

STATE OF NEW JERSEY
DEPARTMENT OF EDUCATION
OFFICE OF FISCAL ACCOUNTABILITY AND COMPLIANCE
SPECIAL INVESTIGATIONS UNIT

DEAL BORO SCHOOL DISTRICT
DEAL ELEMENTARY SCHOOL
NEW JERSEY ASSESSMENT OF SKILLS AND KNOWLEDGE
ERASURE ANALYSIS SECURITY REVIEW
OFAC CASE #INV-079-14

INVESTIGATIVE REPORT
OCTOBER 2015

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DEAL BORO SCHOOL DISTRICT DEAL ELEMENTARY SCHOOL NJ ASK 2012 ERASURE ANALYSIS SECURITY REVIEW

EXECUTIVE SUMMARY

Subsequent to the release of the New Jersey Department of Education (NJDOE) 2012 New Jersey Assessment of Skills and Knowledge (NJ ASK) Erasure Analysis Report (EA Report), the Office of Fiscal Accountability and Compliance (OFAC) was tasked with conducting an investigation into potential irregularities in student answer patterns during the administration of the 2012 NJ ASK.

The irregularities that launched the investigation were the wrong to right (WTR) erasure patterns detected on the tests by Measurement Incorporated (MI), the NJDOE state assessment contractor for the NJ ASK. The NJDOE Office of Assessments (OA) set the criteria by which investigations would be warranted by the OFAC based on one of two criteria; schools that were flagged for a WTR erasure rate four standard deviations (SD) above the statewide mean in the same grade and subject area for two consecutive testing years, or schools that were flagged for a WTR erasure rate 4 SD above the statewide mean in the same grade and subject area, partnered with unusual gains in the same grade and subject area for the 2012 NJ ASK. The SD is an indication of how far the values in a data set deviate from the mean.

In May 2013, MI released the 2012 erasure analysis data to the OA. The OA reviewed the 2012 EA Report at the grade level by subject area to pinpoint a specific area of concern. After reviewing the grade level by subject area mean WTR erasure rates per student, and reviewing unusual gains in the same grade level and subject area, the OA determined the Deal Elementary School (Deal), in the Deal Boro School District (district), emerged as a school wherein an investigation would be conducted. Deal's 2012 NJ ASK Mathematics (MATH) WTR erasure rate was 4 SD or more above the statewide mean for two consecutive years.

In September 2013, the OFAC sent a letter directing the district to provide all documentation associated with the administration of the 2012 NJ ASK in the custody or control of the district, district personnel, or any other school personnel. The district responded in November 2013, indicating they would not be able to provide the OFAC with several of the 2012 documents because they discarded them at the commencement of the 2013 NJ ASK administration.

In an effort to determine the underlying causes of the excessive WTR erasures on the 2012 NJ ASK 3 MATH at Deal, the OFAC investigators (investigators) examined the following: the 2012 test booklets; the testing data; the individual third grade MATH test scores; the district's available supporting documents; the students' Section 504 Plans; and the Spring 2011 and the Spring 2012 NJ ASK Test Coordinator Manuals. The investigators also conducted interviews of nine students and 11 district personnel.

The investigators concluded the District Test Coordinator breached the security of the 2012 NJ ASK 3 by failing to train staff, failing to ensure the integrity of the test, and failing to retain the proper documents. The remainder of this report consists of a background, investigative procedures, an investigative summary, a conclusion, and a recommendation.

BACKGROUND

New Jersey's state-required assessment program was designed to measure the extent to which all students at the elementary, middle, and secondary-school levels have mastered the knowledge and skills described in New Jersey's Core Curriculum Content Standards. The statewide assessments for elementary and middle school grades are administered annually as the New Jersey Assessment of Skills and Knowledge (NJ ASK) in Language Arts Literacy (LAL) and Mathematics (MATH) at grades three through eight and in Science at grades four and eight. Testing is conducted in the spring of each year to allow school staff and students the greatest opportunity to achieve the goal of proficiency.

The Office of Assessments (OA) coordinates the development and implementation of the NJ ASK. Measurement Incorporated (MI), the New Jersey Department Of Education (NJDOE) state assessment contractor for the NJ ASK, is responsible for all aspects of the testing program including receiving, scanning, editing, and scoring the answer documents; scoring constructed-response items; and creating, generating, and distributing all score reports of test results to students, schools, districts, and the state.

In 2008, the NJDOE requested information regarding erasure rates on the NJ ASK. Since that time, MI has provided such erasure analysis to the NJDOE. MI scans and scores the NJ ASK exams. Scanners are set to detect erasures. Computer scoring programs capture the evidence of erasures and accumulate the results by school. Erasures fall into one of three types: a change from a wrong to a right answer (WTR); a change from a wrong to another wrong answer (WTW); or a change from a right to a wrong answer (RTW). MI examined the mean WTR erasure rates of all New Jersey schools to identify potential irregularities in response patterns and then compared each school mean to the statewide mean.

In 2012, schools for which the erasure rate exceeded the NJDOE defined threshold of three standard deviations (SD) above the statewide mean were flagged and their WTR erasure rates were noted in the NJ ASK Erasure Analysis Reports (EA Reports). The OA set the criteria by which further investigation would be warranted by the Office of Fiscal Accountability and Compliance (OFAC) based on one of two criteria; schools that were flagged for a WTR erasure rate 4 SD above the statewide mean in the same grade level and subject area for two consecutive years; or schools that were flagged for a WTR erasure rate 4 SD above the statewide mean in the same grade level and subject area partnered with unusual gains in the same grade level and subject area for the 2012 NJ ASK.

Deal Elementary School (Deal), in the Deal Boro School District (district), was flagged for having a mean WTR erasure rate 4 SD above the statewide mean on the third grade MATH for the 2011 and the 2012 NJ ASK. The OA decided an investigation was warranted to determine the underlying causes of the excessive WTR erasures. Deal had the highest statewide WTR erasure rate for the 2012 NJ ASK 3 MATH at 2.85, which was 5.35 SD above the statewide mean.

INVESTIGATIVE PROCEDURES¹

Erasure Analysis Report Review: The results from the 2011 and the 2012 NJ ASK EA Reports, received from MI, were reviewed to assist in determining the underlying causes of the excessive erasures.

Erasure Analysis Data Review: The OFAC investigators (investigators) reviewed and analyzed erasure analysis data received from MI, from the 2011, the 2012 and the 2013 NJ ASK testing cycle to assist in determining the underlying cause of the excessive erasures.

Historical and Mapped Testing Data: The investigators reviewed and analyzed students' historical testing data and the erasure patterns within a grade for each subject to determine the underlying causes of the excessive WTR erasures.

Test Booklet/Answer Sheet Analysis: The students' multiple choice answers and open-ended responses for the LAL and MATH tests were examined to determine whether any form of feedback or intervention, including any hint about the correctness of a response, was provided to any student.

Examiner/Proctor Training Sessions: The investigators interviewed the School Test Coordinator (STC) and the test examiners to determine whether: (1) all school examiners and proctors attended a training session conducted at the testing site by the STC; (2) a copy of the examiner's responsibilities and one Test Examiner Manual was distributed to each examiner; and (3) all school examiners and proctors signed the NJDOE Statewide Assessments Test Security Agreement (TSA).

Test Booklet Distribution and Security: The investigators interviewed the STC and the test examiners to determine: (1) whether test materials were stored in a secure and locked location that was accessible only to individuals whose access was authorized by the STC when not being used during a test period; (2) whether test examiners verified the quantity and security numbers of the test booklets he/she received; and (3) whose signatures appeared on the School Security Checklist acknowledging receipt of test materials.

Test Booklet Collection: The investigators interviewed the STC and the test examiners to determine: (1) who collected the test booklets; (2) when the test booklets were collected; (3) where the test booklets were located during any breaks; and (4) how the test booklets were returned to the test collection site.

School Security Checklists: The investigators were not provided with the School Security Checklists and were unable to determine whether: (1) the examiners properly signed for each

¹ The Security Procedures listed on page 13 of the Test Coordinator Manual served as a guideline for the Investigative Procedures.

test booklet they received; (2) the times and dates associated with the signatures corresponded with the test schedule time frames; and (3) the STC signed for the return of test materials and included the time and date returned.

INVESTIGATIVE SUMMARY

The investigators reviewed the district's supporting documents, the 2011 and the 2012 NJ ASK EA Reports, the 2012 test booklets, the 2012 testing data, the individual 2012 MATH test scores, and conducted interviews with 11 staff members and nine students. The investigators determined Anthony Moro, Superintendent/Principal/District Test Coordinator (DTC) (now retired), breached the security of the testing materials at Deal.

The information obtained during the OFAC review of these matters is detailed below.

Superintendent / Principal / District Test Coordinator

Based on witnesses' accounts and a review of the testing documents, the investigators determined [redacted] breached the security and/or confidentiality of the 2012 NJ ASK by failing, in his responsibilities as the DTC and principal, to properly ensure a secure administration of the 2012 NJ ASK at Deal. These breaches include the following: failure to attend required NJDOE test coordinator training, failure to ensure the integrity of the test, failure to train staff, and failure to retain the Security Checklists for the mandated three consecutive assessment cycles.

Although many of these breaches would also be attributed to the STC, the investigators determined through witness testimony, [redacted] should not have designated [redacted] as the STC since she was assigned the role as an examiner; therefore, she was not able to perform the duties of STC adequately.

Failure to Attend Required NJDOE Test Coordinator Training

During the investigators' interview with [redacted], he stated, "I alone was the person that used to go to the administrators' workshops for the testing coordinators . . ." He also stated, ". . . before I gave the responsibility to [redacted] and I had to go down to Atlantic City."

DTCs and STCs are required to attend the regional NJ ASK training sessions provided by the NJDOE OA each year prior to the administration of the NJ ASK. The representatives from the district who register to attend the training sessions are required to sign in upon arrival at those training sessions. Upon review of the Test Coordinator Training Sign-In sheets provided by MI, the investigators found [redacted] and [redacted], a teacher (now retired), attended training in 2008 at the Crowne Plaza in Jamesburg, and [redacted] and [redacted] his administrative assistant, attended training in 2012 at the Clarion Egg Harbor in Egg Harbor Township. For the

years 2009 through 2011, _____ was listed as the representative registered to attend; however, neither his signature nor anyone else's signature appeared on the sign in sheets.

From 2009 through 2011, the NJDOE offered online training for experienced DTCs and STCs, in lieu of attending the regional training sessions. In order to be eligible to participate in the online training, DTCs or STCs had to have three or more consecutive years of experience in coordinating statewide assessments and the district could not have experienced a testing breach during the spring 2009 test administration.

The investigators were unable to obtain Test Coordinator Training documents prior to 2008; however, according to the training documents obtained, neither _____ nor anyone else from the district had three or more consecutive years of training in order to meet the eligibility requirements for the online training. In addition, the investigators obtained the online tracking information from MI, which indicated each district/individual who logged on to the training modules. MI was able to provide the investigators with information for 2010 and 2011. According to MI, "the district did not login to the DTC module in 2010. They did login to the DTC Training module in 2011, but they did not do anything while in there – they did not register for live training, they did not download the training presentation."

Based on the information obtained, _____ did not receive proper training; therefore, he was not qualified to serve as the DTC or the STC during 2009 through 2011. Also, the lack of a signature on the 2009 through 2011 records indicated a representative from Deal did not attend training; therefore, it was not possible for anyone to provide turnkey training to _____ and the staff at Deal. In addition, the administrative assistant, _____ was not qualified to participate in the training or handle secure test materials, as she was not a certificated employee of the district.

According to Orlando Vadel, a state assessment coordinator for the OA, "Only certificated employees may handle secure testing materials. A school or central office secretary/administrative assistant should not be allowed by the district to handle secure test materials. This practice is not condoned by the Office of Assessments. Our test booklets, used for statewide assessment purposes, are secure testing materials and therefore, must be handled under the direction and supervision of the district test coordinator and school test coordinator, who in turn, must fulfill the requirement of being, certificated district employees."

The New Jersey Assessment of Skills and Knowledge Spring 2012 Grades 3-8 Test Coordinator Manual (the Manual) governs specific procedures to maintain the confidentiality and security of the testing process for all grades three through eight. The pertinent portions of the Manual as it relates to the investigation are:

In accordance with the Manual, **PREPARATION FOR TEST ADMINISTRATION, Selecting and Training Examiners**, Page 22:

All examiners MUST be certified professionals currently employed by the districts such as a teacher, a guidance counselor, or a child study team member.

In accordance with the Manual, **RESPONSIBILITIES OF PROGRAM PERSONNEL, BEFORE TESTING, District Test Coordinator Responsibilities**, Page 29:

1. *Attends or views online the required New Jersey Department of Education test coordinator training session along with all STCs*

Failure to Ensure the Integrity of the Test

The investigators interviewed 11 district personnel. Two staff members were unsure if there was anyone present during the receipt or return of the testing materials for the 2012 NJ ASK. One of those two witnesses stated, "Some years I remember _____ being here when I signed them out, but I don't recall him _____ being there." Five staff members stated neither the DTC nor the STC were present during the receipt and return of the testing materials for the 2012 NJ ASK. One of those five staff members stated _____ was often not in the building at all or would report late to school during testing, after the tests were already distributed. One staff member recalled _____ being present during the receipt and return of the testing materials, "If she wasn't testing." Another staff member recalled either _____ the administrative assistant, being present during the receipt or return of the testing materials. One staff member recalled either _____ or _____ being present during the receipt and return of the testing materials.

During the interview with _____ he stated "The tests were laid out in my office. All the tests were laid out, they [examiners] come in to my office, and they pick up their tests, and they have to sign out. That's done in my office with me, they have to sign out." Dr. Morro described the test return, "After the test is complete, the administrator brings the tests back to my office, we get the sheets again, they put the time we received them and I sign off on them. Then the superintendent's secretary _____ locks them back up in the closet and the same process begins the next day."

The investigators questioned the role and title of _____ and whether she served as the STC. _____ stated, "No, she was my administrative assistant. What _____ did was put them [test booklets] all together and put them in the closet." He added, "After opening exercises about 8:45, you would come down to my office and you'll pick up your tests. What _____ would do, she'll put them down . . . and they would sign them out."

The investigators learned from _____ he assigned _____ as the STC. According to _____, "The only thing _____ did was give me a break from going to the

meetings.” [redacted] was also designated as an examiner for the NJ ASK. The investigators asked [redacted] how [redacted] was able to perform the duties of the STC and the examiner. [redacted] stated, “[redacted] would take the tests out of the closet, put the tests on the table in my office. Not only would [redacted] come in and pick up her math . . . I am walking around making sure the signs were up blah, blah, blah . . .”

All of the witnesses described how the test booklets and answer folders (if applicable) were arranged in piles according to examiner on a credenza in the principal’s office. Each pile would have the School Security Checklists on top. The examiners would locate their test materials and sign them out on the School Security Checklist, often without any supervision. At the completion of the test, the examiners would return the secure test materials to the principal’s office and sign them in themselves on the School Security Checklist. One witness described the process as the “honor system.” The investigators asked one of the witnesses if picking up their own tests happened on more than one occasion. The witness replied, “Yea, a lot.”

In addition to being assigned as the STC, by [redacted] was also an examiner. According to [redacted] she would come to school in the morning, get the key from [redacted], and get everything out of the locked closet. She would take all of the tests, which she organized by class and grade, bring them to [redacted] office with the School Security Checklists, and leave them on the credenza. The teachers would come to sign out their tests. [redacted] stated no one was there to monitor the distribution or collection. [redacted] said if it was the week she was testing she would get her tests herself and go back to her class to administer the test. When the test was done she would return her tests, sign them back in, and return to her students. [redacted] said, “No one kept track of time or tests. When the tests were done, I wouldn’t see them until lunch time.” When questioned about being assigned the responsibility of STC, [redacted] stated, “I called my union lawyer and said, ‘Do I even have to do this? It’s not in my job description.’ He said, ‘You have to do it. If your principal asked you to do it, you have to do it. You’ll be insubordinate if you don’t.’ So I tried to get out of it. I told him I’m not wanting to handle this, it’s not secure. I told him that so many times.”

The Manual governs specific procedures to maintain the confidentiality and security of the testing process for all grades three through eight. The pertinent portions of the Manual as it relates to the investigation are:

In accordance with the Manual, **SECURITY PROCEDURES**, Page 14,

District and school test coordinators must be available during testing to monitor all aspects of test administration.

In accordance with the Manual, **Security/Irregularity Problems**, Page 27:

The district test coordinator should monitor test administration at all testing sites. An on-site visit should be conducted by the district test coordinator to verify that all secure test materials were properly collected, accounted for, and secured after each day of testing. The district test coordinator must be available during administration of the NJ ASK in case a problem arises in which school personnel require assistance.

In accordance with the Manual, **RESPONSIBILITIES OF PROGRAM PERSONNEL, GENERAL RESPONSIBILITIES, District Test Coordinator General Responsibilities**, Page 28:

2. *Maintains test security*
5. *Assists the STCs with test administration as needed*
7. *Ensures the receipt and secure return of all testing materials*

In accordance with the Manual, **RESPONSIBILITIES OF PROGRAM PERSONNEL, BEFORE TESTING, District Test Coordinator Responsibilities**, Page 29:

17. *Ensures readiness for testing at each school in the district*

In accordance with the Manual, **RESPONSIBILITIES OF PROGRAM PERSONNEL, DURING TESTING, District Test Coordinator Responsibilities**, Page 31:

1. *Serves as a resource to the schools throughout the testing period*
2. *Monitors the test administration to verify that prescribed security and test administration procedures are used*

Failure to Train Staff

During interviews with staff members, the investigators learned the NJ ASK training sessions did not take place every year prior to the administration of the test. According to seven witnesses who were examiners during the 2012 NJ ASK administration, it was unclear whether there was training for the NJ ASK in 2012. Five witnesses recalled attending a training session conducted by [REDACTED] who was the STC in 2014, but could not recall any training in 2012 or any other years. One of those five witnesses stated, “It was the final one because now we’re on to PARCC.” One witness recalled attending training, but could not recall the year or who conducted the training. One witness stated, [REDACTED] did training one year, not sure if it was in 2012, it was [REDACTED] or [REDACTED].

According to a witness who was not an examiner, training was conducted when [REDACTED] was designated as the STC. When asked who conducted training the years [REDACTED] was not the STC, the witness stated “There was never any school training.”

According to _____ the only year she conducted training was in 2012. She stated because the job of STC was detailed and time consuming, she petitioned the Deal Board of Education to receive a stipend to perform the duties of the STC. _____ was granted the stipend and stated, "I told _____, if I was going to be paid, I was going to conduct the security meeting."

During the interview with _____ he told the investigators, "_____ went out there, attended the session as test coordinator, came back, and then provided an in-service for the teachers who were administering the tests." The investigators asked _____ if that occurred in 2012. He responded, "Yes, when _____ came back from Forsgate, she came to me and we met with the teachers to refresh them of the rules and regulations . . ." The investigators asked _____ how he administered the turnkey training and he said he would only inform the staff of any changes or differences from the prior year's testing.

The Manual governs specific procedures to maintain the confidentiality and security of the testing process for all grades three through eight. The pertinent portions of the Manual as it relates to the investigation are:

In accordance with the Manual, **PREPARATION FOR TEST ADMINISTRATION, Selecting and Training Examiners**, Page 22:

The DTC is responsible for ensuring that examiners are selected and trained . . . Schedule a meeting with the examiners after the 3-8 test materials arrive to acquaint them with the program and materials. Each examiner must be trained on the contents of this manual and receive a copy of the Test Examiner Manual.

In accordance with the Manual, **PREPARATION FOR TEST ADMINISTRATION, Examiner Training Sessions**, Page 23:

All school examiners must attend a training session conducted by the school test coordinator . . . Working with the principal, the DTC and the STC for each school must schedule, organize, and conduct the training session . . . The following topics should be discussed at the individual school training session:

- *Program overview;*
- *Background and Purpose of the NJ ASK 3-8;*
- *Students who are required to test, and return of answer folders/test booklets for all students;*
- *LEP, 504, and Special Education test accommodations and modifications;*
- *Description of the NJ ASK 3-8 test materials, including use of calculators and Mathematics Reference Sheets (Grades 5-8) and Mathematics Manipulatives Sheets (Grades 3-7);*
- *Test security;*

- *School test coordinator's role in the success of the program;*
- *Responsibilities of the examiners and proctors;*
- *NJ ASK 3-8 Spanish test administration;*
- *Procedures for completing the student information section of the NJ ASK 3-4 test booklet and NJ ASK 5-8 answer folder if Pre-ID Labels are not used;*
- *Need for and use of calculators;*
- *Receipt and return of test materials;*
- *Procedures for proper test administration; and*
- *Procedures for completing the District/School Security Checklists and Irregularity Reports.*

In accordance with the Manual, **RESPONSIBILITIES OF PROGRAM PERSONNEL, GENERAL RESPONSIBILITIES, School Test Coordinator General Responsibilities**, Page 28:

4. *Conducts all necessary scheduling and training for test administration within the school*

In accordance with the Manual, **RESPONSIBILITIES OF PROGRAM PERSONNEL, BEFORE TESTING, District Test Coordinator Responsibilities**, Page, 29:

5. *Organizes and helps conduct training sessions for all staff involved in the NJ ASK 3-8 administration (e.g., examiners, proctors)*

In accordance with the Manual, **RESPONSIBILITIES OF PROGRAM PERSONNEL, BEFORE TESTING, School Test Coordinator Responsibilities**, Page 30:

6. *Schedules and conducts training sessions for examiners and proctors*

Failure to Retain the School Security Checklists for Three Consecutive Assessment Cycles

_____ failed to follow guidelines regarding the retention of the 2012 School Security Checklists for the mandated three consecutive assessment years. The School Security Checklists must be used by the district and the school test coordinators to maintain an accurate record of the chain of distribution and collection of all grades three through eight test booklets.

During her interview, _____ informed the investigators, at the commencement of the 2013 NJ ASK administration, the district destroyed the 2012 NJ ASK documents. Without these documents, the investigators were unable to verify whether: (1) the examiners properly signed for test booklets received; (2) the times and dates associated with the signatures corresponded with the test schedule time frames; (3) the STC signed for the return of test materials and included the time and date returned; and (4) the header sheets were signed by the principal and chief school administrator.

The Manual governs specific procedures to maintain the confidentiality and security of the testing process for all grades three through eight. The pertinent portion of the Manual as it relates to the investigation is:

In accordance with the Manual, **SECURITY FORM TABLE**, Page 19:

School Security Checklists: Regular and Make-up . . . MUST be maintained for three consecutive assessment cycles

In accordance with the 2012 NJ ASK School Security Checklist:

DO NOT RETURN THIS FORM to Measurement Incorporated. Retain for your records and reference.

Data

Although the investigators did not obtain substantial witness testimony to justify the high number of WTR erasures, when reviewing the testing data for the 2012 NJ ASK 3 MATH the following statistics are noteworthy: Deal was ranked highest statewide in WTR erasures in third grade MATH. The 2012 NJ ASK 3 MATH statewide mean WTR erasure rate was 0.87. The third grade WTR erasure rate at Deal was 2.85, which was 5.35 SD above the statewide mean.

f 2012 Third Grade Teacher/Examiner

The district did not retain any 2012 testing documents. According to the State Membership Identification (SMID) gridded on each student's test booklet, _____ administered the 2012 NJ ASK 3 to 12 general education students. These students had a mean WTR erasure rate of 2.83, which was 5.30 SD above the statewide mean on the 2012 NJ ASK 3 MATH. Seven of the 12 students had three or more WTR erasures. As stated above, this was the highest WTR erasure rate for the third grade in the entire state.

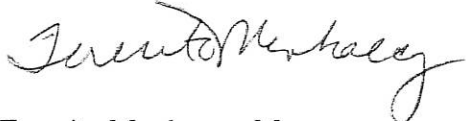
CONCLUSION

Based upon the preponderance of evidence collected during the investigation, the OFAC concluded _____ breached, encouraged, and/or facilitated the breaching of the NJ ASK security procedures. _____ created a security and scheduling conflict by designating the responsibility of STC to _____. In addition, procedural issues of noncompliance with testing protocols were permitted to occur during the 2012 NJ ASK.

RECOMMENDATION

The district shall submit to the OFAC a corrective action plan indicating the measures it will implement to correct the security breaches listed above and it should also include the measures the district will implement to ensure staff compliance with the testing security procedures.

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