

**703 KAR 5:080**

**Administration Code  
for Kentucky's  
Educational Assessment Program**

June 1999

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## Rationale

The Kentucky Education Reform Act (KERA) as amended continues to require an innovative student assessment program designed to measure school progress toward the goals specified in the Act. This document describes the practices considered appropriate in preparing students for the assessments, in administering them, and in providing for proper security of the assessment materials. Since the issues involved for each type of assessment are different, they are considered separately. The following standards were used in determining appropriate practices:

1. **Professional Ethics:** No test preparation practice shall violate the ethical standards of the education profession in 704 KAR 20:680.

Examples of practices that are in violation of this Administration Code include: (a) engaging students in activities that have no link to instruction or do not positively contribute to students' overall well-being (e.g., establishing punitive consequences related to testing which result in students being excluded from educational opportunities); (b) making content area specialists or other resources not provided for in the administration manuals available to address students' questions during testing; and (c) re-ordering the test sequence.

Rewards or motivational strategies related to state-required assessments shall be consistent with those applied within the regular curriculum or within the larger school program in general. Local school board funds, or cash awards from school activity funds generated by students, shall not be used for student incentives to: (a) attend school during the testing window, (b) participate in assessment activities, or (c) perform well on state-required assessments.

2. **Educational Defensibility:** No test preparation practice shall increase students' test scores on the statewide assessment components without simultaneously increasing students' ability to apply the content tested to real life or simulated real-life situations.

Activities that are created or implemented for the sole purpose of increasing test scores and do not contribute to the student's overall education are considered in violation of this regulation. Examples of such activities include: reproducing in any way any part of secure testing materials; reviewing secure test items with students; and displaying posters or charts containing information for the purpose of aiding students during test administration.

3. **Student Ownership:** All assessment work shall be done entirely by the student. No one shall coach, edit, or point out errors in student work on the open response or multiple choice portions of the test. Anyone offering input to students for the development of portfolios shall adhere to the guidelines outlined in the portfolio section of this document, the *Writing Portfolio Development Teacher's Handbook*, and the *Writing Portfolio Scoring Teacher's Handbook*.

## II. Appropriate Assessment Practices

Training on this Administration Code and 703 KAR 5:070, Inclusion of Special Populations in the State-Required Assessment and Accountability Programs, shall be provided for every individual (e.g., teachers, instructional assistants, parents, peer tutors, scribes and readers) involved in any component of the assessment. Everyone involved in any component of assessment shall read, sign, and comply with this Administration Code. Any individual providing support for students with disabilities or limited English proficiency shall receive training regarding appropriate accommodations and confidentiality. The reading and signing of this document shall be done prior to portfolio development and test administration. In addition, this Administration Code and 703 KAR 5:070 shall be reviewed by everyone involved in assessment prior to test administration. The completed signature page of this document shall be filed within the district in a location agreed upon by the District Assessment Coordinator and building administrators.

Local district staff shall read and comply with those documents and administration manuals specific to the state-required assessment components with which they are involved. Each test administrator or proctor shall sign a verification form stating that he or she has received and read this Administration Code and the instruction manual. In the administration of statewide assessments, federal and state law shall take precedence over administrative manuals provided by the testing contractors (e.g., Individuals with Disabilities Education Act (IDEA) , Section 504 of the Rehabilitation Act of 1973).

### Test Security

District assessment coordinators, administrators, and teachers shall ensure the security of the assessment materials before, during, and after test administration. When not being used for a scheduled testing session, all assessment materials shall be stored in a secure location with access granted to authorized personnel only.

### Test Security

OK	Not OK
<p>1. It is appropriate for teachers to know the concepts measured by the statewide assessment and to teach those concepts. Concepts appropriate for curriculum instruction can be found in Kentucky's Core Content for Assessment.</p>	<p>1. Secure test materials shall not be reproduced in whole, in part or paraphrased in any way. Examples include: photocopying, photographing, handwriting, or typing.</p> <p>2. No one shall take notes regarding the content, concepts, or structure of any secure test item.</p>

**Test Security continued**

<b>OK continued</b>	<b>Not OK continued</b>
2. Tests shall be distributed in the order in which they are received in the shrink-wrapped packages.	3. No one may have test booklets without authorization from the district or building assessment coordinator.
3. Teachers may use test items from previous years released by the Kentucky Department of Education to help prepare their students for the assessment.	4. Local district staff may not show items in the test booklets to anyone not administering the test unless directed by the Superintendent (See Section IV of this document for details). Once authorization has been granted to local district staff to have access to the tests, staff shall not use knowledge about the content of any specific questions to prepare students for the assessment.
4. Test Administrators shall destroy any notes, rough drafts or scratch paper produced by students during testing immediately after each testing session or at the end of the testing day, ensuring that no test item is compromised.	5. Teachers or other staff with knowledge of the content of any secure test item shall not reveal this content to anyone.
5. Test Administrators and Building Assessment Coordinators shall ensure that any testing materials reused from previous years are free of any marks made by students who have used them in the past.	6. Teachers or other staff who become aware of specific test items through any means, shall not use this knowledge to prepare students for the assessment.

Students in special populations who require the use of computer technology, consistent with 703 KAR 5:070, may have access to the test through appropriate scanning procedures. When these technology applications are applied secure materials shall be scanned to and stored on floppy disks that shall be returned to the contractor on completion of the assessment administration. When space requirements are prohibitive the material may be scanned to larger disk drives if district staff can assure the security of the assessment. When secure material is located on a disk drive, district staff shall assure that, on completion of assessment administration, files containing secure materials are permanently and completely deleted from all computer equipment. This applies to both the scanning and entry of secure test materials and student responses. Electronic or other versions of secure assessment materials or related student responses shall not be maintained in the district.

Alert papers (i.e., evidence within a student response that the student may cause harm to himself/herself or to others or may otherwise be suffering abuses) may be copied. In this case local district staff may photocopy the pertinent section of the student response and turn those pages over to the appropriate local authorities to assure the safety of the child and the community. The local district shall direct all local authorities that the student response may contain information related to secure test items.

## Procedures for Reporting Errors in Assessment Materials

If an error is found in secure test materials, the following procedure shall be followed:

1. The test item shall not be reproduced in any way. Examples include: photocopying, photographing, handwriting or typing the question in whole, in part or paraphrasing in any way;
2. Identify the location of the error (Grade level; Subject area; Form number or letter; Item number; and Page number;);
3. Summarization and/or documentation of the error shall be general and shall not unduly compromise the security of the assessment (e.g., Grade 4, Reading, Form 1A, Multiple Choice Item number 2, page 30, no correct answer choice provided). No one shall discuss the specifics of any test item with others;
4. Notify the local District Assessment Coordinator who shall then notify the Kentucky Department of Education, Office of Assessment and Accountability; and
5. Ensure that all documentation is forwarded to the Kentucky Department of Education, Office of Assessment and Accountability and that no copies of the documentation remain in the school or district.

## Classroom Materials

Materials may be placed on classroom walls and bulletin boards for instructional purposes anytime during the year. Lesson plans shall contain documentation of the relationship between posted materials and instruction. Staff shall not place materials specifically designed for assessment purposes on classroom walls or bulletin boards for the purpose of providing assistance to students during state-required testing.

### Classroom Materials

OK	Not OK
<ol style="list-style-type: none"> <li>1. Dictionaries and thesauri, including non-programmable, electronic dictionaries and thesauri may be used only on the writing on-demand subtest.</li> <li>2. Students shall have access to calculators as designated in the administration manuals accompanying each statewide assessment. Students shall not share calculators within the testing session.</li> </ol>	<ol style="list-style-type: none"> <li>1. Test administrators or proctors shall not distribute or make available at students' workstations any information or materials that are not sent as part of the assessment materials or specified in the administration manuals. Examples include: copies of acronym sheets or sheets of paper containing a system for organizing answers; textbooks; mathematics manipulatives; computer tools; or other reference resources, unless the</li> </ol>

**Classroom Materials continued**

OK continued	Not OK continued
<p>3. Blank writing or graph paper and highlighters or markers may be made available.</p>	<p>assistance is specified in a student's Individual Education Plan (IEP), 504 or Limited English Proficiency (LEP) Plan, and is consistent with instructional strategies.</p> <p>2. Students shall not leave the testing area to gain access to any calculators, dictionaries or thesauri, blank writing or graph paper, highlighter or markers, or any resources used for accommodations as specified in 703 KAR 5:070.</p> <p>3. Dictionaries and thesauri shall not be used on the reading, mathematics, science, social studies, arts and humanities or practical living/vocational studies content area tests.</p> <p>4. Materials placed on classroom walls for instructional purposes shall not be moved to other locations for assessment purposes. Such movement of materials constitutes placing materials on a wall for purposes of influencing the assessment results.</p>

**Administration Practices**

Building personnel and District Assessment Coordinators shall schedule test administration; arrange for adequate staff to administer the assessment; prepare an accurate student accountability roster; and ensure that all assessment materials are kept secure before, during, and after the testing sessions.

**Administration Practices**

OK	Not OK
<p>1. Words of encouragement and general instructions that do not imply evaluation of student work such as "Do your best," "Get started," and "Stay on task" are permissible.</p>	<p>1. During testing, test administrators or proctors shall not answer student questions that would aid the student in responding to any item on the test.</p>

**Administration Practices continued**

<b>OK continued</b>	<b>Not OK continued</b>
<p>2. The principal, building assessment coordinator and anyone assisting with administration to students in special populations shall ensure that any accommodations or modifications provided shall be consistent with the student's evaluation data, IEP, 504, or LEP Plan and the routine delivery of instructional services. The use of these accommodations or modifications for the assessment shall not inappropriately interfere with or influence the administration of the assessment to other students.</p> <p>3. Tests should be scheduled to avoid conflicts with lunch; however, if a lunch break is required during testing, lunch shall be brought to the students in the testing area. If there are too many students for this to be reasonable, test materials shall be secured and students shall be escorted to the lunchroom, told not to discuss the test, sufficiently monitored to prevent discussion of test items during the entire lunch period, and escorted back to the testing area.</p> <p>4. Interval or restroom breaks may be conducted by the test administrators or proctors at the discretion of the district. The length of time, refreshments served and the monitoring of students shall not affect the integrity of testing in any way.</p> <p>5. Test sections shall be administered in the order in which they appear in the test booklets, with students of the same grade being simultaneously tested in the same content area and test session. The order may be changed for make-up test sessions. The order of testing shall not be altered to accommodate the need for calculators.</p>	<p>2. During testing, test administrators or proctors shall not assist a student in understanding the question.</p> <p>3. Test administrators shall not encourage students to edit their responses by providing evaluation of student work through tone, gesture or phrase such as "You can do better", or "You can write more".</p> <p>4. Students shall not take more than a single school day to complete a testing session, except where there is a submitted doctor's or nurse's statement of student illness or an emergency documented and submitted by the school principal.</p> <p>5. A student shall not be left alone in a room to take the test.</p> <p>6. A student shall not be allowed to take a test booklet or answer booklet out of the testing area without proper supervision.</p>



## Administration Practices continued

### OK continued

6. When administering the statewide assessment, the test administrator or proctor shall observe any time limits and follow the specific directions in the manuals provided.
7. During testing, test administrators or proctors shall circulate throughout the testing site to monitor students as they work, verifying that students are working appropriately and individually.
8. When students need extended time to complete a test session, this additional time shall begin immediately following the initial administration. If students must move to another test location, they shall be escorted by a school staff member.

## Disciplinary Practices and Student Motivation

Administrators may direct students to apply themselves to the task at hand but shall not give any direction that would enable a student to better understand the task or to gain advantage in responding to the task. Student responses may be visually scanned after the testing session to determine disciplinary problems. However, if disciplinary problems are determined to exist, students shall not be allowed to modify their initial response to test items.

When a student's responses to test items are reviewed and are found to contain inappropriate language, the student may be instructed to answer the questions again on separate sheets of paper for disciplinary purposes. The original responses, along with the rewritten ones clearly marked **NOT TO BE SCORED--ITEMS RETAKEN FOR DISCIPLINARY PURPOSES**, shall be submitted for scoring to the testing contractor.

Student responses may be visually scanned during or after the testing session to determine good faith efforts based on a checklist created and communicated to students prior to testing. The checklist may include whether students answered all parts of the questions, wrote legibly, and focused on testing during the administration time. Individual results from checklists or any other evaluative statements shall not be made to students until the entire assessment has been administered and submitted to the District Assessment Coordinator. Teachers may not assign grades to student responses based on specific content area evaluations that require creating a specific scoring guide or making the student responses available to support the assigned scores.

## Writing Portfolios

Portfolios are a unique assessment component. They are the only portion of the statewide assessment developed under the direction of, and evaluated by, the classroom teacher. Teachers and students are provided with the definition and examples of successful work. Although portfolio contents may vary, each entry is to be evaluated by certified personnel, trained to apply the same set of standards in the same manner from student-to-student, from school-to-school and from year-to-year. To assure this consistency, appropriate training and monitoring of scoring practices are required. The Kentucky Department of Education provides scoring training and opportunities for scoring practice throughout the school year.

Writing pieces produced using practices that are inconsistent with this Administration Code shall not be included in a student portfolio.

### Writing Portfolio Development

OK	Not OK
1. Teachers provide, in the course of instruction, opportunities for writing appropriate for inclusion in the portfolio.	1. Any assistance or intervention from teachers, peers or others that diminishes personal ownership of the portfolio.
2. Teachers allow ample time for preparation of portfolio entries in the classroom and may allow some student work outside of class.	2. Altering documentation attesting that portfolio contents were produced by the student.
3. Teachers ask questions to clarify the student's purpose, approach, meaning, content, ideas, organization, strategy, sentences, words and mechanics.	3. While it is permissible for teachers and others to mark on students' papers indicating the position of errors, no one other than the student shall make direct corrections or revisions on a student's work that is to be included in the student's writing portfolio.
4. Teachers may indicate the position of errors (e.g., circle errors, highlight mistakes, put checks in margins of lines where errors occur) and ask students questions about errors.	4. Adding, subtracting, revising, or working on portfolio entries after the completion date (Minor changes to the Table of Contents are permitted.).
5. Teachers share and discuss with students the portfolio scoring criteria and samples of student work that exemplify those criteria.	5. Peer tutors and others shall not provide assistance beyond that which can be provided by the teacher.
6. Teachers discuss best pieces and possible choices for inclusion in the portfolio with students.	

## Writing Portfolio Development continued

### OK continued

7. Teachers assist students in identifying a variety of tasks that address the required categories and types of portfolio entries.
8. Students shall write, type or word process portfolio pieces by themselves, unless otherwise allowed as accommodations by 703 KAR 5:070.
9. Teachers may assign peer tutors and others to assist students with portfolio development. All persons who provide assistance to students in portfolio development shall receive written information and training regarding how assistance may be appropriately provided.

## Writing Portfolio Scoring

### OK

1. Only certified school personnel who have received current Kentucky Department of Education training may provide accountability scores. For the purpose of writing portfolio scoring, certified school personnel shall include: a person with teacher or administrator certification employed by the district in a certified position; a person with teacher or administrator certification employed by the district in a classified position; or a person with teacher or administrator certification on an approved leave of absence. While student teachers may participate in the scoring process, they shall not be the scorer of record.
2. Scorers use current scoring materials and apply the scoring standards accurately and

### Not OK

1. No individual shall instruct or encourage teachers to assign higher or lower scores than are warranted by the work contained within particular portfolios.
2. Scoring accuracy shall not be compromised by lack of adequate training or inappropriate scoring conditions.

## Writing Portfolio Scoring continued

### OK continued

consistently.

3. Scoring judgements are made on the basis of language on the scoring guide, using benchmarks, and referring to high-end portfolios to resolve decisions about the correct performance level for a particular portfolio.
4. The district shall maintain documentation that all scorers of writing portfolios have been appropriately trained.

## Inclusion of Special Populations

An individual who provides any accommodation to a student with disabilities on any component of the statewide assessment shall be trained in his role and responsibilities and abide by confidentiality laws (KRS 160.700 et seq); this Administration Code, and the conditions under which each student uses the accommodations or modifications as described in the student's IEP, 504 Plan, or LEP Plan.

Any accommodations or modifications provided during assessment shall be consistent with the requirements specified in 703 KAR 5:070, Procedures for the Inclusion of Special Populations in the State-Required Assessment and Accountability Programs.

## Alternate Portfolios

Only a student who meets all of the eligibility requirements for the Alternate Portfolio Program may submit an alternate portfolio. Eligible students shall be identified through the Admissions and Release Committee process.

### Alternate Portfolios

#### OK

1. Students have primary ownership of their portfolio. Any intervention from teachers, peers or others should enhance rather than remove or diminish that ownership.
2. Teachers, parents, friends, and peers assume

#### Not OK

1. Teacher authored materials in places other than the entry cover page.
2. The use of any accommodation or assistive device that is not a regular part of instruction (e.g., if the student uses a communication

**Alternate Portfolio continued**

OK	Not OK
<p>support roles as listeners, responders, and encouragers.</p> <p>3. Only certified school personnel who have received current Kentucky Department of Education training may provide accountability scores.</p> <p>4. Alternate portfolio scorers should refer to the terms used in the Alternate Portfolio Program Holistic Scoring Guide and score only evidence seen.</p> <p>5. The district shall maintain documentation that all scorers of alternate portfolios have been appropriately trained</p>	<p>system for the portfolio entry but does not use the same system as a regular part of his or her instruction).</p> <p>3. Adding or subtracting, revising, or working on portfolio evidence or entries after the completion deadline.</p>

**III. Violations of the Administration Code for the Kentucky’s Educational Assessment Program**

All individuals participating in the administration of the testing program shall comply with the Administration Code for Kentucky’s Educational Assessment Program. These steps shall be followed for any alleged state testing violation:

**STEP 1** An allegation of inappropriate testing practices received at the Kentucky Department of Education shall be referred to the Bureau of Management Support Services, Division of Management Assistance.

**STEP 2** Staff in the Division of Management Assistance shall manage the process for investigating each allegation of inappropriate testing practice. In order to make an investigation possible; an allegation shall include at least the name of the school or school district and a specific allegation. An anonymous allegation of inappropriate testing practices shall be investigated where: 1) the allegation is submitted in writing; 2) the specific name of the school is provided; 3) the names of individuals allegedly committing the inappropriate practices are provided and 4) the allegation can be corroborated through an identifiable source or document other than the person making the anonymous allegation. Local school district personnel shall be expected to cooperate in the investigation process as requested.

**STEP 3** Staff in the Division of Management Assistance shall report all findings for each allegation to the Board of Review. This Board shall consist of members appointed by the Commissioner of

Education representing various Divisions within the Kentucky Department of Education or agencies outside the Department of Education.

**STEP 4** The Board of Review shall review the findings and make a recommendation to the Commissioner of Education.

**STEP 5** The Commissioner of Education shall make a final determination and then notify the school district superintendent and the school board chairperson of this determination. If one or more of the allegations is determined to be valid and warrants invalidation or change of scores, the Commissioner of Education shall direct the Deputy Commissioner of Learning Support Services to make appropriate adjustments in a school or district's scores.

If one or more of the allegations is determined to be valid and it appears that a school district employee is responsible for the wrongdoing, then within 45 days of the date of notification by the Commissioner of Education to the school district superintendent of the final determination or at the point which the local district superintendent has confirmed the wrongdoing by a certified staff member, whichever is earlier, the local district superintendent shall:

- a) Report in writing to the Commissioner of Education whether disciplinary action was taken or considered necessary; and
- b) Comply with his reporting responsibility to the Education Professional Standards Board pursuant to KRS 161.120.

If school or district accountability indices are adjusted as a result of the Commissioner's final determination, individual student reports shall not be changed, but changes to school or district accountability indices shall be reflected in the next scheduled score report release. Scores used to calculate the affected growth indices shall be adjusted, and may be reduced to non-performance for accountability purposes. Scores used to calculate baselines for the subsequent cycle shall not be changed.

**STEP 6** After the local district receives the letter from the Commissioner of the action to be taken by the Department, the school may challenge the action by appealing the next performance judgement it receives. This process is described in 703 KAR 5:050, Statewide Assessment and Accountability Program; School Building Appeal of Performance Judgments.

#### **IV. Review of Secure Assessment Components by Local District and other Certified Staff, Parents, and Persons not in the Employment of a Kentucky Public School District**

KRS 158.6455 requires that the school accountability system shall be inclusive of all students. While the Kentucky Department of Education does not require individual student participation in the components of the statewide testing program, the Kentucky Department of Education shall hold schools and school districts accountable for the performance of all students. In the absence of

assessment information about the performance of a student, the school shall be assigned a non-performance (low novice) level for that student.

Because local district or other certified staff have access to the *Kentucky Core Content for Assessment* and because direct and systematic access to the assessment itself would produce undue risk to security of the assessment, local district and other certified staff shall **not** be permitted routine and systematic access to the assessment. It is recognized that in the administration of the assessment local district or other certified staff may view items and with interaction of students may become knowledgeable of some items. Provisions in this document provide for the reporting of concerns or perceived errors in the assessments. In order to establish the necessary public confidence in the assessment it may be necessary to permit some parents, under secure conditions, to review the assessment. Procedures are addressed below.

Some parents and others outside the employment of a local public school district have expressed interest in reviewing the secure components of the statewide assessment prior to the administration and release of those components. Because local district staff shall be responsible for reasonable security of the assessment materials, local districts shall not be required to allow reviews of secure materials considering the potential demand that would stretch local district staff beyond its capacity to provide for that security. If a district chooses to assist in the review of secure testing materials, the review shall take place in the presence of the local district assessment coordinator. A statewide assessment program nondisclosure statement shall be signed by all parties and maintained in the District Assessment Coordinator's files.

If a district chooses not to permit the review of secure materials under its auspices, the Kentucky Department of Education may permit this review, maintaining a statewide assessment program nondisclosure statement in the Office of Assessment and Accountability, based on the availability of appropriate staff to supervise the review activities. To facilitate this process, the Kentucky Department of Education may arrange to allow this review at any of its eight regional offices or in Frankfort.

## **V. Proper Reporting of Nonacademic Indicators (Attendance, Retention, Dropout and Transition to Adult Life)**

The Nonacademic Indicators - attendance, retention, dropout and transition to adult life - are data elements contributing to the school building and school district accountability indices. Local districts shall be responsible for submitting this data as accurately as possible and are responsible for informing the Kentucky Department of Education of any known errors in the data reported. Reporting of incorrect data for the purpose of inaccurately affecting the calculation of accountability indices shall be considered a violation of this Administration Code and shall be treated as described in Section III of this document.

