor at all times and so there will be no opportunity for any communication between students.

### **Machine-Scorable Answer Sheets**

The Department provides machine-scorable answer sheets for each of the RCTs except the RCT in Writing. The answer sheets may be machine scored, or hand scored using scoring overlays provided by the Department. For purposes of machine processing and local data collection, several grids with spaces for recording various types of student identification information are included on one side of the answer sheets. If the answer sheets are to be machine scored, written instructions about completing these grids must be prepared by the person in charge of testing and provided to all proctors administering the tests. These instructions should be based on careful consideration of the types of student and score information needed by school personnel and the requirements of the scoring center.

Machine-scorable answer sheets may be used for the multiple-choice sections of any Regents Examination or Second Language Proficiency Examination. These answer sheets must be provided and scored by the school. Schools must ensure that students are not placed at a disadvantage by the use of inappropriate

answer sheets. Answer sheets supplied by the school must provide the same number of response options as are given in the examination questions, and the choices must be labeled 1, 2, 3, 4, *not* A, B, C, D. Instructions for using the answer sheets must be developed locally and provided to the proctors administering the examination. Schools may not require students to record their responses for the same multiple-choice questions on more than one answer sheet.

If a machine-scorable answer sheet is used for the Regents Comprehensive Examination in English, a separate sheet must be used for each session of the examination; students may *not* use the same answer sheet for both sessions. Before answer sheets are machine scored, several samples must be both machine and manually 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 complete, a sample of the scored answer sheets must be scored manually to verify the accuracy of the machine-scoring process.

## **Conflicts**

A student who is scheduled to take more than one examination during the same session may do so provided that the principal is satisfied that exercising this option would not be detrimental to the student's academic interests. However, a student may not be allowed more time than the standard three hours for each Regents Examination solely because of an examination conflict.

The principal may make adjustments in the examination schedule, but students must take each examination on the day that it is scheduled for administration. Students resolving schedule conflicts in this way should be sequestered in a separate location and must be kept under close school supervision. School officials must prevent the possibility of any communication between the examinee and students who either have already taken or will be taking the same examination(s) as the examinee. Arrangements must be made for supervised lunch and rest periods, and the Uniform Statewide Admission Deadlines must be strictly observed in every particular.

In order to assist a student who encounters a schedule conflict between a Regents Examination and a Regents Competency Test, please refer to Appendix III of this Manual, entitled *Rescheduling Option Available to Schools Administering RCTs to Students with Disabilities*.

## **Conducting the Examinations**

### **Time Regulations**

The specific hours during which Regents Examinations, RCTs, and Second Language Proficiency Examinations must be administered are indicated on the examination schedules and on the examination booklets themselves. During the regular school year, examinations are scheduled for 9:15 a.m. or for 1:15 p.m. In August, examinations are scheduled for 8:30 a.m. or for 12:30 p.m. To allow sufficient time for giving directions and distributing examination materials, students should be instructed to be in their seats at least 15 minutes before the time specified for starting each examination.

All Regents Examinations are scheduled for administration during a three-hour examination session and proctors must ordinarily conclude each examination exactly three hours after the actual starting time. Special arrangements must be made to allow additional time for LEP students if authorized by the principal and for students with disabilities if indicated in their IEP or 504 Plan. (See *Administering Examinations to LEP Students* and *Administering Examinations to Students with Disabilities* found later in this section.) Although RCTs and Second Language Proficiency Examinations are scheduled for administration during a 3-hour examination session, there is no time limit for these tests.

At the discretion of the principals, schools may begin secondary-level examinations earlier than the specified time. Regardless of the starting time, no student shall be permitted under any circumstances to hand in his or her test materials and leave the examination room before the following Uniform Statewide Admission Deadlines:

### Uniform Statewide Admission Deadlines

	<i>Morning Examinations</i>	<i>Afternoon Examinations</i>
January/June	10:00 a.m.	2:00 p.m.
August	9:15 a.m.	1:15 p.m.

All students who arrive at the examination room before the Uniform Statewide Admission Deadline must be admitted to the examination, even if the students arrive after the scheduled starting time. Students who arrive at the examination after the Uniform Statewide Admission Deadline, but who have been under the supervision of school personnel since the admission deadline, may be admitted to the examination only if the principal is certain that the students did not have an opportunity to exchange information with students who have already left the examination.

The purpose of the Uniform Statewide Admission Deadlines is to eliminate any possibility of the exchange of information between students at different examination centers. All school principals must strictly comply with these regulations. It is recommended that schools provide students and their parents with written notice of this policy in advance of the tests.

Latecomers for Regents Examinations are not generally entitled to have the closing time extended. However, if students started late because of extenuating circumstances beyond their control, the principal is permitted, but not required, to extend the closing time of the examination for these students. Schools are not required to repeat teacher administered sections of examinations, such as listening comprehension, to students who have missed these sections due to their late arrival. Further, when an examination is administered under special conditions to a student who is injured or ill or who has a disability, the time may be extended at the discretion of the principal to allow the student reasonable time to complete the examination. For more information on this topic, see *Administering Examinations to Students with Disabilities* later in this section.

Students admitted late to RCTs and Second Language Proficiency Examinations must be given as much time as needed to complete the tests. Although these tests are scheduled for a three-hour session, there are no time limits for them.

### Use of Calculators

Schools must ensure that each student has the appropriate type of calculator when taking one of the secondary-level State examinations specified below.

The memory of any student’s calculator with programming capability must be cleared, reset, or disabled when the student enters the testing room. If the memory of a student’s calculator is password-protected and cannot be cleared, the calculator may not be used. Any applications that have been added to graphing calculators must be removed. No students may use calculators that are capable of symbol manipulation or that can communicate with other calculators through infrared sensors or any other means, nor may students use operating manuals, instruction or formula cards, or other information concerning the operation of calculators during the examinations.

*RCT in Mathematics.* Students with disabilities may use calculators when taking this test only if the use of these devices is included as a testing accommodation in the student’s IEP or 504 Plan. These students may use any type of calculator that is specified in the IEP or 504 Plan that meets the specifications noted in the preceding paragraph.

*Mathematics Regents Examinations.* All students taking the Mathematics A Examination must have at a minimum a scientific calculator that has trigonometric and logarithmic features. Students are not permitted to use printed trigonometric and logarithmic reference tables during this examination. Students taking the Mathematics A Examination may also use graphing calculators without symbol manipulation. Students taking all other Regents Examinations in mathematics must have a graphing calculator without symbol manipulation.

*Science Regents Examinations.* For the Living Environment Examination, all students who wish to use a four-function or scientific calculator must have one available. All students taking the Physical Setting/Chemistry and Physical Setting/Earth Science Examinations must have a four-function or scientific calculator. Students are not permitted to use graphing calculators when taking the Living Environment, Physical Setting/Chemistry, or Physical Setting/Earth Science Examinations. All students taking the Physical Setting/Physics Examination must have a scientific or a graphing calculator without symbol manipulation.

## **Performance Tests**

*Regents Examinations in Foreign Languages.* The Regents Examinations in the modern languages other than English include an evaluation of a student's speaking performance. The Regents Comprehensive Examination in Latin includes an evaluation of a student's oral reading performance. These components must be administered in advance of the administration of the written sections of the examinations. Included with the shipment of the modern language speaking tasks are the publications *Regents Comprehensive Examinations in Modern Languages, Teacher's Manual for Administering and Scoring, Part 1: Speaking* and *Regents Comprehensive Examination in Latin, Teacher's Manual, Part 1: Oral Reading*, which provide guidelines for administering and rating the modern language speaking test and the Latin oral reading test. These materials will be shipped to schools requesting Regents Examinations in foreign languages approximately two months before the January (French and Spanish only) and the June Regents Examination periods.

*Second Language Proficiency Examinations.* The Second Language Proficiency Examinations in modern languages include a speaking test and the Second Language Proficiency Examination in Latin includes an oral skills test. Included with the shipment of the modern language speaking tasks are the publications *Second Language Proficiency Examinations, Modern Languages, Teacher's Manual for Administering and Scoring, Part 1: Speaking* and *Second Language Proficiency Examinations, Latin, Teacher's Manual, Part 1: Oral Skills*, which provide guidelines for administering and rating the modern language speaking test and the Latin oral skills test. These materials will be shipped to schools requesting the Second Language Proficiency Examinations approximately two months before the June Regents Examination period.

*Regents Examination in Physical Setting/Earth Science.* The Physical Setting/Earth Science includes a performance test that must be administered during the last two weeks of the course and no later than the day before the written examination. This performance test must be administered to each student in one continuous block of time in one day. Printed materials for the administration of the Earth Science Performance Test are shipped to schools approximately one month before the Regents Examination period. Teachers are expected to administer the performance test in compliance with all instructions provided in the teacher directions.

*Students Repeating Examinations in Foreign Languages.* The school must give students who are retaking a State examination in a foreign language the choice whether or not to retake the performance test. Consequently, the performance test scores of all students taking these examinations must be kept on file by the principal. The student may choose not to take the performance test again, instead applying the score earned on the most recent performance test taken to the score earned on the new written test to determine his or her final examination score. If the student elects to take the performance test again, the new performance test score must be used in conjunction with the score earned on the written test to determine the final score. A performance test score, however, may never be applied retroactively to a written test score earned in an earlier administration.

## Distribution of Teacher Dictation Copies

For the Regents Examinations and Second Language Proficiency Examinations that test listening comprehension, Teacher Dictation Copies should be distributed no earlier than one hour before the scheduled starting time to the teachers who will administer the examinations. This will give the teachers sufficient time to familiarize themselves with these materials before the beginning of the examinations.

## Supervision of Students

*Identification of Students.* Plans must be made before the administration of State examinations to verify the identity of each student entering the examination room, especially students who are not enrolled in the school in which they are taking examinations. Accurate records must be kept of the students who take each examination so it will be possible to confirm the presence or absence of a student for each examination administered.

*Checking for Unauthorized Materials.* Students who are taking State examinations must be under close supervision at all times during the examination session. When students enter the examination room, all materials brought into the examination room must be inspected to make sure that the materials do not contain any unauthorized notes or printed material that would give the user an unfair advantage. The materials that students are permitted to bring into the examination room are identified in this section of this manual under the heading *Materials Provided by School and by Students*.

*Obtaining Information from or Giving Information to Other Students.* Students must not be permitted to obtain information from or give information to other students in any way during the examination. If, in the opinion of the proctor, such an attempt has occurred, the students should be warned that any further attempts will result in the termination of their examinations. If necessary, the students should be moved to another location. If these steps fail to end attempts to obtain or give information, the principal should be notified immediately and the students' examinations terminated. At the conclusion of the examination, all suspected acts of fraud must be reported to the principal. Pursuant to Section 102.4 of the Regulations of the Commissioner of Education, no score may be earned by a student who, in the judgment of the principal, has attempted to obtain aid from or give aid to another student or has otherwise committed fraud during an examination.

*Student Use of Communications Devices.* At the beginning of each State examination, proctors must read the following statement to all students:

*You may not use any communications device while taking a State examination, either in the room where the test is being administered or while on a supervised break (such as a bathroom visit). Such devices include, but are not limited to, cellular telephones, pagers, CD and audiocassette players, radios, MP3 players, Personal Digital Assistants, video devices, and associated headphones, headsets, microphones, or earplugs.*

*If your cell phone rings, you may not answer it. If your pager beeps or vibrates, you may not look at it. You must therefore turn these and other such devices OFF right now and secure them underneath your desk [or in the location specified by the principal], OFF and away from your desktop. Your examination will be invalidated and no score will be calculated for you if you use any such device or related communications technology or if you wear headphones while in the testing room.*

For Principals and Proctors:

1. Any student observed to be using any communications device while taking a State examination must be directed to turn the device off and put it away immediately. In order to allow for all possible outcomes of procedural due process, the student should be allowed to complete the examination. The incident must be reported promptly to the school principal. If the principal determines that the student was using a communications device during the test administration, the student's test must be invalidated; no score may be calculated for that student.

2. The incident must be reported in writing to the Office of State Assessment, as is the case for all testing irregularities, misadministrations, or other violations of State testing policies and procedures.

Note: Some students with disabilities may use certain recording/playback or other assistive-technology devices ONLY IF this accommodation is specifically required as a provision of the student's IEP or 504 Accommodation Plan. If not, the general policy on communications devices as provided above is in effect, and the school may not allow the use of any such equipment.

*Proctoring:* Proctors must circulate periodically around the room during the administration of each examination to ensure that students are recording their responses to examination questions in the proper manner. While circulating around the room, proctors should point out to students when they have left one or more answers blank or when they do not appear to be recording their answers in the proper place or appear to have provided more than one answer for a single multiple-choice question.

For Regents examinations, no additional time, beyond 3 hours, may be provided to students to transfer answers from test booklets to answer sheets at the end of the test and no one other than the student may transfer answers marked in his/her test booklet to a multiple-choice answer sheet. This does not apply to students who have an IEP or Section 504 Plan which allows scribes to transfer answers from the test booklet to an answer sheet.

*Aid to Students.* No one, under any circumstances, may interpret or explain examination questions to any student, nor may anyone comment to a student on the correctness or sufficiency of the student's response while the examination is in progress. In response to inquiries by students concerning the meaning or interpretation of questions on State examinations, proctors may advise students only to use their own best judgment.

*Clock.* A clock should be in sight of all students. If this is not possible, it is the duty of the proctors to indicate the time on the board at intervals not exceeding one-half hour throughout the examination session.

*Temporary Absence from Examination Room.* No student may be permitted to leave and then return to the examination room during any session of the examination unless accompanied by a proctor. Students who withdraw from the sight of the proctor during any examination session must have their examinations for that session terminated. Any examination paper that is removed from the examination room without authorization must be invalidated.

*Emergency Evacuation of a School Building.* Evacuation of a school building during an examination may be required because of an emergency, such as a fire alarm or a bomb threat. In any situation in which the safety of students is endangered, the principal has full authority to interrupt the examination immediately. If possible, the students should be kept under continuous supervision during the emergency and advised that they may not converse with each other. If it becomes feasible for testing to resume, students may be permitted to continue taking their interrupted test only if the students had been kept under continuous supervision and were not permitted to speak with each other during the interruption. In these circumstances, the ending time for the test should be adjusted so the students are given the full allotment of time for the examination. Following the examination, a written report of the circumstances must be sent by mail or fax (518-474-2021) to the Office of State Assessment.

*Preserving the Integrity of Students' Responses.* No one, under any circumstances, including the student, may alter the student's responses on the test once the student has handed in his or her test materials. Teachers and administrators who engage in inappropriate conduct with respect to administering and scoring State examinations may be subject to disciplinary actions in accordance with Sections 3020 and 3020a of Education Law or to action against their certification pursuant to Part 83 of the Regulations of the Commissioner of Education.

### **Handling of Students' Completed Examination Materials**

When a student has completed a State examination, the student's answer materials should be collected and confirmed, or "checked in," by a proctor and logged in to a list of examinees before that student is permitted to leave the testing room. When they are hand scored, answer papers for all State examinations must

remain in the custody of teachers or administrators in the school building or regional scoring site until the rating process is complete and scores are recorded on the students' permanent records. When student papers are scored in cooperation with another school, answer papers may be transported to the cooperating school for scoring. It remains the principal's responsibility to ensure the security of all student answer papers while they are out of the building. Answer papers that are sent to a scanning center for scoring may be stored either at the scanning location or in the schools where the examinations were administered, as long as storage conditions are maintained that will not limit the principal's access to an individual student's answer paper. As an additional precaution, all scrap paper should be retained until all examination scores have been recorded.

**If a student's answer paper is lost, the principal or superintendent must conduct an inquiry and file a written report with this office. This report must include (1) a description of the loss or disappearance, including a list of all students whose papers are missing; (2) the examination title and administration date; (3) the likely cause of the loss or disappearance; and (4) what steps will be taken to prevent a similar occurrence in the future.**

### **Student Declaration**

Pursuant to Section 102.5 of the Regulations of the Commissioner of Education, each student taking a Regents Examination, RCT (other than the RCT in Writing), or Second Language Proficiency Examination is required to sign the following declaration:

I do hereby affirm, at the close of this examination, that I had no unlawful knowledge of the questions or answers prior to the examination, and that I have neither given nor received assistance in answering any of the questions during the examination.

The declaration for the RCT in Writing has been modified since it must be signed at the beginning of the examination session.

The declaration for each examination is printed on the answer paper or the Student Identification Sheet provided by the Department for that examination. Proctors must check to be sure that each student has signed the declaration before the student leaves the examination room. Examination papers lacking a signed declaration must not be scored until the student's signature has been obtained.

### **Fraud**

Under Section 8.5 of the Rules of the Board of Regents, fraud includes the use of unfair means in taking an examination; giving aid to or obtaining aid from another person during an examination; alteration of any Regents credential; and intentional misrepresentation in connection with examinations or credentials. Section 225 of the Education Law makes fraud in examinations a misdemeanor, whether perpetrated by a student, by a teacher or administrator, or by any other person.

Students can be said to have committed fraud only when there is evidence that they attempted either to obtain or give aid while taking an examination. Students who violate one of the prescribed State and/or local policies for taking examinations, but did not attempt either to obtain or give aid, may not be found to have committed fraud. For example, if a student leaves the examination room without the permission of a proctor, but is under the supervision of school personnel at all times while out of the room and there is no evidence that the student attempted to either obtain or give aid, the student may be disciplined only for leaving the examination room without permission and not for having committed fraud.

Pursuant to Section 102.4 of the Regulations of the Commissioner of Education, if, in the judgment of the principal, a student has committed or attempted to commit fraud during a State examination, the principal must cancel the student's examination. The student must be excluded from any subsequent examinations until he or she has demonstrated by exemplary conduct and citizenship, to the satisfaction of the principal, that he or she is entitled to restoration of this privilege. When an examination is canceled, no score may be entered on the student's permanent record.

Before any penalty may be applied pursuant to section 102.4, the student accused of fraud must be given an opportunity to make satisfactory explanations and to meet with the local board of education or its designee. The student, together with the student's parent(s) or guardian and (if so desired by the parents) an attorney, shall be given the opportunity to ask questions of the school officials and any other person having direct personal knowledge of the facts. The principal shall report promptly to the Office of State Assessment via fax to 518-402-5596 the name of each student penalized under section 102.4, together with a brief description of circumstances and the final action taken.

### **Reporting Administration and Scoring Irregularities to the Department**

The principal is responsible for all aspects of the school's administration of State examinations and must take appropriate measures both to prevent, as much as possible, and to investigate all irregularities associated with the administration and scoring of these examinations. In addition, the principal must report the following events in writing to the Office of State Assessment:

- All student infractions of the Department's policy prohibiting the use of cell phones and other communications devices during State examinations.
- All confirmed cases of students having committed fraud on State examinations.
- All interruptions of testing sessions including those caused by power outages or fire alarms.
- All suspected or confirmed cases of teachers, administrators, or paraprofessionals giving aid to students during a State examination or altering student responses on an examination paper.
- All instances in which a State examination is administered without Department authorization at a time outside the published Statewide schedule.
- All instances in which a school does not conform to the Uniform Statewide Admission Deadline in administering a State examination.
- All instances in which scorers do not rate State examinations in accordance with the scoring materials provided by the Department.
- All cases in which a school official or staff member alters or otherwise misrepresents a student's earned examination score during scoring, recording, or reporting.
- All cases in which student answer papers are lost prior to the recording of the scores in students' permanent records.

Principals must report all such occurrences in writing by fax to 518-402-5596 or via e-mail to [emscassessinfo@mail.nysed.gov](mailto:emscassessinfo@mail.nysed.gov).

### **Instructions for Proctors**

Specific instructions for administering each Regents Examination are provided in a separate publication, *Directions for Administering Regents Examinations*. Separate detailed directions for administering and scoring are also provided for each RCT and for the Second Language Proficiency Examinations. These materials are included in each school's shipment of nonsecure examination materials. Principals should provide them to teachers who will be responsible for proctoring and/or scoring these examinations several days in advance of the Regents Examination period so they have sufficient time to familiarize themselves with their contents. These documents are nonsecure and, may, therefore, be photocopied if additional copies are needed in order to provide one to each teacher.

### **Administering Examinations to LEP Students**

Schools may provide the following testing accommodations to LEP students:

*Time Extension.* Schools may extend the test time for LEP students taking Regents Examinations. Principals may use any reasonable extensions, such as "time and a half" (the required testing time plus half that amount), in accordance with their best judgment about the needs of the LEP students. Principals should consult with the student's classroom teacher in making these determinations.

*Separate Location.* Schools are required to provide optimal testing environments and facilities for all students. They may administer examinations to LEP students individually or in small groups in a separate location.

*Third Reading of Listening Selection.* Proctors may read the listening passage (Part A, Session One) of the Regents Comprehensive Examination in English a third time to LEP students. This accommodation is not permitted on State examinations in foreign languages.

*Bilingual Dictionaries and Glossaries.* LEP students may use bilingual dictionaries and glossaries when taking Regents Examinations in all subjects except foreign languages and when taking RCTs in all subjects other than reading and writing. The bilingual dictionaries and glossaries may provide only direct translations of words; definitions or explanations are not permitted. No student may use an English language dictionary when taking any State examination.

*Simultaneous Use of English and Alternative Language Editions.* When taking Regents Examinations for which the Department provides written translations, LEP students may use both an English and an alternative language edition of the test simultaneously. However, they must be instructed to record all of their responses in only one of the two editions. The alternative language edition used by the student should be so indicated on the student's answer sheet. Because the alternative-language editions of the RCTs are not direct translations of the English-language editions, students *may not* be given both.

*Oral Translation for Lower-Incidence Languages.* Schools may provide LEP students with an oral translation of a Regents Examination or RCT when there is no translated edition provided by the Department. This accommodation is permitted for State examinations in all subjects except English and foreign languages. All translations must be oral, direct translations of the English editions; written translations are *not* allowed. No clarifications or explanations may be provided. When taking the NLWT or RCTs in Reading and Writing, students whose native language is other than English may *not* be provided with the services of a translator.

Translators may be provided copies of the English edition of the tests no earlier than one hour prior to administration to become familiar with the material. Translators who also serve as proctors must be familiar with the procedures for administering Regents Examinations and RCTs. Principals must take the necessary precautions to ensure that the examinations are properly administered and that the students receiving translation services are not given an unfair advantage. The Department's Office of Bilingual Education and Foreign Language Studies and the Bilingual/ESL Technical Assistance Centers (BETACs) can assist schools in locating suitable translators.

*Writing Responses in the Native Language.* LEP students making use of alternative language editions or oral translations of Regents Examinations and of RCTs may write their responses to the open-ended questions in their native language. Scoring the tests is the responsibility of the school. However, the Department's Office of Bilingual Education and Foreign Language Studies and the BETACs can assist schools in locating persons who can translate the students' responses into English to facilitate scoring of the answer papers.

## **Administering Examinations to Students with Disabilities**

### **Students Who Incur Disabilities Shortly Before Test Administration**

Principals may provide testing accommodations for general education students who experience the onset of a short-term disability (e.g., incur an injury such as a broken arm) or a long-term disability (e.g., paraplegia) acquired or diagnosed within 30 days prior to the administration of State examinations. In such cases, when sufficient time is not available for the development of an IEP or a 504 Plan, principals may authorize certain accommodations that will not significantly change the skills being tested. These accommodations are limited to:

- extending the time limit for an examination,
- administering the examination in a special location,

- recording the student’s answers in any manner (When answering questions designed to measure writing ability in English or a second language, students receiving this accommodation must provide all punctuation, the spelling of difficult words, paragraphing, etc.), and
- reading the test to the student (This accommodation is allowed only for students whose vision is impaired. Tests that measure reading comprehension may *not* be read to these students.)

Eligibility for these accommodations is based on the principal’s professional discretion, but the principal is advised to confer with members of the CSE or with other school personnel in making these determinations. Pursuant to Section 102.3 of the Regulations of the Commissioner of Education, building principals are responsible for administering State examinations and for maintaining the integrity of examination content and programs in accordance with directions and procedures established by the Commissioner of Education.

Prior permission need not be obtained from the Department to authorize testing accommodations for general education students. However, a full written report concerning each authorization must be sent to the Office of State Assessment via fax to 518-402-5596. The report must be on school letterhead, must be signed by the principal, and must include the following information:

- the name of the student,
- the title of the test,
- a brief description of the student’s injury or disability, and
- a listing of the accommodations that were authorized by the principal.

If the student is expected to continue to need testing accommodations, the principal must immediately make the appropriate referral for the consideration of an IEP or 504 Plan.

### **Students with Disabilities**

Principals must ensure that students with disabilities receive the testing accommodations specified in their IEP or 504 Plan that are permissible on State examinations. Students who have been declassified must be provided the permissible testing accommodations documented in the declassification IEP. Principals must also ensure that only the accommodations specified in each student’s IEP, 504 Plan, or declassification IEP are allowed for the student. The use of these accommodations provides students with disabilities the opportunity to demonstrate proficiency on State examinations without being limited or unfairly restricted by the disabilities.

Information concerning the administration of State examinations to students with disabilities can be found in the publication *Test Access & Accommodations for Students with Disabilities, Policy and Tools to Guide Decision-Making and Implementation*. This publication is available on the Department’s web site at: <http://www.vesid.nysed.gov/specialed/publications/policy/testaccess/policyguide.htm>.

*RCTs*. Any accommodation listed in *Test Access & Accommodations for Students with Disabilities* may be authorized for students with disabilities in their IEP, 504 Plan, or declassification IEP. Detailed information pertaining to the administration of State examinations over multiple days for students whose IEP requires this testing accommodation appears in Appendix IV of this manual.

Subject to a set of protocols that must be strictly observed, a principal may reschedule an RCT to the next available school day for a student with a disability who generally requires extended time to complete State examinations and who is scheduled to take that RCT on the same day as another State examination. This option is *not* permitted for Regents Examinations. Detailed information on the rescheduling option for RCTs may be found in Appendix III.

*Regents Examinations and Second Language Proficiency Examinations*. The testing accommodations that may be authorized when students with disabilities take the RCTs may also be authorized for these examinations, in the following manner:

- Questions designed to measure reading ability in English or in a second language may be read or signed to students. Sections of the Regents Comprehensive Examination in English may *not* be deleted.

- Answers to questions designed to measure writing ability in English or in a second language may be recorded in an alternative manner (for example, dictation by means of a scribe or an electronic recording device). Devices with spell-checking and/or grammar-checking capability are permitted. Students with severe spelling disabilities may be excused from spelling requirements.
- The listening comprehension section may *not* be deleted from the Regents Comprehensive Examination in English or from modern language examinations. The Teacher Dictation Copy may be read to the student more than the standard number of times; in those cases the examination must be administered in a separate location. In addition, schools may permit students with hearing impairments who are not proficient in sign language to read the Teacher Dictation Copy.
- The oral skills sections may not be deleted from examinations in foreign languages. The utterances spoken by the teacher may be repeated for students with hearing impairments. In addition, the utterances ordinarily spoken by the teacher and student may instead be handwritten by the teacher and student onto notes that they exchange.

### **Large-Type Examinations**

In general, large-type examinations should be administered in the same way as regular examinations. Large-type examinations are exact reproductions (enlarged 136%) of the regular examinations. They have the same directions, questions, etc., as the regular examinations. They may be administered in the same room at the same time and with the same directions as those used for the regular examinations. Schools should limit all requests for large-type editions to the exact quantities needed for students requiring this accommodation, that is, students who are actually provided instructional materials (e.g., textbooks), locally developed tests, etc., in large-type format.

### **Braille Examinations**

The braille examinations require no special directions to students. The proctor administering a braille examination does not need to be able to read braille. The examination booklet provides the student with complete directions and descriptions. The questions on braille examinations are the same as those on the printed examinations with certain exceptions, which are described in the following paragraph. The questions are numbered the same as those on the printed examinations. Separate or special answer sheets are not provided with copies of braille examinations. The student may answer the questions in any manner appropriate and familiar to the student. The student may write, type, or braille the answers, dictate them to a proctor or to a recorder, or use any combination of these methods.

When the Department transcribes an examination into braille, questions that contain material that cannot be reproduced in a manner understandable to a visually-impaired student are modified. The questions are reworded or replaced with questions that measure skills similar to those measured by the original questions. In these situations, the Department provides teachers with special notices advising them of the modification(s) and any resulting scoring change(s) that may be necessary. Unless otherwise noted, the scoring key provided by the Department can be used for both the printed and braille editions of the examination.

### **Reader-Administered Examinations**

The regular examination booklet should be used when a proctor reads an examination to a student with a disability. The principal should provide the proctor with an examination booklet no earlier than one hour in advance of the required starting time so that the proctor can become familiar with the examination questions before reading them to the student.

In cases where test questions are to be read, the entire test must be read, including reading passages, open-ended and multiple-choice questions. The test must be read in a neutral manner, without intonation or emphasis, and without otherwise drawing attention to key words or phrases. Passages and questions must be read word for word, without any clarification or explanation. However, such content may be read more than once.

## Reference Materials for Examinations

All information normally provided to students taking an examination must be provided for students with disabilities. All reference materials for Regents Examinations (e.g. tables, charts, and graphs) are available in large type and braille. These materials will be supplied with the braille or the large-type examinations. When an examination is read to a student in accordance with the student's IEP or 504 Plan, the proctor may read the required reference information to the student as long as it does not give the student an unfair advantage.

No student may use an English language dictionary or thesaurus, either printed or electronic, during a State examination.

## Restricted Examinations

### Safeguarding Examination Materials

Extreme care must be taken to ensure that all copies of restricted examinations can be accounted for at all times. Administrators should make a written record of individual booklet numbers to accompany the transfer of examinations to and from the deputies and proctors. Under no circumstances may copies of the examinations be left unattended.

Each restricted examination booklet will be sealed in an envelope, which must be distributed to the student with the seal intact. Each student is to break the seal of the envelope at the time designated. Deputies, proctors, and teachers are not permitted to open an envelope containing a test booklet or to examine a test booklet for any reason other than to read questions to students with disabilities whose IEPs or 504 Plans call for this accommodation.

### Administering Restricted Examinations

Directions for administering and scoring restricted examinations are included in each school's shipment of nonsecure examination materials. These directions should be distributed to each teacher administering restricted examinations several days before the examination period.

All restricted examination booklets, both used and unused, and scrap paper must be returned to the Department. Rating guides for Part 2 of the restricted editions of the RCTs in social studies must also be returned in the Regents box.

*Replacing Defective Booklets.* If a student receives a defective examination booklet, the proctor should provide the student with a new envelope, if one is available. If no extra envelope is available, call 518-474-8220 for instructions. After receiving the new envelope, the student should break the seal and write the new examination booklet number on the answer sheet above the old number. The student should then seal the defective examination booklet in its original envelope. The proctor should write "contains defective booklet" on the sealed envelope. All defective booklets should be reported in writing to the Office of State Assessment. The report should include the name of the student and the booklet number. The same procedure should be followed for a defective answer sheet.

*Students with Disabilities.* Restricted forms of examinations are available in both large type and braille and may also be read to students with disabilities. When administering a restricted form to students with disabilities, a proctor should follow the same procedures as those followed when administering nonrestricted forms to students with disabilities. See *Administering Examinations to Students With Disabilities*, found earlier in this section. In addition, the proctor should follow the special procedures outlined in the preceding sections for administering restricted examinations to general education students.

*LEP Students.* When a restricted form of an examination is administered to a LEP student who requires the services of a translator, the guidelines for translators, found earlier in this section, must be followed. Both the student and the translator are allowed to read the questions in the examination booklet.

## SECTION THREE

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

#### Rating Examination 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 examinations 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 examinations, and papers written in braille.

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 Examinations 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. Raters must follow the procedures described in the appropriate Information Booklet provided in the school's shipment of nonsecure materials.

At least three teachers must rate the answer papers for the Regents Examinations in mathematics and the RCT in Writing. Only student answer papers for Regents Examinations in mathematics and the sciences that initially receive a scale score of 60-64 may be scored a second time.

If possible, each answer paper for all State examinations in foreign languages and all RCTs except Writing should be rated by two teachers to ensure the accuracy of the scores. All answer papers for those examinations with scores from 60 through 64 must be re-rated to ensure the accuracy of the scores. 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 are found during the Department review of answer papers.

To maintain uniform rating standards, all teachers involved in rating State examinations must be thoroughly familiar with the rating instructions provided by the Department. Accompanying each examination is a scoring key with directions for rating the multiple-choice and short-answer questions and, if applicable, guidelines for rating the essay parts of the examination. Except when recording scores on a scannable answer sheet, teachers must use red pen or red pencil when rating State examination papers.

Teachers must rate strictly according to the scoring key provided by the Department. Credit may be allowed for other answers only if they are clearly equivalent to the key answer. Permission must be obtained from the Office of State Assessment before students can be given credit for any answer that is not clearly equivalent to the key answer. Credit may *not* be given for answers that the teacher considers merely plausible, possible, or reasonable.

Once students hand in their test materials, the answer papers must not pass from the custody of the teachers. 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 Examinations**

Except when recording scores on a scannable answer sheet, teachers must use red pen or red pencil when rating Regents Examination answer papers. When scoring student responses to multiple-choice questions, teachers must distinctly mark all incorrect and omitted answers. For all RCTs and Second Language Proficiency Examinations, the number of credits allowed for each open-ended response must be clearly marked on the answer sheet. For Regents Examinations, raters must follow the procedures specified in the appropriate rating guide for recording the credits awarded for responses to open-ended questions. Whenever any State examination provides for fractional credit and the total score involves a fraction of  $\frac{1}{2}$  or more, the total score must be raised to the next highest integer; if the total score involves a fraction less than  $\frac{1}{2}$ , the fraction must be dropped. The initials of the raters must be clearly written on the answer paper.

Instructions for administering and rating the modern language speaking tests and the Latin oral reading test will be sent to schools approximately two months before each applicable Regents Examination period.

### **Rating RCTs**

*Reading, Mathematics, Science, and Social Studies.* The procedures to be followed when either hand scoring or machine scoring the answer papers for the RCTs are included in the directions for administering and scoring provided with each of the tests. For the RCT in Mathematics, Part A must be hand scored before the answer sheets can be machine scored; for the RCT in Science, the last question must be hand scored before the answer sheets can be machine scored.

*Writing.* Before beginning the rating process for the RCT in Writing, the principal of each school should set up a procedure for collecting and processing the answer papers. The rating should be completed as soon as possible after the administration of the test, but only after teachers have had sufficient time to become familiar with the method of rating the answer papers. Detailed directions for rating the answer papers are included in the rating guide and in the publication *Regents Competency Test in Writing: Directions for Administering and Scoring*, which may be accessed at: <http://www.emsc.nysed.gov/osa/hsgen.html>.

### **Rating Second Language Proficiency Examinations**

Instructions for administering and rating the modern language speaking tests and the Latin oral skills test will be sent to schools approximately two months before the June Regents Examination period. The scoring key for each examination also provides information about the rating of the examinations. The number of credits allowed for each part must be recorded in the spaces provided on the student answer sheet. Except when recording scores on a scannable answer sheet, teachers must use red pen or red pencil when rating answer papers. The initials of the rater must be clearly written on the answer paper.

## **The Finality of Examination Scores**

When the teacher scoring committee completes the scoring process, test scores must be considered final and must be entered onto students' permanent records.

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 examination 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 examinations. Teachers and administrators who violate Department policy with respect to scoring State examinations 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 isolated 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 errors such as these involve no more than five students' final scores on any State examination and when they are detected within four months of the test date, the principal may arrange for the corrected score to be recorded in the student's permanent record. However, in all such instances, the principal must advise the Office of State Assessment in writing that the student's score has been corrected. The written notification to the Department must be signed by the principal or superintendent and must include the names of the students whose scores have been corrected, the name of the examination, 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 five student answer papers on any examination, the administrator must first obtain permission in writing from the Office of State Assessment before arranging for or permitting a rescoring of student papers. The written request to the Office of State Assessment 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 examination 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 examination papers is necessary. As part of this submission, the school administrator must make clear his or her understanding that this extraordinary re-rating may be carried out only by a full committee of teachers constituted in accordance with the scoring guidelines provided in this section and fully utilizing the scoring materials for this test furnished by the Department.

The Department sometimes finds it necessary to notify schools of a revision to the scoring key and rating guide for an examination. 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 examination scores when appropriate. Only in such circumstances is the school not required to notify or obtain approval from the Department to correct students' final examination scores.

## **Rating Examination 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 Examinations.* The minimum passing score on a Regents Examination taken to satisfy the testing requirements for a Regents diploma is 65. Public school districts and nonpublic schools may establish a lower passing score at or above 55 for each Regents Examination to satisfy the testing requirements for a local diploma, subject to the limitations specified in Section 100.5(a) of the Regulations of the Commissioner of Education. For students with disabilities who first enter Grade 9 in September 2005 and thereafter, the score required on Regents Examinations for a local diploma is 55. The regulations pertaining to passing scores on Regents Examinations may be found on the Department's web site at: <http://www.emsc.nysed.gov/part100/pages/pt100index.html>.

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

*Second Language Proficiency Examinations.* The minimum passing score for Second Language Proficiency Examinations is 65. However, students who are attempting to earn course credit by examination under Section 100.5(d) of the Regulations of the Commissioner of Education must achieve a score of 85.

*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 examination 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 Examination Scores

The Department does not keep records of student scores for Regents Examinations, RCTs, or Second Language Proficiency Examinations. Schools must therefore maintain complete and accurate permanent records. Each time that a student takes a State examination at the scheduled time under proper supervision, the name of the examination, the date of administration, and the score must be entered on the student's permanent record, unless the score has been canceled because of fraud or misadministration.

No examination score may be entered as a Regents Examination score unless it has been obtained on a Regents Examination. Scores earned on Department-approved alternative examinations (Appendix I) must *not* be recorded on the permanent record as Regents Examination scores. If a student fails to take a Regents Examination, no score may be reported (including 0) on the student's permanent record.

The Regents Comprehensive Examination in English is administered in two three-hour sessions on separate days. To complete the examination and earn an official score, students must attend both sessions. No score should be entered in the student's permanent record if a student attends only one of the two sessions.

For the RCTs, the school should also 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 examination retakes the examination 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 re-takes a State examination, 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.

## **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 examinations 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.emsc.nysed.gov/part100/pages/1002.html#ee>). 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. (See *Sample Letter to Parents* in Appendix VI.)

## SECTION FOUR

### RETURNING TEST MATERIALS TO THE DEPARTMENT

#### Teacher Evaluation Forms

One of the main sources for improving State examinations is the evaluations provided by the teachers who administer them. The content and test development specialists who prepare the examinations review these evaluations before preparing each new edition. To facilitate the process, online evaluation forms for teachers are provided during and after each examination period. These online teacher evaluation forms may be accessed on the Department's web site at: <http://www.emsc.nysed.gov/osa/exameval>. Specific instructions for teachers to follow in order to submit their evaluations of tests via the online process are included in the teacher directions and in the scoring keys. By following these procedures, all teachers who administer examinations *may have the opportunity to comment on the content of examinations and the materials and procedures for administering them.*

#### Deputy and Proctor Certificate

Each deputy and proctor must certify, by individually signing this certificate, that the rules and regulations for administering Regents Examinations, RCTs, and Second Language Proficiency Examinations were faithfully observed. (The Deputy and Proctor Certificate is shipped to schools in a locked Regents box with the secure examination materials.) The certificate must be returned after each examination period in the Regents box.

#### Examination Storage Certificate

After each examination period, the principal must certify, by signing the Examination Storage Certificate, that the procedures for ensuring the security of Regents Examinations, RCTs, and/or Second Language Proficiency Examinations were fully and faithfully observed. (The Examination Storage Certificate is shipped to schools in a locked Regents box with the secure examination materials.) The certificate must be returned after each examination period in the Regents box. If any unusual situations occurred during an examination period concerning the security of examinations, a full report of the situation must be submitted along with the Examination Storage Certificate. (See *Reporting Administration Irregularities to the Department* in Section Two of this manual.)

#### Materials Returned to the Department in Regents Boxes

The following materials must be returned in the Regents boxes:

1. Deputy and Proctor Certificate.
2. Examination Storage Certificate.
3. All copies, used and unused, of restricted test booklets. (Include all Part 2 test booklets, where applicable.)
4. All restricted rating guides for open-ended questions on restricted tests.
5. All scrap paper used by students taking any restricted test.
6. All rating guides, teacher dictation copies, and student answer papers for the restricted January edition of the Regents Comprehensive Examination in French.
7. All copies of braille and large-type examination materials.
8. Padlock keys. (Insert padlock keys into the special envelope provided before placing them in the Regents box.)

9. Any Regents Examination, RCT, and Second Language Proficiency Examination answer papers indicated by the Department Review Request form unless this form specifies an alternate address to which these answer papers must be shipped.

If possible, pack all materials being returned to the Department in one Regents box. Return all Regents boxes as soon as possible after the examination period. Each school must pay for the return shipment of its Regents boxes; the boxes may not be returned collect. The boxes may be returned by United Parcel Service (UPS) or any other carrier. Regardless of the carrier chosen, the school must call the carrier, make the necessary arrangements, and pay for the return shipment. If the Regents boxes for a school are returned collect, the Department will refuse to accept the delivery.

## SECTION FIVE

### REVIEW OF EXAMINATION PAPERS

#### **Local Review**

Except when a State examination has been administered in restricted form, students who have taken Regents Examinations, RCTs, and Second Language Proficiency Examinations and their parents have the right to review the students' answer papers after the papers have been scored and the students' grades recorded on their permanent records. Answer papers should be reviewed in the presence of the principal, or his or her designee, to ensure that the answer papers are not changed as they are being reviewed. Schools may provide copies of answer papers to students and their parents on request. If a student's answer paper has been sent to the Department, the principal should contact the Office of State Assessment and the paper will be returned to the school.

Occasionally, a student or student's parent may question the accuracy of the local rating of an answer paper. When this occurs and differences cannot be resolved at the school or district level, it is recommended that the principal arrange for the paper to be reviewed, for advisory purposes, by teachers from a neighboring school or district as obtaining feedback from neighboring teachers should help to quickly resolve any question about the accuracy of the score. Only when, in the principal's judgment, such additional review has failed to resolve the rating of the answer paper, the principal may send the answer paper to the Office of State Assessment for further review. When Department content specialist time permits, the answer paper will be re-rated and returned to the school, showing both the local rating and the Department rating. Answer papers will be re-rated by the Department only at the request of a principal or a superintendent of schools and may take two or more months to complete from the date of submission.

#### **Department Review of State Examinations**

The purpose of the Department review is to ensure that all schools are following the same procedures and applying the same standards when rating State examinations. Selected principals requesting State examinations will receive notice concerning Department review at the conclusion of each Regents Examination period. This notice will indicate each subject for which the student answer papers must be submitted via traceable mail to the Department.

In January, June, and August, a random sampling procedure is used so that the subjects selected will vary from school to school and from year to year. Under this sampling procedure, every answer paper written in a school is equally likely to be selected regardless of which papers may have been reviewed in previous years. The principal of each school is sent a "Notice of Review" for each subject for which answer papers must be promptly returned to the Department, unless the notice specifies an alternate address to which the papers must be shipped. The procedures below should be followed when returning answer papers:

1. Package papers for each subject separately.
2. Complete a "Notice of Review" form for each subject and attach it to the package of answer papers for that subject.
3. Do *not* submit papers for review for any subject other than those indicated on the form.

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. Schools asked to submit answer papers for the Regents Comprehensive Examination in English or Mathematics A should produce and retain in the school photocopies of answer papers for all juniors and seniors scoring below 65 on these examinations. These photocopies will be needed by the school to determine which component(s) the students may be eligible for in the spring Component Retesting.

When the answer papers from a school are received in the Department, a sample of the papers submitted for each examination is selected for Department review. Experienced classroom teachers, under the supervision of Department staff, review these papers. The Department re-rating may confirm the local scoring of all questions on an examination or, at times, may focus on the scoring of specific types of questions such as multiple choice or essays.

After the Department rating is completed, all answer papers submitted are returned to the schools. The sampling of answer papers that was rescored by the Department are placed at the top of the stack of returned papers and a completed “Record of Department Rescoring” form will be attached to each rescored answer paper. A completed “Record of Department Rescoring” shows the Department rescore and the school score for each question on the answer paper rescored by the Department.

If a discrepancy was identified in the scoring of an answer paper, the principal is responsible for assigning the answer paper a final rating that, in his or her judgment is fair, accurate, and consistent with Regents standards. The final rating may be the Department rating, the original school rating, or a new rating obtained by a reevaluation of the answer paper. The principal is not required to return any of these answer papers to the Department or to make a formal report of the final scores given to the answer papers.

The principal is expected to carefully review the rescored answer papers with the appropriate staff and to implement appropriate changes in school procedures for rating future examination administrations if there were significant discrepancies between the school scores and the Department’s ratings. These schools may be required to submit reports to the Office of State Assessment that outline the changes that will be made in the school rating procedures.

When an examination whose answer papers have an excessive number of rating discrepancies is next administered in a school, the school may again be required to submit the answer papers for Department review to determine whether the school’s modified rating procedures have reduced the number of rating discrepancies. If the discrepancy rate is still excessive, the school may be required to adopt other corrective procedures such as scoring its answer papers for an examination subject with a consortium of teachers from other schools or districts.

When a pattern of discrepancies is identified that leads to a Department determination of suspected or corroborated fraud, such as score tampering, or disregard of the required scoring procedures, rubrics, rating guides, or scoring keys, the school or district in question may be required to submit original answer papers to the Department or other authority (e.g., BOCES or District Superintendent) while arrangements are made for third party scoring.

Principals or teachers with any questions about rating standards or procedures followed by the Department reviewers may direct such questions to the Office of State Assessment.

## SECTION SIX

### GRANTING OF CREDIT AND REGENTS ENDORSEMENT OF LOCAL DIPLOMAS

#### **Awarding of Credit for Courses of Study**

A course of study involves class attendance, homework assignments, quizzes, tests, and other activities. In many instances it also involves the taking of a State examination at the end of the course. When deciding whether a student who is enrolled in a course of study has satisfactorily completed and is entitled to credit for such course, the teacher should evaluate the student's performance on all these activities. In accordance with Section 100.5(a)(5)(v) of the Regulations of the Commissioner of Education, passing the Regents Examination in a subject shall not be construed as having earned a unit of credit in that subject unless the student also passes the course as offered in a registered high school or meets the requirements for credit by examination. (See section below, *Students Not Enrolled in Courses of Study*. <http://www.emsc.nysed.gov/part100/pages/1005.html#a>)

#### **Students Not Enrolled in Courses of Study**

In accordance with Section 100.5(d)(1) of the Regulations of the Commissioner of Education, a student may earn up to a maximum of 6½ units of credit without completing the units of study requirement (<http://www.emsc.nysed.gov/part100/pages/1005.html#d>). In order to earn credit by examination, the student must satisfy each of the criteria listed below:

1. Based on the student's academic performance, the superintendent of a school district or the chief administrative officer of a nonpublic school, or his or her designee, must determine that the student will benefit academically by exercising this alternative.
2. The student must pass an oral examination or successfully complete a special project to demonstrate proficiency, as determined by the principal, in the subject area.
3. The student must achieve a score of at least 85 on the applicable Regents Examination or Second Language Proficiency Examination.
4. The student must attend school, or have received substantially equivalent instruction elsewhere, in accordance with section 3204(2) of the Education Law, until the age of sixteen, pursuant to sections 3204 and 3205 of the Education Law.

#### **Issuance by Schools of Regents Diplomas**

##### **General Procedures**

A local high school diploma may be given Regents endorsement in recognition of a student's passing with a score of 65 or higher each of the five Regents Examinations specified in Section 100.5(a)(5) of the Regulations of the Commissioner of Education. (<http://www.emsc.nysed.gov/part100/pages/1005.html#a>). Eligibility for the endorsement will be determined by the principal on the basis of the student's record. The school may apply this endorsement at the time of graduation without awaiting the results of Department review of Regents Examination papers. The following is a sample Regents endorsement:

Diploma issued with the endorsement of the
<b>BOARD OF REGENTS</b>
on the basis of successful completion of
Regents Examinations

Most companies that print high school diplomas provide seals indicating Regents endorsement that may be affixed to the local diplomas of eligible students. Schools may issue, if they prefer, a separate Regents-endorsed diploma. Regents diploma blanks are furnished by the Department to registered high schools that request them as part of their online request for January or June secondary-level examinations.

### **Department-Approved Alternative Examinations**

Qualifying scores on Department-approved alternative examinations may be accepted in lieu of a passing Regents Examination score. The complete listing of Department-approved alternative examinations and the scores that a student must obtain on these alternative examinations to meet the examination requirement for a Regents diploma are provided in Appendix I.

## SECTION SEVEN

### APPENDIXES

#### Appendix I

#### Department-Approved Alternative Examinations Acceptable for Meeting Requirements for a Local or Regents Diploma

The examination score(s) indicated below are the minimum acceptable score(s) that can be substituted for a Regents Examination score of 65 for a student who has completed the course of study for that subject.

<i>Approved Alternative Examination</i>	<i>Minimum Acceptable Score</i>
<b>English</b>	
Advanced International Certificate of Education (AICE) English Examination	E
Advanced Placement Language and Composition Examination	3
Advanced Placement Literature and Composition Examination	3
International Baccalaureate English A1 Standard Level Examination	4
International Baccalaureate English A1 Higher Level Examination	3
<b>Global History and Geography</b>	
Advanced Placement World History	3
<b>United States History and Government</b>	
Advanced Placement United States History	3
SAT II United States History*	560
<b>Languages Other Than English</b>	
SAT II French Listening <i>and</i> French Reading	500/500
SAT II German Listening <i>and</i> German Reading	470/470
SAT II Modern Hebrew	490
SAT II Italian	450/450
SAT II Latin	470
SAT II Spanish Listening <i>and</i> Spanish Reading	460/460

\* In addition to achieving the established score, students must complete a multi-source, in-depth research project that demonstrates the ability to use primary and secondary sources.

<i>Approved Alternative Examination</i>	<i>Minimum Acceptable Score</i>
<b><i>Mathematics A</i></b>	
Advanced International Certificate of Education (AICE) Mathematics Examination	E
Advanced Placement Calculus AB Examination	3
Advanced Placement Calculus BC Examination	3
International Baccalaureate Mathematics Studies Standard Level Examination	4
International Baccalaureate Mathematics Methods Standard Level Examination	4
International Baccalaureate Mathematics Higher Level Examination	3
International General Certificate of Secondary Education (IGCSE)	A
SAT II Mathematics Level IC	470
SAT II Mathematics Level IIC	510
<b><i>Mathematics B</i></b>	
Advanced Placement Calculus AB Examination	3
Advanced Placement Calculus BC Examination	3
SAT II Mathematics Level IIC	550
<b><i>Sciences**</i></b>	
Advanced Placement Biology	3
SAT II Biology	520
SAT II Chemistry	540
SAT II Physics	530

\*\* In addition to achieving the established score, students must complete 1,200 minutes of hands-on laboratory work with satisfactory laboratory reports.

**Appendix II**  
**ACT, SAT I, and SAT II Test Scores\***  
**Acceptable for Meeting Competency Requirements**  
**for a Local High School Diploma**

<i>Test</i>	<i>Competency in Reading</i>	<i>Competency in Writing</i>	<i>Competency in Mathematics</i>	<i>Competency in Science</i>	<i>Competency in Social Studies</i>
<b>ACT</b>	Reading Test 16	English Test 15	Mathematics Test 16	Science Reasoning 16	See Note Below
<b>SAT I</b>	Critical Reading 390	Critical Reading 390	Mathematical 400	The alternative examination scores that are acceptable for meeting the requirements for a Regents-endorsed diploma in science and/or social studies are also acceptable for meeting the competency requirements in those areas. (See Appendix I.)	

\* These scores apply only to students who are eligible to take the RCTs to meet local diploma requirements.

## Appendix III

### Rescheduling Option Available to Schools Administering RCTs to Students with Disabilities

High school students with disabilities occasionally encounter difficulties when they are scheduled to take more than one State assessment in one day during a given Regents Examination period. Many students with disabilities are provided “extended time” as a testing accommodation required by their IEP or 504 Plan. Some students with disabilities may want to take both a Regents Examination and its corresponding RCT during the same Regents Examination period. A scheduling concern arises when the student who is permitted extended time is to be administered more than one test in a single day.

To address such concerns, the school should consider several options:

- **Postpone one of the tests** until the next Regents Examination period during which it is scheduled to be administered (e.g., the following August or January in the case of a June examination). The examination to be postponed should be in a content area in which the student will continue to receive instruction (and in which retention of information is thus a less critical concern). Schools are encouraged to provide review and preparation time to the student prior to any examination(s) postponed due to scheduling concerns.
- **Take a Department-approved alternative to the State examination.** Available in some content areas as equivalent to the corresponding State examination, these alternatives include, among others, certain titles of the SAT I and II, and Advanced Placement Tests. Some of these alternative examinations are offered several times a year and on dates that do not conflict with State examinations. The list of Department-approved alternative examinations appears as Appendixes I and II of this manual.
- **Reschedule an RCT to the next available school day** during the same test administration period on which the student has no other State examinations scheduled. This option may be made available only to the student whose IEP or 504 Plan requires extended time as a testing accommodation and who is scheduled to take an RCT on the same day as another State examination. **This option is *not* permitted for Regents Examinations.** The administration of all Regents Examinations must occur on the date indicated on the official schedule distributed by the Office of State Assessment. (See <http://www.emsc.nysed.gov/ciai/testing/sched.html> for schedules for upcoming examination periods.)

The requirements for implementing the rescheduling of an RCT are as follows:

- The school may reschedule the RCT to the next available school day during the same examination period on which the student has no other State examinations scheduled. The RCT may be rescheduled only to a time **after** the regularly scheduled date for that test’s administration (not earlier than the date originally scheduled by the Department). For example, if the RCT is scheduled for the third day of testing, and the student is scheduled to take another State examination on that date, the RCT can be moved to the fourth day (not the first or second day) of that testing week. At the school’s discretion, the scheduled rating day at the end of the examination period may be used as the alternate date if the RCT is ordinarily scheduled for the last day of testing and the student is scheduled to take another State examination on that date.

- Only scheduling conflicts involving other State assessments may be taken into account in determining a student's eligibility for this option. The same-day administration of locally developed or other assessments do not constitute a permissible basis for rescheduling RCTs.
- To maintain test security, the student, the student's parents and the school administrator are required to sign the three security forms appended as Attachments 1a-c certifying that the student did not have access to any of the specific content of the test prior to taking it.
- No official test score may be entered into the student's permanent record for an RCT rescheduled in accordance with the procedures outlined in this memorandum until all three required security certificates have been completed and signed by all appropriate parties and have been placed in the school's files. These forms must be retained as part of the school's special education file in the individual student's records.
- The school implementing this option must notify the Department of its decision to do so by completing and submitting a copy of Attachment 2, the "Notification of Rescheduled RCT" to VESID's Central Administration Regional Support Services Unit. The form must be submitted via fax (518-473-5769) no later than two weeks prior to the scheduled test administration.

This option will help reduce scheduling difficulties for students with disabilities. For questions about this scheduling option or about a student's eligibility for the RCT Safety Net, contact VESID's Special Education Policy Unit by telephone at 518-473-2878. For additional information about testing programs and schedules, please see the Office of State Assessment web site at: <http://www.emsc.nysed.gov/osa/>.

The University of the State of New York  
THE STATE EDUCATION DEPARTMENT  
Albany, New York 12234

New York State Test Administration  
Security Certificate

I, \_\_\_\_\_, as a **student** enrolled at \_\_\_\_\_  
School, do certify that I had no prior knowledge by way of contact with another student and/or  
administrator or through contact with media reports of any of the questions on the following RCT(s)  
administered during the \_\_\_\_\_ Regents Examination period.  
*month/year*

**RCT**

**Date(s) Administered**

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Student's signature*

This form must be retained as part of the school's special education file in the individual student's records.

The University of the State of New York  
THE STATE EDUCATION DEPARTMENT  
Albany, New York 12234

New York State Test Administration  
Security Certificate

I, \_\_\_\_\_, as the **parent/guardian** of \_\_\_\_\_  
who attends \_\_\_\_\_ School, do certify that this student had no prior  
knowledge by way of contact with another student, teacher, and/or administrator or through contact with  
media reports of any of the questions on the following RCT(s) administered during the  
\_\_\_\_\_ Regents Examination period.  
*month/year*

**RCT**

**Date(s) Administered**

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Parent/Guardian's signature*

This form must be retained as part of the school's special education file in the individual student's records.

The University of the State of New York  
THE STATE EDUCATION DEPARTMENT  
Albany, New York 12234

New York State Test Administration  
Security Certificate

I, \_\_\_\_\_, as the **principal** of \_\_\_\_\_ School,  
do certify that \_\_\_\_\_ was not given prior access by me or by any  
of the proctors to any of the questions on the following RCT(s) administered during the  
\_\_\_\_\_ Regents Examination period.  
*month/year*

**RCT**

**Date(s) Administered**

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Principal's signature*

This form must be retained as part of the school's special education file in the individual student's records.

The University of the State of New York  
THE STATE EDUCATION DEPARTMENT  
Albany, New York 12234

Notification of Rescheduled RCT

Name of School District \_\_\_\_\_

Contact Name \_\_\_\_\_

Contact Telephone Number \_\_\_\_\_

Name of Student \_\_\_\_\_

Conflict (Name of Regents Examination and RCT scheduled for the same day)

\_\_\_\_\_  
\_\_\_\_\_

Resolution (alternate date RCT will be administered)

\_\_\_\_\_

This form must be submitted to VESID's Central Administration Regional Support Services Unit via fax to 518-473-5769 no later than two weeks prior to the scheduled test administration date.

## Appendix IV

### Administration of State Examinations Over Multiple Days

Sections 100.2 and 200.4 of the Regulations of the Commissioner of Education require that the IEP for each student with a disability list all testing accommodations necessary to permit the student an equitable opportunity to demonstrate abilities and competencies, and that those accommodations are to be consistently implemented in the recommended educational program and in the administration of district and statewide assessments. In a similar manner, students determined to have a disability pursuant to Section 504 of the Rehabilitation Act of 1973, who may not require special education or related services, are also entitled to receive testing accommodations based on their 504 Plan.

Certain students with disabilities, at the elementary, middle, and secondary school levels, may not be able to complete State examinations on the date scheduled for administration due to their physical development and/or management needs. Physical development and management needs are defined in Section 200.1(w)(3)(i)(c) and (d) of the Regulations of the Commissioner of Education as follows:

Physical development . . . shall mean the degree or quality of the student's motor and sensory development, health, vitality, and physical skills or limitations which pertain to the learning process.

Management needs . . . shall mean the nature of and degree to which environmental modifications and human or material resources are required to enable the student to benefit from instruction.

Therefore, procedures have been established for the administration of State examinations over multiple days (e.g., Monday, Tuesday) during the same administration. A description of the spectrum of accommodations associated with extension of time and adjustment of schedule for State examinations follows:

**Standard Administration.** The examination is administered and completed by the student on the scheduled day and within the specified time.

**Time Extension.** The examination is administered on the scheduled day, beginning before the specified time and/or continuing after the specified time on the same day, in a manner ensuring that security of content is maintained and the Uniform Statewide Admission Deadlines are strictly observed.

**Multiple Days.** One or more selected sections of the examination are administered **and completed** on the scheduled administration date; remaining sections are administered and completed on the next day(s). More information regarding this testing accommodation is presented on the following page.

Questions regarding these standards and procedures may be addressed to VESID, One Commerce Plaza, Room 1624, Albany, New York 12234, 518-473-2878.

## **Administration of State Examinations Over Multiple Days**

This testing accommodation is applicable to all State examinations that are administered at the elementary, middle, and secondary school levels, including examinations required for a student to earn a Regents-endorsed or local high school diploma. **Implementation of this procedure requires prior approval from the Department.** Application materials must be submitted to VESID at least three months prior to the date of administration. Application materials must include **all** the following:

- A narrative statement from the chairperson of the CSE or the principal describing the student's need for this testing accommodation and the manner in which testing accommodations are consistently implemented for the student at school
- A copy of the student's IEP or 504 Plan
- Evaluations (CSE or 504 Plan) that demonstrate the need for this testing accommodation

A determination regarding the authorization of this testing accommodation will be made by VESID. That office will notify the school of its determination. Approval for this testing accommodation will extend to all successive State examinations administered to the student at the elementary, middle, and secondary levels without further application to the Department.

This testing accommodation is designed to provide students with severe physical development and management needs an equitable opportunity to demonstrate abilities and competencies. Other important considerations associated with this testing accommodation follow:

- The examination must begin on the date scheduled by the Office of State Assessment for general administration.
- The student may receive extended time for completing the examination section(s) administered during a given day.
- The student may receive one section at a time and must complete it before receiving the next so there can be no advance knowledge of upcoming content.
- The principal is responsible for making all necessary arrangements for safeguarding examination materials, including storage in an appropriate safe or vault.
- All affirmations required of the student, proctor(s), principal, and parent/guardian must be completed.

## Appendix V

### Alternative Language Competency Testing Procedures for LEP Students Who Are Eligible for the RCT Safety Net for Students with Disabilities

LEP students who attend public schools and who are eligible for the RCT Safety Net for Students with Disabilities must make at least one attempt at each Regents Examination that students must ordinarily take and pass to earn a high school diploma. However, Section 100.5(a)(5) of the Regulations of the Commissioner of Education (<http://www.emsc.nysed.gov/part100/pages/1005.html#a>) permits LEP students who are eligible for the RCT Safety Net for Students with Disabilities to earn a local diploma by passing the corresponding RCT(s) if unsuccessful on one or more of the required Regents Examinations. In addition, LEP students who are eligible for the RCT Safety Net for Students with Disabilities may meet State testing requirements for a local diploma through alternative language competency testing procedures.

The following sections provide information about the ways in which eligible LEP students may demonstrate competency.

#### Reading and Writing

LEP students who are eligible for the RCT Safety Net for Students with Disabilities may demonstrate reading and writing skills in their native language only if their first entry into a school where the predominant language is English was after Grade 8. These students must (1) demonstrate reading comprehension and writing skills in their native language at a level comparable to the requirements of the RCTs in Reading and Writing; and (2) demonstrate English language proficiency on a Department-approved examination designed to measure English as a second language.

*Native Language Skills.* Eligible students may demonstrate proficiency in reading comprehension and writing skills in their native language by passing the NLWT. The NLWT, available from the Department in 29 languages, consists of three parts: a personal letter on a given situation, a composition on a given situation, and a composition on one of two given topics. Each task requires a response of about 100–200 words.

If the NLWT is not available in a student's native language, the principal may allow a translator to work from an English edition of this examination into the student's native language. All translations must be oral, direct translations; written translations are not allowed. Translators should be given their copy of the test one hour before the starting time of the test to allow them to become familiar with the material.

*English Language Skills.* To meet the minimum requirement for proficiency in English, students must demonstrate satisfactory progress toward mastery of the skills measured by the RCTs in Reading and Writing by earning a specified score on the Reading Comprehension Subtest of the Language Assessment Battery (LAB), Level IV, Form A or B, which has been approved by the Department for this purpose only. The required level of English proficiency increases with the number of years of English instruction that the student has received. (See table on the next page.)

**Department-Approved English Proficiency Test for LEP Students Who  
Are Eligible for the RCT Safety Net for Students with Disabilities**

**Reading Comprehension Subtest  
Language Assessment Battery (LAB), Level IV, Form A or B**

<b>Purpose</b>	To assess reading comprehension skills
<b>Administration</b>	Group
<b>Grade Level</b>	Grades 9–12
<b>Time</b>	28 minutes
<b>Description</b>	Modified cloze items and multiple-choice format
<b>Author(s)</b>	New York City Department of Education
<b>Copyright Date</b>	1982
<b>Publisher</b>	Office of Accountability New York City Department of Education 44-36 Vernon Blvd., Room 207 Long Island City, NY 11101 718-349-5600

<b>Years of Instruction in English as a Second Language</b>	<b>Minimum Raw Score Required</b>
(10–19 months)	26
2 (20–29 months)	27
<b>3 or More</b> (30+ months)	28

**Mathematics, Science, and Social Studies**

LEP students who are eligible for the RCT Safety Net for Students with Disabilities may demonstrate proficiency in mathematics, science, and social studies in their native language regardless of the grade during which they entered a school where the predominant language is English. These students may demonstrate proficiency in mathematics, science, and social studies in their native language by passing an alternative language edition of the required RCTs.

The RCT in Mathematics is available in 29 languages. The RCT in Science is available in the following six languages: Chinese (Traditional), French, Haitian Creole, Korean, Spanish, and Vietnamese. The RCTs in Global Studies and United States History and Government are available in the following four languages: Chinese (Traditional), Haitian Creole, Korean, and Spanish.

If an RCT in Mathematics, Science, or social studies is not available in a student’s native language, the principal may arrange for a translator to translate the English edition of the test into the student’s native language. All translations must be oral, direct translations; written translations are not allowed. The translator must be given a copy of the test booklet one hour before the starting time of the test to allow him or her to become familiar with the material.

On RCTs in Mathematics, Science, or social studies, LEP students may provide their responses to open-ended questions in either English or their native language, whichever is more appropriate for the student. It is the school’s responsibility to arrange for the scoring of responses written in languages other than English.

## **Appendix VI**

### **Sample Letter to Parents**

Pursuant to Section 100.2(ee) of the Regulations of the Commissioner of Education, schools must provide academic intervention services to students who fail any of the State examinations required for high school graduation. The sample letter below illustrates the type of information that schools must provide the parent(s) or guardian(s) of these students. The letter should be written in the native language of the parent(s).

Dear [Mr. and Mrs. Smith]:

Your [son John] took the Regents Examination in Physical Setting/Earth Science on [date] and earned a score of [48] of a possible score of 100.

[John's] score indicates that [he] has not yet demonstrated the level of proficiency in science that is required for high school graduation. Therefore, he is entitled to receive academic intervention services.

In order to help [John] improve [his] science skills, we are placing [him] in [name of the academic intervention services program]. A description of this program is enclosed with this letter.

If you have any questions about [John's] test score or [name of the academic intervention services program,] or about how you can help improve [his] skills in science, please call [Mr. Johnson] at [telephone number].

Sincerely,

[School Administrator]

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