2015 Edition
School Administrator's Manual
Secondary Level Examinations

The University of the State of New York
THE STATE EDUCATION DEPARTMENT
Office of State Assessment
Room 775 EBA
Albany, New York 12234
http://www.p12.nysed.gov/assessment/

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FOREWORD

This publication is intended for use by school administrators and counselors. It provides general information on Regents Examinations and Regents Competency Tests (RCTs), as well as the specific requirements and procedures for requesting, administering, and rating these examinations.

The Office of State Assessment (OSA) has overall responsibility for the administration of Regents Examinations and RCTs. 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 English language learners, and rating of papers.

The contact information for OSA is provided below.

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CONTENTS

Page

Section One
General Information

Purposes of the Exams 1–1
Required Use of Exams 1–1
State Testing Requirements for Graduation 1–1
Exam Centers 1–2
Subjects 1–2
Dates of Administration 1–3
Exams Not Administered Due to Inclement Weather 1–3
Attendance Records 1–4
Admission Requirements 1–4
Credit by Exam 1–5
Testing Students Enrolled in Other Schools 1–5
Use of Alternative Assessments 1–5

Section Two
Requesting and Administering Regents Examinations and Regents Competency Tests

Informational Materials 2–1
Obtaining Exam Materials 2–1
Safeguarding Exam Materials 2–3
Shipment and Emergency Supplies of Exam Materials 2–5
Preparations for Testing 2–6
Conducting the Exams 2–8
Reporting Testing Misconduct and Irregularities to the Department 2–14
Administering Exams to English Language Learners 2–15
Administering Exams to Students with Disabilities 2–16
Restricted Exams 2–18

Section Three
Rating Examination Papers, Recording Scores, and Providing Academic Intervention Services

Rating Exam Papers 3–1
Rating Exam Papers for Students with Disabilities 3–3
Passing Scores 3–3
Recording Exam Scores 3–4
Individual Student Results 3–5
Retention of Answer Papers 3–5
Required Academic Intervention Services 3–5

Section Four
Returning Test Materials to the Department

Teacher Evaluation Forms 4–1
Examination Scoring Certificate 4–1
Deputy and Proctor Certificate 4–1
Examination Storage Certificate 4–1
Materials Returned to the Department in Regents Boxes 4–1

Section Five
Review of Examination Papers

Local Review 5–1
Department Review of State Examinations 5–1

Section Six
Awarding of Credit and Issuance of Regents Diplomas

Awarding of Credit for Courses of Study 6–1
Students Not Enrolled in Courses of Study 6–1
Issuance by Schools of Regents Diplomas 6–1

SECTION ONE

GENERAL INFORMATION

Purposes of the Exams

Regents Exams 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 Exams 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 exams 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 Exams 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. General education students are not eligible to take RCTs. The RCTs are available only for students with disabilities who first entered Grade 9 prior to the September 2011–12 school year, as part of a safety net for such students.

Required Use of Exams

Regents Exams

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 Exams 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 Exams. (See the listing of Department-approved alternatives available on the Department web site at http://www.p12.nysed.gov/assessment/hsgen/archive/list.pdf.)

Section 100.2(e) of the Regulations of the Commissioner of Education (http://www.p12.nysed.gov/part100/pages/1002.html#e) requires public school districts to offer students attending their schools the opportunity to meet all requirements for and receive a Regents diploma. Students shall have the opportunity to take Regents courses and Regents Exams in Grades 9 through 12 and, when appropriate, in Grade 8.

Regents Exams 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 Exams no earlier than their completion of high school-level coursework deemed appropriate by the school.

State Testing Requirements for Graduation

Section 100.5(a)(5) of the Regulations of the Commissioner of Education requires that all public school students earn passing scores on State exams in the areas of English, mathematics, science, and social studies 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 certain Regents Exams. They are not eligible to take any RCTs.

Information regarding passing scores on Regents Exams, multiple pathways and other options for earning a diploma, and challenging for credit can be found at the web sites listed in the chart on page 3–4 of Section Three of this manual.

RCT Safety Net and Lower Passing Score on Regents Exams for a Local Diploma for Students with Disabilities. Students with disabilities are required to take the same Regents Exams as general education students. However, students with disabilities who first entered Grade 9 in September 2005 and thereafter may meet the exam requirements for a local diploma by earning a lower passing score on the Regents Exams required for high school graduation. In addition, in October 2012, the Board of Regents approved an amendment to Section 100.5 of the Regulations of the Commissioner of Education to provide a compensatory option to students with disabilities to graduate with a local diploma. For additional information on the compensatory option, please refer to the memorandum "Amendment to Section 100.5 of the Regulations of the Commissioner of Education Relating to the Safety Net for Students with Disabilities to Graduate with a Local High School Diploma" available at http://www.p12.nysed.gov/specialed/publications/safetynet-compensatoryoption.html. Students with disabilities who first entered Grade 9 prior to September 2011 who take the required Regents Exam but do not achieve a passing score on that exam may fulfill the exam requirement for a local diploma by passing the corresponding RCT(s).

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. The list of approved alternatives that are acceptable for meeting competency requirements for a local high school diploma is available on the Department's web site at http://www.p12.nysed.gov/assessment/home.html. For additional information on local diploma safety net options for students with disabilities, see http://www.p12.nysed.gov/specialed/publications/localdiplomaoptions-may2011.htm.

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 Exam in science may also be required to earn a high school diploma. Section 100.5(d)(5) of the Regulations of the Commissioner of Education may be found at http://www.p12.nysed.gov/part100/home.html.

Exam Centers

Regents Exams and RCTs 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 exams. Pursuant to Section 102.3 of the Regulations of the Commissioner of Education, the school principal or chief administrative officer of the exam center is responsible for the school's compliance with all regulations and Department policies governing the administration of these exams.

Subjects

The Department offers the following secondary-level exams:

Regents Examinations

English

Comprehensive English (2005 Learning Standards) [last administration, June 2016]
English Language Arts (Common Core)

Mathematics

Integrated Algebra [last administration, June 2015]
Algebra I (Common Core)
Geometry (2005 Standard) [last administration, January 2016]
Geometry (Common Core) [first administration, June 2015]
Algebra 2/Trigonometry [last administration, January 2017]
Algebra II (Common Core) [first administration, June 2016]

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

Dates of Administration

The Department provides schools with exam schedules for the school year. Regents Exams in all subjects listed above are offered each year in January and June while a limited number of Regents Exams are offered each August. The RCTs are offered in all subjects in January, June, and August.

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

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

Announcements concerning the dates and schedules for future Regents Exam periods are available on the Department's web site at http://www.p12.nysed.gov/assessment/schedules/.

Exams Not Administered Due to Inclement Weather

During the January Regents Exam period, superintendents must follow normal procedures in determining whether school should be closed due to inclement weather. Schools may not administer State exams 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 exams in January due to inclement weather, the superintendent, excepting those of the five large cities, must notify the BOCES district superintendent of the date(s) of closing and any exam(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 exams are administered are counted. Schools are permitted to excuse students not taking a secondary-level State exam who are located in the same building as students taking a State exam; the day will count toward fulfilling the requirement that school districts provide at least 180 days of session during the school year, if such excusal is necessary to provide adequate staff and space for the administration of State exams.

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

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

Admission Requirements

Regents Exams

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 Exam have the right to be admitted to that exam. **Students may not be barred from an exam for disciplinary reasons or because their achievement in a subject is considered unsatisfactory.** In the case of a science Regents Exam, only students who have also met the laboratory requirement, which includes 1200 minutes of hands-on laboratory experience with satisfactory laboratory reports, may be admitted. (See also *Credit by Exam* later in this section.)

RCTs

In public schools, only students with disabilities who first enter Grade 9 prior to September 2011 are eligible to take the RCTs. Additional information on eligibility for the RCT safety net option is available in the memorandum "Local Diploma Safety Net Options for Students with Disabilities who Enter Grade 9 in September 2011 and Thereafter" on the Department's web site at http://www.p12.nysed.gov/specialed/publications/localdiplomaoptions-may2011.htm. RCTs are administered to eligible students who have completed the unit of study requirements as follows:

- RCT in Mathematics — one unit of mathematics in Grades 9 through 12;
- RCT in Science — only after studying the science 7, 8, and 9 curriculum;
- RCT in Global Studies — two units of global studies in Grades 9 through 12;
- RCT in United States History and Government — one unit of United States history and government in Grades 9 through 12; and
- RCTs in Reading and Writing — students enrolled in Grades 11 and 12 may be admitted and are permitted to take these tests initially no earlier than January of Grade 11.

Eligible students may not be barred from any of these tests because their achievement in a course is considered unsatisfactory.

Credit by Exam

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 Exam for the purpose of demonstrating academic proficiency acquired through independent, out of school, or other study (http://www.p12.nysed.gov/part100/home.html). Such students may be admitted to an exam only upon the determination by the superintendent of a public school district or the chief administrative officer of a nonpublic or charter 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 Exams, the student must meet the laboratory requirement before admission to the exam. With documentation, this requirement can be met through industrial and commercial experiences or by completing the necessary number of minutes of school laboratory exercises.

Testing Students Enrolled in Other Schools

Students enrolled in a high school other than the school in which an exam is to be administered must provide the test site administrator with written permission from their home school principal. In addition, before a student from another school is admitted to a Regents Exam, the test site administrator must receive from the home school principal a scannable answer sheet for that student's use. The test site administrator must retain the written permission from the home school administrator for a minimum of one year from the date of testing. The school administering the exam must require that students from other schools provide adequate prior notice and present satisfactory personal identification. The school may establish its own policy with regard to charging nonresident students a reasonable fee to cover administrative and rating costs. The test site administrator is responsible for maintaining a record of the test results for all students taking State exams at that test center, including those of students enrolled in other schools. Following scoring, the test site administrator must return the student's scannable answer sheet to the home school. The home school is responsible for having the answer sheet scanned by its scanning center and for reporting the exam results to the State Education Department.

Use of Alternative Assessments

In accordance with Section 100.2(f) of the Regulations of the Commissioner of Education (http://www.p12.nysed.gov/part100/home.html), the Department may authorize the use of alternative exams in lieu of Regents Exams.

A list of the assessments which have been approved for use in lieu of Regents Exams is available on the Department's web site at http://www.p12.nysed.gov/assessment/hsgen/archive/list.pdf.

SECTION TWO

REQUESTING AND ADMINISTERING REGENTS EXAMINATIONS AND REGENTS COMPETENCY TESTS

Informational Materials

School principals will receive a minimum of two e-mails concerning the requesting and administering of Regents Exams and RCTs for each exam period. The first e-mail includes a memorandum that provides information on the procedures for requesting and storing the exams. These materials are e-mailed well in advance of the January and June exam periods to all registered secondary schools and to other educational institutions that have been given specific approval to administer the secondary-level State exams. The materials for requesting the August exams are e-mailed to all secondary schools that during the regular school year have placed requests for them through the online examination request system. Other schools wishing to request August exams should notify the Office of State Assessment (OSA) by June 30 via e-mail to examrequest@nysed.gov. Online requests for each Regents Exam period should be submitted by the date specified in the memorandum.

Approximately three weeks before each exam period, the second set of materials is e-mailed to school administrators. Included in this e-mail are two memorandums: the first provides information on the shipping and administration of the exams and the return of exam materials to the Department; the second provides information on the format and content of the exams.

Obtaining Exam Materials

General Requesting Procedures

Schools may request only the quantities of exam materials that are actually needed during an exam period. Except when restricted, copies of past Regents Exams are available on the Department's web site at http://www.p12.nysed.gov/assessment/pastexaminations.html/.

When requesting regular exam booklets, indicate the number of booklets needed plus no more than ten percent to provide for unanticipated increases. Schools are **not** permitted to request exams for other schools. Based on the number of exam booklets requested, appropriate quantities of the teacher dictation copies for the Regents Comprehensive Examination in English will be included in each school's exam shipment. The Department does not provide printed copies of the answer booklets for the RCT in Writing, the essay booklets for the English and social studies Regents Exams, teachers' directions, or English or alternative-language editions of reference tables. These materials are available on the Department's web site at http://www.p12.nysed.gov/assessment/resources/. Schools are responsible for photocopying sufficient quantities.

Printed copies of scoring keys and rating guides for all nonrestricted exams will **not** be sent to schools. Instead, these scoring materials will be made available on the Department's web site at http://www.p12.nysed.gov/assessment/scoring/. Posting time for the scoring materials for the January and June Regents Exams will be approximately 11:00 a.m. for morning exams and approximately 3:00 p.m. for afternoon exams. Posting time for the scoring materials for the August Regents Exams will be approximately 11:30 a.m. for morning exams and approximately 3:30 p.m. for afternoon exams. All scoring keys and rating guides posted on the Department's web site will be password-protected. The school principal will receive an e-mail from the Department on the day of the exam that provides the passwords to be used to access all scoring keys and rating guides being posted that day. In order to access these documents, all schools will be required to enter the passwords sent by the Department.

Exams for Students with Visual Disabilities

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

Sample copies of past exams 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 (phone 585-343-5384). To make this loan service possible, schools are required to return all braille materials and unused large-type exams and reference tables to the Department in the Regents box after each exam period.

Starting in 2016, exams for students with visual disabilities will be developed using the Unified English Braille code.

Exams for English Language Learners

English language learners may take State exams 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 exam periods, the Regents Examinations in Integrated Algebra, Algebra I (Common Core), 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 exam period, these Regents Exams are available in Spanish translation. During all three exam periods, only English language editions are provided for the Regents Examinations in Algebra 2/Trigonometry, Comprehensive English, English Language Arts (Common Core), Geometry (2005 Standard), Geometry (Common Core) Physical Setting/Chemistry, and Physical Setting/Physics. All translated editions of Regents Exams can be requested using the online examination request system.

Alternative-language editions of the RCTs are available for those English language learners who are eligible for the RCT Safety Net. 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 exam 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 OSA at 518-474-2021. The letter must specify the *exact quantity* of each test needed in each language.

The translated editions of Regents Exams are direct translations of the English editions that will be administered during the same exam period, so students identified as English language learners 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 Exams

Certain exams 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 exams that will be available in restricted form is provided to school administrators on the exam schedule and in the memorandum that is sent to them regarding the procedures for requesting and storing State exams.

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 Individualized Education Program (IEP) or Section 504 Accommodation Plan (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 on the Department's web site. Students taking these exams may use no other reference materials.

These reference tables are separate publications. The Department does not provide printed copies of the regular and translated-edition reference tables. Schools are required to use the online versions of the reference tables to print sufficient copies to supply one *clean* copy to each student during the administration of the exam. Note that the Department will continue to provide schools with the braille and large-type editions of reference tables in the shipment of secure test materials.

The regular and translated-edition reference tables are available on the Department's web site at http://www.p12.nysed.gov/assessment/reftable/.

Confirmation of Exam Requests

Within three business days after submitting an exam request, the school principal will receive an e-mail confirmation notice indicating the number of test booklets requested and the number of test booklets that will be shipped for each exam. The confirmation notice will also indicate the address of the storage location to which shipments of secure exam materials will be sent. The confirmation notice must be carefully checked against the school's record of exams requested to ensure that the correct quantities of materials will be shipped.

Safeguarding Exam Materials

Every principal requesting State exams must provide any information or affirmations required on the online examination request system. *The principal's agreement to the security pledge on the first screen indicates understanding and agreement to comply with the exam security requirements described in this manual.*

Secure exam materials must be stored in locked Regents boxes, which must in turn be stored in a *Department-approved safe or walk-in vault* that meets all of the specifications listed below. Newly constructed vaults, existing vaults that have been modified, or newly purchased safes must be inspected by a Department representative and approved by the Department before secure materials may be stored in any such facility. Approval of such a storage facility is contingent upon its having met all of the criteria outlined below. If a school's safe or vault has not been approved but the administrator believes it meets the criteria outlined below, arrangements for an inspection may be made by faxing a written request on school letterhead signed by the principal to OSA at 518-474-1989. Once a school's safe or vault is approved by the Department, the principal will be notified and the secure storage location will be reflected on the School Information page of the online examination request system.

WALK-IN VAULTS must have all of the following:

- poured concrete floor
- no windows or access panels
- walls of reinforced cement block or concrete, sealed to a poured concrete floor below and structural floor or roof deck above
- metal door in a metal frame with interior or welded-pin hinges
- built-in dead-latch (deadbolt) with combination or key lock that allows exiting at all times

SAFES must meet or exceed Underwriters Laboratories **(UL) TRTL-30** performance standards for burglary resistance, and must have:

- steel door at least 1½" thick
- steel walls at least 1" thick
- 750 lbs. minimum weight
- built-in combination lock
- capacity to store the Regents boxes for the school's largest exam request (minimum acceptable unobstructed inside dimensions of 11"H×20"W×27"D to store one Regents box)

Principals of schools that do not have either of the above-mentioned secure storage facilities must make arrangements to store the exam materials in a Department-approved safe or vault in another school, school district building, or BOCES building and complete the *Examination Storage Plan*. If these arrangements cannot be made, it is the responsibility of the principal to notify OSA.

Principals who need to amend their school's storage information must send a fax to 518-474-2021 or e-mail (examrequest@nysed.gov) to OSA with the school name and address where the exams are to be securely stored. This office will then request written verification of the storage arrangements from the person in charge of the proposed "host" storage location before secure exam materials can be shipped to that address.

Principals should review the "School Information" page on the online examination request system to determine whether the school must submit a new *Examination Storage Plan*. In providing the affirmations required on the online examination request system, 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 OSA (518-474-2021) specifying the new location where the exams will be stored. Exams will be shipped only to school locations that have Department-approved storage facilities.

Approximately three weeks before the exams are scheduled to be administered, principals will be notified by e-mail as to when the exam 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 exam 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 exam shipment has been delivered, the locked Regents box(es) must immediately be placed in the department-approved safe or vault. If, for any reason, the Regents box(es) containing secure exam materials cannot be stored in the safe or vault at that location, the school administrator must contact OSA at 518-474-8220 or emscassessinfo@nysed.gov immediately for assistance in arranging for the proper storage of the Regents box(es).

The padlock key(s) for the Regents box(es) should be kept in a secure location other than the safe or vault where the Regents box(es) are kept. The combination or key to the safe or vault must be maintained under strict security conditions to preclude access to the exam 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 exams to ensure that they have not been tampered with and that the materials in them remain secure.

If the exam materials are stored in a building other than the school in which the exams will be administered, the materials for both the morning and afternoon exams 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 exam 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 exam materials are stored in a secure location until needed for administration. Any packages containing secure materials must *not* be opened until the day that each exam is to be administered. Any packages containing scoring keys for morning exams must not be opened prior to 10:00 a.m. (9:15 a.m. for August exams) on the day of the exam. Any packages containing scoring keys for afternoon exams must not be opened prior to 2:00 p.m. (1:15 p.m. for August exams) on the day of the exam.

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

Shipment and Emergency Supplies of Exam Materials

Shipment of Exam Materials

Each school requesting exams may receive two or more shipments of exam materials, depending on what was requested.

The nonsecure exam materials will be shipped in cardboard cartons and will arrive at schools approximately twenty days before the exam period is to begin and, depending upon the exam titles requested by the school, may include the following:

- Earth Science Performance Test materials
- Regents diplomas
- Envelopes for returning restricted exam materials

The secure exam materials will be shipped in locked Regents boxes to the location designated in the online examination request system. School administrators may receive one shipment (Single Shipment) comprising the secure exam materials for the entire exam period or multiple shipments (Daily Delivery) consisting of one shipment for each day of the exam period. Note that for the June administrations only, single shipment schools will receive a separate shipment for those Regents Exams being administered the first week in June. About three weeks prior to the delivery of the secure exam materials, school administrators will be informed via e-mail 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 Exam 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 exam shipments, the principal should use the shipping notice included in the shipment, which indicates the quantity of each type of exam material that should have been included in the shipment. If the expected quantities of exam materials have not been received, contact the nearest regional center immediately to arrange to obtain the required materials. (See *Emergency Supplies of Exam Materials* listed next in this section.)

Under no circumstances may the sealed packages of secure exam 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 exam, 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 exam materials for each exam must be stored in the locked Regents box in a Department-approved safe or vault until the morning of the day of the test. OSA must be notified immediately by fax (518-474-2021) or e-mail (examrequest@nysed.gov) if any packages of secure exam materials are not properly sealed. This office must be similarly notified if the school receives any secure exam materials over and above the quantities requested, taking into account the bundling factor used in packaging the exams.

Emergency Supplies of Exam Materials

In January, June, and August, emergency supplies of exam 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 at http://www.p12.nysed.gov/assessment/hsgen/ prior to each exam period. Materials will be released from the regional centers *only* on the day of each exam. Secure materials for morning exams will be released in the morning; secure materials for afternoon exams 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 exam 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 exam materials must provide identification with a photograph and countersign the authorization letter before the exam materials will be released.

Preparations for Testing

General Information

Principals are responsible for ensuring that all proctors and school personnel authorized to have access to secure test materials comply with these requirements and instructions. Principals are to authorize specific personnel to serve as proctors and train them to properly administer tests and to, also, designate other school personnel permitted to access secure test materials and train them in test security protocol.

Instructions for Proctors

Specific instructions for administering each Regents Exam are provided in a separate publication, *Directions for Administering Regents Examinations.* Separate detailed directions for administering and scoring are also provided for each RCT. These materials are available on the Department's web site at http://www.p12.nysed.gov/assessment/hsgen/. Principals should print enough copies to provide them to teachers who will be responsible for proctoring and/or scoring these exams several days in advance of the Regents Exam period so they have sufficient time to familiarize themselves with their contents.

Orientation of Proctors

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

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

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

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

Materials Provided by the School and by Students

If not using the answer sheet supplied as the last page of the test booklet for the RCTs in Mathematics, Science, Reading, Global Studies, and United States History and Government, the school must furnish each test taker with a similar answer sheet designed for use with the test.

The Department does not provide printed copies of the RCT in Writing answer booklet, the essay booklet for the Regents Comprehensive Examination in English, the essay booklet for the Regents Examination in English Language Arts (Common Core), or the essay booklet for the Regents Exams in social studies.

These booklets are available on the Department's web site at http://www.p12.nysed.gov/assessment/resources/. Schools must print enough copies to supply one to each student.

The Department does not provide printed copies of the regular and translated edition reference tables. Schools are responsible for providing one clean copy of the regular and translated edition reference tables for the Regents Examination in Physical Setting/Earth Science and the regular edition reference tables for the Regents Examinations in Physical Setting/Chemistry and Physical Setting/Physics to each student taking these exams. Note that the Department will continue to provide the large-type and braille editions of these reference tables to schools in the shipment of secure exam materials.

The school must provide scrap paper for student use for all secondary-level State exams except for the Regents Exams in mathematics. (Students are not permitted to use scrap paper for Regents Exams 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 Exams in mathematics who request it in order to change their work on graphs.

Students should be informed before the day of the exam that they are expected to provide their own pens, pencils, erasers, and rulers.[1] Information concerning the use of calculators and reference materials by students is provided later in this section under the headings *Use of Calculators*, *Administering Exams to English Language Learners*, and *Reference Materials for Exams*.

Preparation of the Exam Room

The room in which State exams 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 exams 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

Schools are required to use uniform machine-scorable answer sheets developed by the Regional Information Centers (RICs) or large-city scanning center. Throughout the State, in consultation with the Department, schools must make the necessary arrangements to obtain machine-scorable answer sheets and scanning services for all Regents Exams from a RIC or large-city scanning center.

The uniform answer sheets contain several grids with spaces for recording various types of student identification information. The school, with assistance from the RIC or large-city scanning center, must develop uniform written directions about the completion of these grids and provide these directions to all teachers administering the exams. Such directions should be based on careful consideration of the student and score information needed, as well as on the processing requirements of the scoring center that the school is using. Schools must also develop directions to students on what writing implement to use and how to fill in the answer sheets. These directions must be provided to all proctors administering the exams. *Schools may **not** require students to record their responses for the same multiple-choice questions on more than one answer sheet for any State exam*.

All answer sheets provided by RICs or large-city scanning centers should be scanned only once in order to preserve answer sheet quality for audit purposes. If a school elects to scan its own answer sheets, it

[1] Schools may permit students to use highlighters when taking State exams. Proctors must monitor student use of highlighters to ensure that they are not being used by students to record their responses to questions that must be answered in pencil or pen and that the use of the highlighters does not obscure the students' responses to open-ended questions.

must use the uniform answer sheet provided by the regional scanning center and provide a data file to its scanning center in a format that is compatible with the center's data system. Scanning should occur within three months of the administration of the Regents Exams.

The Department provides a hand-scorable answer sheet as the last page of the RCT booklet.

Conflicts

A student who is scheduled to take more than one exam 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 Exam solely because of an exam conflict.

Students must take each Regents Exam on the day that it is scheduled for administration. Students taking more than one exam during the same session 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 exam(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 order to assist a student who encounters a schedule conflict between a Regents Exam and an RCT, please refer to the memorandum regarding a rescheduling option to schools administering RCTs to students with disabilities. This memorandum is available on the Department's web site at http://www.p12.nysed.gov/specialed/publications/policy/rct1003.htm.

Conducting the Exams

Time Regulations

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

All Regents Exams are scheduled for administration during a three-hour exam session and proctors must ordinarily conclude each exam exactly three hours after the actual starting time. Special arrangements must be made to allow additional time for eligible students. (See *Administering Exams to English Language Learners* and *Administering Exams to Students with Disabilities* found later in this section.) Although RCTs are scheduled for administration during a 3-hour exam session, there is no time limit for these tests.

At the discretion of the principals, schools may begin secondary-level exams 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 exam room before the Uniform Statewide Admission Deadlines. Any student who leaves leave the exam room before the Uniform Statewide Admission Deadlines listed below will have his or her test invalidated and no score will be entered.

Uniform Statewide Admission Deadlines

	Morning Exams	*Afternoon Exams*
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 exam room before the Uniform Statewide Admission Deadline must be admitted to the exam, even if the students arrive after the scheduled starting time. Students who arrive at the exam 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 exam only if the principal is certain that the students did not have an opportunity to exchange information with students who have already left the exam.

The purpose of the Uniform Statewide Admission Deadlines is to eliminate any possibility of the exchange of information between students at different exam 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 Exams 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 exam for these students. Schools are permitted but not required to repeat the listening comprehension section of the Regents Comprehensive Examination in English to students who have missed this section due to their late arrival. Further, when an exam 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 exam. For more information on this topic, see *Administering Exams to Students with Disabilities* later in this section.

Students admitted late to RCTs must be given as much time as needed to complete the tests due to the fact that there is no time limit for RCTs.

Use of Calculators

Schools must ensure that each student has the appropriate type of calculator when taking one of the secondary-level State exams 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 must 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 exams. Symbol manipulation calculators are calculators capable of doing symbolic algebra or symbolic calculus (for example, factoring, expanding, or simplifying given variable output).

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 Exams. Students taking any Regents Exam in mathematics must have a graphing calculator without symbol manipulation.

Science Regents Exams. For the Living Environment Exam, 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 Exams 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 Exams. All students taking the Physical Setting/Physics Exam must have a scientific or a graphing calculator without symbol manipulation.

Performance Tests

Regents Examination in Physical Setting/Earth Science. The Physical Setting/Earth Science Exam 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 exam. 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 Exam period. Teachers are expected to administer the performance test in compliance with all instructions provided in the teacher's directions.

Students Repeating the Regents Examination in Physical Setting/Earth Science. **Students retaking the written test of the Regents Examination in Physical Setting/Earth Science must also retake the performance test.** Only the performance test score earned by the student in the weeks immediately preceding the written exam may be used to determine the student's final exam score for the Regents Examination in Physical Setting/Earth Science.

Distribution of the Teacher Dictation Copy

The Regents Comprehensive Examination in English has a listening passage. The Teacher Dictation Copy should be distributed no earlier than *one hour prior* to the scheduled starting time to the teachers who will administer the exam. This will give teachers sufficient time to familiarize themselves with the material before the beginning of the exam.

Rules for Proctoring

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

Checking for Unauthorized Materials. Students who are taking State exams must be under close supervision at all times during the exam session. When students enter the exam room, all materials brought into the exam room must be inspected to make sure that the materials do not contain any unauthorized notes, electronic devices, or printed material that would give the user an unfair advantage. The materials that students are permitted to bring into the exam room are identified in this section of this manual under the heading *Materials Provided by the 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 exam. 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 exams. If necessary, the students should be moved to another location. In order to allow for all possible outcomes of procedural due process, the student should be allowed to complete the exam. If the steps described above fail to end attempts to obtain or give information, the principal should be notified immediately and the students' exams terminated. At the conclusion of the exam, 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 exam.

Student Use of Communications Devices. All students are prohibited from bringing cell phones and certain other electronic devices, as defined in the script below, into a classroom or other location where a State exam is being administered. Test proctors, test monitors, and school officials shall retain the right to collect and hold any prohibited electronic devices prior to the start of the test administration. Admission to the test shall be denied to any student who is in possession of a cell phone or other prohibited electronic device and refuses to relinquish it.

At the beginning of each test administration, proctors must read the following statement to all students taking secondary-level State exams:

> You cannot have any communications device, including a cell phone, with you during this exam or during any breaks (such as a restroom visit). Such devices include, but are not limited to:
>
> - Cell phones
> - Blackberry devices and other PDAs
> - iPods and MP3 players
> - iPads, tablets, and other eReaders
> - Laptops, notebooks, or any other personal computing devices
> - Cameras or other photographic equipment
> - Headphones, headsets, or in-ear headphones such as earbuds, and
> - Any other device capable of recording audio, photographic or video content, or capable of viewing or playing back such content
>
> If you brought any of these items to the building today, and have not already stored it in your locker or turned it over to me, a test monitor or school official, you must give it to me now. You may not keep your cell phone or any of these items with you, or near you, including in your pockets, backpack, desk, etc. If you keep a cell phone or any of these items with you, your exam will be invalidated and you will get no score. Is there anyone who needs to give me any of these items now?
>
> [*Proctor: repeat list of devices*.]
>
> This is your last opportunity to do so before the test begins.

For Principals and Proctors:

a. Any student observed with any prohibited device while taking a State exam must be directed to turn it over to the proctor or monitor immediately. To allow for all possible outcomes of procedural due process, the student should be allowed to complete the exam. The incident must be reported promptly to the school principal. If the principal determines that the student had a prohibited device in his or her possession during the test administration, the student's test **must** be invalidated. No score may be calculated for that student.
b. The incident must be promptly reported, in writing, to OSA by fax to 518-474-1989 or by e-mail to emscassessinfo@nysed.gov, as is the case for all student-related testing irregularities, misadministrations, or other violations of State testing policy and procedures.

NOTE: Some students with disabilities may use certain recording/playback devices ONLY IF this accommodation is specifically required as a provision of the student's IEP or 504 Plan. In addition, a student may be allowed to retain an otherwise prohibited device in his or her possession if there is documentation on file at the school from a medical practitioner that the student requires such a device during testing. Without such documentation, the general policy on communications devices as provided above is in effect, and the school may not allow the student to retain any such equipment while testing.

Proctoring. Proctors must circulate periodically around the room during the administration of each exam to ensure that students are recording their responses to exam 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 Exams, no additional time, beyond three 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 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 exam questions to any student, nor may anyone comment to a student on the correctness or sufficiency of the student's response while the exam is in progress. In response to inquiries by students concerning the meaning or interpretation of questions on State exams, proctors may advise students only to use their own best judgment.

Safeguarding the Integrity of the Test Materials. Staff are not permitted to discuss test questions or other specific test content with each other, with others online via e-mail or LISTSERV, or through any other electronic means prior to or while the exams are being administered or following the administration in the case of those exams that are restricted. **Proctors may not use cell phones or other electronic devices to duplicate test materials, and should keep their own communication devices put away during testing, using them only in emergency situations.** Test booklets cannot be opened prior to the distribution of tests to students.

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 exam session.

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

Emergency Evacuation of a School Building. Evacuation of a school building during an exam 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 exam 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 exam. Following the exam, a written report of the circumstances must be sent to OSA by e-mail (emscassessinfo@nysed.gov) or fax (518-474-1989).

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.

Proctors, teachers and administrators who fail to adhere to the policies and procedures of the Department risk discipline. Teachers and administrators who engage in inappropriate conduct with respect to administering and scoring State exams may be subject to disciplinary actions 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.

Handling of Students' Completed Exam Materials

When a student has completed a State exam, 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 exams 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 exams 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 exam 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 OSA by e-mail to emscassessinfo@nysed.gov. This report must include (1) a description of the loss or disappearance, including a list of all students whose papers are missing; (2) the exam title and administration date; (3) the likely cause of the loss or disappearance; and (4) the steps that 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 Exam or RCT (other than the RCT in Writing) is required to sign the following declaration:

> I do hereby affirm, at the close of this exam, 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 exam session.

The declaration for each exam is printed on the answer paper or the student information sheet provided by the Department for that exam. Proctors must check to be sure that each student has signed the declaration before the student leaves the exam room. The declaration can be signed with a pencil or a pen. Exam 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 shall include the use of unfair means to pass an examination, attempting to give aid to, or obtain aid from, another person in any examination, alteration of any Regents Examination credential, and intentional misrepresentation in connection with Regents Examinations or credentials. Section 225 of the Education Law makes fraud in exams a misdemeanor, whether perpetrated by a student, teacher, administrator, or any other person. In addition, Section 102.4 of the Regulations of the Commissioner of Education prohibits testing fraud by students, educators, and others involved in the handling, administration, and scoring of State assessments.

Student Fraud. Students who violate one of the prescribed State and/or local policies for taking exams, but do not attempt either to obtain or give aid, have not committed fraud. For example, if a student leaves the exam 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 exam 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 exam, the principal must cancel the student's exam. 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.

A student who has been judged by the principal to have committed or attempted to commit fraud must be excluded from any subsequent exams 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 exam is canceled, no score may be entered on the student's permanent record. The principal shall report promptly to OSA via fax to 518-474-1989 the initials or ID number of each student penalized under Section 102.4, together with a brief description of circumstances and the final action taken.

Testing Improprieties by Adults

Testing misconduct by adults is strictly prohibited. Adults may not:

- Access secure test booklets and/or answer sheets prior to the time allowed by testing rules.
- Review test booklets prior to test administration in order to: determine and record correct responses for use during testing; create pre-test lessons or discussions with students about concepts being tested; or create a "cheat sheet" for students to use during testing, including sharing formulas, concepts, or definitions, necessary for the test.
- Provide students clues or answers during testing, including coaching students about correct answers, defining terms and concepts contained in the test, pointing out wrong answers, suggesting that a student reconsider or change a recorded response, reminding students during testing of concepts they learned in class, or making facial or other non-verbal suggestions to students regarding answers.
- Give a student more time to take the test than is allowed for that student under State regulations.
- Leave materials displayed in the room containing topics being tested.
- Write test specific formulas, concepts or definitions on the board prior to or during testing.
- Review an answer sheet for wrong answers and return it to the student to change responses.
- Alter, erase, or change a student's recorded responses after the student hands in test materials.
- Engage in rescoring of any portion of a test to add points, unless authorized by State rules.
- Encourage or assist anyone to engage in the above-described conduct.

Reporting Testing Misconduct and Irregularities to the Department

The principal is responsible for all aspects of the school's administration of State exams 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 exams.

Reporting Student Testing Misconduct and Other Testing Irregularities

The principal must report the following misconduct by students and testing irregularities in writing on school letterhead to OSA via fax to 518-474-1989 or by e-mail to emscassessinfo@nysed.gov:

- All student infractions of the Department's policy prohibiting the possession or use of cell phones and other communications devices during State exams.
- All confirmed cases of students having committed fraud on State exams.
- All interruptions of testing sessions including those caused by power outages or fire alarms.
- All instances in which a State exam 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 exam.
- All instances in which scorers do not rate State exams in accordance with the scoring materials provided by the Department.
- All cases in which student answer papers are lost prior to the recording of the scores in students' permanent records.

Mandatory Reporting of Testing Improprieties by Adults

The Department's Test Security Unit (TSU) handles all reports of testing improprieties by adults involved in the administration and scoring of State assessments. School officials and personnel are required to report any incident of testing misconduct by an educator or other adult involved in testing. Reports should be made via the TSU web site at http://www.highered.nysed.gov/tsei/ by submitting the incident report form located on the main page under "Report Educator Test Fraud."

No adverse action, including dismissal and any disciplinary action, may be taken against an employee who files a mandatory report of testing misconduct, because the employee filed a report. Anyone who takes such unwarranted adverse action against another employee may face disciplinary action by the Department.

Administering Exams to English Language Learners

Schools may provide the following testing accommodations to English language learners:

- *Time Extension*. Schools may extend the test time for English language learners. 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 English language learners. Principals should consult with each student's classroom teacher in making these determinations.
- *Separate Location*. Schools are encouraged to provide optimal testing environments and facilities for all students. They may administer Regents Exams to English language learners individually or in small groups in a separate location.
- *Third Reading of Listening Selection.* Proctors may read the listening passage of the Regents Comprehensive Examination in English a third time to English language learners.
- *Bilingual Dictionaries and Glossaries.* English language learners may use bilingual dictionaries and glossaries when taking Regents Exams. The bilingual dictionaries and glossaries may provide **only** direct translations of words. Bilingual dictionaries or glossaries that provide definitions or explanations are **not** permitted.
- *Simultaneous Use of English and Alternative-Language Editions*. For Regents Exams for which the Department provides written translations, English language learners may use both an English and an alternative-language edition of the test simultaneously. However, they should be instructed to record all of their responses in only one of the two editions. The alternative-language editions of the RCTs provided by the Department are often **not** direct translations of the English-language editions: students may **not** be given both. The alternative-language edition used by the student should be so indicated on the student's answer sheet.
- *Oral Translation for Lower Incidence Languages*. Schools may provide English language learners with an oral translation of a Regents Exam when there is no translated edition provided by the Department. This accommodation is permitted for State exams in all subjects **except** English. All translations must be oral, direct translations of the English editions. Written translations are not allowed. No clarifications or explanations may be provided. Translators should receive copies of the English edition of the tests *one hour prior* to administration. The Department's Office of Bilingual Education and Foreign Language Studies (phone 518-474-8775) and the Regional Bilingual Education Resource Networks (RBE-RNs) can assist schools in locating suitable translators. A list of RBE-RNs is available at http://www.p12.nysed.gov/biling/bilinged/betac.html.
- *Writing Responses in the Native Language.* English language learners making use of alternative-language editions or of oral translations of Regents Exams may write their responses to the open-ended questions in their native language. This accommodation is permitted for State exams in all subjects **except** English. Scoring the tests is the responsibility of the school. However, the Department's Office of Bilingual Education and Foreign Language Studies and the RBE-RNs can assist schools in locating persons who can translate the students' responses into English to facilitate scoring of the answer papers.

Former English Language Learners

Schools may provide the testing accommodations listed above under the heading "Administering Examinations to English Language Learners" to Former English Language Learners who met the exiting criteria specified in Part 154-2 of the Regulations of the Commissioner of Education and were exited from English language learner status following their participation in one of the two most recent administrations of *the New York State English as a Second Language Achievement Test* (NYSESLAT). Such students either achieved an overall level of proficient on the NYSESLAT or, effective October 1, 2014, achieved an overall level of Advanced on the most recent administration of the NYSESLAT and scored at Level 3 or higher on the New York State Common Core Grades 3–8 English Language Arts Test or earned a score of 65 or higher on the Regents Examination in English Language Arts (Common Core), or earned a score of 65 or higher on the Regents Comprehensive Examination in English.

Administering Exams 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 (either cognitive or physical) acquired or diagnosed within 30 days prior to the administration of State exams. 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 exam,
- administering the exam in a special location,
- recording the student's answers in any manner (When answering questions on the Regents Exams in English, 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 Committee on Special Education (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 exams and for maintaining the integrity of exam 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 OSA via fax to 518-474-1989. The report must be on school letterhead, must be signed by the principal, and must include the following information:

- the initials or ID number 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 exams. Students who have been declassified must be provided the permissible testing accommodations recommended upon declassification and documented in the notice to the Board of Education and in prior written notice to the parent. It is also recommended that a 504 Plan be considered to document recommendations for declassified students. Principals must also ensure that only the accommodations specified in each student's IEP, 504 Plan, or those recommended upon declassification are allowed for the student. The use of these accommodations provides students with disabilities the opportunity to demonstrate proficiency on State exams without being limited or unfairly restricted by the disabilities.

Information concerning the administration of State exams 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.p12.nysed.gov/specialed/publications/policy/testaccess/policyguide.htm.

Any accommodation listed in *Test Access & Accommodations for Students with Disabilities* may be authorized for students with disabilities in their IEP, 504 Plan, or recommended upon declassification. Questions designed to measure reading ability in English may be read or signed to students when taking the Regents Comprehensive Examination in English or the RCT in Reading. Answers to questions designed to measure writing ability in English 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 exempted from spelling requirements for the Regents Exams in English or the RCT in Writing. The listening comprehension section may *not* be deleted from the Regents Comprehensive Examination in English. The Teacher Dictation Copy may be read to the student more than the standard number of times as indicated on the student's IEP/504 Plan; in those cases the exam 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 if indicated on the student's IEP/504 Plan.

Detailed information pertaining to the administration of State exams over multiple days for students whose IEP requires this testing accommodation is available on the Department web site at http://www.p12.nysed.gov/specialed/publications/policy/testaccess/policyguide.htm. 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 exams and who is scheduled to take that RCT on the same day as another State exam. This option is **not** permitted for Regents Exams. Detailed information on the rescheduling option for RCTs is available on the Department web site at http://www.p12.nysed.gov/specialed/publications/policy/rct1003.htm.

Large-Type Exams

In general, large-type exams should be administered in the same way as regular exams. Large-type exams are exact reproductions (enlarged 136%) of the regular exams. They have the same directions, questions, etc., as the regular exams. They may be administered in the same room at the same time and with the same directions as those used for the regular exams. 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 Exams

The braille exams require no special directions to students. The proctor administering a braille exam does not need to be able to read braille. The exam booklet provides the student with complete directions and descriptions. The questions on braille exams are the same as those on the printed exams with certain exceptions, which are described in the following paragraph. The questions are numbered the same as those on the printed exams. Separate or special answer sheets are not provided with copies of braille exams. 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 exam 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 exam.

Reader-Administered Exams

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

Unless the IEP or 504 Plan specifically disallows it, when reading a mathematics test question to a student who has this accommodation, all numbers and mathematics symbols, along with words, should be spoken by the proctor to the student. For example, the symbol < should be read as “less than,” and 1,211 should be read as “one thousand, two hundred, eleven.” However, test questions may never be modified or simplified, nor may proctors provide additional examples.

Reference Materials for Exams

All information normally provided to students taking an exam must be provided for students with disabilities. All reference materials for Regents Exams (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 exams. When an exam 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 exam.

Restricted Exams

Safeguarding Exam Materials

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

Each restricted exam 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 Exams

Detailed directions for administering and scoring restricted exams are provided in separate publications available on the Department’s web site at http://www.p12.nysed.gov/assessment/hsgen/. Principals should print copies of these directions and distribute them to each teacher administering restricted exams several days before the exam period.

All restricted exam booklets, both used and unused, scrap paper, and reference tables 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 exam 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 exam booklet number on the answer sheet above the old number. The student should then seal the defective exam 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 OSA. The report should include the initials or ID number of the student and the booklet number. The same procedure should be followed for a defective answer sheet.

Students with Disabilities. Restricted forms of exams 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 Exams 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 exams to general education students.

English Language Learners. When a restricted form of an exam is administered to an English language learner 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 exam booklet.

SECTION THREE

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

Rating Exam Papers

General Information

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

Teachers are **not** permitted to score their own students' answer papers. This means that teachers currently instructing students in the coursework associated with a particular Regents Exam or RCT may **not** score those students' answer papers for that exam. This prohibition includes special education and academic intervention services (AIS) teachers. For the August exams, neither the school year teacher nor the summer school teacher may score their own students' responses. The following examples are intended to offer guidance to school administrators who will be making determinations as to a teacher's eligibility to score specific students' exam papers.

- A teacher providing AIS to a student in preparation for the Regents Examination in U.S. History and Government may **not** score that student's answer paper for this exam.
- An English teacher who is a student's homeroom teacher but is not the student's current year English teacher may score that student's answer paper for a Regents Exam in English.
- A mathematics teacher who taught a student algebra the year before but is not currently instructing a student in the coursework in geometry may score the student's answer paper for the Regents Examination in Geometry.

The principal is responsible for making the final determination as to whether or not a teacher may score specific students' exam papers based on this scoring policy. A principal may establish rules that are more prohibitive than the illustrations above suggest.

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

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

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

Rating Regents Exams

At least two teachers must rate the answer papers for the Regents Examinations in Comprehensive English, English Language Arts (Common Core), 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. All raters must follow the procedures described in the appropriate Information Booklet available on the Department's web site at http://www.p12.nysed.gov/assessment/hsgen/.

At least three teachers must rate the answer papers for the Regents Examinations in Integrated Algebra, Algebra I (Common Core), Geometry (2005 Standard), Geometry (Common Core), and Algebra 2/Trigonometry. Raters must follow the procedures described in the appropriate Information Booklet available on the Department's web site at http://www.p12.nysed.gov/assessment/hsgen/.

When scoring student responses to multiple-choice questions on any Regents Exam, teachers must follow the directions provided by the Department or by the school's RIC or scanning center. For Regents Exams, raters must follow the procedures specified in the appropriate rating guide for recording the credits awarded for responses to open-ended questions. For the Regents Comprehensive Examination in English and for the Regents Examinations in social studies, if the total score for the open-ended questions ends in .5, round that total score up to the nearest whole number. The names and initials of raters must be clearly written in the designated areas.

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

Machine Scoring of Regents Exams

Before answer sheets are machine scored, several samples must be both machine scored and hand scored to ensure the accuracy of the machine-scoring process. All discrepancies must be rectified before student answer sheets are machine scored. When the machine scoring is completed, a sample of the answer sheets must be rescored manually to verify the accuracy of the machine-scoring process.

Rating RCTs

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

Finality of Exam Scores

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

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

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

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

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

Rating Exam Papers for Students with Disabilities

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

Passing Scores

Regents Exams. Subject to certain exceptions, the passing score on Regents Exams is 65. Information regarding passing scores, options for earning a diploma, and challenging for credit can be found at the web sites listed in the chart on the following page.

Topic	Web Site
Chart of Diploma Requirements	http://www.p12.nysed.gov/part100/pages/diprequire.pdf
Multiple Pathways to Graduation	http://www.p12.nysed.gov/ciai/multiple-pathways/docs/multiple-pathways-4+1-field-memo.pdf
Appeal to Graduate with a Lower Score on a Regents Exam	http://www.p12.nysed.gov/ciai/gradreq/CurrentAppealForm.pdf
Safety Net for Students with Disabilities to Graduate with a Local High School Diploma	http://www.p12.nysed.gov/specialed/publications/safetynet-compensatoryoption.html
Challenging for Credit	http://www.p12.nysed.gov/part100/pages/1005.html

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

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

Recording Exam Scores

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

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

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

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

Individual Student Results

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

Retention of Answer Papers

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

Required Academic Intervention Services

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

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

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

SECTION FOUR

RETURNING TEST MATERIALS TO THE DEPARTMENT

Teacher Evaluation Forms

One of the main sources for improving State exams is the evaluations provided by the teachers who administer them. The content and test development specialists who prepare the exams review these evaluations before preparing each new edition. To facilitate the process, online evaluation forms for teachers are provided during and after each exam period. These online teacher evaluation forms may be accessed on the Department's web site at http://www.p12.nysed.gov/assessment/teacher/evaluation.html. 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 materials. By following these procedures, all teachers who administer exams may have the opportunity to comment on the content of exams and the materials and procedures for administering them.

Examination Scoring Certificate

Each rater must sign the *Examination Scoring Certificate* attesting that he or she fully and faithfully observed the rules and regulations for scoring the exams. The principal or scoring leader must also sign this certificate to attest that the rules and regulations for scoring were fully and faithfully observed. The *Examination Scoring Certificate* is shipped to schools in a locked Regents box with the secure exam materials. It is also available on the Department web site at http://www.p12.nysed.gov/assessment/hsgen/. Schools must print enough copies to allow all scorers and scoring leaders to print and sign their names. The completed certificate(s), originals or copies, must be returned in the Regents box after each exam period. A photocopy should be retained in school files for one year.

Deputy and Proctor Certificate

Each deputy and proctor must certify, by individually signing this certificate, that the rules and regulations for administering Regents Exams and RCTs were faithfully observed. The *Deputy and Proctor Certificate* is shipped to schools in a locked Regents box with the secure exam materials. It is also available on the Department web site at http://www.p12.nysed.gov/assessment/hsgen/. Schools must print enough copies to allow all deputies and proctors to print and sign their names. The original completed certificate(s) must be returned after each exam period in the Regents box. A photocopy should be retained in school files for one year.

Examination Storage Certificate

After each exam period, the principal must certify, by signing the *Examination Storage Certificate*, that the procedures for ensuring the security of Regents Exams and RCTs were fully and faithfully observed. The *Examination Storage Certificate* is shipped to schools in a locked Regents box with the secure exam materials. It is also available on the Department web site at http://www.p12.nysed.gov/assessment/hsgen/. The original completed certificate must be returned after each exam period in the Regents box. A photocopy should be retained in school files for one year. If any unusual situations occurred during an exam period concerning the security of exams, a full report of the situation must be submitted along with the *Examination Storage Certificate*. (See *Reporting Testing Misconduct and Irregularities to the Department* in Section Two, page 2–14, of this manual.)

Materials Returned to the Department in Regents Boxes

The following materials must be returned in the Regents boxes:

1. *Examination Scoring Certificate*
2. *Deputy and Proctor Certificate*
3. *Examination Storage Certificate*

4. All copies, used and unused, of restricted test booklets and answer booklets/answer sheets (Include all Part 2 test booklets, where applicable.)
5. All scoring materials, including rating guides, for restricted tests
6. All scrap paper used by students taking any restricted test
7. All rating guides, student answer papers, and any reference tables used by students for the restricted January edition of the Regents Examination in Physical Setting/Physics
8. All copies of braille and large-type exam materials
9. Padlock keys (Insert padlock keys into the special envelope provided before placing them in the Regents box.)
10. Any Regents Exam and RCT 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 exam 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 exam has been administered in restricted form, students who have taken Regents Exams and RCTs 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 OSA 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 cannot be resolved at the school or district level, the superintendent of a public school district or the chief administrative officer of a nonpublic or charter school may 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. If the superintendent or chief administrative officer makes a determination to correct the student's score based on the feedback received, he or she must provide written notification to the Department. (See *Finality of Exam Scores* on page 3–2 of Section Three of this manual.)

Only when, in the superintendent's or chief administrative officer's judgment, such additional review has failed to resolve the rating of the answer paper, the superintendent or chief administrative officer may send the answer paper to OSA for further review. When Department content specialists' time permits, the answer paper will be re-rated, for advisory purposes, 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 superintendent of a public school district or chief administrative officer of a nonpublic or charter school and may take up to two 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 exams. Selected principals requesting State exams will receive notice concerning Department review at the conclusion of each Regents Exam period. This notice will indicate each subject for which the student answer papers must be submitted via traceable mail to the Department.

Following each administration, a random sampling procedure is used so that the subjects selected will vary from school to school and from year to year. 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. If the exam requires the use of scannable answer sheets, submit them to the Department after they have been scanned by the RIC or large-city scanning center. 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.

When the answer papers from a school are received in the Department, a sample of the papers submitted for each exam 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 exam 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 along with a Department review report. These papers must be retained in school files for at least one year. The Department review report shows the mean of the total raw score for parts of the test as scored by the school and by Department raters for the sampling of the school's papers that were reviewed. It also shows the frequency and degree of discrepancy between the school scores and Department scores for parts of the test, for the total constructed-response score, and for the scale score. In addition, the report may show the mean total constructed-response scores and the mean scale scores for the sampling of the school's papers that were reviewed.

The principal is expected to carefully review the report with the appropriate staff and to implement appropriate changes in school procedures for rating future exam administrations, including the training of raters, if there were significant discrepancies between the school scores and the Department scores.

When an exam 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 exam 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 OSA.

SECTION SIX

AWARDING OF CREDIT AND ISSUANCE OF REGENTS DIPLOMAS

Awarding of Credit for Courses of Study

A course of study involves class attendance, homework assignments, quizzes, tests, and other instructional activities. In many instances it also involves the taking of a State exam at the end of the course. When deciding whether a student who is enrolled in a course of study has satisfactorily completed the course 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 (http://www.p12.nysed.gov/part100/home.html), passing the Regents Exam 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 exam. (See section below, *Students Not Enrolled in Courses of Study*.)

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.p12.nysed.gov/part100/home.html). In order to earn credit by exam, 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 or charter 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 exam 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 Exam.
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

A Regents diploma may be awarded in recognition of a student's passing with a score of 65 or higher on the Regents Exams specified by the Board of Regents (http://www.p12.nysed.gov/ciai/gradreq/intro.html). Eligibility for the Regents diploma endorsement will be determined by the principal on the basis of the student's record. The following is a sample Regents endorsement:

Diploma issued with the endorsement of the BOARD OF REGENTS 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 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 examination request for January or June secondary-level exams.