

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ROBERT ALLEN; MATTHEW FULLER;
CAROL LENNON; CLAUDIA MONTECALVO;
and EMILIJA THEVANESAN,

Plaintiffs,

Civil Action No.:

-against-

JOHN B. KING, JR., as Commissioner of the New
York State Education Department; NEW YORK
STATE EDUCATION DEPARTMENT; BOARD
OF EDUCATION OF THE SPENCERPORT
CENTRAL SCHOOL DISTRICT and BOARD OF
EDUCATION OF THE TACONIC HILLS
CENTRAL SCHOOL DISTRICT,

Defendants.

**MEMORANDUM OF LAW IN SUPPORT OF
PLAINTIFFS' APPLICATION FOR A
PRELIMINARY INJUNCTION**

RICHARD E. CASAGRANDE, ESQ.
Attorney for Plaintiffs
800 Troy-Schenectady Road
Latham, NY 12110-2455
(518) 213-6000

Jennifer N. Coffey
Christina M. French
Wendy M. Star
Of Counsel

TABLE OF CONTENTS

PAGE

PRELIMINARY STATEMENT1
STATEMENT OF FACTS2
ARGUMENT14
CONCLUSION.....20

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ROBERT ALLEN; MATTHEW FULLER;
CAROL LENNON; CLAUDIA MONTECALVO;
and EMILIJA THEVANESAN,

Plaintiffs,

Civil Action No.:

-against-

JOHN B. KING, JR., as Commissioner of the New
York State Education Department; NEW YORK
STATE EDUCATION DEPARTMENT; BOARD
OF EDUCATION OF THE SPENCERPORT
CENTRAL SCHOOL DISTRICT and BOARD OF
EDUCATION OF THE TACONIC HILLS
CENTRAL SCHOOL DISTRICT,

Defendants.

PRELIMINARY STATEMENT

Plaintiffs are tenured teachers who scored the New York State examinations during the 2013-2014 school-year. They bring this action to challenge the legality of the Exam Scoring Confidentiality Agreements (“Confidentiality Agreements”) implemented by the New York State Education Department (“SED”) with respect to the English Language Arts (ELA), Mathematics and Science examinations, and in turn, school districts throughout New York State. The Confidentiality Agreements, which scorers of State examinations are obligated to sign, broadly restrict the scorers from revealing or discussing, at any time, and in any forum, the contents of the State examination. The Agreements are an unconstitutional prior restraint on plaintiffs’ right to free speech as guaranteed by the First Amendment to the Constitution of the United States.

Plaintiffs seek a preliminary injunction against enforcement and continued implementation of the relevant terms of the Confidentiality Agreements. As demonstrated below, absent the grant of provisional relief, plaintiffs will be irreparably harmed by the chilling effect of the Confidentiality Agreements, in that they are unable, without risking disciplinary action, revocation of teaching license, or potential criminal action, to discuss in any forum any issue relating to the State examinations. Additionally, plaintiffs are likely to succeed on the merits of the claim, as the Confidentiality Agreements constitute a broad based prior restraint on speech and violate plaintiffs' constitutional rights of freedom of speech and expression.

STATEMENT OF FACTS

A. State Testing/Confidentiality Agreement

The SED's Office of State Assessment is responsible for coordinating, developing and implementing the New York State Testing Program. (Comp., at ¶14). The New York State Testing Program includes, among other exams, Common Core Grades 3-8 English Language Arts ("ELA") and Mathematics exams, and Grades 4 and 8 Science exams. (Comp., at ¶15). Plaintiffs are tenured teachers who were assigned as part of their job duties to score the ELA exams.

SED's 2014 Grades 3-8 Common Core English Language Arts and Mathematics Tests School Administrator's Manual provides information relating to the administration of the ELA and Mathematics exams. (Comp., at ¶22); *See* Ex. "A" annexed to Coffey Affirmation.

SED's Grades 3-8 Common Core English Language Arts and Mathematics Tests: Scoring Leader Handbook, 2014 Edition ("Scoring Leader Handbook") provides rules,

procedures and instructions and various exhibits for exam scorers and scoring site coordinators to be used in scoring the 2014 Grades 3-8 ELA and Mathematics exams. (Comp., at ¶23). *See* Ex. “B” annexed to Coffey Affirmation.

Guidelines, information and procedures for administering and scoring the 2014 Science Grade 4 exam are contained within SED’s New York State Grade 4 Elementary-Level Science Test: Manual for Administrators and Teachers. (Comp., at ¶24). *See* Ex. “C” annexed to Coffey Affirmation.

Guidelines, information and procedures for administering and scoring the 2014 Science Grade 8 exam are contained within SED’s New York State Grade 8 Elementary-Level Science Test: Manual for Administrators and Teachers. (Comp., at ¶25). *See* Ex. “D” annexed to Coffey Affirmation.

2014 was the second year in which the New York State exams were based upon the Common Core curriculum, and the second year in which all teachers and administrators involved with the scoring of the New York State exams were required to sign the Confidentiality Agreements. (Comp., at ¶19).

The 2014 ELA Grades 3-8 exams were administered from April 1, 2014 through April 3, 2014, with a makeup window from April 4, 2014 through April 8, 2014. *See* Ex. “A” annexed to Coffey Affirmation, at p. vi. The 2014 Mathematics Grades 3-8 exams were administered from April 30, 2014 through May 2, 2014, with a makeup window from May 5, 2014 through May 7, 2014. *Id.* The 2014 Science Grades 4 and 8 performance exams were administered from May 21, 2014 through May 30, 2014. *See* Ex. “E” annexed to Coffey Affirmation. The 2014 Science Grades 4 and 8 written exams were administered on June 2, 2014, with a make-up window of June 3 and 4, 2014. *Id.*

The 2014 ELA Grades 3-8 exams were scored from April 4, 2014 to April 30, 2014. *See* Ex. “F” annexed to Coffey Affirmation. The 2014 Mathematics Grades 3-8 exams were scored from May 5, 2014 to May 14, 2014. *Id.* Scoring began immediately following administration of the exams for the 2014 Science Grades 4 and 8 performance exams. *Id.* For the 2014 Science Grades 4 and 8 written exams, scoring began immediately after the make-up dates, but no later than June 12, 2014. *Id.*

Guidelines, information and procedures for scoring the 2014 ELA and Mathematics Grades 3-8 Common Core exams are contained within the Scoring Leader Handbook. (Comp., at ¶23). *See* Ex. “B” annexed to Coffey Affirmation.

Any individual responsible for scoring the 2014 ELA and Mathematics examinations was required to sign the Confidentiality Agreement relating to the ELA and Mathematics examinations (“ELA/Math Confidentiality Agreement”). *See* Ex. “G” annexed to Coffey Affirmation.

Upon information and belief, school districts in New York State, along with New York Boards of Cooperative Educational Services (“BOCES”) used as scoring sites, required all those who scored to sign SED’s Confidentiality Agreement on or before the first day of scoring the exams. (Comp., at ¶40).

By signing the Confidentiality Agreement, the teacher agrees to abide by the security restrictions enumerated in the document. (Comp., at ¶41). Those restrictions include an agreement “not to disclose any secure test materials, including test questions and answers, other than while participating in the scoring activity described above.” *Id.* *See* Ex. “G” annexed to the Coffey Affirmation.

The Confidentiality Agreement defines “secure test materials” as:

The test materials that you are scoring are “secure test materials” and are subject to certain security restrictions, including those listed below. “Secure test materials” include, but are not limited to, all test books, answer sheets, scoring guides, and any other information, whether printed or electronic (CD), relating to the scoring of the 2013 Grades 3-8 Common Core English Language Arts and Mathematics Tests. Secure test materials also include any notes you take during your participation in the scoring of secure test materials and confidential student information. (Comp., at ¶42). *See* Ex. “G” to Coffey Affirmation.

Individuals signing the Confidentiality Agreement agree that they “will not use or discuss the content of secure test materials, including test questions and answers, in any classroom or other activities.” (Comp., at ¶43).

The Confidentiality Agreement threatens discipline, by the scorer’s school district in relation to a teacher’s employment and by SED in relation to a teacher’s State teaching license, as well as potential criminal charges should the scorer breach the terms of the Confidentiality Agreement. (Comp., at ¶44). Specifically, the Confidentiality Agreement states that the scorer understands that “teachers and administrators who engage in inappropriate conduct with respect to State assessments may be subject to disciplinary actions in accordance with Sections §§3020 and 3020-a of the Education Law and/or action against their certification pursuant to Part 83 of the Regulations of the Commissioner of Education.” *Id.* *See* Ex. “G” to Coffey Affirmation. Further, the Confidentiality Agreement places the individual on notice that Education Law §225 “makes fraud in exams a misdemeanor.” *Id.*

B. The Plaintiffs

1. Robert Allen

Plaintiff Robert Allen (“Allen”) is a tenured 7th and 8th grade English teacher, as well as the English Department Teacher Leader, at Cosgrove Middle School in the Spencerport Central School District (“Spencerport”). (Comp., at ¶57; Allen Aff., at ¶1). He has taught in Spencerport for 9 years. *Id.* He served as the scoring leader in Spencerport for scoring of the 2014 ELA exams. (Comp., at ¶58; Allen Aff., at ¶3). On or before the first day of scoring the exams, Allen signed the ELA/Math Confidentiality Agreement, whereby he agreed not to discuss and/or criticize the 2014 exams with any person, in any forum and for any purpose. (Comp., at ¶65; Allen Aff., at ¶8).

While engaging in the scoring process, Allen became concerned about several facets of the exams, including, but not limited to: the length of each exam made it difficult to nearly impossible for most students to complete each of the exams within the 90 minutes allotted; some of the passages were poorly written; the tasks were well-beyond grade level; and there were inconsistencies in the scoring rubrics provided by SED. (Comp., at ¶67; Allen Aff., at ¶10).

Allen wishes to speak about these issues, however, due to signing the ELA/Math Confidentiality Agreement, he is barred from speaking about the specifics of his concerns and the content of the test in any forum. (Comp., at ¶68, Allen Aff., at ¶11). Prior to the inception of the Confidentiality Agreement, Allen freely spoke about the content of the exams and his concerns with any portion of the exams. (Comp., at ¶70; Allen Aff., at ¶13). In addition to speaking often about the content of the exams with colleagues and for instructional purposes, Allen also spoke about the content of the exams with friends

and family outside of school in regard to improper questions. (Comp., at ¶71; Allen Aff., at ¶14).

2. *Carol Lennon*

Plaintiff Carol Lennon (“Lennon”) is a teacher of Academic Intervention Services (“AIS”) for English Language Arts in Grade 7 at Spencerport’s Cosgrove Middle School. (Comp., at ¶75).

For the 2013-2014 school-year Lennon taught AIS to approximately 72th grade students at Cosgrove Middle School. (Comp., at ¶78). Lennon specializes in teaching AIS for ELA to students with disabilities, and her AIS lessons are designed to teach skills necessary to improve students’ performance on the State ELA exam. (Comp., at ¶79).

In every year of her employment at Spencerport, in addition to her teaching responsibilities, Lennon participated in scoring the State exams for Spencerport students at various grade levels. (Comp., at ¶80).

Lennon served as a joint table facilitator for the 2014 Grade 6 Common Core ELA exam. (Comp., at ¶81). Under the scoring procedures in effect at that time, Lennon was responsible for scoring one specific short response question and one specific essay question on each exam she scored. *Id.* In addition to her own scoring responsibilities, as a joint table facilitator, Lennon was responsible for, among other things, assisting her colleagues in the scoring process. (Comp., at ¶82).

Prior to scoring, Spencerport required Lennon to sign the ELA/Math Confidentiality Agreement, thereby prohibiting her from discussing and/or criticizing the 2014 exam with any person, in any forum and for any purpose. (Comp., at ¶85).

Prior to signing the ELA/Math Confidentiality Agreement that restricted her right to speak about the exams, Lennon spoke freely about the content of the exams and concerns she had about the exams. (Comp., at ¶87). While Lennon often spoke about the content of the exams with colleagues and for instructional purposes prior to signing the ELA/Math Confidentiality Agreement, Lennon also spoke about the content of the exams with friends outside of school in regard to: the varying difficulty of reading passages; pacing and time allotment for different exam sections, readability and passage ordering, standards and curriculum alignment, and whether the test is disadvantaging her lower performing students and students with disabilities. (Comp., at ¶88).

Many of the issues with the ELA exams Lennon spoke about in the past are similar to those which she wishes to speak about now, but she is barred from doing so by the broad restriction set forth in the ELA/Math Confidentiality Agreement. (Comp., at ¶89). Specifically, while reviewing the exam and engaging in the scoring process in 2014, Lennon became concerned with several facets of the exam, including, but not limited to: tasks were above grade level, lower achieving students were placed at a severe disadvantage and, due to the short implementation period of the Common Core Curriculum Standards, students simply have not had enough practice to perform in accord with the Common Core skills being tested by the exam. *Id.*

Lennon wishes to speak about these issues, however, as a result of signing the 2014 ELA/Math Confidentiality Agreement, she is not able to discuss the content and quality of the State ELA exam with any person and for any purpose, for fear that she will be subject to discipline by Spencerport in the form of Education Law §3020-a charges,

and by SED in the form of a proceeding pursuant to Part 83 of the Commissioner of Education Regulations to revoke or suspend her teaching license. (Comp., at ¶91).

3. *Claudia Montecalvo*

Plaintiff Claudia Montecalvo (“Montecalvo”) is a tenured 7th grade English teacher at Cosgrove Middle School in Spencerport. (Comp., at ¶92). She has taught in Spencerport for 33 years. *Id.*

On or about April 8, 2014, the day before the scoring session began, Spencerport provided Montecalvo with table facilitator training in connection with the 2014 ELA exam. (Comp., at ¶93). She received a binder containing portions of the exam, the scoring rubric and sample exam answers. *Id.*

On or about April 9, 2014, the first day of scoring, Montecalvo signed the ELA/Math Confidentiality Agreement, whereby she agreed not to discuss and/or criticize the 2014 exams with any person, in any forum and for any purpose. (Comp., at ¶94). During the scoring session that took place on April 9 and 10, 2014, Montecalvo, in her capacity as the table facilitator, was responsible for scoring two short answer questions, and, upon information and belief, one essay question, on the Grade 8 ELA exam. (Comp., at ¶95).

Prior to the inception of the Confidentiality Agreement, in 2013, Montecalvo freely spoke about the content of the exams and her concerns with any portion of the exams. (Comp., at ¶99). While she often spoke about the content of the exams with colleagues and students for instructional purposes, Montecalvo also spoke about the content of the exams with friends outside of school. (Comp., at ¶100).

While reviewing the exam and engaging in the scoring process, Montecalvo became concerned with several facets of the exam, including, but not limited to: the large number and length of reading comprehension passages on the exam; not enough time was allotted for the exam in order for most students to finish the large number of tasks on the exam; the phrasing of SED's sample answers; and the difficulty of the reading passages for the grade level. (Comp., at ¶96). Montecalvo wishes to speak about these issues, however, based on the terms of the ELA/Math Confidentiality Agreement, she is barred from speaking about her concerns and the content of the test in any forum. (Comp., at ¶97).

4. *Emilija Thevanesan*

Emilija Thevanesan ("Thevanesan") has been a 7th grade English teacher in Spencerport for 11 years. (Comp., at ¶101). Her students take the Grade 7 Common Core English Language Arts exam. *Id.* For the 2013-2014 school year, Thevanesan taught English to approximately 117 7th grade students at Cosgrove Middle School. (Comp., at ¶102).

Since the 2003-2004 school year, and in addition to her teaching responsibilities, Thevanesan is expected to participate in scoring the State ELA exam for Spencerport students at various grade levels. (Comp., at ¶104).

Thevanesan was a table facilitator for the 2014 Grade 8 Common Core ELA exam. (Comp., at ¶105). As part of SED's scoring process and rules in effect at that time, Thevanesan was responsible for scoring three short response questions and one essay on each exam she scored. *Id.* In addition to her own scoring responsibilities,

Thevanesan led a group of teachers through scoring their assigned questions. (Comp., at ¶106).

Prior to scoring the exam, Thevanesan was required to sign the ELA/Math Confidentiality Agreement, thereby agreeing not to discuss and/or criticize the 2014 exam with any person, in any forum and for any purpose, including a public forum speaking as a citizen. (Comp., at ¶108).

Prior to the inception of the Confidentiality Agreement, upon information and belief prior to 2013, Thevanesan freely spoke about the content of the exams and any concerns she had with any portion of the exams. (Comp., at ¶110). While she often spoke about the content of the exams with colleagues and for instructional purposes, she also spoke about the content of the exam with friends and family outside of school in regard to how poorly questions were phrased; the inappropriate time allotment; and lack of alignment with State standards and Spencerport curriculum. (Comp., at ¶111).

Thevanesan also discussed the quality of the exams in the context of other matters of public concern such as linking merit pay for teachers in connection with raising student test scores. (Comp., at ¶112). Those discussions often took place after Spencerport passing rates were published in local newspapers. *Id.*

Upon information and belief, based on her experience scoring the 2014 Grade 8 Common Core ELA exam, Thevanesan obtained specific information regarding the integrity of the exam that she wishes to speak about publicly in various public forums including letters to the editor of local and national newspapers and letters to local elected officials and leaders. (Comp., at ¶113). In particular, Thevanesan noticed that the Grade

8 Common Core ELA exam was, in many ways, not aligned with the poorly implemented Common Core Standards. *Id.*

However, as a result of signing the 2014 ELA/Math Confidentiality Agreement, Thevanesan is not able to discuss the content and specific quality issues regarding the newly developed and implemented Grade 8 Common Core ELA exam with any person and for any purpose for fear that she will be subjected to discipline by Spencerport under Section 3020-a of the Education Law and/or by SED in the form of a proceeding pursuant to Part 83 of the Commissioner's Regulations to revoke or suspend her teaching license. (Comp., at ¶114).

5. *Matthew Fuller*

Plaintiff Matthew Fuller ("Fuller") is the only 8th grade Science teacher in the Taconic Hills Central School District (hereinafter "Taconic Hills"). (Comp., at ¶115; Fuller Aff., at ¶1). He has taught in Taconic Hills for 10 years. *Id.* Fuller was assigned by Taconic Hills to be its scoring representative at the regional scoring site, run by the Questar III Board of Cooperative Educational Services ("BOCES") in Castleton-on-Hudson, New York, for the Grade 8 New York State Science exam. (Comp., at ¶116; Fuller Aff., at ¶3).

On the first day of scoring, June 9, 2014, BOCES representatives distributed the Confidentiality Agreement pertaining to the State Science exams ("Science Confidentiality Agreement") for all scorers to sign. (Comp., at ¶117; Fuller Aff., at ¶4). *See Ex. "H" to Coffey Affirmation.*

The Science Confidentiality Agreement contained the same threat of disciplinary action for violation of the agreement that was contained within the ELA and Mathematics

Confidentiality Agreement. (Comp., at ¶118; Fuller Aff., at ¶9). *See* Ex. “H” to Coffey Affirmation.

Prior to signing the Science Confidentiality Agreement, Fuller spoke about the contents of previous exams with colleagues and parents. (Comp., at ¶123; Fuller Aff., at ¶12). He also spoke with friends outside of school regarding the nature and contents of what he deemed to be inappropriate and unfair questions on the exam. *Id.*

Fuller scored the Grade 8 Science exam on June 9 and 10, 2014. (Comp., at ¶119; Fuller Aff., at ¶6). He scored the performance/lab portion of the exam on the first day, and the short answer portion of the written exam on June 10. *Id.* As a scorer, Fuller was provided with both portions of the complete exam and the State answer key. (Comp., at ¶120); Fuller Aff., at ¶7).

While scoring the exam, Fuller noticed some issues of concern: some questions were too open-ended; some questions were well above grade level; questions that should have been broken down into multiple points or questions were inappropriately asked in one general question; some contained incorrect scientific information; and some of the scoring standards were unfair. (Comp., at ¶121; Fuller Aff., at ¶8).

Despite Fuller’s concerns and desire to voice these concerns, the Science Confidentiality Agreement and the fear of discipline from Taconic Hills and potential license suspension or revocation by SED prohibits him from speaking about his specific concerns regarding the science exam. (Comp., at ¶122; Fuller Aff., at ¶9).

ARGUMENT

THE COURT SHOULD ISSUE A PRELIMINARY INJUNCTION,
AS CONTINUED ENFORCEMENT OF THE CONFIDENTIALTY
AGREEMENTS IRREPARABLY HARMS THE PLAINTIFFS AND
PLAINTIFFS ARE LIKELY TO SUCCEED ON THEIR CLAIM
THAT THE CONFIDENTIALITY AGREEMENTS ARE UNLAWFUL.

In order to obtain provisional injunctive relief, a plaintiff must show irreparable harm and a likelihood of success on the merits. *See Able v. United States*, 44 F.3d 128, 130 (2d Cir. 1995). Alternatively, plaintiffs must show irreparable harm and either: (1) a likelihood of success on the merits; or (2) sufficiently serious questions going to the merits to make them a fair ground for litigation and a balance of hardships tipping decidedly toward the party requesting preliminary relief. *Citigroup Global Mkts., Inc. v. BCG Special Opportunities Fund Ltd.*, 598 F.3d 30, 35-38 (2d Cir. 2010). Under either articulation of the standard, preliminary injunctive relief is warranted in this case.

A. Irreparable Harm

An “irreparable injury” is one that cannot be undone through monetary remedies. *Jayaraj v. Scappini*, 66 F.3d 36, 39 (2d Cir. 1995); *Air Transp. Int’l v. Aerolease Fin. Grp., Inc.*, 993 F. Supp. 118, 123 (D. Conn. 1998). Irreparable harm is inherent in the deprivation of a constitutional right. *See Elrod v. Burns*, 427 U.S. 347, 373-374 (1976); *Jolly v. Coughlin*, 76 F.3d 469, 482 (2d Cir. 1996); *Mitchell v. Cuomo*, 748 F.2d 804, 806 (2d Cir. 1984).

Here, the plaintiffs have shown that the Confidentiality Agreements, which prohibit plaintiffs from speaking about the State examinations, are a constitutional violation. Courts have held that an on-going constitutional violation may be presumed to cause irreparable injury when the violation involves the rights of privacy, association, and

certain First Amendment speech claims establishing an imminent likelihood that pure speech will be chilled or prevented altogether. *Air Transp. Int'l*, 993 F. Supp. at 125 (quoting *Barrett v. Harwood*, 967 F. Supp. 744, 746 (N.D.N.Y. 1997)); *Marano v. New York City Transit Auth.*, 92-cv-5158, 1993 U.S. Dist. LEXIS 402 (E.D.N.Y. January 19, 1993) (quoting *Pub. Serv. Co. of New Hampshire v. Town of W. Newbury*, 835 F.2d 380, 382 (1st Cir. 1987)). See also *Siegel v. Lepore*, 234 F.3d 1163, 1178 (11th Cir. 2000); *Cate v. Oldham*, 707 F.2d 1176, 1189 (11th Cir. 1983); and *Deerfield Med. Ctr. v. City of Deerfield Beach*, 661 F.2d 328, 338 (5th Cir. 1981).

In fact, courts have repeatedly held that the loss of First Amendment rights, even for minimal time periods, constitutes irreparable injury warranting the grant of a preliminary injunction. *Tunick v. Safir*, 209 F.3d 67, 70 (2000) (citing *Elrod*, 427 U.S. at 373. Courts have reasoned that once constitutionally-protected speech has been prevented, no monetary relief can make whole the potential speaker.

Here, by signing the Confidentiality Agreements, plaintiffs, like all who score the State examinations and sign Confidentiality Agreements, must promise that they “will not §use or discuss the content of secure test materials, including test questions and answers, in any classroom or other activities.” See Exs. “G” and “H” annexed to Coffey Affirmation. Plaintiffs, who were assigned to score the State examinations as part of their job duties, were required to sign said Confidentiality Agreements. Upon information and belief, failure to comply with a requirement of SED, specifically one relating to State examinations, would be grounds for disciplinary action under Education Law §3020-a, teaching license revocation under Part 83 of the Commissioner of Education Regulations, and/or potential criminal action.

All of the plaintiffs have legitimate and important concerns about the State examinations, including the grading practices, the length of certain portions of the examinations, and the quality of the questions. These concerns clearly have legitimate and important public value and therefore teachers should be permitted to raise these concerns in a public forum. The fact that the plaintiffs are barred by the Confidentiality Agreements from doing so establishes that they are irreparably harmed by this constitutional violation.

B. Likelihood of Success on the Merits

Plaintiffs will likely succeed in demonstrating that the Confidentiality Agreements are illegal. The Confidentiality Agreements are overreaching and unconstitutional, since they chill all speech concerning the State examinations, no matter what the subject matter. On their face, therefore, the Confidentiality Agreements are unconstitutional and an improper prior restraint.

Prior restraints are only permitted in “exceptional cases,” such as to prevent the publication of troop movements during a time of war. *Near v. Minnesota ex rel. Olson*, 283 U.S. 697, 716 (1931). Due to the scarcity of such cases, prior restraints on speech come with a presumption of constitutional invalidity. *Harman v. City of New York*, 140 F.3d 111, 118 (2d. Cir. 1998). “[A] free society prefers to punish the few who abuse rights of speech after they break the law than to throttle them and all others beforehand.” *S.E. Promotions, Ltd. v. Conrad*, 420 U.S. 546, 559 (1975). When a policy restricts government employee speech before it is made, the government must meet a high burden to justify it:

the government must show that the interests of both potential audiences and a vast group of present and future employees in a broad range of present and future expression are outweighed by that expression's necessary impact on the actual operation of the Government Further, the government must do more than simply posit the existence of the disease sought to be cured It must demonstrate that the recited harms are real, not merely conjectural, and that the regulation will in fact alleviate these harms in a direct way. *Latino Officers Assn. v. City of New York*, 196 F.3d 458, 463 (2d Cir. 1999); *Price v. Saugerties Cent. Sch. Dist.*, 105-cv-0465, 2006 WL 314458, at *3 (N.D.N.Y. February 9, 2006).

Accordingly, “[i]n the context of [a prior restraint] balance, courts have found that the potential for censorship in a regulation ‘justifies an additional thumb on the employees’ side of [the scales].’” *Harman*, 140 F.3d at 120 (internal citation omitted).

In *Harman*, a New York City social service agency had a policy requiring employees to seek prior approval for all communications with the media. 140 F.3d at 116. The speech at issue was deemed a matter of public concern because it dealt with social workers’ informed opinions concerning the effectiveness of the City’s child welfare agency. The Second Circuit held that the policy was an unconstitutional restraint on speech because: (1) it allowed the government to determine, in advance, what kind of speech will harm agency operations, and thus ran afoul of the general presumption against prior restraints on speech; (2) pre-clearance policies “pose risks of self-censorship by speakers . . . to avoid being denied a license to speak”; (3) the policy allowed the government to control the timing of the intended speech thereby controlling its newsworthiness; and (4) the policy left the determination of who may speak to the unbridled discretion of a government official. *Id.* at 120.

This Court has also rejected a school district policy requiring all school staff to follow a communication protocol before reporting any “concerns or issues dealing with

school matters.” *Price*, 2006 WL 314458, at *4. The Court in *Price* held that the policy was an improper prior restraint, broadly covering “matters of public concern, including speech that would not have any disruptive effect on the operation of the school district.” *Id.*

As discussed above, the Confidentiality Agreements operate as absolute and broadly applied prior restraints on all teachers who score the State examinations, prohibiting them from speaking about anything related to the State examinations. The Confidentiality Agreements are broadly written, covering any and all speech related to the examinations, and encompass any communication in any forum. Thus, the Confidentiality Agreements, as improper prior restraints, are on their face unconstitutional.

Further, plaintiffs’ desired speech concerning the quality and effectiveness of the State examinations is a matter of public concern. Here, similar to *Harman*, where employees’ opinions on the effectiveness of a city policy were deemed a matter of public concern, plaintiffs’ concerns regarding the effectiveness and quality of State examinations is a matter of public concern. Additionally, as discussed by the United States Supreme Court in *Lane v. Franks*, 134 S.Ct. 2369 (2014), speech by public employees on subject matter related to their employment holds special value precisely because those employees gain knowledge of matters of public concern through their employment. The *Lane* Court further noted, citing *Pickering*, that “[t]eachers are . . . the members of a community most likely to have informed and definite opinions as to how funds allotted to the operation of the schools should be spent. Accordingly, it is essential that they be able to speak out freely on such questions without fear or retaliatory

dismissal.” *Lane*, 134 S.Ct. at 2379 (citing *Pickering v. Bd. of Educ., of Twp. High Sch. Dist.* 391 U.S. 563, 572 (1968)).

Here, plaintiff Thevanesan noticed that 8th grade exams were not aligned with State standards. Plaintiff Fuller noticed questions that relied on incorrect scientific information and observed that unqualified scorers were assessing student performance. Much like *Harman*, these observations, in addition to the concerns of the other plaintiffs, question the effectiveness of the government’s actions – its handling of high stakes standardized testing. This information relates to matters of public concern.

Such a sweeping impediment to any disclosure will inevitably prevent meaningful dialogue between teachers and parents regarding student performance on tests, as well as any meaningful discussion and criticism relating to test reliability. Specifically, as noted above, this restraint on speech arguably extends to test questions, scoring, and concerns regarding whether questions are appropriate for the particular grade level. Speech, particularly by educators like the plaintiffs, to taxpayers, parents, and to the general public relating to the quality of standardized testing being administered in public schools is a matter of public concern. This Court should take judicial notice that speech about standardized test reliability is the subject of extensive ongoing public debate and is of legitimate news value.

CONCLUSION

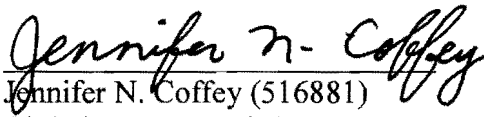
For all of the foregoing reasons, plaintiffs respectfully request that the Court grant a preliminary injunction enjoining defendants from the continued implementation and enforcement of the Confidentiality Agreements.

Dated: Latham, New York
October 7, 2014

Respectfully Submitted,

RICHARD E. CASAGRANDE, ESQ. (101311)
Attorney for Plaintiffs
800 Troy-Schenectady Road
Latham, NY 12110-2455
(518) 213-6000

By:


Jennifer N. Coffey (516881)
Christina M. French (518750)
Wendy M. Star
Of Counsel

116172

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ROBERT ALLEN; MATTHEW FULLER;
CAROL LENNON; CLAUDIA MONTECALVO;
and EMILIJA THEVANESAN,

Plaintiffs,

VERIFIED
COMPLAINT

-against-

Civil Action No.:

JOHN B. KING, JR., as Commissioner of the New
York State Education Department; NEW YORK
STATE EDUCATION DEPARTMENT; BOARD
OF EDUCATION OF THE SPENCERPORT
CENTRAL SCHOOL DISTRICT and BOARD OF
EDUCATION OF THE TACONIC HILLS
CENTRAL SCHOOL DISTRICT,

Defendants.

Plaintiffs Robert Allen, Matthew Fuller, Carol Lennon, Claudia Montecalvo and Emilija Thevanesan (collectively referred to as “plaintiffs”), by their attorney, Richard E. Casagrande, Esq., (Jennifer N. Coffey, Esq., Christina M. French, Esq., and Wendy M. Star, Esq., of Counsel), for their complaint, respectfully allege as follows:

PRELIMINARY STATEMENT

1. Plaintiffs bring this action pursuant to 42 U.S.C. §1983 to declare the Exam Scoring Confidentiality Agreement required by the New York State Education Department to be signed by teachers who score State exams, and as adopted by school districts in New York State, to be a prior restraint of plaintiffs’ rights to free speech guaranteed by the First Amendment to the Constitution of the United States, applicable to the New York State Education Department pursuant to the Fourteenth Amendment to the Constitution of the United States. The New York

State Education Department and school districts in New York State are acting under color of State law by imposing and implementing the Exam Scoring Confidentiality Agreement. Plaintiffs seek preliminary and permanent injunctive relief from enforcement and implementation of the relevant terms of the Exam Scoring Confidentiality Agreement.

JURISDICTION AND VENUE

2. This Court has federal question jurisdiction over plaintiffs' First and Fourteenth Amendment claims pursuant to 28 U.S.C. §1331 and has jurisdiction over plaintiffs' 42 U.S.C. §1983 claims pursuant to 28 U.S.C. §1343.

3. Venue is proper in the Northern District of New York pursuant to 28 U.S.C. §1391(b), as defendants New York State Education Department and Taconic Hills Central School District are located in that District.

4. No prior application for the relief requested in this complaint has been made in any forum.

PLAINTIFFS

5. Plaintiff Robert Allen is employed by the Spencerport Central School District as an English teacher.

6. Plaintiff Matthew Fuller is employed by the Taconic Hills Central School District as a Science teacher.

7. Plaintiff Carol Lennon is employed by the Spencerport Central School District as a teacher of Academic Intervention Services for English Language Arts.

8. Plaintiff Claudia Montecalvo is employed by the Spencerport Central School District as an English teacher.

9. Plaintiff Emilija Thevanesan is employed by the Spencerport Central School District as an English teacher.

DEFENDANTS

10. Defendant John B. King, Jr. is the Commissioner of the New York State Education Department and as such he has the powers and duties set forth in Article 7 of the New York Education Law, and various provisions of other laws.

11. Defendant New York State Education Department ("SED") is a department of the New York State government within the University of the State of New York. It is created and maintained pursuant to Article 3 of the New York Education Law and as such is charged with the general management of all public schools and all of the educational work of the State. SED is divided into offices, divisions and bureaus. Its principal place of business is the State Education Building, 89 Washington Avenue, Albany, New York 12234.

12. Defendant Board of Education of the Spencerport Central School District is a body corporate and is responsible, under the New York Education Law, for the management and control of the affairs of the Spencerport Central School District and has its primary place of business at 71 Lyell Avenue, Spencerport, Monroe County, New York 14559.

13. Defendant Board of Education of the Taconic Hills Central School District is a body corporate and is responsible, under the New York Education Law, for the management and control of the affairs of the Taconic Hills Central School District and has its primary place of business at 73 County Route 11A, Craryville, Columbia County, New York 12521.

FACTS

State Examinations

14. SED's Office of State Assessment is responsible for coordinating, developing and implementing the New York State Testing Program.

15. The New York State Testing Program includes, among other exams, Common Core Grades 3-8 English Language Arts ("ELA") and Mathematics exams, and Grades 4 and 8 Science exams.

16. Prior to 2012, State ELA and Mathematics exams were based on State Standards.

17. Beginning in 2013 and continuing in 2014, State ELA and Mathematics exams were based on the new Common Core Learning Standards. Upon information and belief, the 2014 Grades 4 and 8 Science exams did not test the Common Core standards and were based on State Standards.

18. In 2013, SED began requiring employees who scored State Common Core Exams to sign Exam Scoring Confidentiality Agreements.

19. 2014 was the second year in which State ELA and Mathematics exams were based upon the Common Core standards, and the second year in which all teachers and administrators involved with the scoring of the State exams were required to sign the Exam Scoring Confidentiality Agreement.

20. Upon information and belief, prior to 2013, SED publically released complete copies of the State ELA and Mathematics exams after the exams were administered. Upon information and belief, complete copies of the Grades 3-8 Common Core ELA and Mathematics exams have never been publicly released.

21. In 2014, for the first time, teachers who proctor and administer the State ELA and Mathematics exams were prohibited from reading the exams. The only teachers permitted access to the content of the exams in 2014 were those teachers, like plaintiffs, who were directly involved in the scoring process. *See* 2014 Grades 3-8 Common Core English Language Arts and Mathematics Tests School Administrator's Manual at p. 7, available at:

<http://www.p12.nysed.gov/assessment/manuals/>.

22. SED's 2014 Grades 3-8 Common Core English Language Arts and Mathematics Tests School Administrator's Manual provides information relating to the administration of the ELA and Mathematics exams.

23. SED's Grades 3-8 Common Core English Language Arts and Mathematics Tests: Scoring Leader Handbook, 2014 Edition ("Scoring Leader Handbook") provides rules, procedures, instructions and various exhibits for exam scorers and scoring site coordinators to be used in scoring the 2014 Grades 3-8 ELA and Mathematics exams. A copy of the Grades 3-8 Common Core English Language Arts and Mathematics Tests: Scoring Leader Handbook, 2014 Edition is available at: <http://www.p12.nysed.gov/assessment/manuals/>.

24. Guidelines, information and procedures for administering and scoring the 2014 Science Grade 4 exam are contained within SED's New York State Grade 4 Elementary-Level Science Test: Manual for Administrators and Teachers, available at:

<http://www.p12.nysed.gov/assessment/manuals/>.

25. Guidelines, information and procedures for administering and scoring the 2014 Science Grade 8 exam are contained within SED's New York State Grade 8 Elementary-Level Science Test: Manual for Administrators and Teachers, available at:

<http://www.p12.nysed.gov/assessment/manuals/>.

26. The 2014 ELA Grades 3-8 exams were administered from April 1, 2014 through April 3, 2014, with a makeup test window from April 4, 2014 through April 8, 2014. *See* 2014 Grades 3-8 Common Core English Language Arts and Mathematics Tests School Administrator's Manual, at p. vi.

27. The 2014 Mathematics Grades 3-8 exams were administered from April 30, 2014 through May 2, 2014, with a makeup test window from May 5, 2014 through May 7, 2014. *Id.*

28. The 2014 Science Grades 4 and 8 performance/laboratory exams were administered from May 21, 2014 through May 30, 2014. The 2014 Science Grades 4 and 8 written exams were administered on June 2, 2014, with a makeup test window of June 3 and 4, 2014. *See* Memorandum from Barbara M. Wallis, Bureau Chief, Office of State Assessment, to Principals of Public and Nonpublic Schools and Leaders of Charter Schools (May 2014), available at: <http://www.p12.nysed.gov/assessment/ei/eigen.html>.

29. The 2014 ELA Grades 3-8 exams were scored from April 4, 2014 to April 30, 2014. *See* Memorandum from Ken Wagner, Office of Curriculum, Assessment and Educational Technology, to District Superintendents, Superintendents of Public and Nonpublic Schools and Principals of Public, Charter and Nonpublic Schools (updated April 2014), available at: <http://www.p12.nysed.gov/assessment/schedules/2015/38testingschedule15rev.pdf>.

30. The 2014 Mathematics Grades 3-8 exams were scored from May 5, 2014 to May 14, 2014. *Id.*

31. Upon information and belief, scoring began immediately following the May 21-30 administration of the 2014 Science Grades 4 and 8 performance exams. *Id.*

32. For the 2014 Science Grades 4 and 8 written exams, upon information and belief, scoring began immediately after the makeup dates, but no later than June 11, 2014. *Id.*

Scoring of State Examinations and the Confidentiality Agreement

33. According to the Scoring Leader Handbook (pp. 6-9), for the State ELA and Mathematics exams, a leadership team, consisting of a scoring site coordinator, scoring site assistants, scoring leaders and table facilitators, is to be established at each scoring site.

34. For the 2014 State ELA exam, Plaintiff Robert Allen was a scoring leader and Plaintiffs Carol Lennon, Claudia Montecalvo and Emilija Thevanesan were table facilitators for the Spencerport Central School District.

35. The scoring leader is responsible for, among other things, monitoring the scoring of student responses and providing support for the table facilitators and scorers during the scoring session. Scoring Leader Handbook, at p. 8. The scoring leader also trains table facilitators and scorers, monitors the scoring session, and provides support for the table facilitators and scorers during scoring. *Id.*

36. The table facilitator is “an experienced scorer (i.e., has previously used rubrics to evaluate student papers) who will, if necessary, assist the scoring leader(s) with training additional scorers and ensure they meet scoring standards.” *Id.*

37. A table facilitator is responsible for monitoring “the time the scorers spend reading each student paper,” and serves as the scorers’ primary source of information on scoring frameworks (“rubrics”) and methods. *Id.*

38. A table facilitator is to engage in a “read-behind process,” which involves selecting and scoring a few of each scorer’s completed exam books to provide guidance during

scoring and to reinforce the appropriate part of the scoring rubric. *Id.* He or she must record the number of read-behinds performed, the results and whether he or she agreed with the assigned score. *Id.*

39. Scoring leaders, table facilitators and general scorers involved in scoring the 2014 ELA and Mathematics exam were required to sign the Exam Scoring Confidentiality Agreement (“ELA/Math Confidentiality Agreement”). The ELA/Math Confidentiality Agreement appears as Appendix H to the Scoring Leader Handbook, available at:

<http://www.p12.nysed.gov/assessment/manuals/>.

40. Upon information and belief, school districts in New York State, along with New York Boards of Cooperative Educational Services (“BOCES”) used as scoring sites, required all those who scored to sign SED’s Confidentiality Agreement on or before the first day of scoring the exams.

41. By signing the Confidentiality Agreement, the individual agrees to abide by the security restrictions enumerated in the document. Those restrictions include an agreement “not to disclose any secure test materials, including test questions and answers, other than while participating in the scoring activity” *See* Scoring Leader Handbook, at App. H.

42. The Confidentiality Agreement defines “secure test materials” as:

“Secure test materials” include, but are not limited to, all test books, answer sheets, scoring guides, and any other information, whether printed or electronic (CD), relating to the scoring of the 2013 Grades 3-8 Common Core English Language Arts and Mathematics Tests. Secure test materials also include any notes you take during your participation in the scoring of secure test materials and confidential student information. *Id.*

43. Individuals signing the Confidentiality Agreement agree that they “will not use or discuss the content of secure test materials, including test questions and answers, in any classroom or other activities.” *Id.*

44. According to the Confidentiality Agreement, an individual who fails to comply with its requirements jeopardizes his or her employment and teaching license, and may face criminal prosecution. Specifically, the Confidentiality Agreement notifies the individual that “teachers and administrators who engage in inappropriate conduct with respect to State assessments may be subject to disciplinary actions in accordance with §§3020 and 3020-a of the Education Law and/or action against their teaching license pursuant to Part 83 of the Regulations of the Commissioner of Education.” Further, the Confidentiality Agreement places the individual on notice that Education Law §225 “makes fraud in exams a misdemeanor.” *Id.* at ¶5.

45. With regard to the 2014 Science Grades 4 and 8 written exams, guidelines, information and procedures for scoring such exams are contained within the 2014 Manuals for Administrators and Teachers for each grade.

46. Upon information and belief, approximately one half of the 2014 Science Grade 8 written exam was comprised of short answer type questions. These questions were to be scored by teachers assigned by school district administrators based upon such teachers’ certification and present and past teaching assignments. *See New York State Grade 8 Elementary-Level Science Test: Manual for Administrators and Teachers*, at p. 20.

47. The entire 2014 Science Grade 8 performance/laboratory exam was to be scored by teachers designated by school district administrators. *Id.* at p. 39.

48. Each individual who participated in scoring the written and performance portions of the Grade 8 Science exam was required to sign a Test Scoring Certificate which provides that the rules and guidance materials for scoring the exam were fully and faithfully observed. *Id.* at p. 61.

49. Individuals who participated in scoring the written and performance portions of the Grade 8 Science exam were also required to sign an Exam Scoring Confidentiality Agreement (“Science Confidentiality Agreement”).

50. The Science Confidentiality Agreement prohibits the disclosure of “secure test materials” and defines “secure test materials” in the same manner as the ELA and Mathematics Confidentiality Agreement. *See* ¶¶41-43, *supra*. It also contains the same language threatening discipline in the form of loss of employment and/or licensure pursuant to Education Law §§3020 and 3020-a and Part 83 of the Commissioner’s Regulations. *See* ¶44, *supra*.

51. For the written portion of the State Science exams, SED offers an online evaluation form for teachers to provide feedback to SED about the appropriateness of the exams, the content of questions, the exam directions, format, administration and timing. The evaluation forms are available at: <http://www.forms2.nysed.gov/emsc/osa/exameval/g8ilscience.cfm>.

52. While a Science exam scorer is permitted to provide feedback about the content of the State Science exam directly to SED through the online evaluation form, the Science Confidentiality Agreement prohibits all who scored the State Science exams from speaking about the content of the exam in any other manner.

53. Upon information and belief, SED offers no evaluation or feedback form for individuals who scored the State ELA and/or Mathematics exams.

54. On or about August 6, 2014, SED released a portion of the questions from the 2013 and 2014 ELA and Mathematics exams.

55. Despite SED's release of certain exam questions, the restrictions contained within the Confidentiality Agreement are inconsistent with the First Amendment because free speech is conditional on government approval, and SED established a protective system to police the free exchange of ideas and opinions regarding its compulsory and costly testing regime.

56. All of the defendants' actions complained of were taken by defendants under color of state law.

Facts Pertaining to Individual Plaintiffs

Robert Allen

57. Plaintiff Robert Allen ("Allen") is a tenured 7th and 8th Grade English teacher, as well as the English Department Teacher Leader, at Cosgrove Middle School in the Spencerport Central School District ("Spencerport"). He has taught in Spencerport for 9 years.

58. He served as the scoring leader in Spencerport for scoring of the 2014 ELA exams.

59. On or about April 4, 2014, Spencerport provided Allen with SED's Scoring Leader Handbook containing the short response and essay portions of the 2014 ELA exams for Grades 6-8. Spencerport also provided Allen with a binder containing other materials relating to his responsibility as scoring leader and materials to prepare for the scoring session. Allen was not permitted by Spencerport to remove the binder from the school building.

60. On or about March 24, 2014, Allen had a telephone conversation with Spencerport's ELA Content Area Administrator, who is also a Vice Principal at the Spencerport High School, to review the logistics of scoring and formulate a plan for the scoring session.

61. On or about March 28, 2014, Allen briefly met with the ELA Content Area Administrator to discuss the logistics of scoring. They also exchanged e-mails about scoring.

62. To prepare for his role as scoring leader, Allen also reviewed the materials from SED.

63. Allen was asked by the ELA Content Area Administrator to assign all of the middle school teachers to score the exam for grade levels other than those they taught. He was also asked to coordinate which teachers would score specific portions of the exam based on teachers' specific skill sets and who would work well together.

64. On or about April 8, 2014, Allen and the ELA Content Area Administrator trained all assigned scorers by reviewing the scoring materials and answering questions relating to the way the questions were supposed to be scored.

65. On or before the first day of scoring the exams, Allen signed the ELA/Math Confidentiality Agreement, whereby he agreed not to discuss and/or criticize the 2014 exams with any person, in any forum and for any purpose.

66. During the scoring of the exams, on April 9 and 10, 2014, Allen clarified questions about scores, reviewed student responses that were rated "zero" to confirm the accuracy of the score, and monitored the general progress of all scoring. He also moved bins of materials from room to room and moved scorers to different scoring rooms based on the speed of scoring for certain questions.

67. While engaged in this scoring process, Allen became concerned about several facets of the exams, including but not limited to his assessment that: the length of each exam made it difficult to nearly impossible for most students to complete each of the exams within the 90 minutes allotted; some of the passages were poorly written; the tasks were well-beyond grade level; and there were inconsistencies in the scoring rubrics provided by SED.

68. Allen wishes to speak about his concerns, however, due to signing the ELA/Math Confidentiality Agreement, he is barred from speaking about these concerns and the content of the exams in any forum. Allen's desired speech concerning the quality and effectiveness of the exams, as described above, is a matter of public concern.

69. In the past, Allen scored the ELA exams, upon information and belief, each year that he has worked for Spencerport. During those years, he served as a table facilitator at least twice.

70. Prior to the inception of the Confidentiality Agreement, Allen freely spoke about the content of the exams and his concerns with any portion of the exams.

71. In addition to speaking often about the content of the exams with colleagues and for instructional purposes, Allen also spoke about the content of the exams with friends and family outside of school in regard to what he viewed as improper or confusing questions.

72. For example, in the past Allen spoke about the infamous "The Hare and the Pineapple" reading passage and accompanying questions on the 8th grade 2012 ELA exam. *See generally* Valerie Strauss, 'Talking Pineapple' Question on Standardized Test Baffles Students, WASHINGTON POST (April 20, 2012), *available at* <http://www.washingtonpost.com/blogs/answer-sheet/post/talking-pineapple-question-on-standardized-test-baffles>

[students/2012/04/20/gIQA8i01VT_blog.html](#). Upon information and belief, six questions relating to the 2012 “The Hare and the Pineapple” passage were later discarded by SED.

73. Many of the concerns that Allen spoke about regarding past ELA exams are similar to those which he wishes to speak about now, but he is barred from doing so by the terms of the ELA/Math Confidentiality Agreement.

74. Should Allen speak about the content of the 2014 ELA exams, including in a public forum and as a citizen, he would be in violation of the ELA/Math Confidentiality Agreement and risk discipline by Spencerport in the form of Education Law §3020-a charges, and by SED in the form of a proceeding pursuant to Part 83 of the Commissioner of Education Regulations to revoke or suspend his teaching license.

Carol Lennon

75. Plaintiff Carol Lennon (“Lennon”) is a teacher of Academic Intervention Services (“AIS”) for English Language Arts in Grade 7 at Spencerport’s Cosgrove Middle School.

76. AIS is defined by the Rules and Regulations of the Commissioner of Education as, in pertinent part:

[A]dditional instruction which supplements the instruction provided in the general curriculum and assists students in meeting the State learning standards as defined in subdivision (t) of this section and/or student support services which may include guidance, counseling, attendance, and study skills which are needed to support improved academic performance . . . 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. 8 NYCRR 100.1 (g).

77. Lennon has been teaching for over 25 years, and for the past 22 years, she has been teaching AIS in Spencerport.

78. For the 2013-2014 school-year Lennon taught AIS to approximately 72 7th grade students at Cosgrove Middle School.

79. Lennon specializes in teaching AIS for ELA to students with disabilities, and her AIS lessons are designed to teach skills necessary to improve students' performance on the State ELA exam.

80. Upon information and belief, in every year of her employment at Spencerport, in addition to her teaching responsibilities, Lennon participated in scoring the State exams for Spencerport students at various grade levels.

81. Lennon served as a joint table facilitator with another teacher for the 2014 Grade 6 Common Core ELA exam. Under the scoring procedures in effect at that time, Lennon was responsible for scoring one specific short response question and one specific essay question on each exam she scored.

82. In addition to her own scoring responsibilities, as a joint table facilitator, Lennon was responsible for, among other things, assisting her colleagues in the scoring process.

83. On or about April 16, 2014, Lennon participated in a training session for scoring developed, upon information and belief, by SED.

84. During the training session, Spencerport provided Lennon with a copy of the section of the exam she would be scoring, "anchor papers" (sample answers) and scoring rubrics.

85. Prior to scoring, Spencerport required Lennon to sign the ELA/Math Confidentiality Agreement, thereby prohibiting her from discussing and/or criticizing the 2014 exam with any person, in any forum and for any purpose.

86. Lennon also scored the first State Common Core ELA exam in 2013, for Spencerport.

87. Prior to signing the ELA/Math Confidentiality Agreement that restricted her right to speak about the exams, Lennon spoke freely about the content of the exams and concerns she had about the exams.

88. Prior to signing the ELA/Math Confidentiality Agreement, Lennon often spoke about the content of the exams with colleagues and for instructional purposes. Lennon also spoke about the content of the exams with friends outside of school in regard to: the varying difficulty of reading passages; pacing and time allotment for different exam sections, readability and passage ordering, standards and curriculum alignment, and whether the test was disadvantaging her lower performing students and students with disabilities.

89. Many of the issues with the ELA exams Lennon spoke about in the past are similar to those which she wishes to speak about now, but she is barred from doing so by the broad restriction set forth in the ELA/Math Confidentiality Agreement. Specifically, while reviewing the exam and engaging in the scoring process in 2014, Lennon became concerned with several facets of the exam, including, but not limited to her assessment that: tasks were above grade level, lower achieving students were placed at a severe disadvantage and, due to the short implementation period of the Common Core Curriculum Standards, students simply have not had enough practice to perform in accord with the Common Core skills being tested by the exam.

90. Her desired speech concerning the quality and effectiveness of the exams, as described above, is a matter of public concern.

91. As a result of signing the ELA/Math Confidentiality Agreement, Lennon is not able to discuss the content and quality of the State ELA exam with any person and for any purpose, for fear that she will be subject to discipline by Spencerport in the form of Education Law §3020-a charges, and by SED in the form of a proceeding pursuant to Part 83 of the Commissioner of Education Regulations to revoke or suspend her teaching license.

Claudia Montecalvo

92. Plaintiff Claudia Montecalvo (“Montecalvo”) is a tenured 7th grade English teacher at Cosgrove Middle School in Spencerport. She has taught in Spencerport for 33 years.

93. On or about April 8, 2014, the day before the scoring session began, Spencerport provided Montecalvo with table facilitator training in connection with the 2014 ELA exam. She received a binder containing portions of the exam, the scoring rubric and sample exam answers.

94. On or about April 9, 2014, the first day of scoring, Montecalvo signed the ELA/Math Confidentiality Agreement, whereby she agreed not to discuss and/or criticize the 2014 exams with any person, in any forum and for any purpose.

95. During the scoring session that took place on April 9 and 10, 2014, Montecalvo, in her capacity as the table facilitator, was responsible for scoring two short answer questions, and, upon information and belief, one essay question, on the Grade 8 ELA exam.

96. While reviewing the exam and engaging in the scoring process, Montecalvo became concerned with several facets of the exam, including, but not limited to: the large number and length of reading comprehension passages on the exam; not enough time was

allotted for the exam in order for most students to finish the large number of tasks on the exam; the phrasing of SED's sample answers; and the difficulty of the reading passages for the grade level.

97. Montecalvo wishes to speak about her concerns, however, based on the terms of the ELA/Math Confidentiality Agreement, she is barred from speaking about her concerns and the content of the test in any forum. Her desired speech concerning the quality and effectiveness of the exams, as described above, is a matter of public concern.

98. In 2013, Montecalvo served as a table facilitator during the scoring of the ELA exam. In all other years prior, and since the State ELA exams have been administered, Montecalvo has scored the exams.

99. Prior to the inception of the Confidentiality Agreement, in 2013, Montecalvo freely spoke about the content of the exams and her concerns with any portion of the exams.

100. While she often spoke about the content of the exams with colleagues and students for instructional purposes, Montecalvo also spoke about the content of the exams with friends outside of school.

Emilija Thevanesan

101. Emilija Thevanesan ("Thevanesan") has been a 7th grade English teacher in Spencerport for 11 years. Her students take the Grade 7 Common Core English Language Arts exam.

102. For the 2013-2014 school-year Thevanesan taught English to approximately 117 7th grade students at Cosgrove Middle School.

103. Upon information and belief, at least since the 2003-2004 school-year, Spencerport has either hired substitutes to cover teachers' classrooms while teachers scored the State exams, or designated scoring days as professional development days.

104. Since the 2003-2004 school-year, and in addition to her teaching responsibilities, Thevanesan has participated in scoring the State ELA exam for Spencerport students at various grade levels.

105. Thevanesan was a table facilitator for the 2014 Grade 8 Common Core ELA exam. As part of SED's scoring process and rules in effect at that time, Thevanesan was responsible for scoring three short response questions and one essay on each exam she scored.

106. In addition to her own scoring responsibilities, Thevanesan led a group of teachers through scoring their assigned questions.

107. On or about April 16, 2014, Thevanesan participated in a half-day training session for scoring developed, upon information and belief, by SED.

108. Prior to scoring the exam, Thevanesan was required to sign the ELA/Math Confidentiality Agreement thereby prohibiting her from discussing and and/or criticizing the 2014 exam with any person, in any forum and for any purpose, including a public forum speaking as a citizen.

109. Thevanesan participated in scoring State ELA exams in every school-year from the 2003-2004 through 2011-2012 school-years.

110. Prior to the inception of the Confidentiality Agreement, upon information and belief prior to 2013, Thevanesan freely spoke about the content of the exams and any concerns she had with any portion of the exams.

111. While she often spoke about the content of the exams with colleagues and for instructional purposes, she also spoke about the content of the exam with friends and family outside of school in regard to her opinion as to how poorly questions were phrased; the inappropriate time allotments; and lack of alignment with State standards and Spencerport curriculum.

112. Thevanesan also discussed the quality of the exams in the context of other matters of public concern such as linking merit pay for teachers to raising student test scores. Those discussions often took place after Spencerport's passing rates were published in local newspapers.

113. Upon information and belief, based on her experience scoring the 2014 Grade 8 Common Core ELA exam, Thevanesan obtained specific information regarding the integrity of the exam that she wishes to speak about publicly in various public forums, including letters to the editor of local and national newspapers and letters to local elected officials and leaders. In particular, Thevanesan noticed that the Grade 8 Common Core ELA exam was, in many ways, not aligned with the poorly implemented Common Core Standards. The information Thevanesan wishes to speak about is a matter of public concern.

114. As a result of signing the ELA/Math Confidentiality Agreement, Thevanesan is not able to discuss the content and specific quality issues regarding the newly developed and implemented Grade 8 Common Core ELA exam with any person and for any purpose for fear she would be in violation of the Confidentiality Agreement and risk discipline by Spencerport in the form of Education Law §3020-a charges, and by SED in the form of a proceeding pursuant to Part 83 of the Commissioner of Education Regulations to revoke or suspend her teaching license.

Matthew Fuller

115. Plaintiff Matthew Fuller (“Fuller”) is the only 8th grade Science teacher in the Taconic Hills Central School District (“Taconic Hills”). He has taught in Taconic Hills for 10 years.

116. Fuller was assigned by Taconic Hills to be its scoring representative at the regional scoring site, run by the Questar III Board of Cooperative Educational Services (“BOCES”) in Castleton-on-Hudson, New York, for the Grade 8 New York State Science exam.

117. On the first day of scoring, June 9, 2014, BOCES representatives distributed the Science Confidentiality Agreement for all scorers to sign.

118. The Science Confidentiality Agreement contained the same threat of disciplinary action for violation of the agreement that was contained within the ELA/Math Confidentiality Agreement. *See* ¶¶ 42-43, *supra*.

119. Fuller scored the Grade 8 Science exam on June 9 and 10, 2014. He scored the performance/lab portion of the exam on June 9, and the short answer portion of the written exam on June 10.

120. As a scorer, Fuller was provided with both portions of the complete exam and the State answer key.

121. While scoring the exam, Fuller noticed some issues of concern: some questions were too open-ended; some questions were well above grade level; some questions that should have been broken down into multiple points or questions were inappropriately asked in one general question; some contained incorrect scientific information; and some of the scoring standards were unfair.

122. Despite Fuller's concerns and desire to voice these concerns, the Science Confidentiality Agreement and the fear of discipline from Taconic Hills and potential license suspension or revocation by SED prohibits him from speaking about his specific concerns regarding the Science exam. His desired speech concerning the quality and effectiveness of the exams, as described above, is a matter of public concern.

123. Prior to the 2014 exam, Fuller scored the State Science exams four times in different years.

124. Prior to signing the required Science Confidentiality Agreement, Fuller spoke about the contents of previous exams with colleagues and parents. He also spoke with friends outside of school regarding the nature and contents of what he deemed to be inappropriate and unfair questions on the exam.

125. Many of Fuller's prior concerns regarding the exams are similar to those which he wishes to speak about now, however, he is prohibited from doing so by the terms of the Science Confidentiality Agreement.

126. SED's Office of State Assessment has released past State Science Grades 4 and 8 exams, including answer keys, from 2001 to 2014. The exams are available to be downloaded at: <http://www.nysedregents.org/>.

127. Despite SED's release of the 2014 Grade 8 Science exam, and its availability for public discussion, Fuller is prohibited from discussing the contents of the exam by the restrictions set forth in the Science Confidentiality Agreement.

CAUSE OF ACTION

128. Plaintiffs incorporate by reference the allegations contained in paragraphs 1 through 127 of this Complaint.

129. The First Amendment to the United States Constitution provides that “Congress shall make no law abridging the freedom of speech”

130. Section 1 of the Fourteenth Amendment to the United States Constitution provides that “[n]o State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States”

131. 42 U.S.C. §1983 provides that “[e]very person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. . . .”

132. SED’s ELA/Math Confidentiality Agreement and Science Confidentiality Agreement prohibit teachers from speaking about the content of New York State exams in any forum.

133. SED’s ELA/Math Confidentiality Agreement and Science Confidentiality Agreement, as distributed and used by school districts in New York State, including Spencerport and Taconic Hills, chill the exercise of plaintiffs’ free speech rights.

134. SED and school districts in New York State are acting under color of State law by imposing and implementing the ELA/Math Confidentiality Agreement and Science Confidentiality Agreement.

135. The prohibitions on speech contained within the ELA/Math Confidentiality Agreement and Science Confidentiality Agreement are unconstitutional, as they are prior restraints upon plaintiffs' free speech in violation of the First and Fourteenth Amendments to the United States Constitution and 42 U.S.C. §1983.

PRAYER FOR RELIEF

WHEREFORE, plaintiffs respectfully request an order and judgment:

A. Declaring that the prohibition on disclosing and discussing the content of New York State exams contained within the New York State Education Department's Exam Scoring Confidentiality Agreements that apply to State examinations in English Language Arts, Mathematics, and Science, is an unconstitutional prior restraint on speech in violation of the First and Fourteenth Amendments to the United States Constitution and 42 U.S.C. §1983;

B. Issuing a preliminary and permanent injunction against the enforcement and implementation of the terms of the Exam Scoring Confidentiality Agreement, namely, the imposition of discipline pursuant to Education Laws §§ 3020 and 3020-a and action against plaintiffs' teaching licenses under Part 83 of the Regulations of the Commissioner of Education.

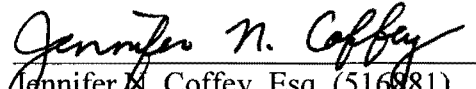
C. Awarding to Plaintiffs reasonable costs and attorneys' fees pursuant to 42 U.S.C. §1988; and

D. Granting such other and further relief as the Court may deem just and proper.

Dated: October 7, 2014

Respectfully submitted,

RICHARD E. CASAGRANDE, ESQ. (101311)
Attorney for Plaintiffs
800 Troy-Schenectady Road
Latham, New York 12110
Tel. No. 518-213-6000
E-mail jcoffey@nysutmail.org

By: 
Jennifer N. Coffey, Esq. (516881)
Christina M. French, Esq. (518750)
Wendy M. Star, Esq.
Of Counsel

115355

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ROBERT ALLEN; MATTHEW FULLER;
CAROL LENNON; CLAUDIA MONTECALVO;
and EMILIJA THEVANESAN,

Plaintiffs,

VERIFICATION

-against-

Civil Action No.:

JOHN B. KING, JR., as Commissioner of the New
York State Education Department; NEW YORK
STATE EDUCATION DEPARTMENT; BOARD
OF EDUCATION OF THE SPENCERPORT
CENTRAL SCHOOL DISTRICT and BOARD OF
EDUCATION OF THE TACONIC HILLS
CENTRAL SCHOOL DISTRICT,

Defendants.

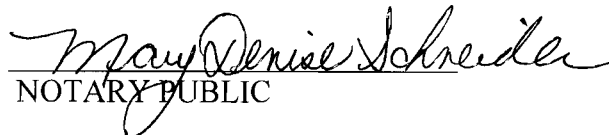
STATE OF NEW YORK)
) ss.:
COUNTY OF Monroe)

ROBERT ALLEN, being duly sworn, deposes and states that he is a plaintiff named in the within action, that he has read the foregoing Verified Complaint and knows the contents thereof, that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters deponent believes them to be true.



ROBERT ALLEN

Sworn to before me this
2nd day of October 2014



NOTARY PUBLIC

Mary Denise Schneider
Notary Public, State of New York
Monroe County #4864446
Commission Expires June 30, 2018

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ROBERT ALLEN; MATTHEW FULLER;
CAROL LENNON; CLAUDIA MONTECALVO;
and EMILIJA THEVANESAN,

Plaintiffs,

VERIFICATION

-against-

Civil Action No.:

JOHN B. KING, JR., as Commissioner of the New
York State Education Department; NEW YORK
STATE EDUCATION DEPARTMENT; BOARD
OF EDUCATION OF THE SPENCERPORT
CENTRAL SCHOOL DISTRICT and BOARD OF
EDUCATION OF THE TACONIC HILLS
CENTRAL SCHOOL DISTRICT,

Defendants.

STATE OF NEW YORK)
) ss.:
COUNTY OF Ulster)

MATTHEW FULLER, being duly sworn, deposes and states that he is a plaintiff named in the within action, that he has read the foregoing Verified Complaint and knows the contents thereof, that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters deponent believes them to be true.


MATTHEW FULLER

Sworn to before me this
30th day of Sept., 2014


NOTARY PUBLIC

PATRICIA M. COONEY
Notary Public, State of New York
No. 01CO6007280
Qualified in Ulster County
Commission Expires May 18, 2018 27 -

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ROBERT ALLEN; MATTHEW FULLER;
CAROL LENNON; CLAUDIA MONTECALVO;
and EMILJA THEVANESAN,

Plaintiffs,

VERIFICATION

-against-

Civil Action No.:

JOHN B. KING, JR., as Commissioner of the New
York State Education Department; NEW YORK
STATE EDUCATION DEPARTMENT; BOARD
OF EDUCATION OF THE SPENCERPORT
CENTRAL SCHOOL DISTRICT and BOARD OF
EDUCATION OF THE TACONIC HILLS
CENTRAL SCHOOL DISTRICT,


Defendants.

STATE OF NEW YORK)
) ss.:
COUNTY OF MONROE)

CAROL LENNON, being duly sworn, deposes and states that she is plaintiff named in the within action, that she has read the foregoing Verified Complaint and knows the contents thereof, that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters deponent believes them to be true.


CAROL LENNON

Sworn to before me this
1st day of October, 2014


NOTARY PUBLIC

JUSTIN E. SMITH
Notary Public, State of New York
No. 01SM6194713
Qualified in Monroe County
Commission Expires 10/2/16

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ROBERT ALLEN; MATTHEW FULLER;
CAROL LENNON; CLAUDIA MONTECALVO;
and EMILJA THEVANESAN,

Plaintiffs,

VERIFICATION

-against-

Civil Action No.:

JOHN B. KING, JR., as Commissioner of the New
York State Education Department; NEW YORK
STATE EDUCATION DEPARTMENT; BOARD
OF EDUCATION OF THE SPENCERPORT
CENTRAL SCHOOL DISTRICT and BOARD OF
EDUCATION OF THE TACONIC HILLS
CENTRAL SCHOOL DISTRICT,

Defendants.

STATE OF NEW YORK)
) ss.:
COUNTY OF Monroe)

CLAUDIA MONTECALVO, being duly sworn, deposes and states that she is a plaintiff named in the within action, that she has read the foregoing Verified Complaint and knows the contents thereof, that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters deponent believes them to be true.

Claudia Montecalvo
CLAUDIA MONTECALVO

Sworn to before me this
30th day of September, 2014

Janice M. Palozzi
NOTARY PUBLIC

JANICE M. PALOZZI
Notary Public, State of New York
Monroe County, Lic. #01PA6213303
Commission Expires 11/02/2011

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ROBERT ALLEN; MATTHEW FULLER;
CAROL LENNON; CLAUDIA MONTECALVO;
and EMILIJA THEVANESAN,

Plaintiffs,

VERIFICATION

-against-

Civil Action No.:

JOHN B. KING, JR., as Commissioner of the New
York State Education Department; NEW YORK
STATE EDUCATION DEPARTMENT; BOARD
OF EDUCATION OF THE SPENCERPORT
CENTRAL SCHOOL DISTRICT and BOARD OF
EDUCATION OF THE TACONIC HILLS
CENTRAL SCHOOL DISTRICT,

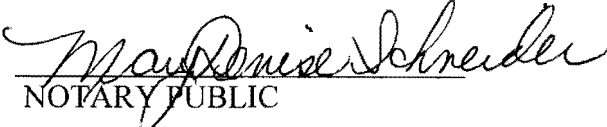
Defendants.

STATE OF NEW YORK)
) ss.:
COUNTY OF Monroe)

EMILIJA THEVANESAN, being duly sworn, deposes and states that she is a plaintiff named in the within action, that she has read the foregoing Verified Complaint and knows the contents thereof, that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters deponent believes them to be true.


EMILIJA THEVANESAN

Sworn to before me this
3rd day of October, 2014


NOTARY PUBLIC

Mary Denise Schneider
Notary Public, State of New York
Monroe County #4864446
Commission Expires June 30, 2018

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ROBERT ALLEN; MATTHEW FULLER;
CAROL LENNON; CLAUDIA MONTECALVO;
and EMILIJA THEVANESAN,

Plaintiffs,

-against-

JOHN B. KING, JR., as Commissioner of the New
York State Education Department; NEW YORK
STATE EDUCATION DEPARTMENT; BOARD
OF EDUCATION OF THE SPENCERPORT
CENTRAL SCHOOL DISTRICT and BOARD OF
EDUCATION OF THE TACONIC HILLS
CENTRAL SCHOOL DISTRICT,

Defendants.

AFFIRMATION IN
SUPPORT OF MOTION
FOR PRELIMINARY
INJUNCTION

Civil Action No.:

JENNIFER N. COFFEY, an attorney at law, duly admitted to practice in the State of New York and before this District Court, affirms the following under penalty of perjury:

1. I am of counsel to Richard E. Casagrande, attorney of record for plaintiffs in this action, and as such I am fully familiar with the facts of this matter.
2. As set forth in the Verified Complaint, this action seeks to declare the Exam Scoring Confidentiality Agreements required by the New York State Education Department to be signed by teachers who score State exams, and as adopted by school districts in New York State, to be a prior restraint on plaintiffs' rights to free speech guaranteed by the First Amendment to the Constitution of the United States.
3. I make this affirmation in support of plaintiffs' application for a preliminary injunction against the enforcement and implementation of the terms of the Exam Scoring Confidentiality Agreements.

4. The grounds for plaintiffs' application for injunctive relief are set forth in the accompanying Memorandum of Law and affidavits of plaintiffs Robert Allen and Matthew Fuller, submitted in support of the application for a preliminary injunction.

5. As demonstrated therein, plaintiffs are entitled to a preliminary injunction because the Exam Scoring Confidentiality Agreements violate plaintiffs' First Amendment rights, which may be presumed to cause irreparable harm. Further, plaintiffs will likely succeed on the merits of their claim – that the Confidentiality Agreements are unconstitutional prior restraints on speech.

6. In further support of plaintiffs' application for injunctive relief, plaintiffs submit the following documentation:

EXHIBIT A: 2014 Grades 3-8 Common Core English Language Arts and Mathematics Tests School Administrator's Manual;

EXHIBIT B: Grades 3-8 Common Core English Language Arts and Mathematics Tests: Scoring Leader Handbook, 2014 Edition;

EXHIBIT C: New York State Grade 4 Elementary-Level Science Test: Manual for Administrators and Teachers;

EXHIBIT D: New York State Grade 8 Intermediate-Level Science Test: Manual for Administrators and Teachers;

EXHIBIT E: Memorandum from Barbara M. Wallis, Bureau Chief, Office of State Assessment, to Principals of Public and Nonpublic Schools and Leaders of Charter Schools (May 2014);

EXHIBIT F: Memorandum from Ken Wagner, Deputy Commissioner, Office of Curriculum, Assessment and Educational Technology, to District Superintendents,

Superintendents of Public and Nonpublic Schools and Principals of Public, Charter and Nonpublic Schools (Updated April 2014);

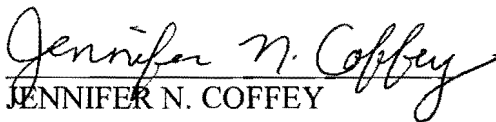
EXHIBIT G: ELA/Mathematics Confidentiality Agreement which is contained as Appendix H to the Scoring Leader Handbook (Exhibit B);

EXHIBIT H: Confidentiality Agreement for the 2014 Science Tests signed by plaintiff Matthew Fuller; and

EXHIBIT I: New York State Education Department Online Evaluation Form for New York State Grade 8 Intermediate-Level Science Written Test.

WHEREFORE, it is respectfully requested that this Court issue a preliminary injunction against the enforcement and implementation of the terms of the Exam Scoring Confidentiality Agreement, *pendente lite*, and such other and further relief as the Court deems just and proper.

Dated: Latham, New York
October 7, 2014


JENNIFER N. COFFEY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ROBERT ALLEN; MATTHEW FULLER;
CAROL LENNON; CLAUDIA MONTECALVO;
and EMILIJA THEVANESAN,

Plaintiffs,

AFFIDAVIT

-against-

Civil Action No.:

JOHN B. KING, JR., as Commissioner of the New
York State Education Department; NEW YORK
STATE EDUCATION DEPARTMENT; BOARD
OF EDUCATION OF THE SPENCERPORT
CENTRAL SCHOOL DISTRICT and BOARD OF
EDUCATION OF THE TACONIC HILLS
CENTRAL SCHOOL DISTRICT,

Defendants.

STATE OF NEW YORK)
)ss.:
COUNTY OF ULSTER)

MATTHEW FULLER, being duly sworn, deposes and says:

1. I am a tenured eighth grade Science teacher in the Taconic Hills Central School District ("Taconic Hills"). I have taught in Taconic Hills for 10 years.

2. I submit this affidavit in support of an application for a preliminary injunction, preventing the defendants from enforcing and implementing the terms of the Exam Scoring Confidentiality Agreements required by New York State to be signed by teachers who score State exams, as adopted by Taconic Hills. No prior application seeking the instant relief has been made.

3. In June 2014, I was assigned by Taconic Hills to be its scoring representative at the regional scoring site, run by Questar III BOCES in Castleton-on-Hudson, New York, for the Grade 8 New York State Science exam.

4. On the first day of scoring, June 9, 2014, BOCES representatives distributed the Science Exam Scoring Confidentiality Agreement (“Science Confidentiality Agreement”) for all scorers to sign.

5. By signing the Science Confidentiality Agreement, I agreed not to discuss and/or criticize any content of the 2014 New York State Science exams with any person, in any forum and for any purpose.

6. I scored the Grade 8 Science exam on June 9 and 10, 2014. I scored the performance/lab portion of the exam on June 9, and the short answer portion of the written exam on June 10.

7. As a scorer, I was provided with both portions of the complete exam and the State answer key.

8. While scoring the exam, I noticed some issues of concern: some questions were too open-ended; some questions were well above grade level; some questions that should have been broken down into multiple points or questions were inappropriately asked in one general question; some contained incorrect scientific information; and some of the scoring standards were unfair.

9. As a result of signing the Science Confidentiality Agreement, I am not able to discuss, specifically, the content and quality of the Grade 8 State Science exam with any person and for any purpose, for fear that I will be subject to discipline by Taconic Hills in the form of Education Law section 3020-a charges, and/or by the New York State Education Department

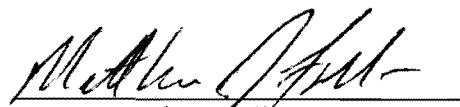
("SED") pursuant to Part 83 of the Commissioner of Education Regulations to revoke or suspend my teaching license.

10. Prior to the 2014 exam, I scored the State Science exams four times in different years.

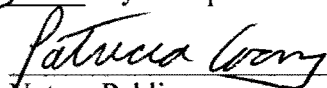
11. Prior to the inception of the Science Confidentiality Agreement, I freely spoke about the content of the exams and my concerns with any portion of the exams with any person and for any purpose. To that end, I am particularly concerned with the way the Science Confidentiality Agreement affects my right to free speech.

12. In the past, before signing the Science Confidentiality Agreement, I often spoke about the contents of prior exams with colleagues and parents. I also spoke with friends outside of school about the nature and contents of what I deemed to be inappropriate and unfair questions on the exam.

13. The Science Confidentiality Agreement is inconsistent with my First Amendment rights because it makes my right to free speech conditional on government approval, and allows only SED to police the free exchange of ideas and opinions regarding compulsory and costly testing. I therefore support the request for a preliminary injunction restraining continued enforcement and implementation of the relevant terms of the Confidentiality Agreements for all subjects and preventing the defendants from imposing discipline, seeking certification revocation, and/or criminal action against plaintiffs.


Matthew Fuller

Sworn to before me this
30th day of September 2014



Notary Public
116123

PATRICIA M. COONEY
Notary Public, State of New York
No. 01CO6007280 3
Qualified in Ulster County
Commission Expires May 18, 2018

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ROBERT ALLEN; MATTHEW FULLER;
CAROL LENNON; CLAUDIA MONTECALVO;
and EMILIJA THEVANESAN,

Plaintiffs,

AFFIDAVIT

-against-

Civil Action No.:

JOHN B. KING, JR., as Commissioner of the New
York State Education Department; NEW YORK
STATE EDUCATION DEPARTMENT; BOARD
OF EDUCATION OF THE SPENCERPORT
CENTRAL SCHOOL DISTRICT and BOARD OF
EDUCATION OF THE TACONIC HILLS
CENTRAL SCHOOL DISTRICT,

Defendants.

STATE OF NEW YORK)
)ss.:
COUNTY OF MONROE)

ROBERT ALLEN, being duly sworn, deposes and says:

1. I am a tenured seventh and eighth grade English Teacher as well as the English Department Teacher Leader at Cosgrove Middle School in the Spencerport Central School District (“Spencerport”). I have been a teacher at Spencerport for nine years.

2. I submit this affidavit in support of an application for a preliminary injunction, preventing the defendants from enforcing and implementing the terms of the Exam Scoring Confidentiality Agreements required by New York State to be signed by teachers who score State exams, as adopted by Spencerport. No prior application seeking the instant relief has been made.

3. In April 2014, at the request of Spencerport, I served as the scoring leader for scoring of the 2014 New York State Common Core English Language Arts (ELA) exams for grades 6-8.

4. In my role as scoring leader, I was directly involved with and have knowledge of the short response and essay portions of the 2014 ELA exams for grades 6-8.

5. As scoring leader, I also received the State Education Department's (SED), Grades 3-8 Common Core English Language Arts and Mathematics Tests: Scoring Leader Handbook, 2014 Edition ("Scoring Leader Handbook"), as well as a binder of materials prepared by Spencerport on or about April 4, 2014 containing the short response and essay portions of the 2014 ELA exams for Grades 6-8. The binder also contained other materials relating to my responsibility as scoring leader and materials to prepare for the scoring session. I was not permitted to remove the binder from the school building.

6. In order to prepare for my role as scoring leader, I reviewed all of the scoring materials provided by SED and met briefly with Spencerport's ELA Content Area Administrator, to discuss the logistics of scoring. The Content Area Administrator directed me to assign all of the middle school teachers to score the exam for grade levels other than those they taught and to coordinate scoring based on teachers' specific skills and personalities.

7. Once teachers were assigned to score specific portions of an exam, I assisted the Content Area Administrator in training all assigned scorers by reviewing the scoring materials.

8. On or before the first day of scoring the exams, I signed the ELA/Mathematics Exam Scoring Confidentiality Agreement ("ELA/Math Confidentiality Agreement") whereby I

agreed not to discuss and/or criticize any content within the 2014 exams with any person, in any forum and for any purpose.

9. During the scoring of the exams, I mainly answered questions relating to the way the questions were to be scored, reviewed student responses that were rated “zero” to confirm that was the accurate score and monitored the general progress of all scoring.

10. While engaged in the scoring process, I became concerned about several facets of the exams, including but not limited to my professional assessment that: the length of the exams made it difficult to nearly impossible for most students to complete the entire exam within the 90 minutes allotted; some of the passages were poorly written; the tasks were well beyond grade level; and there were inconsistencies in SED’s scoring rubrics that were used to assign points based on varying performance expectations.

11. As a result of signing the ELA/Math Confidentiality Agreement, I am not able to discuss, specifically, the content and quality of the grades 3-8 state ELA exams with any person and for any purpose, for fear that I will be subject to discipline by Spencerport in the form of Education Law section 3020-a charges, and/or by SED pursuant to Part 83 of the Commissioner of Education Regulations to revoke or suspend my teaching license.

12. Upon information and belief, in addition to my classroom teaching responsibilities, I have scored the ELA exams each of the nine years that I have worked for Spencerport. During those years, I also served as a table facilitator at least twice.

13. Prior to the inception of the ELA/Math Confidentiality Agreement, I freely spoke about the content of the exams and my concerns with any portion of the exams with any person and for any purpose. To that end, I am particularly concerned with the way the ELA/Math Confidentiality Agreement affects my right to free speech.

14. In the past, before signing the ELA/Math Confidentiality Agreement, I often spoke about the content of the exams with colleagues and for instructional purposes; however, I also spoke about the content and quality of the exams with friends, parents, and family, outside of school. Specifically, I freely and openly criticized one infamous reading passage from the 2012 grade 8 ELA exam entitled "The Hare and the Pineapple" and its accompanying questions, which were of particularly poor quality.

15. Upon information and belief, due to a large amount of public criticism, the six questions relating to "The Hare and the Pineapple" passage were later discarded by SED and were not counted toward students' final test scores. To that end, being able to initiate public dialogue regarding the content and quality of state exams is of particular importance.

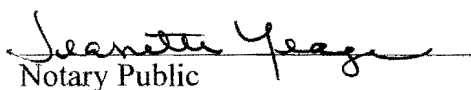
16. The ELA/Math Confidentiality Agreement is inconsistent with my First Amendment rights because it makes my right to free speech conditional on government approval, and allows only SED to police the free exchange of ideas and opinions regarding compulsory and costly testing. I therefore support the request for a preliminary injunction restraining continued enforcement and implementation of the relevant terms of the Confidentiality Agreements for all subjects and preventing the defendants from imposing discipline, seeking certification revocation, and/or criminal action against plaintiffs.



Robert Allen

Sworn to before me this
24th day of September 2014

Jeanette Yeager
Notary Public, State of New York
Monroe County #01YE6032269
Commission Expires October 25, 2017



Notary Public

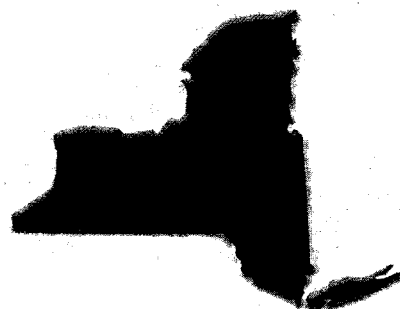
EXHIBIT “A”

New York State Testing Program

**Common Core
English Language Arts
and Mathematics Tests**

**School
Administrator's
Manual**

**Grades 3–8
2014**



THE UNIVERSITY OF THE STATE OF NEW YORK
Regents of The University

MERRYL H. TISCH, Chancellor, B.A., M.A., Ed.D.	New York
ANTHONY S. BOTTAR, Vice Chancellor, B.A., J.D.	Syracuse
ROBERT M. BENNETT, Chancellor Emeritus, B.A., M.S.	Tonawanda
JAMES C. DAWSON, A.A., B.A., M.S., Ph.D.	Plattsburgh
GERALDINE D. CHAPEY, B.A., M.A., Ed.D.	Belle Harbor
HARRY PHILLIPS, III, B.A., M.S.F.S.	Hartsdale
JAMES R. TALLON, JR., B.A., M.A.	Binghamton
ROGER B. TILLES, B.A., J.D.	Woodbury
CHARLES R. BENDIT, B.A.	Manhattan
BETTY A. ROSA, B.A., M.S. in Ed., M.Ed., Ed.D.	Bronx
LESTER W. YOUNG, JR., B.S., M.S., Ed.D.	Brooklyn
CHRISTINE D. CEA, B.A., M.A., Ph.D.	Staten Island
WADE S. NORWOOD, B.A.	Rochester
JAMES O. JACKSON, B.S., M.A., Ph.D.	Albany
KATHLEEN M. CASHIN, B.S., M.S., Ed.D.	Brooklyn
JAMES E. COTTRELL, B.S., M.D.	Brooklyn
T. ANDREW BROWN, B.A., J.D.	Rochester

President of The University and Commissioner of Education

DR. JOHN B. KING, JR.

Deputy Commissioner of Education, P-12

KEN SLENTZ

Deputy Commissioner, Office of Curriculum, Assessment and Educational Technology

KEN WAGNER

Assistant Commissioner, Office of Assessment, Standards and Curriculum

CANDACE H. SHYER

Director of State Assessment

STEVEN E. KATZ

The State Education Department does not discriminate on the basis of age, color, religion, creed, disability, marital status, veteran status, national origin, race, gender, genetic predisposition or carrier status, or sexual orientation in its educational programs, services and activities. Portions of this publication can be made available in a variety of formats, including braille, large print, or audio tape, upon request. Inquiries concerning this policy of nondiscrimination should be directed to the Department's Office for Diversity, Ethics, and Access, Room 530, Education Building, Albany, New York 12234.

Developed and published under contract with the New York State Education Department by Pearson. Copyright © 2014 by the New York State Education Department. Permission is hereby granted for school administrators and educators to reproduce these materials, located online, <http://www.p12.nysed.gov/assessment> in the quantities necessary for their school's use, but not for sale, provided copyright notices are retained as they appear in these publications. This permission does not apply to distribution of these materials, electronically or by other means, other than for school use.

Table of Contents

Overview	v
2014 Contact Information	v
Testing Schedule and Important Administration Dates	vi
Changes for the 2014 Common Core Test Administration	vi
How to Use this School Administrator’s Manual	1
Part 1:	
Preparing for the Tests	3
General Features of the 2014 Common Core English Language Arts and Mathematics Tests	4
Test Security Requirements and Responsibilities	6
Students to Be Tested	9
Administrator’s Planning Steps for Test Preparation	11
Part 2:	
Administering the Tests	19
School Administrator Responsibilities	20
Prepare the 2014 Grades 3–8 Common Core English Language Arts Secure Test Materials and Answer Sheets	21
Prepare the 2014 Grades 3–8 Common Core Mathematics Secure Test Materials and Answer Sheets	22
Concluding Test Session	29
Part 3:	
After Testing	31
Scoring of Secure Test Materials	32
After Scoring is Complete	39
Destruction of Secure Test Materials	41
Reporting Irregularities and/or Misadministrations	42
Post Administration Guidelines	45

Appendices

Appendix A: School Administrator’s Checklist	A-1
Appendix B: Test Storage Certificate	A-3
Appendix C: Secure Materials Tracking Log	A-4
Appendix D: Deputy and Proctor Certificate	A-5
Appendix E: Mathematics Tools	A-6
Appendix F: Testing Accommodations for English Language Learners	A-7
Appendix G: Testing Accommodations for Students with Disabilities	A-9
Appendix H: Specific Testing Accommodations	A-11
Appendix I: Information on Ungraded Students	A-16
Appendix J: School/Group List	A-17
Appendix K: Box Labels for Submission of Test Books to Scoring Center	A-18
Appendix L: Scoring Site Organization	A-19
Appendix M: Scoring Operations Certificate	A-20
Appendix N: Exam Scoring Confidentiality Agreement	A-21
Appendix O: Guidelines for Including Special Education Teachers in Scoring Committees	A-22
Appendix P: Rules to Determine Whether a Student Receives a Valid Score	A-24
Appendix Q: Regional Information Centers and Large-City Scanning Centers	A-25
Appendix R: New York City Department of Education 2013–14 Borough Assessment Implementation Directors	A-29

2014 Contact Information

For assistance with:	Contact:
<ul style="list-style-type: none"> ▪ Requesting additional secure test materials such as test books (including large type, braille, and alternative language editions) that were not originally requested 	<p>The Operations Group Fax: 518-474-2021 See Page 16.</p>
<ul style="list-style-type: none"> ▪ Errors in the school's shipment of secure test materials, such as test books (including large type, braille, and alternative language editions) 	<p>The Operations Group Fax: 518-474-2021 See Page 16.</p>
<ul style="list-style-type: none"> ▪ Answer sheets, precoded student identification labels, generic answer sheets, and generic student identification labels ▪ Completing or changing biographical student data ▪ Sending completed answer sheets to scanning centers after scoring of test books 	<p>The local scanning center (see Regional Information Centers and Large-City Scanning Centers, Appendix Q).</p>
<ul style="list-style-type: none"> ▪ Testing policies regarding accommodations and security of test materials 	<p>The Office of State Assessment Telephone: 518-474-5902</p>
<ul style="list-style-type: none"> ▪ Sending completed English Language Arts Test Book 2s and Book 3s and Mathematics Test Book 3s and English Language Arts and Mathematics Test Answer Sheets to scoring site 	<p>The scoring site coordinator.</p>
<ul style="list-style-type: none"> ▪ Questions about scoring 	<p>Scoring Helpline Telephone: 888-705-9415 Monday–Friday, 7:30 a.m. to 4:30 p.m. (ET)</p>

Important reminder: Check the Office of State Assessment's web site regularly for updates on the 2014 Grades 3–8 Common Core Testing Program (<http://www.p12.nysed.gov/assessment>).

Testing Schedule and Important Administration Dates

Events	Grades 3–8 English Language Arts	Grades 3–8 Mathematics
Secure Test Materials Arrive at Schools	Thursday, March 27–Monday, March 31	Friday, April 25–Tuesday, April 29
Test Administration Window	Tuesday, April 1–Thursday, April 3	Wednesday, April 30–Friday, May 2
Make-up Window	Friday, April 4–Tuesday, April 8	Monday, May 5–Wednesday, May 7
Scoring CDs Arrive at Schools	Tuesday, April 1–Thursday, April 3	Wednesday, April 30–Friday, May 2
Scoring Window	Friday, April 4–Wednesday, April 30	Monday, May 5–Wednesday, May 14
Final Date to Submit Answer Sheets to Scanning Center	Wednesday, April 30	Wednesday, May 14

Changes for the 2014 Common Core Test Administrations

The 2014 Common Core Grades 3–8 English Language Arts Tests will consist of three books for each grade that will be administered over three days. Day One will consist exclusively of multiple-choice questions; Day Two will consist of both multiple-choice and constructed-response questions; Day Three will consist exclusively of constructed-response questions. In Grades 5–8, Day Two will have fewer passages and questions than Day Two of the 2013 tests.

The 2014 Common Core Grades 3–8 Mathematics Tests will have fewer questions and shorter administration times than the 2013 tests.

How to Use this School Administrator's Manual

The instructions in this manual explain the responsibilities of school administrators for the New York State Testing Program (NYSTP) Grades 3–8 Common Core English Language Arts and Mathematics Tests. School administrators must be thoroughly familiar with the contents of the manual and the policies and procedures must be followed as written so that testing conditions are uniform statewide.

The appendices include certificates, a tracking log of secure materials, procedures for testing students with disabilities, testing accommodation information, documents to assist with material return, and contact information.

All persons in charge of the administration of the 2014 Grades 3–8 Common Core English Language Arts and Mathematics Tests should be familiar with the information in this manual. Questions concerning the administration of these tests should be directed to the Office of State Assessment (OSA) at 518-474-5902.

General Features of the 2014 Grades 3–8 Common Core English Language Arts and Mathematics Tests

The New York State Education Department (NYSED), along with its contractor, Pearson, developed the 2014 Grades 3–8 Common Core English Language Arts and Mathematics Tests. Teachers from across the State work with the Department in a variety of activities, such as reviewing test questions, to ensure that the tests are appropriate measures of student achievement of the New York State Common Core Learning Standards. The following table lists the general 2014 testing schedule:

2014 Grades 3–8 Common Core English Language Arts Tests		
Day 1, Book 1	Tuesday, April 1	Multiple Choice
Day 2, Book 2	Wednesday, April 2	Multiple Choice Short and Extended Response
Day 3, Book 3	Thursday, April 3	Short and Extended Response

2014 Grades 3–8 Common Core Mathematics Tests		
Day 1, Book 1	Wednesday, April 30	Multiple Choice
Day 2, Book 2	Thursday, May 1	Multiple Choice
Day 3, Book 3	Friday, May 2	Short and Extended Response

The Department has established the testing times for each session to allow students sufficient time to demonstrate what they have learned.

The 2014 Grades 3–8 Common Core English Language Arts Tests will consist of three books that are administered over three days. The tests **must** be administered in that order. Day 1 will consist of Book 1. Day 2 will consist of Book 2. Day 3 will consist of Book 3. The testing times for the 2014 Grades 3–8 Common Core English Language Arts Tests are as follows:

- Grades 3 and 4 will be allotted 70 minutes of testing time each day; and
- Grades 5–8 will be allotted 90 minutes of testing time each day.

The 2014 Grades 3–8 Common Core Mathematics Tests will consist of three books that are administered over three days. Day 1 will consist of Book 1. Day 2 will consist of Book 2. Day 3 will consist of Book 3. The tests **must** be administered in that order. The testing times for the 2014 Grades 3–8 Common Core Mathematics Tests are as follows:

- Grade 3 will be allotted 60 minutes of testing time for Days 1 and 2, and 70 minutes of testing time for Day 3;
- Grade 4 will be allotted 60 minutes of testing time for Days 1 and 2, and 90 minutes of testing time for Day 3; and
- Grades 5–8 will be allotted 80 minutes of testing time for Days 1 and 2, and 90 minutes of testing time for Day 3.

The testing times listed above do not include approximately 10 minutes of prep time at the beginning of each session for handing out materials and reading directions. The allotted time should begin when students begin testing. The start time of each session may be staggered by grade to accommodate staffing and space needs (e.g., Grade 3 starts at 9:00 a.m. while Grade 4 starts at 10:20 a.m.).

Students completing all questions in a test book prior to the end of the scheduled time are permitted to review their answers. If all students complete the test earlier than the allotted time, the proctor may end the session. The principal must arrange for the collection and secure storage of all used and unused test books as soon as each session is completed.

Students with disabilities must be provided testing accommodations as stated in their Individualized Education Programs (IEPs) or Section 504 Accommodation Plans (504 Plans). Accommodations for extended time, such as time-and-a-half or double time, should be based on the allotted time for each session. Extended time for current and eligible former English language learners should also be based on the allotted time.

Embedded Field Test Questions

In 2010, the Department announced its commitment to embed multiple-choice questions for field testing within the Grades 3–8 English Language Arts and Mathematics Tests. Embedding field test questions allows for a better representation of the student population and more reliable field test data on which to build future operational tests.

It will not be apparent to students whether a question is a field test question that does not count toward their score or an operational test question that does count towards their score. The embedded field test questions will reduce the amount of stand-alone field testing during the spring of 2014 but will not eliminate the need for it.

Test Security Requirements and Responsibilities

The purpose of the NYSTP test security requirements is to protect the validity of the test results. This section of the *School Administrator's Manual (SAM)* specifies security responsibilities and planning procedures that must be followed, specifically:

- The security and accounting measures of secure testing materials,
- Specifications of who is responsible for maintaining test security,
- The chain of responsibility in test security, and
- Types of testing irregularities and how to report them.

Principals are responsible for ensuring that all proctors and school personnel authorized to have access to secure test materials comply with the requirements and instructions contained in this part of the SAM.

Test security responsibilities of the principal or designee:

- Authorize specific personnel to serve as proctors, and train them to properly administer the tests.
- Designate other school personnel permitted to access secure test materials, and train them in test security requirements.
- Advise all staff that they are not to discuss test questions or other specific test content with each other, with others online via e-mail, or through any other electronic means.
- Prior to delivery date of secure test materials, make arrangements to:
 - Be notified when the secure test materials arrive,
 - Inventory the secure test materials (see “Inventory Secure Test Materials” on Page 15), and
 - Store the secure test materials in a secure location (see “Store Secure Test Materials” on Page 17).
- Develop additional local policies and procedures necessary to ensure maximum test security at all times.
- Deliver a copy of the *Teacher's Directions* (which is not secure) to each teacher who will be administering the test.
- Conduct a review of the test administration procedures prior to each test administration with all personnel that will be involved in the test administration and scoring.
- Review, comply, and sign the **Test Storage Certificate** located in **Appendix B** and retain in school files for one year. This document acknowledges that required security procedures were observed.
- Review, comply, and sign the **Deputy and Proctor Certificate** located in **Appendix D** and retain in school files for one year. This document acknowledges that required administration processes were followed.

Test security responsibilities of proctors:

- Receive training in administering test sessions properly and securely.
- Review the *Teacher's Directions* and:
 - Understand the security requirements before administering test sessions.
 - Read the scripts and directions prior to the test administration.
- Administer the tests during the assigned testing window, on the assigned days, and in the assigned order.
- Make arrangements in advance to seat students and prepare a secure testing environment (see "Prepare the Testing Room(s)" on Page 17).
- Provide students with all required test materials.
- Prevent the use of unapproved materials (see Pages 24–25 for lists of approved and unapproved materials). Note that results will be invalidated for students who use or possess cell phones during testing.
- Review, comply, and sign the **Deputy and Proctor Certificate** located in **Appendix D** and retain in the school file for one year.
- Follow proper procedures for students with disabilities; see **Testing Accommodations for Students with Disabilities** located in **Appendix G** for testing accommodations for students with disabilities.

Shared test security responsibilities of principals, proctors, and other school personnel authorized to have access to secure material:

- Receive training in test security requirements and test administration protocols.
- Document the location of secure materials at all times using the **Secure Materials Tracking Log**, located in **Appendix C**.
- Ensure the security of the testing environment (see "Prepare the Testing Room(s)" on Page 17).
- Ensure the security of test questions, test books, and other secure materials. Do **not**:
 - Leave materials unattended when tests are not being administered.
 - Read, reveal, review, or duplicate the contents of secure test material before, during, or after a test administration.
 - Duplicate any portion of the test, including but not limited to audiotaping, videotaping, photographing, photocopying, and copying by hand.
 - Remove secure test materials from the school without authorization.
 - Read, review, or change student responses.

Testing Irregularities

Testing irregularities are incidents that represent a deviation from the assigned testing procedures. Testing irregularities may include confirmed cases of student cheating, possession or use of a cell phone or other communication devices, or the mishandling of secure test materials. Such incidents must be promptly reported, in writing, to the OSA by fax at 518-474-1989 or by e-mail to emscassessinfo@mail.nysed.gov.

No one, under any circumstances, including the student, may alter the student's responses on the test once the student has handed in his or her test materials. Teachers and administrators who engage in inappropriate conduct with respect to administering and scoring State assessments 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.

Students to Be Tested

Except as noted below, **all** public and charter school students in Grades 3–8 must take all State tests administered for their grade level. This includes students who have been retained in these grades. The birth dates of ungraded students with disabilities should be used to determine who must be tested and which grade-level test they will take (see **Appendix I, Information on Ungraded Students**).

Nonpublic schools are also encouraged to participate in these tests and are to follow the same guidelines for each grade-level test they are administering. When determining which students will participate in these tests, be sure to consider students who attend programs operated by the Boards of Cooperative Educational Services (BOCES), as well as any other programs located outside the district.

All students are expected to participate in State tests as part of the core academic program. Absences from all or part of the required academic program should be managed in accordance with the attendance policies of the district. For accountability and other statewide reporting purposes, students who do not participate in an assessment are reported to the State as “not tested.” Schools do not have any obligation to provide an alternative location or activities for individual students while the tests are being administered.

English Language Learners

- Schools are permitted to exempt from the 2014 Common Core English Language Arts Tests only those English language learners (including those from Puerto Rico) who, on April 1, 2014, will have been attending school in the United States for the first time for less than one year.
- Recently arrived English language learners may be eligible for one, and only one, exemption from the administration of the 2014 Grades 3–8 Common Core English Language Arts Tests.
- Subject to this limitation, schools may administer the New York State English as a Second Language Achievement Test (NYSESLAT) in lieu of the 2014 Grades 3–8 Common Core English Language Arts Tests, for participation purposes only, to recently arrived English language learners who meet the criterion above.

All other English language learners must participate in the 2014 Grades 3–8 Common Core English Language Arts Tests, as well as in the NYSESLAT.

The provisions of the No Child Left Behind Act (NCLB) do not permit any exemption of English language learners from the 2014 Grades 3–8 Common Core Mathematics Tests. These tests are available in Chinese (traditional), Haitian-Creole, Korean, Russian, and Spanish. The tests can be translated orally into other languages for those English language learners whose first language is one for which a written translation is not available from the Department.

See **Appendix F, Testing Accommodations for English Language Learners** for specific testing accommodations.

Students with Disabilities

- The Committee on Special Education (CSE) must decide for each student, on a case-by-case basis, whether the student will participate in a particular general State test or in the New York State Alternate Assessment (NYSAA) for students with severe disabilities.
- The CSE's decision **must** be documented in the student's IEP. The criteria that the CSE must use to determine eligibility for the NYSAA is available on the NYSAA web site, <http://www.p12.nysed.gov/assessment/nysaa>.

See **Appendix G** for testing accommodations for students with disabilities.

Specific accommodations allowed for students can be found in **Appendix H, Specific Testing Accommodations** and include accommodations such as:

- Teacher reading to student (testing accommodations in students' IEPs or 504 Plans that are reading-related);
- Scoring student writing;
- Use of scribes;
- Use of manipulative devices for mathematics—for example, the use of counting blocks, counters, or an abacus;
- Use of mathematics spatial boards with large type or braille editions; and
- Use of calculators and mathematics tables.

Medically Excused

- Students who are incapacitated by illness or injury during the entire test administration **and** make-up periods and have on file documentation from a medical practitioner that they were too incapacitated to be tested at the school, at home, or in a medical setting are considered "Medically Excused." These students are considered to have "no valid test score," and must be reported with a final score of "999" and an Assessment Standard Achieved Code of "93" in the Student Information Repository System (SIRS).
- These students are excluded from the numerator and the denominator of the participation and performance accountability calculations.

Administrator’s Planning Steps for Test Preparation

The following sections are provided to assist in descriptions of long-term planning (more than two weeks prior to test administration) and short-term planning (within two weeks of test administration) activities that should be conducted by school administrators in preparation for administering the New York State Grades 3–8 Common Core English Language Arts and Mathematics Tests. A complete checklist of school administrator planning activities is provided in **Appendix A, School Administrator’s Checklist**.

Long-Term Planning

Announce Test Dates

Be sure to:

- Schedule tests to avoid conflicts with recess or lunch.
- Announce administration of test dates to students before the date that the tests are scheduled to be administered. All announcements should be made in such a way as to convey information without causing students to become overly anxious.
- Inform parents of the dates and purpose of testing. Parents should be asked to encourage students to do their best on the tests and to ensure that students are well-rested on the days of testing.
- Familiarize students with the general types of questions on the tests and the procedures that they should follow when recording the answers to the test questions. For additional instructions, refer to the *Teacher’s Directions*, which will be shipped to schools and may also be accessed on the Department’s web site <http://www.p12.nysed.gov/assessment/manuals>.
- Ensure that tests are administered on the assigned days and in the assigned order.

Plan Secure Test Materials Storage

The English language arts and mathematics tests must be stored in the safe or vault of the building where the tests will be shipped. The principal must ensure access to the safe or vault is restricted. If the building where the tests will be administered does not have a safe or vault large enough to hold the secure test materials, arrangements must be made to store them at a location with an appropriate safe or vault. If you have specific questions concerning the storing of test materials, please call 518-474-8220.

Alternate Storage Location

If you indicated that your tests will be stored at an alternate storage location on the School Information Page when requesting tests via the online examination request system, you will be required to complete the Examination Storage Plan form, found on the online examination request system, and fax it to OSA at 518-474-2021.

Gather Mathematics Tools

Schools must furnish protractors, rulers, and calculators to students for use with the mathematics tests. See **Appendix E, Mathematics Tools** for complete details on the use of rulers, protractors, and calculators.

Each student testing in Grades 5–8 will be provided with a mathematics reference sheet for his or her exclusive use during the tests. This sheet is printed inside each of the three test books. The following are the required tools that schools must provide for each grade level for the 2014 Grades 3–8 Common Core Mathematics Tests:

Tool	Grades	Duration	Usage Notes
Ruler	Grades 3–8	Entire test	Examine all rulers to be sure they are in adequate condition and that they do not have pertinent information, such as mathematics formulas, written on them.
Protractor	Grades 4–8	Entire test	Examine all protractors to be sure they are in adequate condition.
Four-function calculator with a square root key or scientific calculator	Grade 6	Book 2 and Book 3 only	Grade 6 students must not be provided a calculator with Book 1 because this part of the test measures proficiency involving calculations. Note: Grades 3–5 students may not use calculators.
Scientific calculator	Grades 7–8	Book 2 and Book 3 only	Grades 7 and 8 students must not be provided a calculator with Book 1 because this part of the test measures proficiency involving calculations.

Plan the Scoring Operations—Scoring Constructed-Response Questions

There are many activities that need to occur in order to be prepared for the scoring of the constructed responses, such as choosing the scoring model that will be followed in your school, and selecting and assigning the teachers who will do the scoring. The following sections describe many of the long-term planning activities that will need to take place. For more detail on scoring and the scoring process, please refer to the *2014 Grades 3–8 Common Core English Language Arts and Mathematics Tests Scoring Leader Handbook (Scoring Leader Handbook)*.

Scoring Model Options

Public school districts, charter schools, and nonpublic schools have several scoring model options as listed on the following page. Arranging for the scoring of short- and extended-response questions in English Language Arts Test Book 2 and Book 3 and Mathematics Test Book 3 is the responsibility of each school or school district. The Department will not score these responses.

Scoring Model Code	The scorers for the school's tests include the following:
1. Regional scoring	a) Scorers from three or more school districts; or b) Scorers from two or more nonpublic schools in an affiliation group (nonpublic or charter schools may participate in regional scoring with public school districts, and each nonpublic or charter school may be counted as one district).
2. Schools from two districts	a) Scorers from two school districts; b) Scorers from two nonpublic schools; c) Scorers from two charter schools; or d) A combination of scorers from two of the following: a school district, nonpublic school, or charter school.
3. Three or more schools within a district	Scorers from three or more schools in a district.
4. Two schools within a district	Scorers from two schools in a district.
5. One school	Three or more scorers for each grade being scored, all from the same school.

Regardless of the scoring model being used, a minimum of three scorers is necessary to score each student's test. However, to comply with a State requirement, none of the scorers assigned to score a student's test responses may be that student's teacher (refer to "Assign Scorer Numbers and Questions to Scoring Committee Members" on Page 34 for further details). In order to maximize the number of teachers scoring test books from any one teacher's class or any one school, it is necessary that test books be randomized prior to assignment to scorers. The steps for randomizing are described on Page 35.

Scoring options involve specific responsibilities and title designations. The responsibilities are similar, although the titles are different, depending on the option. For more information on scoring role responsibilities see **Scoring Site Organization, Appendix L**.

	Regional Scoring (Scoring Model 1)	Districtwide Scoring (Scoring Models 2, 3, and 4)	Schoolwide Scoring (Scoring Model 5)
Responsibilities	Regional Title	District Title	School Title
Supervises scoring operation	Site Coordinator	School District Administrator	Principal
Trains scorers, monitors sessions	Scoring Leader	District English Language Arts or Mathematics Leader	School English Language Arts or Mathematics Leader
Monitors sessions	Table Facilitator	School English Language Arts or Mathematics Leader	School English Language Arts or Mathematics Leader
Scores books with constructed responses	Scoring Committee Member	Scoring Committee Member	Scoring Committee Member

Please see the *Scoring Leader Handbook* for details on scoring model logistics.

Responsibilities of Person Supervising Scoring Operations

The person responsible for supervising scoring operations must sign the **Scoring Operations Certificate**, located in **Appendix M** of this manual. The signed certificate indicates compliance with the procedures described in this section on scoring the short- and extended-response questions.

Selecting and Assigning Teachers for the Scoring Committees

A scoring committee is made up of teachers chosen to score the short- and extended-response questions on the 2014 Grades 3–8 Common Core English Language Arts or Mathematics Tests. Each scoring committee must have a minimum of three scorers. It is recommended that each scoring site have a minimum of two scoring committees. School administrators make the final decision as to who can score these tests after a review of the teacher’s certification and present teaching assignment(s). Criteria to consider when choosing scoring committee members are listed below.

General Requirements for Scoring Committee Member

- Experience with scoring constructed-response questions, including use of rubrics;
- Experience using holistic rubrics;
- Content area expertise;
- One or more years of teaching the specified or adjacent grade levels;
- Experience teaching in the elementary grades (for Grades 3–6 tests) or in the subject area (for Grades 5–8 tests); and
- Familiarity with the 2014 Grades 3–8 Common Core Rubric and Scoring Training materials.

Retired teachers and active or retired school administrators, as well as certified teachers who are currently working as teacher assistants, may score the short- and extended-response questions if they:

- Have taught in the elementary grades (for Grades 3–6 tests) or in the subject area (for Grades 5–8 tests), and
- Have familiarity with the 2014 3–8 Common Core Rubric and Scoring Training materials. If a district, charter school, or nonpublic school chooses to contract with a vendor to score these tests, it is the responsibility of the district, charter school, or nonpublic school to ensure that all individuals who will be scoring for the vendor have also met these criteria. District, charter school, or nonpublic school administrators considering the use of special education teachers to score these tests should refer to **Guidelines for Including Special Education Teachers in Scoring Committees** located in **Appendix O**.

Short-Term Planning

Receive Test Materials

- All test shipments will be delivered by UPS and may be delivered at any time between the hours of 8:00 a.m. and 5:00 p.m. (ET).

- Track the shipment of test materials on the Internet from one to three days before the scheduled delivery date.
 - Go to <http://www.ups.com/tracking/tracking.html>.
 - Click “Track by Number.”
 - In the Tracking or InfoNotice Numbers field, type the Basic Educational Data System (BEDS) Code of the school where you indicated you wanted your tests to be shipped.
 - If you are unable to track your shipment, or notice some other irregularity, contact the OSA via fax to 518-474-2021.

Inventory Secure Test Materials

English language arts and mathematics test materials will arrive from the Department in separate shipments. Answer sheets will be sent from a Regional Information Center (RIC) or large-city scanning center; test books and the *Teacher’s Directions* will be sent by the Department. **The shrink-wrapped packages of secure test materials must not be opened during the inventory.** All secure test materials must remain sealed until the test administration date.

Inventory the following materials received from your local scanning center:

- Precoded answer sheets: Schools should have two precoded answer sheets for each student participating in the 2014 Grades 3–8 Common Core English Language Arts Test and two precoded answer sheets for each student participating in the 2014 Grades 3–8 Common Core Mathematics Test.
- Blank answer sheets: Schools should have blank answer sheets for new students. Please refer to the district/regional testing directions for specific instructions on recording demographic information for new students.
- Precoded student identification labels: Schools should have precoded student identification labels for each student participating in this test administration. The labels should be affixed to the back covers of English Language Arts Book 2 and Book 3 and Mathematics Book 3. The affixing of the labels to the books may occur no earlier than the day each book will be administered.
- Blank student identification labels: Schools should have blank student identification labels for new students. The labels are to be completed and affixed to the back covers of each new student’s English Language Arts Book 2 and Book 3 and Mathematics Book 3.
- Preprinted classroom rosters: (This is only for schools in New York City or schools associated with certain RICs.) Schools should have one roster for every class participating in testing. (For details, please contact your scanning center.) All other schools will need to prepare classroom rosters of students to be tested, using the format provided in the answer sheet package sent by the RIC or Large-City Scanning Center.

Inventory the materials received in your shipment from the Department:

- Shipping Notice: Use the packing list in Box 1 of your shipment of test books and the school’s copy of the electronic confirmation of the test order that was submitted to the Department to verify the contents of its shipment.

- *Teacher's Directions*: Schools will receive two *Teacher's Directions* for every 25 test books. If additional copies are needed, the *Teacher's Directions* may be photocopied.
- Test Books

The shrink-wrapped packages of secure test materials must not be opened during the inventory. All secure test materials must remain sealed until the test administration date. Boxes used for delivering materials to your school should be kept for storing and sending completed test books and answer sheets to scoring sites.

Order Emergency Supply of Secure Test Books

All shipments of secure test materials should be inventoried immediately after delivery and before being placed in the safe or vault. School personnel are forbidden to make or authorize photocopies of secure State test books without the express written prior approval of OSA. Such approval will be considered only when it is not feasible for the school to obtain the secure test materials from a regional center. If you have questions concerning the requesting of test materials, or about any of the other information, call 518-474-8220 for assistance.

After taking inventory, if:	Then
<ul style="list-style-type: none"> ■ An item or items are missing from the shipment listed on the shipping notice, 	<p>Circle the item(s) and quantity that are missing on the notice and fax the corrected shipping notice to the Department's Operations Group at 518-474-2021 (no cover sheet is necessary). The missing item(s) will be sent to the school's storage site.</p>
<ul style="list-style-type: none"> ■ The school requires items that were not originally requested or items necessary to accommodate students whose needs the school was not previously aware of, 	<p>Contact the Department's Operations Group by sending a fax to 518-474-2021. The Operations Group will determine whether the regional center has the materials necessary to satisfy the additional request. After contacting OSA, the school should contact the official in charge of the regional center to arrange for pick up of test materials from the regional center on the day of test administration.</p>

Secure materials can be obtained from the regional center only on the day that they will be administered. Information on the location of regional centers is available online at <http://www.p12.nysed.gov/assessment/ei/2014/1506-14rev.pdf>. For the list of regional centers for New York City public and charter schools, see **New York City Department of Education 2013–14 Borough Assessment Implementation Directors, Appendix R.**

The official school representative picking up secure test materials must present to the regional center official:

- A photo ID; and
- A letter of authorization signed by the principal listing the materials to be picked up. This letter, authorizing the school representative to pick up test materials, must be written on school stationery.

The school representative must:

- Countersign the authorization letter, and
- Leave it with the regional center official before the emergency supply of materials can be released.

Store Secure Test Materials

The English language arts and mathematics tests must be stored in the safe or vault of the building where the tests will be shipped.

- Place all secure test materials in the storage location as soon as they are received.
- If the building where the tests will be administered does not have a safe or vault large enough to hold the secure test materials, make arrangements to store these materials at a school or district location with an appropriate safe or vault. Do not transfer tests to the school where the tests will be administered until the day scheduled for the administration of that part of the test.
- Restrict access to the test materials.
- Do not remove shrink-wrapped packages of secure material from the safe or vault, except for the inventory of test materials, until the days on which the tests are scheduled to be administered.
- Use the **Secure Materials Tracking Log**, located in **Appendix C**, to document the movement of materials and account for all secure testing materials.
- Check the safe or vault where secure test materials are being stored daily to ensure that the secure test materials have not been tampered with and remain secure.
- Maintain the combination or key to the safe or vault under strict security conditions to preclude access to the secure test materials.

Prepare the Testing Room(s)

Be sure to:

- Determine which rooms will be used for testing.
- Make sure the room(s) in which the tests are administered are well lit, well ventilated, and quiet.
- Make preparations before the testing period to keep noise and other distractions to a minimum.
- Prepare a “Do Not Disturb” sign to place on the door to prevent interruptions.
- If tests are to be administered in a classroom, clear desks and shelves under the desks of all books, papers, and other materials.
- Completely cover or remove from the walls all charts, blank or completed graphic organizers, number lines, mathematics tables, and all board work pertinent to English language arts and mathematics.
- Make arrangements in advance to seat students so that each student will be clearly visible to the proctor at all times and so that there will be the least possible opportunity for any communication between students. Seating of students in alternate rows is recommended.

Part 2

Administering the Tests

School Administrator Responsibilities

It is the responsibility of the school administrator to:

- Inventory all testing materials.
- Store secure test materials in a safe or vault, as designated in the school's Examination Storage Plan.
- Distribute the materials to the teachers or proctors, and ensure the security of the tests.
- Ensure secure test materials remain sealed in their packaging until the dates on which they will be administered.
- Advise all teachers administering and scoring this test that they are not to discuss test questions or other specific test content with each other, with others online via e-mail, or through any other electronic means.
- Ensure that students with disabilities are provided allowable testing accommodations as indicated on a student's IEP or 504 Plan.
- Ensure that teachers, aides, and assistants receive training to ensure the correct implementation of testing accommodations.

Prepare the 2014 Grades 3–8 Common Core English Language Arts Secure Test Materials and Answer Sheets

In order to prepare the secure materials for testing, schools must take the following steps:

- Verify that the school has the following for each student in the class:
 - Answer Sheet 1 for use with English Language Arts Test Book 1.
 - Answer Sheet 2 for use with English Language Arts Test Book 2.
 - Preprinted student identification labels for English Language Arts Test Book 2 and Book 3.
- If the school does not have a precoded answer sheet or student identification label for a student, complete one of the extra answer sheets and labels provided. Record biographical information for that student according to district/regional directions.
- Record on the answer sheet the categories of testing accommodations for students with disabilities. *Only darken the circle if an accommodation was provided during the test.* Please note that not all the accommodations listed in **Appendix H** are permitted on all parts of the 2014 Grades 3–8 Common Core English Language Arts Tests.
- Student identification labels must be affixed to the back of each student’s English Language Arts Test Book 2 and Book 3. Labels can be affixed either on the days of the tests or after the administration of the tests.

If the school chooses to affix the student label(s) prior to administration on the days of the tests, be sure that each student receives the test book with his or her name on the affixed label.

Under no circumstances may a school open the shrink-wrapped packages and affix the student identification labels to test books prior to the day that the test books will be administered.

The following chart lists the English language arts materials needed in each classroom at each grade level for each testing day.

English Language Arts			
	Day 1	Day 2	Day 3
Grades 3–8	<ul style="list-style-type: none"> ■ <i>Teacher’s Directions</i> ■ Classroom roster ■ Book 1 (one per student and one for the teacher) 	<ul style="list-style-type: none"> ■ <i>Teacher’s Directions</i> ■ Classroom roster ■ Book 2 (one per student and one for the teacher) ■ English Language Arts Test Answer Sheet 2 (one per student) ■ Student identification labels (one per student to be used on Book 2) 	<ul style="list-style-type: none"> ■ <i>Teacher’s Directions</i> ■ Classroom roster ■ Book 3 (one per student and one for the teacher) ■ Student identification labels (one per student to be used on Book 3)
	<ul style="list-style-type: none"> ■ English Language Arts Test Answer Sheet 1 (one per student) 		

Prepare the 2014 Grades 3–8 Common Core Mathematics Secure Test Materials and Answer Sheets

In order to prepare the secure materials for testing, schools must take the following steps:

- Verify that each student in the class has the following:
 - Answer Sheet 1 for use with Mathematics Test Book 1.
 - Answer Sheet 2 for use with Mathematics Test Book 2.
 - Preprinted student identification label for Mathematics Test Book 3.
- If the school does not have a precoded answer sheet or student identification label for a student, complete one of the extra answer sheets and labels provided. Record biographical information for that student according to district/regional directions.
- Record on the answer sheet the categories of testing accommodations for students with disabilities. *Only darken the circle if an accommodation was provided during the test.* Please note that not all the accommodations listed in **Appendix H** are permitted on all parts of the 2014 Grades 3–8 Common Core Mathematics Tests.
- Student identification labels must be affixed to the back of each student’s Mathematics Test Book 3. Labels can be affixed either on the days of the tests or after the administration of the tests.

If the school chooses to affix the student label(s) prior to administration on the days of the tests, be sure that each student receives the test book with his or her name on the affixed label.

Under no circumstances may a school open the shrink-wrapped packages and affix the student identification labels to test books prior to the day that the test books will be administered.

The following chart lists the mathematics materials needed in each classroom at each grade level for each testing day.

Mathematics			
	Day 1	Day 2	Day 3
Grades 3–4	<ul style="list-style-type: none"> ■ <i>Teacher's Directions</i> ■ Classroom roster ■ Book 1 (one per student and one for the teacher) ■ Mathematics Test Answer Sheet 1 (one per student) ■ Rulers (one per student) Grade 4 only: ■ Protractors (one per student) 	<ul style="list-style-type: none"> ■ <i>Teacher's Directions</i> ■ Classroom roster ■ Book 2 (one per student and one for the teacher) ■ Mathematics Test Answer Sheet 2 (one per student) ■ Rulers (one per student) Grade 4 only: ■ Protractors (one per student) 	<ul style="list-style-type: none"> ■ <i>Teacher's Directions</i> ■ Classroom roster ■ Book 3 (one per student and one for the teacher) ■ Student identification labels (one per student) ■ Rulers (one per student) Grade 4 only: ■ Protractors (one per student)
Grades 5–6	<ul style="list-style-type: none"> ■ <i>Teacher's Directions</i> ■ Classroom roster ■ Book 1 (one per student and one for the teacher) ■ Mathematics Test Answer Sheet 1 (one per student) ■ Rulers (one per student) ■ Protractors (one per student) 	<ul style="list-style-type: none"> ■ <i>Teacher's Directions</i> ■ Classroom roster ■ Book 2 (one per student and one for the teacher) ■ Mathematics Test Answer Sheet 2 (one per student) ■ Rulers (one per student) ■ Protractors (one per student) Grade 6 only: ■ Scientific or four-function calculators with a square root key (one per student) 	<ul style="list-style-type: none"> ■ <i>Teacher's Directions</i> ■ Classroom roster ■ Book 3 (one per student and one for the teacher) ■ Student identification labels (one per student) ■ Rulers (one per student) ■ Protractors (one per student) Grade 6 only: ■ Scientific or four-function calculators with a square root key (one per student)
Grades 7–8	<ul style="list-style-type: none"> ■ <i>Teacher's Directions</i> ■ Classroom roster ■ Book 1 (one per student and one for the teacher) ■ Mathematics Test Answer Sheet 1 (one per student) ■ Rulers (one per student) ■ Protractors (one per student) 	<ul style="list-style-type: none"> ■ <i>Teacher's Directions</i> ■ Classroom roster ■ Book 2 (one per student and one for the teacher) ■ Mathematics Test Answer Sheet 2 (one per student) ■ Rulers (one per student) ■ Protractors (one per student) ■ Scientific calculators (one per student) 	<ul style="list-style-type: none"> ■ <i>Teacher's Directions</i> ■ Classroom roster ■ Book 3 (one per student and one for the teacher) ■ Student identification labels (one per student) ■ Rulers (one per student) ■ Protractors (one per student) ■ Scientific calculators (one per student)

Supervision of Students

Unauthorized Materials

Students should be under close supervision at all times during the administration of the tests and may not use any unauthorized notes, printed materials, scrap paper, or tools.

Use of Communications Devices

All students are prohibited from bringing cell phones and certain other electronic devices, as defined in the script in the box below, into a classroom or other location where a State test is being administered. Test proctors 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 session, proctors must read the following statement to all students taking State tests:

You cannot have any communications device, including a cell phone, with you during this test 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
- Any other devices 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 or a 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. 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.

If any student is observed with any prohibited device while taking a State test, the proctor must:

- Direct the student to turn the device over to the proctor immediately,
- Allow the student to complete the test (to allow for all possible outcomes of procedural due process), and
- Report the incident promptly to the school principal.

If the student had a prohibited device in his or her possession during the test administration, the principal must:

- Invalidate the student’s test (no score may be calculated for that student), and
- Report the incident to the OSA.

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.

Aid to Students

No one, under any circumstances, may interpret or explain test questions to students, nor may anyone review or comment to students about the correctness or sufficiency of the students’ responses while the tests are in progress. In response to inquiries by students concerning the meaning or interpretation of test questions, proctors should advise students to use their own best judgment. Proctors may give students assistance only in the mechanics of taking the tests, such as understanding that their multiple-choice responses must be recorded on the answer sheets and their constructed responses must be recorded in the test books.

Temporary Absence from Testing Room

No student may be permitted to leave and then return to the testing room during any part of the test unless the student is accompanied by a proctor for the duration of his or her absence from the testing room.

Emergency Evacuation of a School Building

Evacuation of a school building during testing may be required because of an emergency such as a fire alarm or bomb threat. In any situation in which the safety of students is endangered, the principal has full authority to interrupt the tests immediately.

If an emergency evacuation is required, school administrators should follow the below procedures.

1. If it is possible, keep students under supervision during the emergency.
2. Then, if work can be resumed, extend time for the test so that students will have the allotted time for the test.
3. Following the test, a written report of the circumstances should be sent by mail or fax to OSA. (See the section "Reporting Irregularities and/or Misadministrations" on Page 42.)

Student Cheating

Proctors must not permit students to obtain information from or give information to other students in any way during the tests. At the conclusion of the tests, all suspected cheating must be reported to the principal.

If a proctor suspects that such an attempt has occurred,

- The student(s) should be warned that any further attempts will result in the termination of their tests.
- Move students to another location, if necessary.
- If these steps fail to end attempts to obtain or give information, the proctor must notify the principal immediately and terminate the students' tests.

If, in the judgment of the principal, a student has attempted to give aid to or obtain aid from another person during the tests, the principal must follow the school's disciplinary procedure for student cheating and invalidate the student's test.

Illness

If a student becomes ill during a part of the tests:

- Excuse the student until he or she is well enough to continue;
- Estimate the time that the student had remaining to complete that part of the test;
- When the student is well enough to complete the test (and as long as the testing or make-up period has not ended), the student may be given the remaining time for that part of test;
- If the student is taking a partially completed part of the test, the student must be closely supervised so that the student does not go back to previously completed questions on the test; and
- Administer, as long as the testing or make-up period has not ended, any other unadministered parts of the test according to the *Teacher's Directions*.

Proctoring

Proctors must follow all security protocol when supervising the test administration.

Proctors must:

- Circulate periodically around the room during the administration of each session of the test to ensure that students are recording their responses to test questions in the proper manner and in the proper place.
- Make sure that students are recording their responses to the multiple-choice questions on their answer sheets and their constructed-response questions in their test books. Students are not to record their multiple-choice responses in their test books.
- Point out to students if they have left one or more answers blank or have darkened more than one circle for the same multiple-choice question.
- Not comment to the student on the correctness or sufficiency of any answer.

No additional time is to be provided to students to transfer answers from test books to answer sheets at the end of the test session, and no one other than the student may transfer multiple-choice answers marked in their test book to the answer sheets. (The latter does not apply to students whose IEP or 504 Plan allows scribes to transfer answers from the test book to an answer sheet.)

Make-up Secure Testing

The make-up dates are to be used for administering the tests to students who were absent during the designated administration dates. See the “Testing Schedule and Important Administration Dates” calendar on Page vi for the make-up test dates. The make-up dates can also be used to complete the initial administrations in schools that were closed due to religious observance or unexpected events, such as power outages.

It is the principal’s responsibility to facilitate testing during the make-up period for those students who did not complete the tests on the regularly scheduled testing dates. **Rules to Determine Whether a Student Receives a Valid Score** are found in **Appendix P** of this manual.

Ensure the following if administering a make-up test.

- Students are given every opportunity to make-up any missed test session.
- The student completes all of the books in a subject area test. (In order to be counted as participating in that test and receive a scale score or performance level [three books for the 2014 Grades 3–8 Common Core English Language Arts Tests and three books for the 2014 Grades 3–8 Common Core Mathematics Tests].)
- Apply the following guidelines for make-up testing for all books:
 - Students who are absent during any session of the regularly scheduled test administration should take the session of the test scheduled for the day they return.
 - Administer the missed test books to them during the make-up testing period. More than one session may be administered in one day.

- Students who are absent throughout the regularly scheduled test administration should complete all sessions of the test during make-up testing. Administer these sessions in the same order for regularly scheduled testing as indicated in the *Teacher's Directions*.
- For students who are absent for any session of the test and do not take a make-up for that session, check their answer sheets to verify that the absences have been recorded by darkening the Absent circle corresponding to the session or sessions missed. Instructions for recording information about absences on the answer sheets are found in **Appendix P** of this manual.

Concluding Test Sessions

As soon as the testing of each session is completed, the principal must arrange for the collection and secure storage of all used and unused test books (regular, translated, large type, and braille) and used answer sheets. **Used answer sheets may not be reviewed, scanned, or scored by anyone before the official scoring process has been completed and the answer sheets have been scanned by the RIC or large-city scanning center.** All used and unused test books (regular, translated, large type, and braille) and used answer sheets must be kept secure.

Test books may **not** be used for instructional or staff development purposes. Instead, they must either be returned to the Department secure-destruction contractor, Empire Recycling, using the shipping label provided by the Department or retained securely at the school for one year, then securely destroyed.

Administrator's Checklist for Collecting, Storing, and Organizing Secure Test Materials

Before repacking secure test materials, please read the following instructions:

- Collect all secure test materials, including used and unused test books, answer sheets, completed biographical data, and student identification labels. Place these in a secure location until they are to be assembled for scoring.
- Teacher's Directions* should be left in the classrooms with the teachers so that they may review the instructions for the remaining test session(s).
- Request that each teacher provide updated classroom rosters for the 2014 Grades 3–8 Common Core English Language Arts and Mathematics Tests. These rosters should include all students currently in each teacher's class.
- Advise all staff that they are not to discuss test questions or other specific test content with each other, with others online via e-mail, or by any other electronic means.
- When collecting the test materials from each student for the English language arts test at the conclusion of session one, have each student insert his or her answer sheet inside the front cover of his or her Book 1. For session two, have each student insert his or her answer sheet inside the front cover of his or her Book 2. When collecting the test materials from each student for sessions one and two of the mathematics test, have each student insert his or her answer sheet inside the front cover of the test book administered that day (Book 1 for session one, Book 2 for session two).
- At the conclusion of the English language arts tests, separate used Book 1s, Book 2s, and Book 3s. English Language Arts Test Book 2s and Book 3s need to be sent to the scoring site, along with Answer Sheet 2, unless locally scored. Check to ensure that each student's Answer Sheet 2 has been inserted inside the front cover of his or her Book 2.
- At the conclusion of the mathematics tests, separate used Book 1s and Book 2s from used Book 3s. Remove each student's Answer Sheet 2 from the student's Mathematics Test Book 2 and insert it inside the front cover of that student's Book 3. Mathematics Book 3s need to be sent to the scoring site, along with Answer Sheet 2, unless locally scored.

- ❑ Securely store all unused test books for all grades and all used English Language Arts Test Book 1s and Mathematics Test Book 1s and Book 2s. Keep all English Language Arts Test books separate from all Mathematics Test books.
- ❑ Stack the used test books to be scored by classroom. Place the appropriate classroom roster on top of each stack and band them together.
- ❑ Use the box(es) in which secure test materials arrived for storing the secure test materials and for sending them to the scoring site. Remove any previous markings and labels from the box(es). If original boxes are not available, use substitutes.
- ❑ Ensure unused 2014 Grades 3–8 Common Core English Language Arts and Mathematics Test books are not used for instructional or staff development purposes and are returned to the Department’s secure-destruction contractor, Empire Recycling.

Part 3

After Testing

After Testing

Scoring of Secure Test Materials

Prepare Secure Test Materials for Scoring

The school principal must be familiar with the procedures for scoring at regional and schoolwide scoring levels. The following steps describe these processes.

Checklist for Regional or Districtwide Scoring:

- Photocopy and complete the **School/Group List (SGL)** located in **Appendix J** of this manual. Transfer the total number of students tested for each class (indicated on the teacher’s classroom roster) to the SGL. Repeat this process for each classroom. Fill out the requested information for each classroom in the school.
 - Classroom Number: Write the room number of each classroom.
 - Grade: Write the grade of the students who took the test (e.g., Grade 3).
 - Number Tested: Write the number of students who took the test. Be sure to include students who took make-up tests.
 - Comments: Include any additional pertinent information.
- English Language Arts Test Book 2s, Answer Sheet 2s, and Book 3s and Mathematics Test Book 3s and Answer Sheet 2s only must be sent for scoring since there are written responses in these books. Place the used books in separate boxes. English Language Arts Test Book 1s and Mathematics Test Book 1s and Book 2s should not be sent to the scoring sites since these books contain multiple-choice questions exclusively, for which students record their answers on separate answer sheets.
- Put the appropriate SGLs with the classroom rosters on top of the used English Language Arts Test Book 2s and Book 3s and Mathematics Test Book 3s in their respective Box 1s.
- Attach the appropriate **box label**, provided in **Box Labels for Submission of Test Books to Scoring Center, Appendix K**, to each box, and indicate the scoring site, the school name, BEDS Code, and the grade levels for which test books are enclosed. Also indicate on the respective label the quantity of English Language Arts Test Book 2s and Book 3s or the quantity of Mathematics Test Book 3s enclosed. Label the boxes for delivery to the scoring site.
- Number the box(es) (e.g., “Box 1 of 5,” “2 of 5,” “3 of 5,” etc.).
- Seal the box(es) securely with packing tape and follow local testing directions for delivery of completed test materials to scoring sites.

Checklist for Schoolwide Scoring:

- Photocopy and complete the SGL located in **Appendix J** of this manual. Transfer the total number of students tested for each class (indicated on the teacher’s classroom roster) to the SGL. Repeat this process for each classroom. Fill out the requested information for each class in your school:
 - Classroom Number: Write the room number of each classroom.
 - Grade: Write the grade of the students who took the test (e.g., Grade 3 or ungraded).

- Number Tested: Write the number of students who completed the test, including students who took make-up tests.
 - Comments: Include any additional pertinent information.
- ☐ The used test books that have been packed for scoring must be stored in a secure location in the school until being relocated to the scoring site. Once at the site, the packed used test books must be placed again in a secure location.
 - ☐ Place stacks of banded used English Language Arts Test Book 2s and Book 3s and Mathematics Test Book 3s into boxes with the appropriate SGL and classroom roster(s) on top. Place the used English language arts and mathematics test books in separate boxes.
 - ☐ Keep the completed SGL with the updated classroom roster(s) on top of the used test books being packed for scoring. Send a separate copy of the SGL and classroom roster(s) to the scanning center.

Prepare Scorers

☐ Assemble Scoring Materials

Two scoring CDs, one for the 2014 Grades 3–8 Common Core English Language Arts Tests and one for the 2014 Grades 3–8 Common Core Mathematics Tests, will be shipped to schools by the Department. Schools will print scoring materials from the PDFs provided on the CDs. The files are organized by individual grades.

The *Scoring Leader Handbook* contains a list of supplies needed for hand-scoring the test books. The *Scoring Leader Handbook* is available on the Department's web site at <http://www.p12.nysed.gov/assessment/ei/eigen.html>.

☐ Train Scorers

In order to ensure that tests are scored reliably, it is essential that scorers receive scorer training every time they serve on a committee to score a State test. Please see recommended scorer training time on Page 17 of the *Scoring Leader Handbook*. If your scorers have not been previously trained, more training time will be needed on the scoring day to ensure accurate and reliable scores. Furthermore, those persons responsible for scorer training must strictly adhere to the training procedures detailed in the *Scoring Leader Handbook*.

Prior to training, all scorers and score leaders are required to sign the **Exam Scoring Confidentiality Agreement**, found in **Appendix N** or **Appendix H** of the *Scoring Leader Handbook*. Scorers and Scoring Leaders agree to maintain and honor the security and confidentiality of all secure test materials.

A Consistency Assurance Set (CAS) will be provided for each grade. The CAS is to be incorporated into the scoring training process to:

- Establish a uniform process statewide for training scorers, and
- Improve the reliability of statewide scoring.

During the scorer training for the tests, the CAS should be used to identify areas in which additional training may be needed in order to ensure inter-rater reliability.

❑ Assign Scorer Numbers and Questions to Scoring Committee Members

Each scoring committee must be assigned a number. This number is a way of identifying scoring committees in order to provide feedback when conducting read-behinds. Records of the names of scoring committee members and the questions assigned to them should be retained in the school for one year. Answer Sheet 2 has a place for teachers to record their scoring committee number. Refer to the *Scoring Leader Handbook* for details. The *Scoring Leader Handbook* is available on the Department's web site at <http://www.p12.nysed.gov/assessment/ei/eigen.html>.

Generally, teachers on the scoring committees are assigned approximately equal numbers of questions to score. Questions must be assigned to scorers so that each student's test is scored by a minimum of three scorers. To comply with a state requirement, none of the scorers assigned to score a student's test responses may be that student's teacher.

Estimated Time Needed for Scoring

Depending on the grade level of the test, a scoring committee of three can be expected to score approximately 100–130 students' English language arts tests or approximately 120–220 students' mathematics tests in one full school day, after the committee has completed the required training. (See Appendices K and L of the *Scoring Leader Handbook* for grade-specific scoring read times.)

Operations/Logistics for Scoring the Short- and Extended-Response Questions

Scoring Room

The room selected for scoring should have the following:

- Ample lighting,
- Adequate ventilation, and
- The capacity to be made secure.

During scoring, the scoring room should be kept as quiet as possible to facilitate accurate and productive scoring. Scorers may only discuss scoring with the Table Facilitators or the Scoring Leader.

All test books, student answer sheets, and scoring manuals must be kept secure and confidential. These materials must not be left unattended during breaks or lunch, and the room must be kept locked when unattended during the day and after school hours.

Checklist for Receiving Materials to Be Scored

Regional Scoring (Scoring Model 1) and Districtwide Scoring (Scoring Models 2–4):

- ❑ Make sure test books have been received from each school. Verify that the test book count written on each classroom roster matches the number of books received from the school.
- ❑ Check the sequential numbering on each box (for example, "1 of 5," "2 of 5," etc.) to make sure that the shipment from each school is complete.

- If a shipment is complete, open the boxes and check the first box to find the SGL, classroom roster, and packing list. Place these sheets in a safe location because they will be used to make sure test books were received for all tested students.
- Create a check-in log with columns for school name, box number (for example, "1 of 5"), date shipment was received, and check-in date. Use the check-in log to record this information for every box received.
- Determine the number of students whose test books were submitted by a school by adding the number of students reported on the label affixed to the outside of the box(es). Record this total on the check-in log.
- Keep a copy of the check-in log and the packing list for reference.

Schoolwide Scoring (Scoring Model 5):

- Make sure test books have been received from each class. Verify that the test book count written on the classroom roster matches the number of books received from the class.
- If the test book counts do not match, do not continue. The classroom roster can be used to determine which students' test books are missing. Contact the school administrator to locate the missing books.
- Continue verifying the number of test books from each class, retaining class stacks on the work table. When every test book from all classes is accounted for, the randomizing process can begin.
- File copies of the classroom rosters for reference.

Note: If any English Language Arts Test Book 1s or Mathematics Test Book 1s or Book 2s are received, they should be boxed, stored securely until scoring is completed, and then returned to the district or school.

Randomizing and Building Test Book Folders/Boxes

Randomizing the test books is required to maximize the number of teachers scoring any one group of tests. It involves mixing test books from all districts (if scoring regionally), all schools (if scoring districtwide), or all classes (if scoring locally). These test books are then placed into folders or boxes in preparation for scoring.

Steps for Randomizing

1. If tests for more than one grade level are being scored at the same scoring site, be sure to separate the test books for different grades in different rooms, if possible, or in different corners of the same room if only one room is available.
2. Focusing on test books for only one grade exclusively at a time, select multiple districts, schools, or classes with approximately equal numbers of test books for randomization. Position a box from each of these districts, schools, or classes in a row on the floor. Line up all remaining boxes behind their corresponding district, school, or class.
3. Randomly pull a set of books from the first box for each district, school, or class, and then immediately repeat this procedure. Place these sets of books for five to ten students in the scoring folder or box.

4. Continue randomly pulling sets of test books from each district, school, or class's box until all books have been sorted into groups and placed into folders or boxes. If one district, school, or class box is depleted before the others, continue pulling from the remaining district, school, or class boxes until all books are placed in folders or boxes.
5. If using folders, place folders in boxes. A box (12" x 8 $\frac{3}{4}$ " x 5") can hold up to 60 test books or 6–12 folders, but it is suggested that you limit the number of books or folders to a weight that is comfortable to lift.
6. Fill out a box label. Write the school names and the number of books in the spaces provided.
7. Number each box consecutively (for example, "1 of 3," "2 of 3," or "3 of 3,") and tape the box label securely to the outside of the box.
8. Repeat the process for the remaining districts, schools, or classes at the scoring site.

Staging Test Books for Scoring

All boxes will be routed to separate scoring areas depending on the content to be read. Each test book will be scored.

- Designate a location for each grade and scoring section to stage boxes.
- At the start of a scoring session, provide enough test books to each scoring table for scorers to score. Make sure the boxes for districts, schools, or classes are distributed to as many tables as practical within a content area.

Processing Test Books During Scoring

The reader work tables will be arranged so that the Table Facilitator/School English Language Arts or Mathematics Leader is at the head of the table, with up to six readers positioned around the table. All folders containing sets of test books will be routed to the scoring committees.

The scoring session will proceed as follows:

- Folders or boxes are placed in the "in-process" box on the scoring table.
- Scorers will remove a few sets of test books, record their scorer number, score their assigned questions, record their scores on the answer sheet, place the answer sheet inside the test book, and the book inside the folder. Scorers will then pass the folder to the next teacher to score (in a round-robin fashion).
- If there are any responses that are difficult to score, the scorer should speak with the Table Facilitator or Scoring Leader. If a scorer reads a student response that reveals a sensitive issue, the scorer should share this response with the Table Facilitator and the Scoring Site Coordinator.
- The reporting protocol set forth for Mandated Reporters must also be followed. A sensitive response includes an indication of abuse, neglect, or maltreatment, suicidal tendencies, or other psychological problems.
- If the Scoring Site Coordinator thinks that the student response warrants a formal report, the coordinator will notify the school principal and/or the school counselor, who will then determine whether a report should be filed. Papers with sensitive responses must be returned to the school when scoring is complete.
- Folders or boxes of unscored test books are brought to the work table as needed.

- When a scorer has completed scoring the questions assigned to that scorer within a test book, the answer sheet will be placed inside the test book and returned to the folder.
- When all questions have been scored, place the folder in the “completed” box.

Read-Behinds

As sets of test books are finished being scored, they should be placed in the “completed” box so that the Table Facilitator/School English Language Arts or Mathematics Leader can conduct read-behinds. Read-behinds are scored sets of test books that are read again as a check of scorer accuracy and consistency.

The Table Facilitators/School Leaders conduct read-behinds on completed test books. Approximately 12 sets of test books per hour (that is, two sets per scorer) are read by the Table Facilitator/School Leader.

A Table Facilitator/School Leader should not question a score if a response is a “fence-sitter” paper, (i.e., a paper for which either of two contiguous scores could be justified). However, if the Table Leader/School Leader believes that a particular paper’s score is not in alignment with the rubrics or that an errant pattern of scoring has developed (i.e., scores are continually out of alignment with the rubrics), the leader should not change the score, but should discuss the response(s) in question with the scorer so that the scorer is able to correct any scoring errors and return to accurate and consistent scoring.

If a problem persists, the Table Facilitator/School Leader should bring the situation to the attention of the Scoring Site Coordinator.

Scoring Helpline

A helpline has been established to assist with questions on how to score constructed-response questions. The scoring helpline will be available at 888-705-9415, from Monday–Friday between 7:30 a.m. and 4:30 p.m. (ET) during the scoring dates.

No Double Scoring

Once a set of student test books has been completely scored one time, the answer sheet should be reviewed to ensure that all questions have been scored, scores have been darkened appropriately, and that there are no stray marks. Preparations should then be made for returning the sets of student test books either back to the school or to a specified location for auditing. Schools will be notified if they are to participate in the audit. Except for the read-behinds discussed on the previous pages, student test books should be scored only once (i.e., no double scoring).

When the teacher scoring committee completes the scoring process, test scores must be considered final and must be entered onto students’ answer sheets.

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 test 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 these tests. Teachers and administrators who violate Department policy with respect to scoring State tests 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.

If an administrator has substantial reason to believe that the teacher scoring committee has failed to accurately score student papers on any test, 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 test 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 the administrator believes rescoring the test papers is necessary. As part of this submission, the school administrator must make clear his or her understanding that such extraordinary rescoring 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 occasionally finds it necessary to notify schools of a revision to the scoring guide for the test. 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' scores when appropriate. This is the only circumstance in which the school is not required to notify or obtain approval from the Department to correct students' scores.

Quality-Checking Answer Sheets

The quality-checking procedure involves a review of the scores filled in on the answer sheet by the scorers. During the quality check, any errors or omissions made by the scorers in recording students' scores should be detected and corrected while the books and answer sheets are still in the scoring area. The task of quality-checking the books should be assigned to a Scoring Site Assistant and should not be assigned to the student's teacher.

Steps for Quality-Checking the Answer Sheets

1. Make sure the number of books in the folder matches the total number written on the folder label.
2. Take the books out of the folder. Open the first book and inspect the answer sheet to be sure all fields have been filled in properly. Look for questions with missing scores, lightly marked scores, and double-marked scores.
3. If scores for all constructed-response questions are marked properly on all answer sheets, the folder is placed in a "completed scoring" box. These folders are ready for return processing, which means that the answer sheets are sent to the scanning center and the books are returned to the schools.
4. If there are any answer sheets with information missing, a Post-it® note is placed in the folder, which is then put aside until all test books have been checked for errors.
5. The sets of test books and answer sheets are then given to the appropriate Table Facilitator or Scoring Leader for corrections. After the corrections are made, return the test books and answer sheets to the quality control station.

After Scoring is Complete

Forward Answer Sheets to Scanning Centers

After all test materials in all folders have been scored and quality-checked, prepare to send answer sheets to scanning centers. Verify that every folder has been accounted for and scored before removing the answer sheets.

Steps for Returning the Secure Test Materials to the Schools and Scanning Centers

1. If scoring regionally or districtwide, sort the sets of test books into school groups. In all sorting of the test books for English language arts, make sure to keep each individual student's Book 2 and Book 3 together as a set.
2. Further sort the test books into classes, using the classroom roster(s).
3. Count the test books and verify the total counts against the totals on the SGL.
4. Remove the answer sheets from the test books and place them on top of a copy of the SGL and the classroom rosters, building a stack of answer sheets for the school.
5. Before placing the answer sheets on top of a copy of the SGL and the classroom rosters, verify that all student information (e.g., name, ID number) is complete.
6. If an answer sheet is soiled or mutilated in some manner, the school must transcribe all student information and test responses onto an unused answer sheet, which is then added to the stack. Two staff members are required for this—one to transfer answers and one to check that the answers have been transferred accurately. Note that the transferring of answers is not to be used for students who did not follow testing directions. (See "Proctoring" on Page 27.) Do not fold, bend, tape, or staple any answer sheets.
7. Continue this process until all answer sheets are removed.
8. Count the answer sheets. **Verify that the total number of answer sheets equals the number of students tested.**
9. Place the answer sheets into a box for mailing. Affix the address label for the appropriate scanning center. Forward all answer sheets to the designated scanning center no later than the due dates designated by the Department.
10. Return test books to each school.

Audit Scoring

The Department conducts an annual audit of the scoring of the short- and extended-response questions. For each test, approximately five percent of schools that administer that test are selected for inclusion in the audit through a random sampling procedure. The principal of each selected school receives a letter from the Department's contractor following the scoring period.

After student answer sheets have been sent to the scanning centers, schools selected for the audit are to send all their completed constructed-response test books for the selected grade to the location specified on the letter. **Send completed test books only, not the student answer sheets.**

Accompanying the audit notification letter is a form to be completed by the principal and enclosed in each box of test books. Test books are returned to the participating schools when the rescoring is completed.

Return of Scoring Ancillary Materials

The Scoring Site Coordinator will be responsible for returning all materials listed below to the schools. Call a secure package delivery company (such as FedEx, UPS, or DHL) that will pick up the materials that day or the next day, or that will provide directions to the nearest drop-off location.

The following is a list of materials to be returned to the schools:

- Scoring Sign-in Log (with assigned scorer numbers).
- Confidentiality Agreements: verify the completion of all the Confidentiality Agreements for each scorer and Scoring Site Assistant.
- Training Materials Inventory Sheet: this is a log verifying the receipt of training materials.
- Sensitive Papers: to be delivered to the Scoring Site Coordinator.

Closing of Scoring Site

After the scoring and preparation of test materials for delivery to scanning centers and schools, the Scoring Site Coordinator supervises the closing of the scoring facility. Scoring Site Assistants, as well as other members of the leadership team, may help with these procedures:

- Arrange secure shipments of all answer sheets and test books to the schools for secure storage,
- Check scoring areas for overlooked materials, and
- Return all scoring ancillary materials to schools.

Destruction of Secure Test Materials

Test books may not be used for instructional or staff development purposes. Instead, they must either be returned to the Department's secure-destruction contractor* Empire Recycling, using the shipping label provided by the Department, or retained securely at the school for one year, then securely destroyed. See the table below for details on which materials to return promptly after scoring has been completed, and which to retain securely at the school for one year.

For Secure Destruction: Return Immediately to the Department's Secure Destruction Contractor*	Store Securely in School or District for One Year, then Securely Destroy
<ul style="list-style-type: none">■ All used and unused English Language Arts Test Book 1s and Mathematics Test Book 1s and Book 2s■ All unused English Language Arts Test Book 2s and Book 3s■ All unused Mathematics Test Book 3s■ All scoring CDs, including any copies made by schools■ All scoring materials printed from the CDs	<ul style="list-style-type: none">■ All used English Language Arts Test Book 2s and 3s■ All used Mathematics Test Book 3s■ All used answer sheets after their return from the scanning center

*Do not send to Pearson, Inc.

Reporting Irregularities and/or Misadministrations

Pursuant to Section 102.3 of the Regulations of the Commissioner of Education, “Building principals are responsible for administering department examinations and maintaining the integrity of examination content and programs, in accordance with directions and procedures established by the commissioner.” Accordingly, the building principal is responsible for all aspects of the school’s test administration and must take appropriate measures both to prevent, as much as possible, and to investigate all security breaches and irregularities associated with the administration and scoring of the test. In addition, the principal must report the following testing irregularities and misconduct by students, in writing on school letterhead and signed by the principal, to OSA via fax to 518-474-1989 or by e-mail to emscassessinfo@mail.nysed.gov:

- All student infractions of the Department’s policy prohibiting the possession or use of cell phones and other communications devices during State tests.
- All confirmed cases of students cheating.
- All interruptions of test sessions, including those caused by power outages or fire alarms.
- All instances in which a State test is administered without Department authorization on a date outside the published statewide administration or make-up schedule.
- All instances in which scorers do not rate State tests in accordance with the scoring materials provided by the Department.
- All cases in which student test books or answer sheets are lost prior to either the scoring of the tests or submission of the answer sheets to the RIC or large-city scanning center.
- All instances of school officials or staff members providing students with unauthorized/inappropriate testing accommodations or tools (such as the use of a spell-checking device for the Grades 3–8 Common Core English Language Arts Tests or the use of a calculator for the Grades 3–5 Common Core Mathematics Tests).
- All instances of school officials or staff members providing students with other nonstandard test administrations, unrelated to cheating.

The report, signed by the principal, must include:

- The school’s BEDS Code,
- The name and grade of the test,
- A brief description of the incident,
- The number of students affected, and
- The NYSSIS ID numbers of affected students.

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 tests. School officials and personnel are required to report any

incident of testing misconduct by an educator or other adult involved in testing, and make reports via the TSU web site at <http://www.highered.nysed.gov/tsei> by submitting the incident report form located on the main page under the tab "Report Educator Test Fraud."

Examples of Improper Testing Conduct Reported to the TSU

- All suspected or confirmed cases of a school official or staff member giving aid or impromptu lessons on specific test content to students immediately before or during a State test or altering student responses on a test paper.
- All cases in which a school official or staff member does not adhere to the Department policy concerning finality of test scores as determined by the teacher scoring committees. This is explained on Page 37 of this manual under the heading "No Double Scoring."
- All instances of an administrator or teacher instructing another administrator or teacher to alter or interfere with a student's test score.

Coding of Invalid Tests

Any breaches or irregularities, except interruptions caused by power outages or alarms, may be determined by the school or by the Department to invalidate a student's test results. In cases where a student's test has been invalidated, the principal must:

1. Darken the circle on the affected student's answer sheet denoting "administrative error."
2. Notify the RIC or large-city scanning center of the administrative error. In order to expedite accurate reporting, provide the BEDS Code, School Name, Subject, Grade, and NYSSIS IDs.
3. In the SIRS, in the Assessment Standard Achieved Code field, students will be coded as "administrative error with Standard Achieved Code of 97."
4. On the verification reports, a student for whom an administrative error occurred will not receive a valid score and will appear as "not tested."
5. If a student's test is deemed to be an administrative error after the student's answer sheet has been scanned by the scanning center and the file has been transmitted to Pearson, the scanning center must be contacted and asked to submit a request to override the score to an Assessment Standard Achievement Code of "97" indicating administrative error.

Circumstances that Should Not Be Reported as Administrative Errors

Inaccurate Demographic Data

If an answer sheet containing inaccurate demographic data was submitted to and scanned by a scanning center, do not darken the circle denoting administrative error code on the answer sheet. Instead, communicate the problem to the scanning center, go back into the student management system (SMS), correct the demographic data, and reload it into SIRS. If the student uses a blank/extra answer sheet in place of the preprinted answer sheet with incorrect demographic data, do not code the original answer sheet as an administrative error. Instead, communicate the problem to the scanning center but do not submit the incorrect answer sheet for processing.

Student No Longer Enrolled

If a scanning center sends an answer sheet to the school for a student who is no longer enrolled in that school, do not code the answer sheet as an administrative error. Instead, communicate the change in enrollment to the scanning center and go back into the SMS to update the enrollment record to reflect the ending enrollment and reload it into SIRS.

Incorrect Grade Level

Students originally reported with an incorrect grade level should not be reported as administrative error as long as the student is administered the correct grade level test using a blank answer sheet for the appropriate grade level test. Do not submit the incorrect answer sheet to the scanning center. Instead, communicate the problem to the scanning center, correct the student information in the SMS, and reload the updated demographic information into SIRS.

Communicate any concerns or questions to the RIC or large-city scanning center prior to or at the time of delivery of the answer sheets.

Post Administration Guidelines

Determining the Need for Academic Intervention Services

Section 100.2(ee) of the Regulations of the Commissioner of Education requires public schools to provide academic intervention services to students who score below the State-designated scale score on the 2014 Grades 3–8 Common Core English Language Arts and Mathematics Tests (<http://www.p12.nysed.gov/part100/pages/1002.html#ee>). These services must commence no later than the start of the semester immediately following the administration and scoring of the tests. 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 standards on State tests. 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 student 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 standards. Such notification must be provided in the language best understood by the parent or guardian.

In the fall of 2012, the Board of Regents amended the regulations regarding academic intervention services (§100.2 [ee]) to allow school districts to replace, in whole or in part, academic intervention services with Response to Intervention (RTI). A school district that chooses to do so must file an Assurance Form with the Department indicating the buildings, grades, and subject for which the RTI will be used in place of academic intervention services. School districts must also agree to adhere to the requirements in §100.2 (ii), which defines the RTI process. Information on this option can be found at <http://www.p12.nysed.gov/docs/ais-rti-memo.pdf>.

Recording and Maintaining Test Scores, Test Books, and Storing Answer Sheets

It is important that the permanent records maintained by the school be complete and accurate. Each time a student takes one of the 2014 Grades 3–8 Common Core English Language Arts or Mathematics Tests at the scheduled time, the date of administration and the score must be entered on the student's permanent record. The answer sheets schools send for scanning, and any test books sent for regional or centralized scoring, will be returned to schools once scanning/scoring has been completed. This material must be retained securely at the school for one year, then securely destroyed.

Parent Reports

As soon as practical after the Parent Reports have been made available, schools are expected to provide copies of the Parent Reports to each student's parent/guardian.

Review of Test Books by Students and Parents

For the 2014 Grades 3–8 Common Core English Language Arts or Mathematics Test administration, students and their parents/guardians may be allowed to review only the student’s own responses to open-ended questions in English Language Arts Book 2 and Book 3 and Mathematics Book 3. The review must take place in the presence of school personnel. Photocopying of any of the test materials is not permitted.

Appendices

Appendix A: School Administrator’s Checklist

Test Administration

Before Testing:

- Announce testing dates and scoring schedules in advance.
- Inventory the materials when received. If items are missing, follow the directions on Page 16. Boxes used for delivering materials to your school should be kept for storing and sending completed test books and answer sheets to scoring sites.
- Secure all test materials in an appropriate safe or vault.
- Familiarize yourself with all test materials, including this manual and the *Teacher’s Directions*. Provide copies of the *Teacher’s Directions* in advance of testing to all teachers who will be administering the tests.
- Brief all teachers on their responsibilities and roles in testing and remind teachers about preparation of the classroom for testing.
- Arrange to obtain secure test materials, if needed, from a Regional Center.
- Obtain secure test materials from the safe or vault on the days they will be administered.
- Prepare class materials early in the morning of each test.
- Ensure a secure and efficient method for distributing and collecting the secure test materials (test books, answer sheets, etc.) each day. Provide additional test books as needed.
- Keep test materials secure throughout the testing and scoring processes.
- Ensure that students with disabilities are provided the allowable testing accommodations as indicated in their IEP/504 Plans.
- Ensure that English language learners and eligible former English language learners are provided with the testing accommodations that the principal has determined will be provided for them.

After Testing:

- Collect and verify the return of all test books and answer sheets at the conclusion of testing each day. Use **Appendix C** to track the return of materials to secure storage. No one should review test books prior to scoring.
- Make sure used English Language Arts Test Book 1s are separated from used Book 2s and Book 3s and that used Mathematics Test Book 1s and Book 2s are separated from used Book 3s.
- Make sure students’ English Language Arts Test Answer Sheet 1s are placed inside the front covers of their English Language Arts Test Book 1s and students’ English Language Arts Test Answer Sheet 2s are placed inside the front covers of their English Language Arts Test Book 2s.
- Make sure students’ Mathematics Test Answer Sheet 1s are placed inside the front covers of their Mathematics Test Book 1s and students’ Mathematics Test Answer Sheet 2s have been removed from their Mathematics Test Book 2s and placed inside the front covers of their Mathematics Test Book 3s.

- Check the condition of the answer sheets to ensure that:
 - Absences and exempt status have been recorded.
 - Student information is correct and matches student labels on the backs of all test books.
 - Selected score circles have been darkened completely.
 - No stray marks appear on the answer sheet.
- Securely store all test material.

Appendix B: Test Storage Certificate

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

TEST STORAGE CERTIFICATE

- Grades 3–8 Common Core English Language Arts Tests
or
 Grades 3–8 Common Core Mathematics Tests

School Name: _____

Test Period: _____
(Month/Year)

I, the undersigned principal of the school named above, do hereby declare that each of the security procedures listed below was fully and faithfully observed for the current administration of the 2014 Grades 3–8 Common Core English Language Arts and Mathematics Tests.

1. The shrink-wrapped packages of secure test materials were stored in a safe or vault at the location indicated on the Test Storage Plan submitted to the Department for the above test period.
2. The safe or vault was maintained under strict security conditions.
3. An inventory of the test materials was conducted as soon after delivery as was practical. The Department was notified in writing if any of the packages of secure test materials were not properly shrink-wrapped when received. The shrink-wrapped packages of secure test materials were replaced inside the safe or vault immediately after the inventory was completed.
4. The shrink-wrapped packages of secure materials were not removed from the safe or vault, except for the inventory of test materials shipped to the school, until the day on which each test book was scheduled to be administered.
5. The shrink-wrapped packages of secure test materials were not opened until the days on which the tests were scheduled to be administered.
6. Following each day of testing, test books and answer sheets were collected and stored in a secure location.

Name of Principal (print or type): _____

Signature of Principal: _____ Date: ___/___/___

After completion, retain in school files for one year.

Appendix D: Deputy and Proctor Certificate

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

- Grades 3–8 Common Core English Language Arts Tests
 or
 Grades 3–8 Common Core Mathematics Tests

School Name: _____

Test Period: _____
 (Month/Year)

We, the undersigned deputies and proctors who assisted in the administration of the 2014 Grades 3–8 Common Core English Language Arts and Mathematics Tests, hereby declare our belief in the correctness of the following:

- The rules and regulations for administering the tests were fully and faithfully observed, and in particular:
 - The rules for administering the tests were read to or read by each person who assisted in administering the tests.
 - The tests were administered within the assigned dates.
 - The secure test materials were kept in the shrink-wrapped packages until the administration dates.
 - The students were given appropriate instructions and orientation before beginning the tests.
 - The students were so seated as to prevent collusion.
 - Adequate supervision was maintained throughout the administration of each test.
 - All test books and answer sheets were collected from the students immediately at the close of the tests.
 - All test books and answer sheets for the tests were collected and returned to the principal for storage in a secure location after each day of testing.

Appendices

	Print Name	Signature	Test Proctored	Test Room
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

(Make additional copies as necessary.)

After completion, retain in school files for one year.

Appendix E: Mathematics Tools

Schools must provide the mathematics tools that students will use with the 2014 Grades 3–8 Common Core Mathematics Tests. Schools may use the same rulers and protractors that they use every day in the classroom provided that the tools do not have pertinent information, such as mathematics formulas, written on them and that they meet the specifications provided below. Rulers will be used with all of the 2014 Grades 3–8 Common Core Mathematics Tests; protractors will be used only with the 2014 Grades 4–8 Common Core Mathematics Tests.

2014 Grades 3–8 Common Core Mathematics Tests—Specifications for Rulers:

- Rulers may be constructed of plastic, wood, metal, cardboard, or other suitable material.
- Rulers must be between 6" and 12" long.
- Rulers must include inch to $\frac{1}{16}$ " subdivisions.
- Rulers must include centimeters with millimeter subdivisions.
- Rulers must be calibrated accurately with another ruler that is known to be accurate.

2014 Grades 4–8 Common Core Mathematics Tests—Specifications for Protractors:

- Protractors must be constructed of clear plastic and measure no shorter than $3\frac{15}{16}$ " in diameter and no longer than $4\frac{3}{4}$ " in diameter.
- Protractors must be calibrated accurately with another protractor that is known to be accurate.

2014 Grades 6–8 Common Core Mathematics Tests—Specifications for Calculators:

- Book 1: The use of a calculator or mathematics tables is not allowed.
- Book 2 and Book 3: For Grade 6, the use of a four-function calculator with a square root key or a scientific calculator is required. For Grades 7 and 8, the use of a scientific calculator is required. **Graphing calculators are not permitted.** The use of mathematics tables is permitted for Book 2 and Book 3 only if specified in a student's IEP or 504 Plan.

When students enter the testing room, clear, reset, or disable the memory of any calculator with programming capability. If the memory of a student's calculator is password-protected and cannot be cleared, the calculator must not be used. Students may not use calculators that are capable of symbol manipulation or that can communicate with other calculators through infrared sensors, nor may students use operating manuals, instruction or formula cards, or other information concerning the operation of calculators during the tests.

Appendix F: Testing Accommodations for English Language Learners

English Language Learners

For English language learners, schools may provide the following testing accommodations:

- *Time Extension*—Schools may extend the test time for English language learners taking the 2014 Grades 3–8 Common Core English Language Arts and Mathematics Tests. Principals may use any reasonable extensions, such as time-and-a-half (the required testing time plus one-half of that amount of time), in accordance with their best judgment about the needs of the English language learners. Principals should consult with each student’s classroom teacher when making these determinations.
- *Separate Location*—Schools are encouraged to provide optimal testing environments and facilities for all students. They may administer the Grades 3–8 Common Core English Language Arts and Mathematics Tests to English language learners individually or in small groups in a separate location.
- *Translated Editions*—English language learners may be provided with a translated edition of the 2014 Grades 3–8 Common Core Mathematics Tests. These tests are available in Chinese (traditional), Haitian-Creole, Korean, Russian, and Spanish. In addition, English language learners may use an English and translated edition of the 2014 Grades 3–8 Common Core Mathematics Tests simultaneously. However, they should be instructed to record all of their responses in only one of the two editions. The translated edition used by the student should be indicated on the student’s answer sheet.
- *Bilingual Dictionaries and Glossaries*—English language learners may use bilingual dictionaries and glossaries when taking the 2014 Grades 3–8 Common Core English Language Arts and Mathematics Tests. These bilingual dictionaries and glossaries may provide only direct translations of words. Bilingual dictionaries or glossaries that provide definitions or explanations of words, and electronic dictionaries or glossaries with internet access, are not permitted.
- *Oral Translation for Lower-Incidence Languages*—Schools may provide English language learners with oral translations of the 2014 Grades 3–8 Common Core Mathematics Tests when there is no translated written edition provided by the Department. This accommodation is not permitted for the 2014 Grades 3–8 Common Core English Language Arts Tests. All translations of the 2014 Grades 3–8 Common Core Mathematics Tests must be oral, direct translations of the English editions when there is no translated edition provided by the Department. Written translations are not allowed. No clarifications or explanations can 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 (518-474-8775) and the Regional Bilingual Education Resource Networks (RBE-RNs) can assist schools in locating suitable translators. A list of RBE-RNs can be found at <http://www.p12.nysed.gov/biling/bilinged/betac.html>.
- *Writing Responses in Native Language*—English language learners making use of translated editions or of oral translations of the 2014 Grades 3–8 Common Core Mathematics Tests may write their responses to the open-ended questions in their native language. This accommodation is not permitted for the 2014 Grades 3–8 Common Core English Language Arts Tests. Scoring the responses to open-ended questions on the 2014 Grades 3–8 Common Core Mathematics Tests

written in the student’s native language 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 tests.

For each English language learner, darken the circles indicating the testing accommodations provided on the answer sheet under the heading “ELL Accommodations.”

Former English Language Learners

Schools may provide the testing accommodations listed on the previous page only to those former English language learners who were identified as English language proficient based on their scores on one of the two most recent administrations of the NYSESLAT, either Spring 2012 or Spring 2013. These accommodations may not be provided to former English language learners who were identified as English language proficient prior to the Spring 2012 NYSESLAT administration.

For each eligible former English language learner, darken the circles indicating the testing accommodations provided on the answer sheet under the heading “ELL Accommodations.”

Appendix G: Testing Accommodations for Students with Disabilities

Students Who Incur Disabilities Shortly Before Test Administration

Principals may provide certain accommodations when testing general education students who incur an injury (e.g., broken arm) or experience the onset of either a short- or long-term disability (either cognitive or physical) within 30 days prior to test administration. Eligibility for such accommodations is based on the principal's professional judgment. The principal may confer with CSE/504 Multi-Disciplinary Team members, the school physician, or other school personnel in making such determinations. These accommodations must not significantly change the constructs/student skills being tested and are **limited to the following**:

- Extending the time limit for a test,
- Administering the test in a special location,
- Recording the student's answers in any manner (see Accommodations Specific to the 2014 Grades 3–8 Common Core English Language Arts Tests or Accommodations Specific to the 2014 Grades 3–8 Common Core Mathematics Tests in **Appendix H**), and
- Reading the test to the student. This accommodation is allowed only for students whose vision is impaired and only for the Mathematics Tests. It is not permitted for the English Language Arts Tests. See Accommodations Specific to the 2014 Grades 3–8 Common Core Mathematics Tests in **Appendix H**.

Prior permission need not be obtained from the Department for the principal to authorize these testing accommodations for general education students. However, a full written report concerning each authorization must be sent to OSA via fax at 518-474-1989. The report must be on school letterhead, must be signed by the principal, and must include the following information:

- The name of the student,
- The title of the test, including the grade,
- A brief description of the student's injury or disability, and
- A list 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 a 504 Plan.

Students with IEPs or 504 Plans

In general, students with disabilities must be provided with the testing accommodations specified in their IEPs or 504 Plans when taking these tests. It is the principal's responsibility to ensure that students receive their testing accommodations and that those staff who will be providing them are appropriately trained. Teachers are advised to become familiar with the accommodations specific to the particular test being administered. As explained in this manual, only those testing accommodations that do not alter the constructs measured by the test are permitted on elementary and intermediate-level State tests.

Large Type or Braille Editions

For students who use large type or braille editions of the tests, large type answer sheets, or have a testing accommodation allowing the circling of answers in the test book rather than marking the answer sheet, teachers should transcribe the students' responses onto regular test answer sheets and test books exactly as dictated or recorded. Additional information on scribing may be found in Chapter VI of Test Access and Accommodations for Students with Disabilities: Policy and Tools to Guide Decision-Making and Implementation. This publication is available at the web site <http://www.p12.nysed.gov/specialed/publications/policy/testaccess/manual506.pdf>.

Format Changes

Any format changes to the Grades 3–8 tests to be made by the school, such as the re-spacing of questions, enlargement beyond the standard large type edition provided, or colorization, must receive prior written approval from the Department. Note that the reformatting of State tests may never change the wording of questions, nor may additional examples be included.

In order for the Department to process requests for reformatting by the school, requests for approval should be submitted to OSA at least one week before the first scheduled date of the test administration. Requests should include a cover letter from the school signed by the school principal. Each request must include the portion of the student's IEP or 504 Plan in which the type of reformatting is listed or defined. Requests may be faxed to 518-474-1989. Department approvals will be provided by fax. However, regardless of approval, under no circumstances may the shrink-wrapped packages of test books be opened prior to the day that the test book is to be administered in the school.

Appendix H: Specific Testing Accommodations

Testing Accommodations Categories

The types of testing accommodations that a student may receive are listed on the PDF version of Pages 15–22 of *Test Access and Accommodations for Students with Disabilities, Tools to Guide Decision-Making and Implementation*, published by the Department’s Office of Special Education and reproduced here. To access the complete online publication, see <http://www.p12.nysed.gov/specialed/publications/policy/testaccess/manual506.pdf>.

Please note that not all accommodations defined in that publication and reproduced here are permitted on all parts of the 2014 Grades 3–8 Common Core English Language Arts and Mathematics Tests. For these tests, testing accommodations that change the constructs measured by the test are not permitted.

Flexibility in Scheduling/Timing:

- Extended time (specify amount, as in “time-and-a-half”)
- Administer tests with frequent breaks (specify duration [e.g., “sessions not to exceed 30 minutes with 10-minute breaks”])

Flexibility in Setting:

- Separate location/room—administer test individually
- Separate location/room—administer test in small group (e.g., three to five students)
- Provide adaptive or special equipment/furniture (specify type [e.g., study carrel])
- Special lighting (specify type [e.g., 75-watt incandescent light on desk])
- Special acoustics (specify manner [e.g., minimal extraneous noises])
- Location with minimal distraction (specify type [e.g., minimal visual distraction])
- Preferential seating

Method of Presentation:

Revised Test Format¹

- Braille editions of tests
- Large type editions of tests
- Increased spacing between test questions
- Increased size of answer blocks/circles
- Reduced number of test questions per page
- Multiple-choice questions in vertical format with answer circles to right of response choices
- Reading passages with one complete sentence per line
- Test read

¹ For State tests, any reproduction and/or reformatting of test books by the school requires the advance written permission of OSA, and, even with such permission, may not occur until the day that the test book will be administered.

Revised Test Directions²

- Directions read to student
- Directions reread for each page of questions
- Language in directions simplified
- Verbs in directions underlined or highlighted
- Cues (e.g., arrows and stop signs) on answer form

Use of Aids/Assistive Technology:

- Audio tape
- Tape recorder
- Computer (including talking word processor)
- Masks or markers to maintain place
- Papers secured to work area with tape/magnets
- Questions and multiple-choice responses read to student
- Questions and multiple-choice responses signed to student
- Magnification devices (specify type)
- Amplification devices (specify type)

Method of Response:

- Marking of answers in book rather than on answer sheet
- Use of additional paper for math calculations
- Use of scribe

Use of Aids/Assistive Technology:

- Amanuensis (scribe)
- Tape recorder
- Word processor

Other:

- On-task focusing prompts

² Revision of test directions is an accommodation that is limited to oral or written instructions provided to all students that explain where and how responses must be recorded, how to proceed in taking the test upon completion of sections, and what steps are required upon completion of the test. The term “test directions” does not refer to any part of a question or passage that appears solely on a student’s test book.

Accommodations Specific to the 2014 Grades 3–8 Common Core English Language Arts Tests

Teacher Reading to Student

For the 2014 Grades 3–8 Common Core English Language Arts Tests, only test directions that are to be read aloud to all students may be read aloud. Because the tests measure students' reading skills (decoding and comprehension), no other parts of these test books may be read aloud. Please note that the test directions are those instructions, usually in bold-faced type, that precede a passage or a test question number. They are not to be confused with any part of the actual student task, which follows the test question number.

Use of Spell-Checking and/or Grammar-Checking Devices

Because the tests measure writing skills, students are not allowed to use spell-checking and/or grammar-checking devices during any part of the 2014 Grades 3–8 Common Core English Language Arts Tests.

Scoring Student Writing

Students may not have requirements for use of correct spelling, grammar, capitalization, and punctuation of complete sentences waived for any part of the 2014 Grades 3–8 Common Core English Language Arts Tests.

Use of Scribes or Tape Recorders

The use of scribes and tape recorders are allowable accommodations for the 2014 Grades 3–8 Common Core English Language Arts Tests. However, the Department encourages the use of a word processor (with thesaurus, spell-checking, and grammar-checking applications disabled) in place of a scribe or tape recorder. Most students have some experience with computers, and word processing allows the student more control over his or her environment, fosters independence, and is less labor intensive than using a scribe. If using a computer or word processor, be sure to delete the student's work after it has been printed.

When taking the 2014 Grades 3–8 Common Core English Language Arts Tests, students using scribes or tape recorders must provide all information—including spelling of difficult words, grammar, capitalization, and punctuation—for the writing sections of the tests.

Scribes must use the following procedures:

- The scribe must use lined paper and must write on every other line.
- The scribe must record word-for-word what the student dictates or records, leaving out punctuation and capitalization, and must circle all words that are difficult to spell.
- When the dictation/tape transcription is completed, the scribe must ask the student to spell aloud any difficult-to-spell words; then the scribe must write the student's spelling above the circled words.
- The scribe must show the student the written response and ask him or her to indicate the capitalization and punctuation to be used.
- The student must read the completed dictation/transcription and indicate on the skipped lines any further changes to be transcribed.
- The scribe must then transfer the student's completed response into the test book exactly as dictated or recorded and should attach the lined paper with the student's dictation to the back of the test book, preferably by stapling, to ensure against the student's response being lost.

Use of Tablets

In order for students to use school-provided tablets during any part of the 2014 English Language Arts Test, schools must receive prior written approval from the Department. **No personal tablets are allowed.**

Accommodations Specific to the 2014 Grades 3–8 Common Core Mathematics Tests

Teacher Reading to Student

Testing accommodations in students' IEPs or 504 Plans that are reading-related—for example, reading the test to the student—are permitted for the 2014 Grades 3–8 Common Core Mathematics Tests. 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 teacher 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 teachers provide additional examples.

Use of Scribes

The following procedures should be used to implement the testing accommodation, “use of scribe,” specific to the administration of 2014 Grades 3–8 Common Core Mathematics Tests.

- The scribe must record what the student dictates on a separate sheet of paper.
- The scribe must ask the student to indicate exactly where the numbers need to be placed and lined up.
- The scribe must record the operational sign as dictated by the student (e.g., addition sign, subtraction sign).
- When dictating numbers, the student must indicate how the number is written and indicate place value. For example, if the student says “one thousand thirty-eight,” the student should specify how that is written (e.g., one, zero, three, eight).
- When computing a problem, students must indicate to the scribe how they are making the computation and should be specific in terms of what numbers to write down, including how to record carrying. For example, when adding 23 and 9, the student should indicate the following: “9 plus 3 is 12; put down the 2 and carry the 1 above the 2.”
- The scribe shows the student the written response and asks him or her to indicate if there are any further changes to be made.
- The student does not have to provide spelling, capitalization, and punctuation in word responses. Therefore, it is not necessary for the scribe to leave out capitalization and punctuation or to circle words difficult to spell.
- The scribe must then transfer the student's completed response into the test book exactly as dictated or recorded and should attach the lined paper with the student's dictation to the back of the test book, preferably by stapling, to ensure against the student's response being lost.

Use of Tablets

In order for students to use school-provided tablets during any part of the 2014 Mathematics Test, schools must receive prior written approval from the Department. **No personal tablets are allowed.**

Use of Manipulative Devices

Students whose IEPs or 504 Plans specify the use of counting blocks, counters, or an abacus are permitted to use such devices with all books associated with the 2014 Grades 3–8 Common Core Mathematics Tests.

Use of Mathematics Spatial Boards with Large Type or Braille Editions

Students whose IEPs or 504 Plans specify the use of mathematics spatial boards are permitted to use these devices with the large type and braille editions of the 2014 Grades 3–8 Common Core Mathematics Tests.

Use of Calculators and Mathematics Tables

Grades 3–5

- Because these tests measure student proficiency involving calculations, the use of a calculator or mathematics tables is not allowed.

Grades 6–8

- Book 1: The use of a calculator or mathematics tables is not allowed for Book 1.
- Book 2 and Book 3: For Grade 6, the use of a four-function calculator with a square root key or a scientific calculator is required. For Grades 7 and 8, the use of a scientific calculator is required. Graphing calculators are **not** permitted. The use of mathematics tables is permitted for Book 2 and Book 3 only if specified in a student's IEP or 504 Plan.

Appendix I: Information on Ungraded Students

Students who are graded must take the State test for the grade level in which they are enrolled. The chart below is to be used solely to ascertain the appropriate grade-level test to administer to ungraded students with disabilities.

Age Ranges for Testing on the NYSAA and General Tests for Ungraded Students with Disabilities at the Elementary and Middle Levels in the 2013–2014 School Year

Tests	Birth Date	Reaches Age Given Between September 1, 2013, and August 31, 2014
Grade 3 English Language Arts, Mathematics	September 1, 2004–August 31, 2005	9
Grade 4 English Language Arts, Mathematics	September 1, 2003–August 31, 2004	10
Grade 5 English Language Arts, Mathematics	September 1, 2002–August 31, 2003	11
Grade 6 English Language Arts, Mathematics	September 1, 2001–August 31, 2002	12
Grade 7 English Language Arts, Mathematics	September 1, 2000–August 31, 2001	13
Grade 8 English Language Arts, Mathematics	September 1, 1999–August 31, 2000	14

Appendix K: Box Labels for Submission of Test Books to Scoring Center

English Language Arts Test Books for Scoring

Send to: _____
Scoring Site

From: _____
School Name

BEDS Code: _____
BEDS Code Number

English Language Arts Test (Check One)

- | | |
|---|---|
| <input type="checkbox"/> Gr 3 Book 2s & Book 3s | <input type="checkbox"/> Gr 6 Book 2s & Book 3s |
| <input type="checkbox"/> Gr 4 Book 2s & Book 3s | <input type="checkbox"/> Gr 7 Book 2s & Book 3s |
| <input type="checkbox"/> Gr 5 Book 2s & Book 3s | <input type="checkbox"/> Gr 8 Book 2s & Book 3s |

Box _____ of _____

Contains _____ Books for Scoring
Quantity

Mathematics Test Books for Scoring

Send to: _____
Scoring Site

From: _____
School Name

BEDS Code: _____
BEDS Code Number

Mathematics Test (Check One)

- | | |
|---------------------------------------|---------------------------------------|
| <input type="checkbox"/> Gr 3 Book 3s | <input type="checkbox"/> Gr 6 Book 3s |
| <input type="checkbox"/> Gr 4 Book 3s | <input type="checkbox"/> Gr 7 Book 3s |
| <input type="checkbox"/> Gr 5 Book 3s | <input type="checkbox"/> Gr 8 Book 3s |

Box _____ of _____

Contains _____ Books for Scoring
Quantity

Appendix L: Scoring Site Organization

SCORING OPERATIONS

Scoring Site Coordinator

- Supervision and management of the site
- Support for scoring
- Logistics for operations
- Security
- Coordination of site personnel
- Responsible for collection of audit papers

Operations

Scoring Site Assistants

- Check in test books
- Prepare test books for scoring (organize and randomize)
- Deliver and collect scored operational test books
- Quality-check answer sheets
- Return answer sheets to scanning centers
- Return test books to schools
- Monitor and maintain security
- Maintain quality control
- Ship completed materials to schools

Scoring

Scoring Leader

- Acts as a Scoring Trainer
- Monitors scoring sessions
- Supports Table Facilitators and scorers
- Administers Consistency Assurance Sets to Table Facilitators and scorers

Table Facilitators

- Monitor scoring progress to ensure scoring of all papers by the end of the scoring period
- Conduct read-behinds
- Are a resource for rubric clarification

Scorers

- Score student responses

Appendix M: Scoring Operations Certificate

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

SCORING OPERATIONS CERTIFICATE

- Grades 3–8 Common Core English Language Arts Tests
or
 Grades 3–8 Common Core Mathematics Tests

School Name: _____

District/BOCES Name: _____ Test Period _____
(Month/Year)

- | | |
|---|---|
| <input type="checkbox"/> Grade 3 Common Core English Language Arts Test | <input type="checkbox"/> Grade 3 Common Core Mathematics Test |
| <input type="checkbox"/> Grade 4 Common Core English Language Arts Test | <input type="checkbox"/> Grade 4 Common Core Mathematics Test |
| <input type="checkbox"/> Grade 5 Common Core English Language Arts Test | <input type="checkbox"/> Grade 5 Common Core Mathematics Test |
| <input type="checkbox"/> Grade 6 Common Core English Language Arts Test | <input type="checkbox"/> Grade 6 Common Core Mathematics Test |
| <input type="checkbox"/> Grade 7 Common Core English Language Arts Test | <input type="checkbox"/> Grade 7 Common Core Mathematics Test |
| <input type="checkbox"/> Grade 8 Common Core English Language Arts Test | <input type="checkbox"/> Grade 8 Common Core Mathematics Test |

I, the undersigned leader of the scoring operations, do hereby declare that each of the procedures listed below was fully and faithfully implemented:

1. The scoring committee for each grade level included a minimum of three scorers.
2. Test questions were assigned to scorers according to the criteria described in the *School Administrator's Manual*.
3. Scorers were trained using the procedures and materials described in the *Scoring Leader Handbook*.
4. Scorers were not permitted to rate their own students' responses.
5. Table Facilitators conducted read-behinds.
6. The answer sheets were subjected to a quality review as described in the *School Administrator's Manual*.
7. The answer sheets and test books were kept secure.
8. The scoring sessions were conducted during the dates specified by the Department.
9. All answer sheets were checked and accounted for before being submitted to the scanning center by the date specified.

Name: _____ Title: _____

Signature: _____ Date: ____/____/____

After completion, retain in school files for one year.

Appendix N: Exam Scoring Confidentiality Agreement

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

EXAM SCORING CONFIDENTIALITY AGREEMENT

- Grades 3–8 Common Core English Language Arts Tests
or
 Grades 3–8 Common Core Mathematics Tests

Scoring Site _____ Date(s) of Scoring _____

The purpose of all New York State assessments is to provide a fair and equitable assessment system that reliably measures the State learning standards. Because you will have access to secure test materials and to confidential student information, you also have the responsibility to assist the scoring site in ensuring the security and confidentiality of the test materials, student responses, and scores. Therefore, by signing this agreement, you agree to abide by the following security restrictions. Please retain a copy of this confidentiality agreement for your records.

Secure Test Materials

The test materials that you are scoring are “secure test materials” and are subject to certain security restrictions, including those listed below. “Secure test materials” include, but are not limited to, all test books, answer sheets, scoring guides, and any other information, whether printed or electronic (CD), relating to the scoring of the 2014 Grades 3–8 Common Core English Language Arts and Mathematics Tests. Secure test materials also include any notes you take during your participation in the scoring of secure test materials and confidential student information.

By signing this agreement, I agree to maintain and honor the security and confidentiality of all secure test materials and to abide by the following security restrictions:

- 1) I agree not to disclose any secure test materials, including test questions and answers, other than while participating in the scoring activity described above.
- 2) Upon completion of the work described above, I agree to return to the scoring site coordinator all secure test materials provided to or prepared by me, including all copies thereof and all notes taken or otherwise prepared by me.
- 3) I understand that I may not retain any copies of any secure test materials, including scoring materials and any notes pertaining to their contents.
- 4) I agree that I will not use or discuss the content of secure test materials, including test questions and answers, in any classroom or other activities.
- 5) I understand that teachers and administrators who engage in inappropriate conduct with respect to State assessments may be subject to disciplinary actions in accordance with Sections 3020 and 3020-a of Education Law and/or to action against their certification pursuant to Part 83 of the Regulations of the Commissioner of Education. I also understand that §225 of the Education Law makes fraud in exams a misdemeanor.

I, _____, have read the confidentiality agreement above and agree to abide by the security restrictions described herein.

Signature (Print): _____ Date: _____

School (Print): _____

Appendix O: Guidelines for Including Special Education Teachers in Scoring Committees

Note: After review of their teacher certifications and present teaching assignments, school administrators may choose to include special education teachers with the following titles in the scoring committee.

Special Education Teaching Titles Awarded Prior to February 2, 2004

Certificate Titles Awarded Prior to February 2, 2004	May Score English Language Arts Tests and/or Mathematics Tests in these Grades	Additional Requirements
Special Education, Nursery, K-12	3-6 7-8	If highly qualified at the elementary level If highly qualified in English language arts and/or mathematics at the middle/secondary level
Deaf and Hard of Hearing	3-6 7-8	If highly qualified at the elementary level If highly qualified in English language arts and/or mathematics at the middle/secondary level
Blind and Visually Impaired	3-6 7-8	If highly qualified at the elementary level If highly qualified in English language arts and/or mathematics at the middle/secondary level
Speech and Language Disabilities	3-6	If highly qualified at the elementary level

Special Education Teaching Titles Awarded On or After February 2, 2004

Certificate Titles Awarded On or After February 2, 2004	May Score English Language Arts Tests and/ or Mathematics Tests in these Grades	Additional Requirements
Students with Disabilities Grades 1–6	3–6	—
Students with Disabilities Grades 5–9—Generalist	5–8	—
Students with Disabilities Grades 5–9—Content Specialist	5–6 7–8	Grades 7–8 if English language arts and/ or mathematics is the content specialization on certificate or highly qualified at middle/secondary level in English language arts and/or mathematics
Students with Disabilities Grades 7–12—Content Specialist	7–8	Only if English language arts and/or mathematics is the content specialization on certificate or highly qualified at middle/secondary level in English language arts and/or mathematics
Deaf and Hard of Hearing	3–6 7–8	Grades 7–8 if highly qualified middle/ secondary level in English language arts and/or mathematics
Blind and Visually Impaired	3–6 7–8	Grades 7–8 if highly qualified middle/ secondary level in English language arts and/or mathematics
Speech and Language Disabilities	3–6	If highly qualified at the elementary level

Appendix P: Rules to Determine Whether a Student Receives a Valid Score

The following rules will determine whether the student receives a valid score:

- Students who were present for an administration, including make-ups, of all sessions of the test and who responded to at least one question on the test will receive valid scores and be counted as tested in calculating a school's participation rate.
- Students will be considered to have been present for all sessions unless they are marked as absent for the entire test or for one or more sessions.
- Students with a final score of "999" will be counted as not tested in calculating a school's participation rate. A final score will be "999" only if one of the following occurred:
 - The student was absent for the entire test,
 - The student refused the entire test,
 - The student was absent for any session,
 - The student was present for all sessions but did not respond to even one question on the test,
 - The student's results were invalidated due to an administrative error, or
 - The student's SIRS record shows him or her as enrolled for the entire test administration period but includes no appropriate test record.
- In the case where a student leaves the test administration in the middle of a session and is not able to make-up that part of the test (see "Illness" on Page 26), school officials must decide whether to mark the student as absent for that session.
 - If any circle denoting absent is darkened, the student will receive a final score of "999."
 - If the circle denoting absent is not darkened, the student will receive a score based on the questions completed. Any missing responses will receive a condition code of "A," indicating no response, and the response will receive a score of zero. The final raw score will be the sum of the number of multiple-choice questions answered correctly and the scores assigned to constructed-response questions.

Appendix Q: Regional Information Centers and Large-City Scanning Centers

Location	Primary Contacts	Secondary Contacts
Buffalo Public Schools Office of Shared Accountability 808 City Hall Buffalo, New York 14202	Answer Sheets & Scanning Edward Kuzan 716-816-3035 716-851-3044 (fax) ekuzan@buffaloschools.org	Answer Sheets & Scanning Genelle Morris 716-816-3035 716-851-3044 (fax) gmorris@buffaloschools.org
CNYRIC Central New York Regional Information Center OCM BOCES 6075 East Molloy Rd. P.O. Box 4866 Syracuse, New York 13221	Answer sheets Pam Dowse 315-433-2213 315-433-2221 (fax) pdowse@cnyric.org	Answer sheets Noelle Hickok 315-433-8327 315-433-2221 (fax) nhickok@cnyric.org
GST BOCES Greater Southern Tier Regional Information Center Computer Services Center 459 Philo Road Elmira, New York 14903	Scanning Noelle Hickok 315-433-8327 315-433-2221 (fax) nhickok@cnyric.org	Scanning Pam Dowse 315-433-2213 315-433-2221 (fax) pdowse@cnyric.org
LHRIC Lower Hudson Regional Information Center Southern Westchester BOCES 44 Executive Blvd. Elmsford, New York 10523	Answer Sheets & Scanning Melissa Zelko Wood 607-795-5342 607-795-5307 (fax) mzelko@gstboCES.org	Answer sheets Steve Updike 607-795-5338 607-795-5307 (fax) supdike@gstboCES.org
MHRIC Mid-Hudson Regional Information Center Ulster BOCES 175 Route 32 North New Paltz, New York 12561	Scanning Andy Patros 607-795-5338 607-795-5307 (fax) apatros@gstboCES.org	Answer sheets Steve Updike 607-795-5338 607-795-5307 (fax) supdike@gstboCES.org
LHRIC Lower Hudson Regional Information Center Southern Westchester BOCES 44 Executive Blvd. Elmsford, New York 10523	Answer Sheets & Scanning Rob Mahig 914-592-4203 x3287 914-345-3719 (fax) rmahig@lhric.org	Answer Sheets & Scanning Todd Moore 914-592-4203 x3279 914-345-3719 (fax) tmoore@lhric.org
MHRIC Mid-Hudson Regional Information Center Ulster BOCES 175 Route 32 North New Paltz, New York 12561	Answer Sheets & Scanning Kathy Sylvester 845-255-1450 x1233 845-256-9587 (fax) ksylvest@mhric.org	Answer Sheets & Scanning Rosemary Zesuttek 845-255-1450 x1285 845-256-9587 (fax) rzesuttek@mhric.org

Scanning Centers (continued)

Location	Primary Contacts	Secondary Contacts
Monroe RIC Regional Information Center BOCES MAARS (Monroe/ Orleans Accountability, Assessment and Reporting Svcs.) 625 Buffalo Road Rochester, New York 14624	Answer Sheets & Scanning Mari-Ellen Maloney 585-349-9025 585-349-9090 (fax) mmaloney@bocesmaars.org	Answer Sheets & Scanning Kathy Kuper 585-349-9022 585-349-9090 (fax) kkuper@bocesmaars.org
MORIC Mohawk Regional Information Center Madison Oneida BOCES 4937 Spring Road Verona, New York 13478 Web resources: http://www.moric.org	Answer Sheets & Scanning Data Readiness Team 315-361-2700 or 866-986-6742 315-361-5768 (fax) datareadiness@moriconic.org	
Nassau BOCES Regional Information Center Robert E. Lupinski Center for Curriculum, Instruction and Technology 1 Merrick Avenue Westbury, New York 11590	Answer Sheets & Scanning Rose Baum 516-832-2744 516-608-6616 (fax) rbaum@mail.nasbooces.org	Answer Sheets & Scanning Valerie D'Aguanno 516-832-2530 vdaguann@mail.nasbooces.org
NERIC Northeastern Regional Information Center 900 Watervliet-Shaker Road Albany, New York 12205 Web resources: http://neric.org/ServiceGuide/Testing.cfm	Answer sheets Gail Newcomb 518-862-5355 518-862-5378 (fax) testing@neric.org Scanning Bill Adam 518-862-5310 518-862-5378 (fax) testing@neric.org	Answer sheets Bill Adam 518-862-5310 518-862-5378 (fax) testing@neric.org Scanning Gail Newcomb 518-862-5355 518-862-5378 (fax) testing@neric.org
New York City Department of Education Office of Assessment Operations and Scan Center (for Public Schools) 44-36 Vernon Blvd. Room 207 Long Island City, New York 11101	Answer Sheets & Scanning DAPS Service Desk 212-374-6646 oaservicedesk@schools.nyc.gov NYC Charter Schools NYC DOE Charter School Office charterschools@schools.nyc.gov	

Scanning Centers (continued)

Location	Primary Contacts	Secondary Contacts
<p>Rochester City School District Office of Accountability 131 West Broad Street Rochester, New York 14614</p>	<p>Answer Sheets & Scanning Joyce Schultz 585-262-8328 joyce.schultz@rcsdk12.org</p>	<p>Answer sheets Steve Kingdom 585-262-8753 stephen.kingdom@rcsdk12.org</p> <p>Scanning Bob Lau 585-262-8556 bob.lau@rcsdk12.org</p>
<p>SCRIC South Central Regional Information Center Broome Tioga BOCES Mail Drop #31 435 Glenwood Road Binghamton, New York 13905</p> <p>Web resources: http://www.southcentralric.org/DDC.aspx</p>	<p>Answer Sheets & Scanning Tim Farnham 607-763-3592 607-757-3000 (fax) SIRSHELP@btboces.org</p>	<p>Answer Sheets & Scanning Lisa Callahan 607-763-3592 607-757-3000 (fax) SIRSHELP@btboces.org</p>
<p>Suffolk RIC Regional Information Center Eastern Suffolk BOCES Student Data Services 15 Andrea Road Holbrook, New York 11741</p>	<p>Answer Sheets & Scanning Elaine Rosa 631-244-4221 631-218-4117 (fax) erosa@esboces.org</p>	<p>Answer Sheets & Scanning Margaret Leuzze 631-419-1678 631-218-4117 (fax) mleuzze@esboces.org</p> <p>Lisa Zwerling 631-218-4103 631-218-4117 (fax) lzwerlin@esboces.org</p>
<p>Syracuse City School District Office of Shared Accountability 258 E. Adams Street Syracuse, New York 13202</p>	<p>Answer Sheets & Scanning Margaret Bailey 315-435-4486 315-435-4978 (fax) mabailie@scsd.us</p>	<p>Answer Sheets & Scanning Brandan Keaveny 315-435-4338 315-435-4978 (fax) bkeaveny@scsd.us</p>
<p>EduTech / WFL Wayne-Finger Lakes BOCES Eisenhower Building 131 Drumlin Ct. Newark, New York 14513</p>	<p>Answer Sheets & Scanning Lisa Roberts 315-332-7413 315-332-7370 (fax) lroberts@edutech.org</p>	<p>Answer Sheets & Scanning Camille Sorenson 315-332-7244 315-331-7480 (fax) csorenson@edutech.org</p>

Scanning Centers (continued)

Location	Primary Contacts	Secondary Contacts
WNYRIC Western New York Regional Information Center Erie 1 BOCES 355 Harlem Road West Seneca, New York 14224-1892	Answer Sheets & Scanning Karen Halbert 716-821-7173 716-821-7432 (fax) khalbert@e1b.org	Answer Sheets & Scanning Dennis Atkinson 716-821-7088 716-821-7432 (fax) datkinson@e1b.org
Yonkers City School District 1 Larkin Center Yonkers, New York 10701	Answer Sheets & Scanning Carla Collins 914-376-8234 914-376-9144 (fax) ccollins@yonkerspublicschools.org	Answer Sheets & Scanning David Beaver 914-376-8234 914-376-9144 (fax) dbeaver@yonkerspublicschools.org

Appendix R: New York City Department of Education 2013–14 Borough Assessment Implementation Directors

Borough Assessment Office

Borough Assessment Implementation Director

Manhattan

Comprising Districts:

1, 2, 3, 4, 5 & 6

333 Seventh Avenue

7th Floor

New York, New York 10001

Marie Busiello

212-356-3784

212-356-7523 (fax)

mbusiel@schools.nyc.gov

Bronx

Comprising Districts:

7, 8, 9, 10, 11 & 12

1 Fordham Plaza

7th Floor

Bronx, New York 10458

Sharon Cahr

718-741-5559

718-741-7971 (fax)

scahr@schools.nyc.gov

Brooklyn

Comprising Districts:

13, 14, 15, 16, 19, 23 & 32

131 Livingston Street

6th Floor

Brooklyn, New York 11201

David Rapheal

718-935-5965

718-935-5941 (fax)

draphea@schools.nyc.gov

Queens

Comprising Districts:

24, 25, 26, 27, 28, 29 & 30

28-11 Queens Plaza North

2nd Floor

Long Island City, New York 11101

Barbara Marcisak

718-391-8352

718-391-6088 (fax)

bmarcis@schools.nyc.gov

Staten Island

Comprising Districts:

17, 18, 20, 21, 22 & 31

715 Ocean Terrace

Building A, Room A127

Staten Island, New York 10301

José Garcia

718-390-1579

718-420-5665 (fax)

jgarcia17@schools.nyc.gov

New York City Department of Education (continued)

Borough Assessment Office

**Special Education
D75**
400 First Avenue
Room 662C
New York, New York 10010

**Alternate Schools & Programs
D79**
4360 Broadway
Room 428
New York, New York 10033

**Charter Schools
D84**
52 Chambers Street
New York, New York 10007

Homebound Instruction
3450 East Tremont Avenue
Bronx, New York 10033

Hospital Instruction
3450 East Tremont Avenue
Bronx, New York 10033

Borough Assessment Implementation Director

Manuel Delascuevas
212-802-1676
917-256-4245 (fax)
mdelasc@schools.nyc.gov

Joanne Mitchell
917-521-3635
917-521-3649 (fax)
jmitchell15@schools.nyc.gov

Kamilah O'Brien
212-374-5419
212-374-2324 (fax)
kobrien62@schools.nyc.gov

Angela Velez
718-794-7236
718-794-7237 (fax)
avelez16@schools.nyc.gov

Keri Kaufmann
718-794-7266
718-794-7263 (fax)
kkaufmann@schools.nyc.gov



**Grades 3–8 Common Core
English Language Arts
and Mathematics Tests
School Administrator’s Manual
2014 Edition**

EXHIBIT “B”

Grades 3–8 Common Core English Language Arts and Mathematics Tests

Scoring Leader Handbook



2014 Edition

THE UNIVERSITY OF THE STATE OF NEW YORK

Regents of The University

MERRYL H. TISCH, <i>Chancellor</i> , B.A., M.A., Ed.D.	New York
ANTHONY S. BOTTAR, <i>Vice Chancellor</i> , B.A., J.D.	Syracuse
ROBERT M. BENNETT, <i>Chancellor Emeritus</i> , B.A., M.S.	Tonawanda
JAMES C. DAWSON, A.A., B.A., M.S., Ph.D.	Plattsburgh
GERALDINE D. CHAPEY, B.A., M.A., Ed.D.	Belle Harbor
HARRY PHILLIPS, III, B.A., M.S.F.S.	Hartsdale
JAMES R. TALLON, Jr., B.A., M.A.	Binghamton
ROGER B. TILLES, B.A., J.D.	Woodbury
CHARLES R. BENDIT, B.A.	Manhattan
BETTY A. ROSA, B.A., M.S. in Ed., M.S.Ed., M.Ed., Ed.D.	Bronx
LESTER W. YOUNG, Jr., B.S., M.S., Ed.D.	Brooklyn
CHRISTINE D. CEA, B.A., M.A., Ph.D.	Staten Island
WADE S. NORWOOD, B.A.	Rochester
JAMES O. JACKSON, B.S., M.A., Ph.D.	Albany
KATHLEEN M. CASHIN, B.S., M.S., Ed.D.	Brooklyn
JAMES E. COTTRELL, B.S., M.D.	Brooklyn
T. ANDREW BROWN, B.A., J.D.	Rochester

President of The University and Commissioner of Education

DR. JOHN B. KING, JR.

Deputy Commissioner of Education, P-12

KEN SLENTZ

Deputy Commissioner, Office of Curriculum, Assessment and Educational Technology

KEN WAGNER

Assistant Commissioner, Office of Assessment, Standards and Curriculum

CANDACE H. SHYER

Director of State Assessment

STEVEN E. KATZ

Developed and published under contract with the New York State Education Department by NCS Pearson, Inc., 5601 Green Valley Drive, Bloomington, Minnesota 55437. Copyright © 2014 by the New York State Education Department. All rights reserved. This publication may be reproduced or transmitted for the purpose of scoring activities authorized by the New York State Education Department.

Table of Contents

Introduction	3
Important Information for Scoring the Tests	3
Scoring Models.....	3
Consistency Assurance Set.....	3
Dates for Scoring and Returning Student Answer Sheets	3
Scoring Materials.....	3
Adherence to Scoring Protocol.....	4
Scoring Site Organization	5
Scoring Site Personnel and Duties	6
Leadership Team	6
Scoring Site Coordinators.....	6
Scoring Site Assistants	7
Scoring Leaders	8
Table Facilitators.....	8
Scorers.....	9
Scoring Site Layout and Resources	10
General Facility Requirements	10
Space Requirements	10
General Scoring Room Setup	10
Ancillary Materials for the Scoring Site Coordinator.....	11
Preparation for Training	11
Training Materials	11
<i>Scoring Leader Handbook</i>	11
Training Set	11
Practice Set.....	13
Consistency Assurance Set.....	14
Student Answer Sheets	14
Additional Responses	15
Scoring Materials.....	15
Training Logistics	16
Recommended Assignment of Test Questions to Scorers for English Language Arts Tests.....	17
Recommended Assignment of Test Questions to Scorers for Mathematics Tests.....	17
Suggested Training Schedules.....	18
Suggested Training Agenda.....	18
Training for Scoring	19
Scoring Leader Training.....	19
Scorer Training.....	19
Responses That Should Be Flagged	19
Scoring Model Codes	21
Preparation for Scoring	21
Optional Pre-Scoring Meeting.....	21

Correspondence with Scorers	22
Assigning Scorer Numbers and Questions to Scoring Committee Members	22
Assigning Scorers to Scoring Tables	22
Backup Scoring Plan	22
Scoring Site Setup	22
Opening Remarks	23
Scoring	23
Scoring Site Security	24
Room Security	24
Materials Room Security	24
Confidentiality	24
Operations/Logistics	25
Overview	25
Checking In Test Materials from Schools	26
Schoolwide Scoring (Scoring Model 5) and Districtwide Scoring (Scoring Models 2–4)	26
Regional Scoring (Scoring Model 1).....	26
Randomizing and Building Test Book Folders/Boxes.....	27
Staging Test Books for Scoring	27
Processing Test Books During Scoring	28
Quality-Checking Answer Sheets.....	28
Forwarding Answer Sheets to Scanning Centers and Returning Test Books to School Administrators	29
Closing of Scoring Site.....	30
Scoring Support	30
Appendices	A-1
Appendix A: Scorer Assignment List.....	A-2
Appendix B: Sign-In Log Template	A-3
Appendix C: Table Facilitators’ Record of Read-Behinds	A-4
Appendix D: Box Label Template.....	A-5
Appendix E: Return to Scorer Template	A-6
Appendix F: Table Facilitators’ Tally Sheet for Read-Behinds	A-7
Appendix G: Secure Materials Tracking Log.....	A-8
Appendix H: Exam Scoring Confidentiality Agreement.....	A-9
Appendix I: Sample Classroom Roster.....	A-10
Appendix J: Sample School/Group List	A-11
Appendix K: Approximate Read Times for Scoring English Language Arts.....	A-12
Appendix L: Approximate Read Times for Scoring Mathematics	A-13
Appendix M: Check-In Log Template	A-14
Appendix N: Folder Label Template	A-15

Introduction

This *Scoring Leader Handbook* provides guidelines, information, and procedures for both scorers and scoring site coordinators to facilitate scoring of the 2014 Grades 3–8 Common Core English Language Arts and Mathematics Tests. It details scoring operations from on-site delivery of students’ testing materials to the conclusion of scoring. The manual is the result of cooperative efforts by Pearson and the New York State Education Department (NYSED).

Important Information for Scoring the Tests

Scoring Models

For 2014, all tests can be scored regionally, districtwide, or locally. Scorers must indicate a scoring model code (see Page 21 of this handbook) on the student answer sheets.

Consistency Assurance Set

A Consistency Assurance Set (CAS) will be provided for each grade. The sets are to be incorporated into the scoring training process to:

- help ensure fair, accurate scoring on every student response; and
- improve the reliability of scoring statewide.

Dates for Scoring and Returning Student Answer Sheets

In order to receive official individual student score reports, public school districts must adhere to specific dates for scoring and returning student answer sheets to the scanning centers. These dates can be found at <http://www.p12.nysed.gov>. Nonpublic schools administering the Grades 3–8 Common Core English Language Arts and Mathematics Tests must partner with a Regional Information Center (RIC) for the provision and scanning of answer sheets and also must adhere to the same deadlines.

Public schools that return their answer sheets to the scanning centers after the specified dates will have their students’ scores computed by the scanning centers and reported to NYSED. Answer sheets submitted to the RIC by nonpublic schools after the specified dates will not be included in the calculation of the school’s mandated services aid. Student scale scores and performance levels, however, will be available from the scanning centers.

Scoring Materials

For 2014, scoring materials will be provided to schools on two CDs, one for English language arts and one for mathematics, containing scoring materials in PDF format. It is the school’s responsibility to print all scoring materials needed for training and scoring of the Grades 3–8 Common Core English Language Arts and Mathematics Tests from the CDs. Once all scoring is completed, all printed scoring materials, as well as the CDs, must be returned to the Department’s contractor for secure destruction following the procedures described on Page 41 in the 2014 *School Administrator’s Manual*, available at <http://www.p12.nysed.gov/assessment/manuals>.

Adherence to Scoring Protocol

To maximize standardization of the scoring process, a Scoring Operations Certificate will be included in Appendix M of the 2014 *School Administrator's Manual*. Persons responsible for overall scoring operations are required to sign this certificate, which states that each of the scoring procedures listed were “fully and faithfully implemented.” Schools must retain this certificate in their files for one year.

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

Scoring Site Organization

Scoring Site Coordinator

- Supervision and management of the site
- Support for scoring
- Logistics for operations
- Security
- Coordination of site personnel
- Collection of audit papers

Operations

Scoring Site Assistants

- Check-in test books
- Prepare test books for scoring (organize and randomize)
- Deliver and collect scored test books
- Quality check answer sheets
- Return answer sheets to scanning centers
- Return test books to schools
- Monitor and maintain security
- Maintain quality control
- Ship completed materials to schools

Scoring

Scoring Leader

- Act as a scoring trainer
- Monitor scoring sessions
- Support table facilitators and scorers
- Administer CAS to table facilitators and scorers

Table Facilitators

- Monitor scoring progress to ensure scoring of all papers by the end of scoring period
- Conduct read-behinds to ensure accurate and reliable scoring
- Be a resource for rubric and training material clarification

Scorers

- Score student responses

All scoring personnel are responsible for maintaining the confidentiality of student responses.

Scoring Site Personnel and Duties

Leadership Team

The leadership team for each site consists of a scoring site coordinator, scoring site assistants, scoring leaders, and table facilitators. The leadership team will be responsible for training the scorers in the scoring process and calibrating the scorers' responses during the scoring process. Training must be conducted prior to the start of scoring, so that when scoring starts, scorers are qualified and ready. The remainder of the scoring session(s) is spent reading "live" papers and conducting read-behinds as a check of scorer accuracy. The training is ongoing, as necessary, as the table facilitators monitor scorers' work to ensure that they are scoring consistently.

Scoring Site Coordinators

The scoring site coordinator plays a key role in the organization of the scoring process and has three primary responsibilities:

- supervise all activities related to the scoring facility
- manage activities related to the scoring session
- monitor operations related to the flow of test materials (distribution and collection)

The scoring site coordinator will perform the following tasks:

- identify, procure, and manage the scoring site
- schedule the scoring session(s)
- prepare a Scorer Assignment List (Appendix A) and record scorer attendance using the Sign-In Log Template (Appendix B)
- provide pre-printed name tags, table tents, and attendance records for all scoring staff members
- respond to scoring leader or scorer requests about facilities or logistics
- provide logistical assistance to scoring trainers
- be available on-site during the entire scoring session(s) to handle site logistics, including catering, security, registration, scorer needs, etc.
- coordinate delivery of test materials from schools to scoring sites
- verify that the test books and answer sheets have arrived from assigned schools, scoring supplies have arrived at the site before scoring begins, and any missing materials are en route
- supervise the preparation of all testing materials for scoring (test books and answer sheets)
- select candidates who can serve as scoring site assistants
- arrange shipment of completed answer sheets from scoring site to scanning centers and scored test books back to schools. Use the Secure Materials Tracking Log (Appendix G) to record the movements of secure test materials between locations.

The scoring site coordinator will train scoring site assistants in the following areas:

- checking in test books from schools;
- preparing test books for scoring (organizing and randomizing);
- delivering and collecting test books; and
- ensuring the return of answer sheets to the scanning centers and test books to schools, and monitoring and maintaining security

Scoring Site Assistants

The scoring site assistants report to the scoring site coordinator. They assist in the distribution, quality control, and collection of scoring materials, and in the boxing of test books to be returned to schools. Assistants should be available to the scoring site coordinator before, during, and after the scoring session. Scoring site assistants are individuals who:

- interact with and respond to requests from the leadership team and the scoring site coordinator;
- work conscientiously and responsibly;
- lift boxes weighing approximately 45 pounds;
- distribute scoring supplies and equipment;
- organize and distribute test books and answer sheets to scorers at specific tables;
- distribute and collect scoring materials as the session progresses under the supervision of the scoring site coordinator;
- check answer sheets for stray marks, incomplete demographics, and unscored open-ended questions;
- assist the scoring site coordinator in tracking and reporting the number of scored test books and schools;
- handle requests from the leadership team about facilities and logistics;
- prepare answer sheets and test books for return to the scanning centers and schools; and
- monitor and maintain security of test books

Scoring Leaders

The main focus of the scoring leader is to monitor the scoring of student responses and provide support for the table facilitator and scorers during the scoring session. Before scoring begins, the scoring leader(s) should meet with the scoring site coordinator, who can familiarize the scoring leader(s) with the scoring operations and scoring constructed responses. The scoring leaders' responsibilities are as follows:

- prior to scoring, reviewing the scoring PDF files for scorer-trainers that were shipped on CDs from NYSED;
- training the table facilitators and scorers;
- ensuring that table facilitators and scorers meet scoring standards by performing read-behinds;
- demonstrating the correct method of marking scores on the answer sheets;
- monitoring the scoring session; and
- providing support for the table facilitators and scorers during scoring

Table Facilitators

The table facilitator is an experienced scorer (i.e., has previously used rubrics to evaluate student papers) who will, if necessary, assist the scoring leader(s) with training additional scorers and ensure they meet scoring standards. For each test administration, the table facilitator must also meet current scoring standards.

One of the primary tasks of the table facilitator is to monitor the time the scorers spend reading each student paper. If scorers read too quickly, they may miss key information and incorrectly score a student response. In addition, reading too slowly can cause scorers to assess a student response analytically instead of holistically. To ensure efficiency, accuracy, and consistency in the scoring process, the table facilitator will randomly select and score a few of each scorer's completed test books. This read-behind process allows the table facilitator to provide guidance during scoring by reinforcing the appropriate part of the rubric.

In addition, the table facilitator is required to complete the following tasks:

- serve as the table's primary resource for information on scoring rubrics and methods; if unsure of a score point, the table facilitator will consult with the scoring leader for further clarification;
- maintain a quiet atmosphere at the table by keeping talking and other distractions at a minimum;
- perform read-behinds and record the results, number performed, and whether the table facilitator agreed with the assigned score. If the table facilitator did not agree with the assigned score, note the score point difference between the two scores;
- help scorers reach and maintain suggested reading rates; and
- discuss rubrics and guide papers with scorers as necessary to maintain accuracy.

Scorers

Scorers are teachers or other qualified school educators, representing Grades 3–8, who have been designated by school principals. Scorers are assigned to an individual scoring site. A list of the designated scorers from each participating school will be available prior to the scoring session. Scorers must be qualified to score and must not score their own students' test books. Scorers are required to:

- review the scoring PDF files, prior to actual scoring, for the grades and questions they will be scoring;
- attend the entire training session for the questions they will be scoring;
- score accurately;
- complete a sufficient number of test books to finish scoring within the allotted time frame; and
- maintain student confidentiality and objectivity while scoring.

Scoring Site Layout and Resources

General Facility Requirements

Factors to consider when selecting a scoring site:

- excellent lighting
- adequate ventilation
- adequate parking
- secure facility

All test books and Training Sets must be regarded as secure and confidential materials. These materials should not be left unattended during breaks or lunch while scoring is in progress and should be kept in a safe or vault after work hours. (See additional information on Page 24, Scoring Site Security.)

Space Requirements

Scoring Rooms

The scoring rooms must comfortably accommodate the required number of scorers. The square footage should allow for space to accommodate necessary tables, allowing scoring site assistants to circulate without disturbing the scorers. Scorers need to work at large tables with comfortable chairs. As a rough estimate, about 550 square feet of space for every 10 scoring personnel is recommended.

Break Area

A separate area for lunch and breaks must be provided so that food/drinks are not present in the scoring room. The break room should have seating capacity for all scorers (breaks may be staggered if necessary).

Materials Room

A room for processing scoring materials should be available. The materials room is used for processing test materials prior to scoring and for sorting test materials after scoring is complete. It is ideal for the materials room to be located adjacent to the scoring room(s). The scoring site assistants will need three to six large tables for processing test materials throughout the scoring session.

General Scoring Room Setup

- a separate table in the front of the room for each scoring leader
- an additional table for scorer check-in and supplies
- one table for the scoring site assistant's quality control station
- adequate workspace on tables; each scorer should be comfortable and have sufficient space to accommodate test books and other scoring materials to his or her right and left
- comfortable chairs for scorers—they may be sitting for six or more hours each day

Ancillary Materials for the Scoring Site Coordinator

Templates and samples provided by NYSED:

- Training materials on CDs
- Scorer Assignment List (Appendix A)
- Sign-In Log Template (Appendix B)
- Table Facilitators' Record of Read-Behinds (Appendix C)
- Box Label Template (Appendix D)
- Return to Scorer Template (Appendix E)
- Table Facilitators' Tally Sheet for Read-Behinds (Appendix F)
- Secure Materials Tracking Log (Appendix G)
- Exam Scoring Confidentiality Agreement (Appendix H)

Items provided by schools:

- Classroom Rosters for each class tested (see sample, Appendix I)
- School/Group List (see sample, Appendix J)
- Packing checklist from each school

Preparation for Training

Training Materials

In order to maintain scoring consistency from site to site, it is crucial that scoring leaders explain the training materials, listed below, using the same language and emphasis.

Scoring Leader Handbook

This *Scoring Leader Handbook* describes the scoring materials and procedures that must be used when training teachers to score a constructed response.

Training Set

Early in the training, ask the scorers to refer to their Training Set. Explain that the Training Set contains sample student responses that will be used as references (guide papers) when the scorers begin to score actual test books. Ask them not to read ahead, but rather to stay on the page being discussed.

Whenever introducing material in the Training Set, inform the scorers which page is being read aloud so that they can read along silently. To ensure scorers are viewing the correct page during training, the scoring leader should identify the pages for the scorers by referring to the boxed identification information beneath the student response (e.g., Practice Set 1, Consistency Assurance Set 1, etc.). Having the scorers simultaneously hear and see the information will not only help keep the group together but also will help them internalize the criteria. Read aloud the rubrics, the scoring policies, guide papers, and all annotations. Carefully explain each guide paper. In particular, explain that a score of zero is assigned to the lowest performance level holistically and that, on each scale, the highest score point is reserved for the best performance level. Explain and

read the annotations for each guide paper for the question being discussed. The Training Set is formatted to progress from the highest score to the lowest score for each question. Answer any questions about the guide papers and move on to the next question. Encourage the scorers to take notes on their materials during training. Emphasize that these materials are theirs to use during the scoring session only and they will be securely destroyed after all scoring is completed.

For English language arts, the responses for Grades 3–8 will be scored individually. This means that the scorers will assign an individual score for each of the short and extended responses using a two- or four-point scale. Proceed through the Training Set question by question after first reviewing the passage and the rubrics. Make sure the scorers understand the questions and what is expected for a successful response. Be sure to read the possible exemplary responses for each question. Explain that the possible exemplary responses are examples of top responses and that a successful response may look very different from the example given. Scorers must realize that more than 200,000 students have responded to these questions and some of those students may produce relevant text-based responses that differ considerably from those included in the training materials.

For mathematics, proceed through the Training Sets question by question. For each question, begin by explaining the Mathematically Sound and Correct Response. Make sure that the scorers understand the questions and what is expected for a successful response. It is important to emphasize that the Mathematically Sound and Correct Response shown is not necessarily the only correct response. Explain that for each question there are several possible approaches and a successful full response may look very different from the example given. Scorers must realize that more than 200,000 students have responded to these test questions, and some of those students may have produced perfectly sound, mathematically appropriate responses that differ considerably from the Mathematically Sound and Correct Responses or the guide papers.

Throughout the training session, maintain an atmosphere that promotes clarification rather than debate, not letting a discussion become contentious and, therefore, counterproductive. If a scorer disagrees with a score on a guide, practice, or Consistency Assurance Set response, remind the scorers that they must not let their perspectives interfere with accurate scoring. Imposing beliefs or standards that are inconsistent with the project scoring standards may cause scorers to score responses either too stringently or too leniently. **To ensure accurate and consistent scoring, scorers need to use only the standards defined in the training materials.** There are multiple samples of each score point in the Training Set and Practice Sets so that the scorers will have ample guide papers to use to help them make good scoring decisions. One or two “controversial” guide papers should not derail the training process or prevent the scoring leader from training the scorers to score accurately.

Answer questions patiently and thoroughly, but feel free to say, “It’s time to move on,” if the discussion is starting to be unproductive. Part of the scoring leader’s job is to maintain control of the group. Training time is limited, and it is important to stay on schedule.

It is helpful to demonstrate the use of yellow flags (i.e., Post-it Notes®) to scorers as a means of indexing their Training Sets. Use a flag where a new question is introduced, noting the question number on the flag. Place another flag slightly lower for each question so that all numbers can be easily seen. Also, scorers could make their own list of questions with their respective page numbers, or such a list could be written on a medium for all to see. This way, during the scoring/discussion of the Practice Set and the scoring of the students’ test responses, the scorers can easily look at a guide paper for reference and comparison.

Explain that accurate scoring comes from using the Training Set effectively. The rubric description for a particular score point should always be referenced in conjunction with the guide papers for the test question. These responses act to elaborate upon the rubric and help the scorers to interpret the rubric correctly. They can be used effectively for reference and comparison.

Condition Code A: Each rubric contains an explanation for **Condition Code A**, which is assigned when test questions are left blank in the tests. If there is an attempt to answer the question and it is incorrect, then it receives a score of zero. If there is no attempt to answer the question, it is given a Condition Code A. There are no examples of **Condition Code A** in the training materials. Tell scorers this application will be explained after completing the discussion of the Training Set and Practice Set.

Practice Set

Once the discussion of the Training Set has been completed, start directly on the Practice Set. Explain that this set is an opportunity for the scorers to practice scoring. They should use the criteria they have learned from the discussion of the Training Set to score the student responses on their own. Explain that the Practice Set contains several student responses in order by question, but **not** by score point. Move through the Practice Set by question.

For English language arts, tell the scorers there are five or ten required student responses depending on question type in each Practice Set. For mathematics, tell scorers there are five required student responses for each question type in each practice set. Unlike the Training Set, in which the guide papers are arranged from high to low score points, these responses are placed in random order.

Ask the scorers to read to themselves the first student response and write down a score. Encourage them to base their score on their overall holistic impression. If their impression is that the response could be scored as either a two **or** a three, tell them to reference the guide papers in the Training Set to see whether the Practice Set response is more like the two-point or the three-point response found there. Give them a couple of minutes to read and score the first sample, then tell them the correct score. Explain the rationale for the score, and answer any questions. Have the scorers score the remaining practice student responses as necessary.

Like the Training Set, the Practice Set is annotated for the scoring leader to help explain the scoring decisions. The scorers' sets, however, are not annotated, so remind the scorers to take notes during the explanations of the scoring decisions. Be prepared to explain a score from both directions. For example, a sample with a correct score of two may have received both ones and threes from the scorers, so be prepared to explain why it is not a one and why it is not a three.

The most effective way to justify a scoring decision is to show how the sample compares with the guide papers in the Training Set. As scoring leader, be supportive and positive during this training process and keep bringing the scorers back to the rubrics, Training Set, and guide papers.

Tell the scorers not to worry if they incorrectly scored several of the samples. This is a Practice Set that will introduce them to a variety of responses, some of which are different in approach from the Training Set's guide papers. Much can be learned from incorrectly scoring responses because the scorer will tend to try harder to understand the scoring rationale of those particular responses. Remind the scorers that the goal is to understand why each sample received the score it did and that

it is more productive to focus on why a paper is a two rather than to argue why it should receive a score that is different from the one assigned.

Despite thorough preparation, a scorer might ask a question for which the scoring leader does not know the answer. Please feel comfortable saying, “I don’t know but I will find out,” and move the training forward. During the time when the scoring help line is available, the scoring leader may call the Scoring Helpline Monday–Friday at 888-705-9415 between 7:30 a.m. and 4:30 p.m. (ET) during the scoring dates. For the exact dates that this helpline will be available, please refer to the 2014 *School Administrator’s Manual* at <http://www.p12.nysed.gov/assessment/manuals>.

Another type of question the scoring leader should be prepared for concerns hypothetical student responses. Scorers may ask, “What if the student had done this?” or “What if the student had not done that?” It is recommended that you tell your scorers that you would prefer to talk only about actual student responses rather than hypothetical ones because talking about responses that do not really exist can cause unnecessary confusion. It is best to use actual responses that represent the situation in order to make scoring judgments. In other words, while discussing a scoring decision it is safer to limit conversation to the written responses that all scorers can see.

The challenge for the scoring leader during this part of the training process is twofold: to remain diplomatic and patient if any scorers become frustrated and at the same time to keep the training process moving forward. Scoring leaders should listen to the scorers’ questions and concerns and address them as thoroughly as possible while still keeping to schedule.

Consistency Assurance Set

Once review of the Practice Set is completed, administer the CAS to scorers. Tell scorers to use the rubrics and Training Sets when scoring the CAS. Be sure to emphasize that scorers are to complete their Consistency Assurance rounds independently and that silence is necessary in order to allow everyone to work without distraction.

It is the role of the scoring leader to establish the best way to administer the CAS for his or her group. The following is an example of one way the CAS may be administered: distribute a set and score sheet to each scorer, and be sure that every scorer writes his or her name on the score sheet. As scorers complete their sets, collect their score sheets. Consider dismissing scorers to the break area as they complete their sets in order to maintain a quiet environment for the remaining scorers to complete their work and for you to review the completed sets. Depending on the number of scorers at your training session, help from the table facilitators may be needed in distributing, collecting, and reviewing the scorers’ Consistency Assurance rounds.

Review the sets when they have been completed by all scorers. Use the results of that review to determine what clarification or additional training, if any, may be needed. Decide the best format and structure for that additional training based on review of the scorers’ work.

Student Answer Sheets

A variety of answer sheets are being used by different scan centers. Before training scorers, find out from the site coordinator what the answer sheet for your site looks like so you can instruct your scorers on how to fill it out properly. Give each scorer a student test book that has not been scored, and take the group through the steps of scoring a book. A blank test book and student answer sheet

will be required for demonstration purposes. Show scorers where to record their scores. To ensure that the correct answer sheet is used for a particular test book, show scorers how to compare the student's name on the test book with the name on the answer sheet. Emphasize that scorers must darken the corresponding circles.

Make sure to:

- score questions only once; ·
- completely darken the circles; and
- erase neatly and thoroughly, if necessary.

Scores should be written only on the answer sheets; except for the scorer number on the cover, scorers should never write in the test books.

Explain the care and handling of answer sheets (i.e., do not fold, wrinkle, or make any stray marks on the documents). Details about the quality control of answer sheets can be found in the 2014 *School Administrator's Manual* at <http://www.p12.nysed.gov/assessment/manuals>. Emphasize that these answer sheets will be machine scored, so care must be taken to avoid any stray marks.

Additional Responses

The Training Set and Practice Set contain student responses that have been identified as “Additional” papers. Though recommended, use of these responses during training is not required. These responses may be used to supplement the required training or only used as an additional reference resource during scoring.

Scoring Materials

CDs containing PDF files for scoring will be shipped to schools. It is the school's responsibility to print all scoring materials needed for training and scoring of the Grades 3–8 Common Core English Language Arts and Mathematics Tests from the CDs. These files must be used for training after administration of the tests.

Additionally, scoring site coordinators and scoring leaders may call the Scoring Helpline Monday–Friday at 888-705-9415 between 7:30 a.m. and 4:30 p.m. (ET) with questions pertaining to training or scoring during the scoring periods. For more information on the dates of operation for each grade, please see Page VI in the 2014 *School Administrator's Manual*: “Testing Schedule and Important Administration Dates.”

Mastery of the scoring terminology and complete knowledge of the training materials will prepare scoring leaders to conduct scorer training successfully. You should know the scoring rationale for all the guide, practice, and CAS papers and be prepared to answer any questions about the scoring decisions, using the appropriate terminology from the rubric and scoring policies.

Rehearsing your delivery prior to the training day will be helpful. Practice reading aloud the rubrics, scoring policies, and annotations, then practice using them and the handwritten notes you have added after reviewing the training file(s). Remember that you want your presentation to be fresh and interesting rather than just a mechanical reading of notes. A thorough understanding of,

and familiarity with, the training materials will prepare you to “think on your feet” and successfully answer any questions that may arise during scorer training.

Training Logistics

Each scoring site should have a site coordinator who will be supervising the scoring and scoring operations at the site. Other duties of the site coordinator include coordinating test book processing, identifying support needs, sending answer sheets to the scanning center, and enforcing security. This person will assign teachers to scoring committees based on their experience with open-ended scoring and the number of years of teaching the specified grade level(s). You should meet the site coordinator prior to the first day of training and scoring in order to:

- learn your site’s paper flow plan for scoring the student responses;
- make sure that your scoring/training area is ready;
- ensure that all necessary materials are on hand and that they are counted; and
- discuss any other logistical issues.

There could be a variety of training schedules depending on the overall experience of the scoring committee(s) and the amount of general training they have had (using the holistic rubrics and guide papers from the 2013 Grades 3–8 Common Core Rubric and Scoring Turnkey Training, and scoring student responses on the 2013 operational tests) before the day of actual scoring. If your scorers have not been previously trained, more training time will be needed on the scoring day to ensure accurate and reliable scores. For efficiency, it is recommended that scorers be trained on only part of the test: some on the first third of the test questions, some on the second, and some on the third or another grouping determined by you and the site’s leadership team. All of these variables will affect the length of the training time. The following tables provide a suggested assignment of each rater to specific constructed-response questions by grade level and question numbers.

Note: Scorer versions of the Training, Practice, and Consistency Assurance Sets will contain only the training materials for the questions of their respective group noted in the following tables; A, B, or C. All scoring leader documents will include training materials for all questions or groups in their respective grade level; A, B, and C. Scorer documents will retain the paper identification (CAS 3, Practice Set 20, etc.) and page numbering conventions from the corresponding scoring leader training materials. Since scorer documents may start with higher page numbers or have gaps in the sequential numbering of pages, please review how the scorer documents relate to the scoring leader materials.

Recommended Assignment of Test Questions to Scorers for English Language Arts Tests

Grade	Scoring Group	Suggested Question Grouping (Student Book 2 and 3)	Question Types	Estimated Scoring Rate/Student	Estimated Training Time Required
3	A	38, 39, 40, 41	3 SR, 1 ER	8.2 min/student	3.5 hours
	B	42, 43, 44	3 SR	4.8 min/student	2.0 hours
	C	45, 46, 47	2 SR, 1 ER	5.0 min/student	3.0 hours
4	A	38, 39, 40, 41	3 SR, 1 ER	8.5 min/student	3.5 hours
	B	42, 43, 44	3 SR	5.0 min/student	2.0 hours
	C	45, 46, 47	2 SR, 1 ER	5.2 min/student	3.0 hours
5	A	50, 51, 52, 53	3 SR, 1 ER	8.5 min/student	3.5 hours
	B	54, 55, 56	3 SR	5.3 min/student	2.0 hours
	C	57, 58, 59	2 SR, 1 ER	5.7 min/student	3.0 hours
6	A	50, 51, 52, 53	3 SR, 1 ER	8.5 min/student	3.5 hours
	B	54, 55, 56	3 SR	5.6 min/student	2.0 hours
	C	57, 58, 59	2 SR, 1 ER	6.3 min/student	3.0 hours
7	A	50, 51, 52, 53	3 SR, 1 ER	7.8 min/student	3.5 hours
	B	54, 55, 56	3 SR	4.5 min/student	2.0 hours
	C	57, 58, 59	2 SR, 1 ER	6.3 min/student	3.0 hours
8	A	50, 51, 52, 53	3 SR, 1 ER	8.4 min/student	3.5 hours
	B	54, 55, 56	3 SR	6.1 min/student	2.0 hours
	C	57, 58, 59	2 SR, 1 ER	5.1 min/student	3.0 hours

SR—short-response question (2 points)

ER—extended-response question (4 points)

Recommended Assignment of Test Questions to Scorers for Mathematics Tests

Grade	Scoring Group	Suggested Question Grouping (Student Book 3)	Question Types	Estimated Scoring Rate/Student	Estimated Training Time Required
3	A	49, 50	2 SR	2.0 min/student	1.6 hours
	B	51, 52, 53	3 SR	2.2 min/student	2.2 hours
	C	54, 55, 56	3 ER	2.0 min/student	2.6 hours
4	A	50, 51, 52	3 SR	2.4 min/student	2.1 hours
	B	53, 54, 55, 56	3 SR, 1 ER	2.0 min/student	2.9 hours
	C	57, 58, 59	3 ER	2.6 min/student	2.6 hours
5	A	50, 51, 52, 53, 54	5 SR	2.0 min/student	3.3 hours
	B	55, 56, 57	1 SR, 2 ER	2.8 min/student	2.6 hours
	C	58, 59	2 ER	2.4 min/student	1.9 hours
6	A	56, 57, 58, 59	4 SR	3.0 min/student	2.9 hours
	B	60, 61, 62	2 SR, 1 ER	2.6 min/student	2.5 hours
	C	63, 64, 65	3 ER	2.6 min/student	3.0 hours
7	A	56, 57, 58, 59	4 SR	2.6 min/student	3.0 hours
	B	60, 61, 62, 63	2 SR, 2 ER	2.4 min/student	3.3 hours
	C	64, 65	2 ER	3.4 min/student	1.9 hours
8	A	56, 57, 58, 59	4 SR	2.8 min/student	2.8 hours
	B	60, 61, 62	2 SR, 1 ER	2.4 min/student	2.2 hours
	C	63, 64, 65	3 ER	3.0 min/student	2.8 hours

SR—short-response question (2 points)

ER—extended-response question (3 points)

For more information on approximate read times for scoring English language arts questions, see Appendix K; for more information on approximate read times for scoring mathematics questions, see Appendix L. The following schedules and training procedures are based on the assumption that scorers have had prior training using the holistic rubrics and guide papers from the 2013 Grades 3–8 Common Core Rubric. If the scorers have not had prior training using the holistic rubrics and guide papers, provide additional time for training.

Suggested Training Schedules

English Language Arts, All Grades—Required* Responses Only

8:30–10:15	Training
10:15–10:30	Break
10:30–11:30	Consistency Assurance
11:30–12:30	Lunch
12:30–4:00	Scoring

*Allow one additional hour for training if “additional” responses are being included.

Mathematics, All Grades—Required* Responses Only

8:30–10:30	Training
10:30–10:45	Break
10:45–11:35	Training
11:35–12:15	Consistency Assurance
12:15–1:15	Lunch
1:15–4:00	Scoring

*Allow one additional hour for training if “additional” responses are being included.

The scoring leader should be in the training area no later than 8:15 a.m. to welcome scorers and make sure training begins promptly at 8:30 a.m.

Prior to 8:30 a.m., the scoring leader should distribute materials to the tables or desks where the scorers will be sitting. Each scorer should have Sharpened No. 2 pencils, pens, yellow flags, eraser, etc. (provided by the site coordinator).

At 8:30 a.m., all scorers should be present and seated so that training can begin.

Suggested Training Agenda

1. Introduce the scoring leader, if necessary.
2. Introduce others, if applicable (for example, site coordinator, scoring assistants).
3. Review housekeeping details (the day’s schedule, break times, and any other information that you think would be helpful).
4. Briefly define holistic scoring and the scorer’s responsibilities.

Tell scorers they will be train them to use a process called holistic scoring. This type of scoring involves evaluating a student’s work for its total, overall, or whole effect based on the rubric and accompanying guide paper responses.

Emphasize that learning how to score holistically is similar to learning a new language or a new way of thinking, and that it is crucial that all scorers put aside their own beliefs, ideas, and theories about how to evaluate students' work. For any large-scale scoring project to be successful and have meaningful results, all scorers must score using the established criteria. Therefore, you will be training your scorers to understand and internalize the criteria of the New York State Testing Program. You will do this by explaining the rubrics and scoring policies, along with student responses that serve as guide papers for each score. Assure your scorers that the more student examples they see, the clearer the criteria will become.

Explain that this training session is not the time to critique the test questions, the rubrics, or the scoring decisions. The purpose of this training is to learn to apply the scoring criteria, not to make suggestions for modifying the test or the criteria. Explain that there is a great deal of training material to cover and a limited amount of time to do so.

Training for Scoring

Scoring Leader Training

Scoring leaders receive a full day of training on the rubric(s) for English language arts or mathematics following test administration. During this training, they are provided with Scoring Leader Materials containing rubrics, guide papers, and annotated Training Sets, as well as training tips and guidelines. The scoring leaders train and qualify table facilitators and scorers and ensure they meet current scoring standards. They should also review the scoring materials for scorer training.

Scorer Training

Scorers, including table facilitators, receive training on the rubric(s) for English language arts or mathematics before scoring live student papers. Using the Training Set(s) and Practice Set(s), they become familiar with the rubrics, evaluate and discuss guide papers, and practice by scoring and discussing sets of training papers. At the end of training, scorers must meet current scoring standards.

Responses That Should Be Flagged

Instruct the scorers on the proper use of yellow flags for the issues described below. The responses in question should be flagged on the top horizontal side of the page where the response appears. The flag should be easily visible and the type of problem/situation should be written on it (sensitive paper, scoring decision, or test book problem). The test books can then be put into the "Problem Box." The site assistant or table facilitator will bring all flagged books to you. You should deal with the flagged books that are your responsibility as quickly as possible so the packets can be returned to circulation so they are completely scored by the end of the day. Do not allow these test books to accumulate. No flagged test books should be transferred to another scoring room until the issue for which it was flagged is addressed.

Sensitive Papers: If a scorer reads a student response that reveals a sensitive issue, he or she should share this response with the table facilitator and the scoring site coordinator. The reporting protocol set forth for Mandated Reporters must also be followed. A sensitive response would include:

- an indication of abuse;
- suicidal tendencies, neglect, or maltreatment; or
- other psychological problems.

The scorer should score the response according to the training sets and then flag the response by writing “sensitive paper” on a yellow flag. The scorer should then signal the table facilitator or the site assistant, who should be instructed to immediately bring such responses to your attention. If tests are being scored districtwide or regionally, you should alert the site coordinator, who will contact the student’s principal. If tests are being scored locally, you should notify the school principal of any sensitive responses. Papers with sensitive responses must be returned to the school when scoring is complete.

Scoring Odd Responses: There may be responses that the scorer is unsure about. For example, guide papers in the Training Set do not help the scorer to make a scoring decision about a particular response. As scoring leader, you should make a decision, fill in the score, and return the test book to its appropriate box. If you have questions regarding odd responses, call the Scoring Helpline Monday–Friday at 888-705-9415 between 7:30 a.m. and 4:30 p.m. (ET) during the scoring dates.

When scoring a mixed-language response, where a student has written a response to an English language arts constructed-response question in a mix of English and another language, the scorer should rate only what is written in English and disregard what is written in any other language. Mixed-language responses should be scored strictly on the merits of what is written in English and should not automatically be given a zero.

Problem with Test Books: Irregularities—such as a missing answer sheet or incompatible answer sheet and test book—can occur. For such cases, you should have a box designated for test books with problems so the site coordinator can determine how they should be resolved.

Scoring Model Codes

Instruct the scorers as to which “Scoring Model Code” (1, 2, 3, 4, or 5) to enter on the back of each answer sheet. The scoring models are defined in the table below:

Scoring Model Code	The scorers for the school’s tests include the following:
1. Regional scoring	a.) Staff from three or more school districts, or b.) Staff from two or more nonpublic schools in an affiliation group (nonpublic or charter schools may participate in regional scoring with public school districts, and each nonpublic or charter school may be counted as one district)
2. Schools from two districts	a.) Staff from two school districts, b.) Staff from two nonpublic schools, c.) Staff from two charter schools, or d.) a combination of staff from two of the following: a school district, nonpublic school, or charter school
3. Three or more schools within a district	Staff from three or more schools in a district
4. Two schools within a district	Staff from two schools in a district
5. One school	Three or more scorers for each grade being scored, all from the same school

Preparation for Scoring

Optional Pre-Scoring Meeting

Although the pre-scoring meeting is optional, it is highly recommended to ensure an effective and efficient scoring session. This meeting allows time to organize scoring materials, set up the scoring room, and make any adjustments that are necessary to ensure a successful scoring session. It is suggested that the scoring site coordinator and scoring site assistants attend.

The pre-scoring meeting can be scheduled any time prior to the beginning of the scoring session. The scoring site coordinator and scoring leader(s) should introduce themselves, discuss facilities, and make processing plans.

Correspondence with Scorers

In corresponding with scorers, notify them in writing of the following:

- to commit to the entire scoring period
- to arrive at a specified time
- to inform the scoring site coordinator of special needs (food, wheelchair access, etc.)
- the emergency phone number at the scoring site
- the availability of parking
- the backup scoring plan (see Backup Scoring Plan later in this chapter)

Assigning Scorer Numbers and Questions to Scoring Committee Members

Each scoring committee must be assigned a number. This number is a way of identifying scoring committees in order to provide feedback when conducting read-behinds. Records of the names of scoring committee members and the questions assigned to them should be retained in the school for one year. The answer sheet has a place for teachers to record their scoring committee number.

Generally, teachers on the scoring committees are assigned approximately equal numbers of questions to score. See the following section for further guidance on this topic. Questions must be assigned to scorers such that each student's test is scored by a minimum of three scorers and that no part of any student's test is scored by that student's teacher.

Assigning Scorers to Scoring Tables

The following factors should be taken into consideration as scorers are assigned to scoring tables:

- if possible, assign an equal proportion of experienced and inexperienced scorers to each table. Some regions may have difficulty in recruiting experienced scorers, but it is recommended that at least one experienced person be assigned to each table;
- assign people from the same school/district to different tables. Part of the staff development activity is the opportunity for school and cross-district sharing. Mixing people from different schools or districts at a table fosters this sharing; and
- attempt to have diversity (ethnic and gender) at each table.

Backup Scoring Plan

Each scoring site has a projected number of test books that need to be scored. The absence of even one scorer may cause a delay in the scoring process. The scoring site coordinator, therefore, should develop a backup plan for completing the scoring process should such a delay occur (i.e., illness, weather conditions, etc.). Backup scorers may be drawn from the pool of assigned scorers.

Scoring Site Setup

Tables and chairs should be set up prior to the arrival of the scoring leader(s) and scorers on the scoring day(s). During the optional pre-scoring meeting, table numbers, scorer numbers, Training

Sets, and supplies (pencils, erasers, and yellow flags) need to be placed on the tables and at each scorer's location. Two plastic cups per table are suggested for holding sharpened pencils versus pencils that need to be resharpened.

Opening Remarks

The scoring site coordinator should make opening remarks on the first day of scoring. This is essential to help clarify the scoring site coordinator's role. These remarks should be brief and not more than 15 minutes, but should include the following general guidelines for the scoring session:

- importance of signing the attendance sheet and confidentiality agreement (Appendix H)
- wearing of name tags each day
- NO food/drinks in the scoring room or at the tables, except hard candy
- parking arrangements at the site
- smoking policy at the scoring site
- location of restrooms
- phone availability and emergency numbers
- backup scoring plan
- emergency evacuation procedure

Scoring

Once you have covered the Training Set, Practice Sets, CASs, paper flow/book logistics, and other topics discussed in this handbook, the scorers may begin scoring.

Encourage them to score accurately and productively. You may want to give them a goal or expectation. You do not want the scorers to feel that speed is more important than accuracy, but you also want to make sure that all books are scored by the end of the day.

During scoring, the scoring leader or table facilitator will “read behind” the scorers as a quality check for scoring accuracy. Table facilitators “read behind” the scorers at their tables, reviewing a random sample of the scores assigned by each of them to ensure accuracy (see the Table Facilitators' Tally Sheet for Read-Behinds, Appendix F). Scoring leaders “read behind” table facilitators to confirm the scoring accuracy of the table facilitator. Table facilitators and scoring leaders use the “read behind” information to locate problems and direct ongoing training for scorers as necessary. In general, table facilitators:

- begin reading behind as soon as scoring begins;
- read behind a sample of each scorer's work;
- pay particular attention to those scorers who seemed unsure during training, and read a higher percentage of their work; and
- identify scoring trends or group-wide issues

Table facilitators or scoring leaders must alert the scorers about the nature of any identified scoring misconceptions in order to avoid repetition of the error.

The site coordinator will train the site assistants in the logistics of transferring books from room to room. The site assistants will also be responsible for checking all answer sheets to make sure they are complete and accurate.

After test books have been completely scored once, they should be reviewed to ensure all questions have been scored and the circles for the scores have been thoroughly darkened with no stray marks on the answer sheets. Then, preparations should be made for returning the test books to the school or the designated audit site.

Scoring Site Security

Stringent security measures are required at all scoring sites. All site personnel must regard the test questions, test books, answer sheets, and scoring materials as absolutely secure materials. The scoring site coordinator is responsible for maintaining the security of all test materials throughout the scoring process. All test materials are secure during and after the scoring process throughout the State. Therefore, it is imperative that the scoring site coordinator communicate and enforce all security policies.

NOTE: No one is permitted, for any reason, to take any test books, answer sheets, or scoring materials from the scoring site.

If a breach of security is discovered, it must be reported immediately to the scoring site coordinator who will report the security breach to NYSED. To help ensure proper security and standardization across the scoring sites, the following procedures must be adhered to.

Room Security

While scoring is in progress, all student test books and answer sheets, as well as scoring materials, must be regarded as secure and confidential. These materials should not be left unattended at any time and should be kept in a safe or vault after work hours. Arrange staffing so that all scoring rooms are occupied by a responsible person at all times. You should be able to accomplish this with your existing staff.

Materials Room Security

Only scoring site assistants are to be permitted to bring testing materials to and from the scoring areas, unless otherwise authorized by the scoring site coordinator.

Confidentiality

Test books and scoring materials must be kept secure. You are not to discuss the test, show it to anyone, or photocopy the materials, as the security of the test could be breached. However, school personnel may make photocopies of this *Scoring Leader Handbook* if additional copies are needed. School personnel are forbidden to make or authorize photocopies of secure State exam booklets without the express written prior approval of OSA. All scoring site coordinators, scoring leaders, and scorers must sign the Exam Scoring Confidentiality Agreement (Appendix H). The confidentiality agreement must be distributed to all scorers, completed and signed by them, and collected before any secure materials are distributed to any scorers.

Operations/Logistics

Overview

The overall scoring operations involve numerous steps:

- checking in test materials from schools
- organizing and randomizing test books for scoring
- staging test books
- delivering test books to tables
- maintaining a quality check of answer sheets
- returning the test books to schools and answer sheets to scanning centers
- sending selected audit papers to designated locations

The following is a list of test materials you can expect from each school:

- Classroom Roster (see sample, Appendix I)
- School/Group List (top of Box 1) (see sample, Appendix J)
- packing list
- test books
- answer sheets (inserted in the nested test books)

The following forms should be photocopied from the Appendices in the back of this manual:

- Scorer Assignment List (Appendix A)
- Sign-In Log Template (Appendix B)
- Table Facilitators' Record of Read-Behinds (Appendix C)
- Box Label Template (Appendix D)
- Return to Scorer Template (Appendix E)
- Table Facilitators' Tally Sheet for Read-Behinds (Appendix F)
- Check-In Log Template (Appendix M)
- Folder Label Template (Appendix N)

Checking In Test Materials from Schools

Schoolwide Scoring (Scoring Model 5) and Districtwide Scoring (Scoring Models 2–4)

1. Make sure that test books have been received from each school (if scoring districtwide) or from each class (if scoring schoolwide). Verify that the test book count written on the classroom roster matches the number of books received from the class.
2. If the test book counts do not match, do not continue. The classroom roster can be used to determine which students' test books are missing. Contact the school administrator to locate the missing books.
3. Continue verifying the number of test books from each class, retaining the class stacks on the work table. When every test book from all each class is accounted for, the randomizing process can begin.
4. File a copy of the classroom rosters for reference.
5. Stack test books by school (if scoring districtwide) or by class (if scoring schoolwide) for randomizing.

Regional Scoring (Scoring Model 1)

1. Check the sequential numbering on each box (for example, "1 of 5," "2 of 5," etc.) to make sure the shipment from each school is complete.
2. If a shipment is complete, open the boxes and check the first box to find the School/Group List, classroom roster, and packing list. Place these sheets in a safe location because they will be used to make sure test books were received for all tested students.
3. Create a check-in log (Appendix M) with columns for school name, box number (for example, "1 of 5"), date shipment was received, and check-in date. Use the check-in log to record this information for every box received.
4. Total the number of students whose test books were submitted by a school by adding the number of students reported on the label affixed to the outside of the box(es). Record this total on the check-in log.
5. Keep a copy of the check-in log and the packing list for reference.

Randomizing and Building Test Book Folders/Boxes

Randomizing the test books is required to maximize the number of teachers scoring any one group of tests. It involves mixing test books from all districts (if scoring regionally), all schools (if scoring districtwide), or all classes (if scoring locally). These test books are then placed into folders or boxes in preparation for scoring.

In order to prevent a conflict of interest, none of the three scorers assigned to score a student's test responses may be that student's teacher.

1. If tests for more than one grade level are being scored at the same scoring site, separate the test books for different grades in different rooms, if possible; or, in different corners of the same room if only one room is available.
2. Focusing on test books for only one grade exclusively at a time, select multiple districts, schools, or classes with approximately equal numbers of test books for randomization. Position a box from each of these districts, schools, or classes in a row on the floor. Line up all remaining boxes behind their corresponding district, school, or class.
3. Randomly pull a book or a set of books from the first box for each district, school, or class, and then immediately repeat this procedure. Place these sets of books for five to ten students in the scoring folder or box.
4. Continue randomly pulling sets of test books from each district's, school's, or class's box until all books have been sorted into groups and placed into folders or boxes. If one district, school, or class box is depleted before the others, continue pulling from the remaining district, school, or class boxes until all books are placed in folders or boxes.
5. If using folders, place them in boxes. A box (12" × 8¾" × 5") can hold up to 60 test books or six to twelve folders, but it is suggested that you limit the number of books or folders to a weight that is comfortable to lift.
6. Fill out a box label (see Appendix D). Write the school names and the number of books in the spaces provided.
7. Number each box consecutively (for example, "1 of 3," "2 of 3," "3 of 3," etc.), and tape the box label securely to the outside of the box.
8. Repeat the process for the remaining districts, schools, or classes at the scoring site.

Staging Test Books for Scoring

All boxes will be routed to separate scoring areas depending on the content to be read.

1. Designate a location for each grade and scoring section to stage boxes.
2. At the start of a scoring session, provide enough boxes of test books to each table for scorers to score. Make sure the boxes for districts, schools, or classes are distributed to as many tables as practicable within a content area.

Processing Test Books During Scoring

1. The scorer's work tables will be arranged so that the table facilitator/scoring leader is at the head of the table, with up to six readers positioned around the table.
2. All folders containing sets of books will be routed to the scoring committees.
3. At the start of a scoring session, folders or boxes are placed in the "in-process" box on the scoring table. Scorers will remove a few sets of test books, record their scorer number, score their assigned questions, and record their scores on the answer sheet. When a scorer has completed scoring the questions assigned to them, the answer sheet will be placed inside the test book and returned to the folder. The scorer will then pass the folder to the next teacher to score (in a round-robin fashion). If there are any responses that are difficult to score, the scorer should speak with the table facilitator or scoring leader.
4. When all questions have been scored, place the folder in the "completed" box.
5. Folders or boxes of unscored test books are brought to the work table as needed.

Quality-Checking Answer Sheets

The quality checking procedure involves a review of the scores filled in on the answer sheets by the scorers. During the quality check, any errors or omissions made by the scorers in recording students' scores should be detected and corrected while the books and answer sheets are still in the scoring area. The task of quality-checking the books should be assigned to a scoring site assistant.

Steps for Quality-Checking the Answer Sheets

1. Make sure the number of books in the folder matches the total number written on the folder label (Appendix N).
2. Take the books out of the folder. Open the first book and inspect the answer sheet to be sure all fields have been filled in properly. Look for questions with missing scores, lightly marked scores, and double-marked scores.
3. If questions are marked properly on all answer sheets, the folder is placed in a "completed scoring" box. These folders are ready for return processing, which means the answer sheets are sent to the scanning center and the books are returned to the schools.
4. If there are any answer sheets with missing information, a yellow flag is placed in the folder, which is then put aside until all test books have been checked for errors.
5. The sets of test books and answer sheets are given to the appropriate table facilitator or scoring leader for corrections. After the corrections are made, return the test books and answer sheets to the quality control station.

Forwarding Answer Sheets to Scanning Centers and Returning Test Books to School Administrators

Returning test materials to the schools begins after all test materials in all folders have been scored and quality-checked. Verify that every folder has been accounted for and scored before removing the answer sheets.

Steps for Returning Test Materials to Schools and Scanning Centers

1. If scoring regionally or districtwide, sort the sets of test books into school groups.
2. Further sort the sets of test books into classes, using the classroom roster(s).
3. Count the sets of test books and verify the total counts against the total counts on the School/Group List.
4. Remove the test books from the folders and ensure that each set of test books remains together.
5. Remove the answer sheets from the test books and place them on top of a copy of the School/Group List and the classroom rosters, building a stack of answer sheets for the school.
6. Before placing the answer sheets on top of a copy of the School/Group List and the classroom rosters, please make sure you have verified that all student information (i.e., name, ID number, etc.) is complete.
7. If an answer sheet is soiled or mutilated in some manner, the school must transcribe all student information and test responses onto an unused answer sheet, which is then added to the stack. Two staff members are required for this—one to transfer answers and one to check that the answers have been transferred accurately. Note that the transferring of answers is not to be used for students who did not follow testing directions. Please do not fold, bend, tape, or staple any answer sheets.
8. Continue this process until all answer sheets are removed.
9. Count the answer sheets. Verify that the total number of answer sheets equals the number of test books.
10. Record the shipment of secure materials on the Secure Materials Tracking Log (Appendix G).
11. Place the answer sheets into a box for mailing. Affix the address label for the appropriate scanning center. Return all answer sheets to the designated scanning center.
12. Return test books to each school.

Closing of Scoring Site

After the scoring and preparation of test materials for delivery to scanning centers and schools, the scoring site coordinator supervises the closing of the scoring facility. Scoring site assistants, as well as other members of the leadership team, may help with these procedures:

- arranging secure shipments of all answer sheets and test books;
- checking scoring areas for overlooked materials; and
- returning all ancillary materials to schools.

Scoring Support

The Department will provide each scoring site with support that will help with the scoring process. This support will include:

- Scoring PDF files on CDs of grade- and content-specific manuals
 1. Scoring Leader materials (*Scoring Leader Handbook*, Training Sets, Practice Sets, and Consistency Assurance Sets)
 2. Scorer materials (Training Sets, Practice Sets, and Consistency Assurance Sets)
- The Scoring Helpline Monday–Friday at 888-705-9415 will be available between 7:30 a.m. and 4:30 p.m. (ET) during the scoring period.

Each school can expect to receive the CDs with the scoring PDF files on April 1–3 for the English language arts tests and on April 30–May 2 for the mathematics tests.

Pearson

Scoring Helpline

888-705-9415

Dates:

English Language Arts: Friday, April 4–Wednesday, April 30

Mathematics: Monday, May 5–Wednesday, May 14

Hours: 7:30 a.m.–4:30 p.m. (ET), Monday–Friday, during the scoring dates

Appendices

Appendix C: Table Facilitators' Record of Read-Behinds

Subject _____ Grade _____ Question _____ Name _____

	Reader Score	Actual Score		Reader Score	Actual Score		Reader Score	Actual Score
1			1			1		
2			2			2		
3			3			3		
	Reader Score	Actual Score		Reader Score	Actual Score		Reader Score	Actual Score
1			1			1		
2			2			2		
3			3			3		
	Reader Score	Actual Score		Reader Score	Actual Score		Reader Score	Actual Score
1			1			1		
2			2			2		
3			3			3		

Appendix D: Box Label Template

<p style="font-size: 1.2em;">Box Label</p> <p style="font-size: 2.5em; margin: 0;">New York State</p> <p style="font-size: 3.5em; margin: 0;">GRADE _____</p>															
<p>CONTENT:</p> <table style="width: 100%;"><tr><td style="width: 50%;"><input type="checkbox"/> ELA Book 2</td><td style="width: 50%;"><input type="checkbox"/> Quality Checking</td></tr><tr><td><input type="checkbox"/> ELA Book 3</td><td><input type="checkbox"/> Quality Checking</td></tr><tr><td><input type="checkbox"/> Mathematics Book 3</td><td><input type="checkbox"/> Quality Checking</td></tr></table>		<input type="checkbox"/> ELA Book 2	<input type="checkbox"/> Quality Checking	<input type="checkbox"/> ELA Book 3	<input type="checkbox"/> Quality Checking	<input type="checkbox"/> Mathematics Book 3	<input type="checkbox"/> Quality Checking								
<input type="checkbox"/> ELA Book 2	<input type="checkbox"/> Quality Checking														
<input type="checkbox"/> ELA Book 3	<input type="checkbox"/> Quality Checking														
<input type="checkbox"/> Mathematics Book 3	<input type="checkbox"/> Quality Checking														
<p>BOX: _____ OF _____</p>															
<p># of Stacks in the box: _____</p>															
<table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th style="padding: 2px;">School Name</th><th style="padding: 2px;"># of books</th></tr></thead><tbody><tr><td style="height: 15px;"> </td><td> </td></tr><tr><td style="height: 15px;"> </td><td> </td></tr><tr><td style="height: 15px;"> </td><td> </td></tr><tr><td style="height: 15px;"> </td><td> </td></tr><tr><td style="height: 15px;"> </td><td> </td></tr><tr><td style="height: 15px;"> </td><td> </td></tr></tbody></table>	School Name	# of books													
School Name	# of books														
<p>Completion Date: _____ Checker Initials: _____</p>															

New York State
RETURN TO SCORER

GRADE: _____

BOX #: _____

CONTENT:

- English Language Arts
- Mathematics

SCORER #: _____

Appendix F: Table Facilitators' Tally Sheet for Read-Behinds

Fill in the names of the scorers at your table. Put a check in each box each time you conduct a read-behind for that scorer.

Scorer Name	Read- Behind 1	Read- Behind 2	Read- Behind 3	Read- Behind 4	Read- Behind 5

Appendix H: Exam Scoring Confidentiality Agreement

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

EXAM SCORING CONFIDENTIALITY AGREEMENT

2014 Grades 3–8 English Language Arts Tests

or

2014 Grades 3–8 Mathematics Tests

Scoring Site _____ Date(s) of Scoring _____

The purpose of all New York State assessments is to provide a fair and equitable assessment system that reliably measures the State learning standards. Because you will have access to secure test materials and to confidential student information, you also have the responsibility to assist the scoring site in ensuring the security and confidentiality of the test materials, student responses, and scores. Therefore, by signing this agreement, you agree to abide by the following security restrictions. Please retain a copy of this confidentiality agreement for your records.

Secure Test Materials

The test materials that you are scoring are “secure test materials” and are subject to certain security restrictions, including those listed below. “Secure test materials” include, but are not limited to, all test books, answer sheets, scoring guides, and any other information, whether printed or electronic (CD), relating to the scoring of the 2014 Grades 3–8 Common Core English Language Arts and Mathematics Tests. Secure test materials also include any notes you take during your participation in the scoring of secure test materials and confidential student information.

By signing this agreement, I agree to maintain and honor the security and confidentiality of all secure test materials and to abide by the following security restrictions:

- 1) I agree not to disclose any secure test materials, including test questions and answers, other than while participating in the scoring activity described above.
- 2) Upon completion of the work described above, I agree to return to the scoring site coordinator all secure test materials provided to or prepared by me, including all copies thereof and all notes taken or otherwise prepared by me.
- 3) I understand that I may not retain any copies of any secure test materials, including scoring materials and any notes pertaining to their contents.
- 4) I agree that I will not use or discuss the content of secure test materials, including test questions and answers, in any classroom or other activities.
- 5) I understand that teachers and administrators who engage in inappropriate conduct with respect to State assessments may be subject to disciplinary actions in accordance with Sections 3020 and 3020-a of Education Law and/or to action against their certification pursuant to Part 83 of the Regulations of the Commissioner of Education. I also understand that §225 of the Education Law makes fraud in exams a misdemeanor.

I, _____, have read the confidentiality agreement above and agree to abide by the security restrictions described herein.

Signature (Print): _____ Date: _____

School (Print): _____

Appendix I: Sample Classroom Roster

SAMPLE

CLASSROOM ROSTER

TEACHER NAME: _____

TOTAL: _____

SCHOOL NAME: _____

BEDS CODE: _____

STUDENT NAME	GRADE									
Student A	4									
Student B	4									
Student C	4									
Student D	4									
Student E	4									
Student F	4									
Student G	4									
Student H	4									
Student I	4									
Student J	4									
Student K	4									
Student L	4									
Student M	4									
Student N	4									
Student O	4									
Student P	4									
Student Q	4									
Student R	4									
Student S	4									
Student T	4									
Student U	4									
Student V	4									
Student W	4									
Student X	4									
Student Y	4									
Student Z	4									

Appendix K: Approximate Read Times for Scoring English Language Arts

Note: All indicated times are in minutes and/or parts of minutes

Average Read Times				
Grade	2-Credit Questions		4-Credit Questions	
	Electronic	Pencil/Paper	Electronic	Pencil/Paper
3	0.8	1.5	2.1	3.1
4	0.8	1.6	1.9	2.9
5	0.9	1.7	2.0	3.0
6	0.9	1.8	2.2	3.2
7	0.8	1.5	2.2	3.2
8	1.0	1.9	1.3	2.3

Approximate Read Times for Each Question					
	Credits	Grade 3		Grade 4	
		Electronic	Pencil/Paper	Electronic	Pencil/Paper
Book 2					
Q. 38	2	0.6	1.2	0.9	1.8
Q. 39	2	0.9	1.8	0.8	1.6
Q. 40	2	0.8	1.6	0.9	1.8
Q. 41	4	2.6	3.6	2.3	3.3
Book 3					
Q. 42	2	0.6	1.8	0.9	1.8
Q. 43	2	0.9	1.8	0.9	1.8
Q. 44	2	0.8	1.2	0.7	1.4
Q. 45	2	0.7	1.2	0.6	1.2
Q. 46	2	0.9	1.2	0.8	1.6
Q. 47	4	1.6	2.6	1.4	2.4

	Credits	Grade 5		Grade 6		Grade 7		Grade 8	
		Electronic	Pencil/Paper	Electronic	Pencil/Paper	Electronic	Pencil/Paper	Electronic	Pencil/Paper
Book 2									
Q. 50	2	0.9	1.8	1.0	1.9	0.6	1.2	1.3	2.3
Q. 51	2	0.7	1.4	1.2	2.2	1.3	2.3	1.1	2.1
Q. 52	2	1.2	2.2	0.6	1.2	0.7	1.4	0.8	1.6
Q. 53	4	2.1	3.1	2.2	3.2	1.9	2.9	1.4	2.4
Book 3									
Q. 54	2	1.0	1.9	1.1	2.1	0.7	1.4	1.0	1.9
Q. 55	2	0.6	1.2	0.7	1.4	0.4	0.8	1.1	2.1
Q. 56	2	1.2	2.2	1.1	2.1	1.3	2.3	1.1	2.1
Q. 57	2	0.6	1.2	0.5	1.0	0.5	1.0	1.0	1.9
Q. 58	2	0.8	1.6	1.1	2.1	1.0	1.9	0.5	1.0
Q. 59	4	1.9	2.9	2.2	3.2	2.4	3.4	1.2	2.2

Appendix L: Approximate Read Times for Scoring Mathematics

Note: All indicated times are in minutes and/or parts of minutes

Average Read Times									
	2-Credit Questions		3-Credit Questions			2-Credit Questions		3-Credit Questions	
	Electronic	Pencil/Paper	Electronic	Pencil/Paper		Electronic	Pencil/Paper	Electronic	Pencil/Paper
Grade 3	0.4	0.8	0.3	0.7	Grade 6	0.4	0.7	0.5	1.0
Grade 4	0.3	0.6	0.4	0.8	Grade 7	0.3	0.6	0.6	1.2
Grade 5	0.2	0.5	0.6	1.1	Grade 8	0.4	0.8	0.5	0.9

Approximate Read Times for Each Question									
	Grade 3			Grade 4			Grade 5		
	Credits	Electronic	Pencil/Paper	Credits	Electronic	Pencil/Paper	Credits	Electronic	Pencil/Paper
Q. 49	2	0.7	1.4						
Q. 50	2	0.3	0.6	2	0.5	1.0	2	0.2	0.4
Q. 51	2	0.3	0.6	2	0.4	0.8	2	0.3	0.6
Q. 52	2	0.3	0.6	2	0.3	0.6	2	0.2	0.4
Q. 53	2	0.5	1.0	2	0.2	0.4	2	0.1	0.2
Q. 54	3	0.4	0.8	2	0.2	0.4	2	0.2	0.4
Q. 55	3	0.3	0.6	2	0.3	0.6	2	0.4	0.8
Q. 56	3	0.3	0.6	3	0.3	0.6	3	0.4	0.8
Q. 57				3	0.3	0.6	3	0.6	1.2
Q. 58				3	0.5	1.0	3	0.5	1.0
Q. 59				3	0.5	1.0	3	0.7	1.4

	Grade 6			Grade 7			Grade 8		
	Credits	Electronic	Pencil/Paper	Credits	Electronic	Pencil/Paper	Credits	Electronic	Pencil/Paper
Q. 56	2	0.3	0.6	2	0.5	1.0	2	0.3	0.6
Q. 57	2	0.4	0.8	2	0.2	0.4	2	0.4	0.8
Q. 58	2	0.4	0.8	2	0.2	0.4	2	0.3	0.6
Q. 59	2	0.4	0.8	2	0.4	0.8	2	0.4	0.8
Q. 60	2	0.3	0.6	2	0.3	0.6	2	0.4	0.8
Q. 61	2	0.3	0.6	2	0.3	0.6	2	0.5	1.0
Q. 62	3	0.7	1.4	3	0.3	0.6	3	0.3	0.6
Q. 63	3	0.3	0.6	3	0.3	0.6	3	0.4	0.8
Q. 64	3	0.4	0.8	3	0.9	1.8	3	0.7	1.4
Q. 65	3	0.6	1.2	3	0.8	1.6	3	0.4	0.8

Appendix N: Folder Label Template

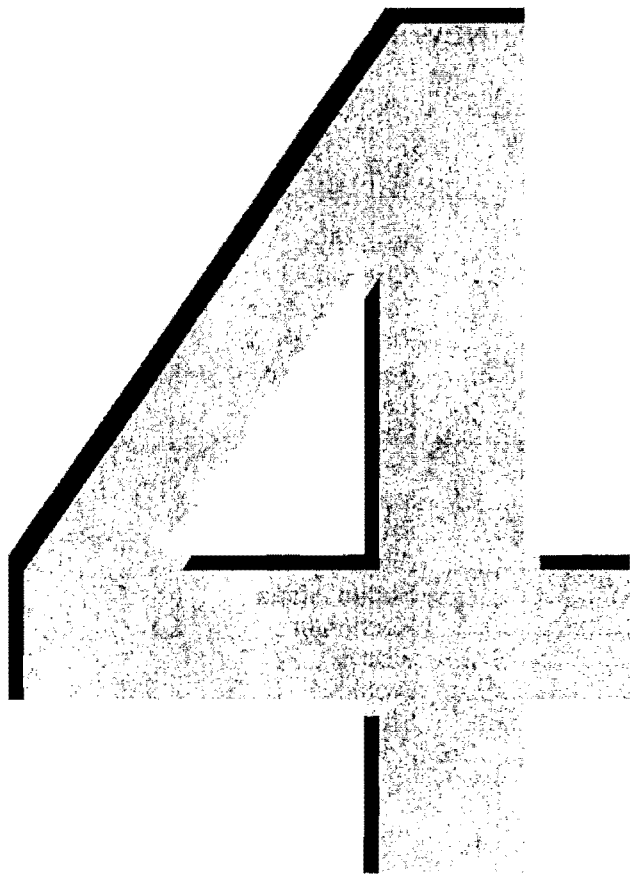
Folder Label	
Item	Scorer Number
1.	_____
2.	_____
3.	_____
4.	_____
5.	_____
6.	_____
7.	_____
8.	_____
9.	_____
10.	_____
11.	_____
12.	_____
13.	_____
14.	_____
15.	_____
16.	_____
17.	_____
18.	_____



Grades 3–8 Common Core English Language Arts and Mathematics Tests

**Scoring Leader Handbook
2014 Edition**

EXHIBIT “C”



NEW YORK STATE
GRADE 4
ELEMENTARY-LEVEL
SCIENCE TEST

Manual for
Administrators and Teachers

2014 Written Test
Performance Test, Form A



The University of the State of New York
THE STATE EDUCATION DEPARTMENT
Albany, New York 12234 • www.nysed.gov

THE UNIVERSITY OF THE STATE OF NEW YORK

Regents of The University

MERRYL H. TISCH, <i>Chancellor</i> , B.A., M.A., Ed.D.	New York
ANTHONY S. BOTTAR, <i>Vice Chancellor</i> , B.A., J.D.	Syracuse
ROBERT M. BENNETT, <i>Chancellor Emeritus</i> , B.A., M.S.	Tonawanda
JAMES C. DAWSON, A.A., B.A., M.S., Ph.D.	Plattsburgh
GERALDINE D. CHAPEY, B.A., M.A., Ed.D.	Belle Harbor
HARRY PHILLIPS, 3rd, B.A., M.S.F.S.	Hartsdale
JAMES R. TALLON, Jr., B.A., M.A.	Binghamton
ROGER B. TILLES, B.A., J.D.	Woodbury
CHARLES R. BENDIT, B.A.	Manhattan
BETTY A. ROSA, B.A., M.S. in Ed., M.S. in Ed., M.Ed., Ed.D.	Bronx
LESTER W. YOUNG, Jr., B.S., M.S., Ed.D.	Brooklyn
CHRISTINE D. CEA, B.A., M.A., Ph.D.	Staten Island
WADE S. NORWOOD, B.A.	Rochester
JOSEPHINE VICTORIA FINN, B.A., J.D.	Albany
KATHLEEN M. CASHIN, B.S., M.S., Ed.D.	Brooklyn
JAMES E. COTTRELL, B.S., M.D.	Brooklyn
T. ANDREW BROWN, B.A., J.D.	Rochester

President of The University and Commissioner of Education

DR. JOHN B. KING, JR.

Deputy Commissioner of Education, P-12

KEN SLENTZ

Deputy Commissioner, Office of Curriculum, Assessment and Educational Technology

KEN WAGNER

Assistant Commissioner, Office of Assessment, Standards and Curriculum

CANDACE H. SHYER

Director, Office of State Assessment

STEVEN E. KATZ

The State Education Department does not discriminate on the basis of age, color, religion, creed, disability, marital status, veteran status, national origin, race, gender, genetic predisposition or carrier status, or sexual orientation in its educational programs, services and activities. Portions of this publication can be made available in a variety of formats, including braille, large print or audio tape, upon request. Inquiries concerning this policy of nondiscrimination should be directed to the Department's Office for Diversity, Ethics, and Access, Room 530, Education Building, Albany, NY 12234.

Contents

General Features of the Grade 4 Elementary-Level Science Test	1
Information for School Administrators	2
General Information.....	2
Test Forms.....	2
Scanning of Machine-Scorable Answer Sheets.....	2
Reporting Test Results.....	2
Administration Schedule.....	3
Students to Be Tested.....	3
Testing Accommodations.....	3
Security of the Tests.....	6
Test Certificates.....	7
Emergency Supply of Test Materials.....	7
Test Preparations and Other Guidelines	8
Administration of the Tests.....	8
Orientation of Test Administrators.....	8
Preparation of Students for Testing.....	8
Selecting the Testing Room(s).....	8
Preparation of the Testing Room(s).....	8
Supervision of Students.....	9
Determining the Need for Academic Intervention Services.....	12
Evaluating School Results on the Grade 4 Elementary-Level Science Test.....	12
Recording Test Scores and Storing Student Answer Papers.....	12
Individual Student Reports.....	12
Review of Answer Papers by Students and Parents.....	12
Online Submission of Teacher Evaluations of the Test to the Department.....	13
Return of Tests and Scoring Materials to the Department.....	13
Department Contacts.....	14
General Test Administration Procedures	15
Test Materials.....	15
Test Administration Time.....	15
Administering and Scoring the Written Test	16
Detailed Directions for Administering the Written Test.....	16
Scoring the Written Test, Parts I and II.....	19
Rating the Written Test, Part II.....	19
Organizing the Rating Process.....	20
Administering and Rating the Performance Test	21
Preparation.....	21
Preparing Each Station.....	24
Detailed Directions for Administering the Performance Test.....	31
Rating the Performance Test.....	36
Organizing the Rating Process.....	36

Finality of Teacher Scoring Committee's Scores	37
Reporting Irregularities and/or Misadministrations	38
Mandatory Reporting of Testing Improprieties by Adults.....	38
Coding of Invalid Tests	39
Circumstances that Should Not Be Reported as Administrative Error.....	39
Appendix I: Materials Needed to Administer the Performance Test, Form A	41
Appendix II: Comparison of Possible Performance Test Sites	43
Appendix III: Test Administrator's Record Sheet	45
Appendix IV: Station 3—Ball and Ramp Place Mat	47
Appendix V: Test Storage Certificate, Deputy and Proctor Certificate, and Test Scoring Certificate	51
Appendix VI: Information on Ungraded Students	59
Appendix VII: Suppliers for Grade 4 Elementary-Level Science Performance Test Kits	60
Appendix VIII: Performance Levels Chart	61

General Features of the Grade 4 Elementary-Level Science Test

The Regulations of the Commissioner of Education provide that an elementary-level science test is to be administered in Grade 4 to serve as a basis for determining students' needs for academic intervention services in science. The Grade 4 Elementary-Level Science Test is designed to measure the content and skills contained in the *Elementary-Level Science Core Curriculum, Grades K–4*. The core curriculum is based on the *New York State Learning Standards for Mathematics, Science, and Technology (Elementary-Level)*.

The Grade 4 Elementary-Level Science Test consists of two required components: a Written Test and a Performance Test. The Written Test consists of multiple-choice and open-ended questions and requires about one hour to administer. The Performance Test (Form A) consists of hands-on tasks set up at three stations and requires about 75 minutes to administer. All three stations of the Performance Test must be administered in one continuous session.

The first section of this manual contains information of special interest to administrators. Subsequent sections contain information on test preparations and other guidelines along with directions for administering and scoring the Written and Performance Tests.

Noteworthy Details:

- The Department's policy concerning the prohibition of student use of communications devices during State tests is provided on pages 9 and 10.
- Please see page 19 for the Department's scoring policy.
- The procedure for reporting testing improprieties by adults is explained on page 38.

Information for School Administrators

General Information

All school personnel who will be involved in the administration and scoring of the Grade 4 Elementary-Level Science Test should have a copy of, and be familiar with, the information in this manual. The manual may be photocopied by the school as needed. In addition, please check the Office of State Assessment's (OSA's) web site periodically at <http://www.p12.nysed.gov/assessment/science/> for updates concerning this test. Schools may submit questions concerning the administration of the Grade 4 Elementary-Level Science Test via e-mail to OSA at emscassessinfo@mail.nysed.gov.

Pursuant to Section 102.3 of the Regulations of the Commissioner of Education, "Building principals are responsible for administering department examinations and maintaining the integrity of examination content and programs, in accordance with directions and procedures established by the commissioner."

Test Forms

Written Test: The Written Test booklet has two parts and must be administered in one sitting. Part I contains multiple-choice questions, and Part II contains open-ended questions. The test is not timed. Most students will complete the Written Test in approximately 45–60 minutes of working time. In addition, the test administrator will need approximately 15 minutes to give directions to students. The Department will provide a new form of the Written Test each year. All schools must use an answer sheet developed by a RIC or large-city scanning center. Students must use this answer sheet to record their responses to the multiple-choice questions. Students write their answers to the questions in Part II of the test in the test booklet.

Performance Test, Form A: The Performance Test consists of tasks at three stations and must be administered in one sitting. Each station requires 15 minutes of testing time, for a total testing time of 45 minutes. Additional time is needed to provide instructions to students and for students to move between stations. Allot at least 75 minutes for administration of the Performance Test. The Performance Test is hand scorable only. Students write their answers to the questions in the Performance Test in the test booklet.

Scanning of Machine-Scorable Answer Sheets

It is the school's responsibility to make the necessary arrangements for scoring the test and reporting data to the Student Information Repository System (SIRS). All schools, public, nonpublic, and charter, must contract with a RIC or large-city scanning center for answer sheets, scanning, and reporting services. The school must send answer sheets to the RIC/large-city scanning center after the rating of the Written Test, Part II, and the Performance Test are completed.

Some schools will have two separate answer sheets, one for the Performance Test and one for the Written Test. If this is the case, both must be sent to the RIC/large-city scanning center if that is part of their arrangement. Schools may not require students to record their responses for the same multiple-choice questions on more than one answer sheet.

Reporting Test Results

Data for all schools must be reported through the SIRS. For more information about reporting results, school administrators should contact their local RIC or their large-city scanning center. **Schools must not send completed answer sheets to the Department.**

Administration Schedule

The Grade 4 Elementary-Level Science Performance Test must be administered between May 21 and May 30, 2014. The specific dates when the test is administered are a local decision. The Written Test must be administered on June 2, 2014. Students who are absent on the administration dates must be tested when they return to school, but no later than May 30 for the Performance Test and no later than June 4 for the Written Test. Results for all students must be included on the reports submitted to the Department.

Students to Be Tested

Except as noted below, all public and charter school students in Grades 3–8 must take all State assessments administered for their grade level. This includes students who have been retained in these grades. The birth dates of ungraded students with disabilities should be used to determine who must be tested and which grade-level test they will take (see Appendix VI). Nonpublic schools are also encouraged to participate and are to follow the same guidelines for each grade-level test they are administering. When determining which students will participate in these tests, be sure to consider students who attend programs operated by the Boards of Cooperative Educational Services (BOCES) as well as any other programs located outside the district.

- *Students with Disabilities.* The Committee on Special Education (CSE) must decide for each student, on a case-by-case basis, whether the student will participate in the general State assessment or in the New York State Alternate Assessment (NYSAA) for students with severe disabilities. The CSE's decision must be documented on the student's Individualized Education Program (IEP). The criteria that the CSE must use to determine eligibility for the NYSAA are available at the web site <http://www.p12.nysed.gov/assessment/nysaa/>. The Grade 4 Elementary-Level Science Test answer sheets for students participating in the NYSAA should be coded as eligible for the Alternate Assessment.
- *Medically Excused.* A student may be medically excused from testing if documentation from a medical practitioner is obtained and kept on file at the school indicating that the student is too incapacitated to test at the school, at home, or in a medical setting. When reporting assessment data to the Department for a student who is medically excused, the principal must report the student's results with an Assessment Standard Achievement Code of "93" in SIRS.

The provisions of the No Child Left Behind Act (NCLB) do not permit any exemption of English language learners from the Grade 4 Elementary-Level Science Test. All English language learners in Grade 4 must take the Grade 4 Elementary-Level Science Test. This test is available in Chinese (traditional), Haitian Creole, and Spanish. Information about administering these translated editions is included on page 15 under "Test Materials." The test can be translated orally into other languages for those English language learners whose first language is one for which a written translation is not available from the Department. Schools are permitted to offer English language learners specific testing accommodations when taking State tests to ensure valid and reliable test results (see pages 5-6).

Testing Accommodations

Students Who Incur Disabilities Shortly Before Test Administration

Principals may provide accommodations when testing general education students who incur an injury (e.g., broken arm) or experience the onset of either a short- or long-term disability (either cognitive or physical) within 30 days prior to test administration. Eligibility for such accommodations is based on the principal's professional judgment. The principal may confer with CSE/504 Multi-Disciplinary Team members, the school physician, or other school personnel in making such a determination. These accommodations are limited to the following:

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

- recording the student's answers in any manner, and
- reading the test to a student (only for students whose vision is impaired).

Prior permission need not be obtained from the Department for the principal to authorize these 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 name of the student,
- the title of the test,
- a brief description of the student's injury or disability, and
- a listing of the accommodations that were authorized by the principal.

If the student is expected to continue to need testing accommodations, the principal must immediately make the appropriate referral for the development of an IEP or a Section 504 Accommodation Plan (504 Plan).

Students with Disabilities

In general, students with disabilities must be provided with the testing accommodations specified in their IEPs or 504 Plans when taking this test. It is the principal's responsibility to ensure that this occurs and that those staff who will be providing these testing accommodations are appropriately trained. Plan all necessary arrangements for implementing testing accommodations well in advance of the test dates.

The Department's Office of Special Education provides more information on test access and accommodations for students with disabilities on its web site at <http://www.p12.nysed.gov/specialed/publications/policy/testaccess/policyguide.htm>. If you have questions on this topic for which you are unable to find answers on the web site, you may contact that office via e-mail to speced@mail.nysed.gov.

Use of Scribes or Tape Recorders and Large-Type or Braille Editions

Instead of using a scribe, the Department encourages the use of a word processor (with dictionary disabled), as most students have some experience with computers, and word processing allows the student more control over his or her environment, fosters independence, and is less labor-intensive than using a scribe. However, the use of scribes and the use of tape recorders are allowable accommodations for the Grade 4 Elementary-Level Science Test. Note the following procedures for scribing:

- The scribe must record word-for-word what the student dictates or records.
- The scribe must use lined paper and must write on every other line.
- The student must read the complete dictation/transcription and indicate on the skipped lines any further changes to be transcribed.
- The scribe must then transfer the student's completed response into the test book exactly as dictated or recorded and should attach the lined paper with the student's dictation to the back of the test booklet, preferably by stapling, to ensure against the student's response being lost.

For students who use large-type or braille editions of the tests, or large-type answer sheets, or have a testing accommodation allowing the circling of answers in the test book, teachers should transcribe the students' responses onto regular test answer sheets and test books exactly as dictated or recorded.

Format Changes

Any format changes to the test to be made by the school, such as the re-spacing of questions, enlargement beyond the standard large-type edition provided, colorization, etc., must receive prior written approval from the Department. Note that the reformatting of State assessments may never change the wording of questions, nor may additional examples be included.

In order for the Department to process requests for reformatting by the school, requests for approval should be submitted to OSA at least one week before the first scheduled date of the test administration. Requests should include a letter from the school signed by the school principal. Each request must include the portion of the student's IEP in which the type of reformatting is listed or defined. Requests may be faxed to 518-474-1989. Department approvals will be provided by fax. However, regardless of approval, under no circumstances may the shrink-wrapped test packages of State assessments be opened prior to the morning of the day that the test is to be administered in the school.

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 one-half of that amount of time), 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 State tests to English language learners individually or in small groups in a separate location.
- *Bilingual Dictionaries and Glossaries:* English language learners may use bilingual dictionaries and glossaries when taking this test. The bilingual dictionaries and glossaries may provide **only** direct translations of words. Bilingual dictionaries or glossaries that provide definitions or explanations are **not** permitted.
- *Translated Editions:* English language learners may be provided with a translated edition of the Grade 4 Science Test. This test is available in Chinese (Traditional), Haitian Creole, and Spanish. In addition, English language learners may use an English and an alternative language edition of this test simultaneously. However, they should be instructed to record all of their responses in only one of the two editions. The alternative language edition used by the student should be indicated on the student's answer sheet.
- *Oral Translation for Lower Incidence Languages:* Schools may provide English language learners with an oral translation of this test when there is no translated edition provided by the Department. All translations must be oral, direct translations of the English edition. Written translations are not allowed. No clarifications or explanations may be provided. Translators should receive copies of the English edition of the test *one hour prior* to administration. The Department's Office of Bilingual Education and Foreign Language (telephone: 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 this test may write their responses to the open-ended questions in their native language. Scoring the responses to the open-ended questions 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 “English Language Learners” only to those former English language learners who were identified as English language proficient based on their scores on one of the two most recent administrations of the New York State English as a Second Language Achievement Test (NYSESLAT), either Spring 2012 or Spring 2013. These accommodations may not be provided to former English language learners who were identified as English language proficient prior to the 2012 NYSESLAT administration.

For each English language learner or eligible former English language learner, darken the circles on the answer sheet under the heading “ELL Accommodations” to indicate the testing accommodations provided.

Security of the Tests

Prior to Testing

Secure test materials will arrive about one week before testing at the secure facility designated by the principal via the online Examination Request System. Prior to these delivery dates, the principal should make arrangements to be notified when the test materials arrive.

Safeguarding Test Materials

The sealed packages of secure test materials must be stored in a secure place at the location indicated on the *Test Storage Plan* submitted to the Department. As soon as practical after delivery, an inventory of the test materials must be conducted. The sealed packages of secure test materials must be replaced inside the secure location immediately after the inventory is completed. The school principal must notify the Department in writing via fax to 518-474-1989 if any of the packages of secure test materials are not properly sealed when received. The sealed packages of secure test materials must not be removed from the secure location, except for the inventory. The sealed packages of secure test booklets may **not** be opened until the test administration date, and then just early enough to permit the distribution of booklets prior to the scheduled starting time.

All Written Test booklets, both used and unused, and all used answer sheets must be held secure from the date the school receives its shipment of test materials until 3:00 p.m. on June 4, 2014 at which time the Rating Guide will be posted on the Department’s web site at <http://www.p12.nysed.gov/assessment/>. While schools may score the student answer papers before the end of this period, caution raters not to discuss the test content and rating criteria except during scoring sessions. Once the Department-designated test administration period has ended, the Written Test materials are no longer considered secure.

All Performance Test materials must be kept secure at all times except during the actual administration and scoring of the Performance Test. The same Performance Test (Form A) will be administered for several years. All Performance Test materials **except** used student test booklets are to be returned to the Department.

To minimize the number of testing irregularities, principals should conduct a review of the test administration procedures prior to each test administration with all faculty and staff who will be involved in the test administration and scoring. In addition, to preserve the integrity of the test materials, advise all teachers administering and scoring this test that they are not to discuss test questions or other specific test content online via e-mail or LISTSERV or through any other electronic means. Teachers and test administrators may not use cell phones or other photographic devices to duplicate test materials, and should keep their own communication devices put away during testing, using them only in emergency situations. Please note that shrink-wrapped packages of test books cannot be opened prior to the distribution of tests to students.

Test Certificates

The *Test Storage Certificate*, the *Deputy and Proctor Certificate*, and the *Test Scoring Certificate* must be completed and signed by all of the appropriate parties following the administration and scoring of the Performance Test and again following the administration and scoring of the Written Test. Both sets of signed certificates must be retained in the school's files for one year. Copies of these certificates can be found in Appendix V. The *Test Scoring Certificate* may be copied and **must** be completed for each test administered. All scorers for each test and the principal are required to sign this form to indicate compliance with all scoring procedures as outlined in the scoring keys and rating guides for each test.

Emergency Supply of Test Materials

All shipments of secure test materials should be inventoried immediately after delivery and before being placed in secure storage. After taking inventory:

1. If you determine that any items listed on your shipping notice are **missing** from your shipment, circle the item(s) and quantity that are missing on the notice and fax the corrected shipping notice to the Department's Operations Group at 518-474-2021. (No cover sheet is necessary.) The missing item(s) will be sent to your school's storage site.
2. If the school requires items that were **not originally requested**, or items necessary to accommodate students of whose needs the school was not previously aware, contact the Department's Operations Group by sending a fax to 518-474-2021. The Operations Group will determine whether the regional center has the materials necessary to satisfy the additional request. After contacting the Operations Group, the school should contact the official in charge of the regional center to arrange pickup of test materials on the day of test administration.
 - The official school representative picking up secure test material must present to the regional center official a photo ID and a letter of authorization signed by the principal listing the materials to be picked up. This letter, authorizing the school representative to pick up test materials, must be written on school stationery. (**Note:** Secure materials can be obtained from the regional center only on the day that they will be administered.)
 - The school representative must countersign the authorization letter and leave it with the regional center official before the emergency supply of materials can be released.
 - Information on regional centers is available at <http://www.p12.nysed.gov/assessment/ei/eigen.html>.

Please note: Performance test material will not be sent to Regional Centers, only to schools.

Test Preparations and Other Guidelines

Administration of the Tests

To ensure that the Grade 4 Elementary-Level Science Test provides an accurate measure of student achievement, both students and teachers should be properly prepared for its administration. This manual provides recommendations for preparing students to take the tests. School personnel who administer the Written and Performance Tests must be familiar with the test materials and the directions for administration provided in this manual.

Orientation of Test Administrators

This manual is not secure; copies of this publication should be distributed to teachers in advance of the administration date(s) so they may familiarize themselves with the procedures for administering the test. Schools may make photocopies of this publication if necessary. It is also available on the Department's web site at <http://www.p12.nysed.gov/assessment/manuals/>.

In addition, schedule an orientation prior to the testing dates to enable test administrators to become adequately prepared. The orientation should include direct hands-on experience with the Performance Test if the test administrators have not had previous experience with that component of the test. BOCES or large-city central offices may provide assistance for conducting such orientation sessions.

Note regarding test security: Allow access to the Performance Test materials only to those who are scheduled to administer the Performance Test, conduct the orientation, or rate the test. **These materials must remain under strict security conditions at all times to preclude access to the test materials by students and other unauthorized persons.**

Preparation of Students for Testing

The administration of the test should be announced to students before the date that the test is scheduled to be administered. All announcements should be made in such a way as to increase the students' interest in the test without causing them to become overly anxious. In addition, parents should be informed of the dates of testing and the purpose of the tests. Parents should be asked to encourage students to do their best on the test and to ensure that students are well rested on the days of testing. Students should be familiar with the general types of questions on the test and the procedures that they should follow when recording the answers to the test questions. Previous editions of the Written Test that feature questions similar to those that will be on this year's test may be accessed on the Department's web site at <http://www.nysedregents.org/Grade4/Science/>.

Selecting the Testing Room(s)

Arrangements for administering the tests should interfere as little as possible with the normal school routine. The Written Test may be administered in the students' regular classroom, or classes may be arranged into smaller or larger groups, at the convenience of the school. The Performance Test need only be set up in one location. For buildings with more than one class of Grade 4 students, classes should cycle through the testing area one at a time. Each student must take all three stations in one continuous session. Schools with more than one class of Grade 4 students are permitted to administer the Performance Test to each class on different days within the testing period. Suggestions for selecting an appropriate testing site for the Performance Test are provided in the section of this manual entitled "Administering and Rating the Performance Test" (see pages 21–23) and in Appendix II.

Preparation of the Testing Room(s)

The room(s) in which the tests are administered should be well lighted, well ventilated, and quiet. Make preparations before the testing period to keep noise and other distractions to a minimum. Place a "Do Not Disturb" sign on the door to prevent interruptions. If tests are to be administered in a classroom, clear desks and shelves under the desks of all books, papers, and other materials.

Completely cover or remove from the walls all charts and blank or completed graphic organizers pertinent to science and all board work. Make arrangements in advance to seat the students so that each student will be clearly visible to the proctor at all times and so that there will be the least possible opportunity for any communication between students. Seating of students in alternate rows is recommended.

Supervision of Students

Unauthorized Materials

Students should be under close supervision at all times during the administration of the tests and may not use any unauthorized notes, printed materials, scrap paper, or tools.

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 test is being administered. Test proctors 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 session, proctors must read the following statement to all students taking State tests:

You cannot have any communications device, including a cell phone, with you during this test 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
- 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 or a 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.

Any student observed with any prohibited device while taking a State test must be directed to turn the device over to the proctor immediately. To allow for all possible outcomes of procedural due process, the student should be allowed to complete the test. The incident must be reported promptly to the school principal. If the student had a prohibited device in his or her possession during the test administration, the principal must invalidate the student's test score (no score may be calculated for that student), and report the incident to OSA.

The incident must be promptly reported, in writing, to OSA by fax to 518-474-1989 or by e-mail to emscassessinfo@mail.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.

Aid to Students

No one, under any circumstances, may interpret or explain test questions to students, nor may anyone review or comment to the student about the correctness or sufficiency of the student's response while the test is in progress. In response to inquiries by students concerning the meaning or interpretation of test questions, proctors should advise students to use their own best judgment. Teachers may give students assistance only in the mechanics of taking the test, such as understanding that their multiple-choice responses must only be recorded on the answer sheet and their constructed responses must be recorded in the test book.

Temporary Absence from Testing Room

No student may be permitted to leave and then return to the testing room during any part of the test unless the student is accompanied by a proctor for the duration of his or her absence from the testing room.

Emergency Evacuation of a School Building

Evacuation of a school building during a test may be required because of an emergency such as a fire alarm or bomb threat. In any situation in which the safety of the students is endangered, the principal has full authority to interrupt the test immediately. If it is possible, the students should be kept under supervision during the emergency. If work can be resumed following evacuation then students may make up the remaining time so that they will have the allotted time on the test. Note that the written test is **not** timed. Allow the students the necessary time to complete the test. Following the test, a written report of the circumstances should be faxed to OSA. (See "Reporting Irregularities and/or Misadministrations" on page 38.)

Student Cheating

Do not permit students to obtain information from or give information to other students in any way during the test. If you suspect that such an attempt has occurred, warn the students that any further attempts will result in the termination of their tests. If necessary, move the students to another location. If these steps fail to end attempts to obtain or give information, notify the principal immediately and terminate the students' tests. At the conclusion of the test, all suspected cheating must be reported to the principal.

If, in the judgment of the principal, a student has attempted to give aid to or obtain aid from another person during the test, the principal must follow the school's disciplinary procedure for student cheating and invalidate the student's test. Score reports will not be produced for invalidated tests. When reporting student assessment data to the Department under such circumstances, the principal must report the student's test results as "administrative error." (See "Coding of Invalid Tests" on page 39.)

Illness

If a student becomes ill during a part of the test, the student should be excused until he or she is well enough to continue. For the Performance Test, the principal should estimate the time that the student had remaining to complete that part of the test. When the student is well enough to complete the test (and as long as the testing or makeup period has not ended), the student may be given the remaining time for that part. For the Written Test, the student should be given the time needed to complete the test. When finishing the test, the student must be closely supervised so that he or she does not go back to previously finished questions on the test.

Students Absent on the Test Day

Plan to administer the test at a later date during the test administration or makeup period to all students who were absent when the test was initially given. Do not involve these students in any classroom discussions about the test prior to the time they take it.

Proctoring

Proctors must circulate periodically around the room during the administration of each session of the test to ensure that students are recording their responses to test questions in the proper manner and in the proper place. While circulating around the room, proctors should make sure that students are recording their responses to the multiple-choice questions on their answer sheets and their constructed responses in their test books. Students are not to record their multiple-choice responses in their test books. Proctors should also point out to students that they have left one or more answers blank or have darkened more than one circle for the same multiple-choice question. However, proctors may **not** comment to the student on the correctness or sufficiency of any answer.

No one, under any circumstances, including the student, may alter the student's responses on the test once the student has handed in his or her test materials. Teachers and administrators who engage in inappropriate conduct with respect to administering and scoring State tests 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.

Determining the Need for Academic Intervention Services

Section 100.2(ee)(i) of the Regulations of the Commissioner of Education requires schools to provide academic intervention services to students who score below the State-designated performance level (performance level 3, final test score 65) on the Grade 4 Elementary-Level Science Test. All students who achieve a final score in performance levels 1 and 2 (see Appendix VIII) must receive academic intervention services. These services must commence in the semester immediately following the administration of the test. Charter schools are exempt from this provision. Providing academic intervention services is not mandated for nonpublic schools.

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

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

Evaluating School Results on the Grade 4 Elementary-Level Science Test

The Rating Guides for the Written and Performance Tests provide summary charts that link each test question to the Elementary-Level Science Core Curriculum. The core curriculum is based on the *New York State Learning Standards for Mathematics, Science, and Technology (Elementary-Level)*. The charts provide a reference to these documents for each question on the Written and Performance Tests.

Recording Test Scores and Storing Student Answer Papers

Schools must maintain complete and accurate records of students' test scores. A student's score and the date of administration must be entered on the student's permanent record.

All schools must keep their students' Performance Test booklets on file in the school for at least one year. Since the Performance Test booklets remain secure, they must be stored in a secure location. Schools must also keep their students' Written Test answer sheets on file for the same period.

Individual Student Reports

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

Review of Answer Papers by Students and Parents

Students and parents/guardians of students who have taken the Grade 4 Elementary-Level Science Test have the right to review student answer papers after the scores have been recorded as described in the preceding section. Answer papers should be reviewed in the presence of the principal, or the principal's designee, to ensure that no changes are made on the answer papers as they are being reviewed.

Online Submission of Teacher Evaluations of the Test to the Department

Suggestions and feedback from teachers provide an important contribution to the test development process. The Department provides an online evaluation form for State assessments where teachers may respond to several specific questions and may make suggestions. Go to <http://www.p12.nysed.gov/assessment/teacher/evaluation.html> to complete and submit your evaluation.

Return of Tests and Scoring Materials to the Department

Written Test: Since the Department will provide a new form of the Written Test each year, schools do **not** have to return Written Test materials to the Department. After the Department-designated test administration period has ended and the test has been scored, schools may use the Written Test as part of the instructional program. Schools may make photocopies of the Written Test if additional copies are needed for this purpose. All schools must keep student answer papers for the Written Test on file in the school for one year. Copies of this manual, the Rating Guide, and the Test Storage, Deputy Proctor and Test Scoring Certificates for the Written Test should be kept on file at the school with the students' answer papers for reference. **No school should send answer sheets to the address listed below for the return of certain Performance Test materials.**

Performance Test: Principals are required to ensure that the school returns Performance Test materials to the Department as indicated in the chart below.

Return to the Department's Test Distribution Unit	Retain in the School Do NOT return to the Department
All <i>unused</i> Performance Test booklets, including regular, large-type, braille, and alternative language editions All used and unused Performance Test Rating Guides	Performance Test booklets used by students Test Administrator's Record Sheet Copies of this test administration manual Completed Test Storage Certificate Completed Deputy and Proctor Certificate Completed Test Scoring Certificate

The Performance Test materials must be returned at your school's expense after scoring has concluded but no later than June 16, 2014. For your convenience, a pre-addressed return label was enclosed with the shipment of test materials to return the Performance Test materials to:

Test Distribution Unit
New York State Education Department
Cultural Education Center, Room 167
Empire State Plaza
Albany, New York 12230

Note: New York City public schools should follow the procedures for the return of Performance Test materials provided to them by the New York City Department of Education.

Department Contacts

Different Department staff are responsible for various aspects of the test. Direct questions to one of the persons or offices listed below.

Do not discuss test questions or other specific test content via e-mail. This is a violation of security, as stated on page 6. Questions about scoring should be addressed by telephone.

Test Administration:	Carolyn Trombe, Test Administration 518-474-5902 ctrombe@mail.nysed.gov
Rating/Scoring:	Judy Pinsonnault, Test Development Unit 518-474-5900 jpinsonn@mail.nysed.gov
Requests for Additional Test Materials:	Operations Group Fax a copy of shipping notice with a note itemizing which materials are needed to: 518-474-2021
Content/Curriculum:	Office of Curriculum and Instruction (C&I) 518-474-5922 emscurric@mail.nysed.gov
Accommodations for Students with Disabilities	Special Education Policy and Professional Development 518-473-2878 speced@mail.nysed.gov
Reporting Results in SIRS	Information and Reporting Services 518-474-7965 dataquest@mail.nysed.gov
Academic Intervention Services	David Bryant, Office of Innovative Programs, Student Support Services 518-486-6090 dbryant@mail.nysed.gov

General Test Administration Procedures

Test Materials

The test materials provided by the Department for administering the Grade 4 Elementary-Level Science Test include:

For the Written Test:

- test booklets
- directions for administering and scoring the Written Test (pages 16–20 of this manual)

NOTE: Answer sheets are provided by your school's RIC/large-city scanning center (see page 2).

Schools will no longer receive printed scoring materials for the Written Test. The Scoring Key for the Written Test Part I and the Rating Guide for the Written Test Part II will be posted on the Department's web site at <http://www.p12.nysed.gov/assessment/> at approximately 3:00 p.m. on June 4, 2014. Schools must print sufficient copies to supply one to each rater.

For the Performance Test (Form A):

- test booklets
- Station Diagrams (10 sets of each of these Station Diagrams and one Test Administrator's Record Sheet)
- directions for administering and rating the Performance Test (pages 21–36 of this manual)
- Test Administrator's Record Sheet (Appendix III of this manual)
- Rating Guide for the Performance Test (Form A)

The Written Test booklet and the test booklet and Station Diagrams for the Performance Test (Form A) are available in large-type and braille as well as in the following alternative language editions: Chinese (Traditional), Haitian Creole, and Spanish. The alternative language editions are direct translations of the English editions. The directions to students on the alternative language test materials are the same as those on the English editions. The Department does not provide separate directions for administering the alternative language editions of the tests. Teachers who speak the language should be able to administer the alternative language editions by using a copy of the test materials in the appropriate language and the directions provided in this manual. If a teacher who does not speak the alternative language administers the tests, the directions on the test materials should enable students to complete the tests by themselves.

The test materials to be provided by the school include pencils for both the Written and Performance Tests and the station materials for the Performance Test.

Test Administration Time

Written Test: The Written Test is not timed. Students should be given as much time as they need to complete it. As a general rule, most students will need 45–60 minutes of working time to complete the Written Test. Some students will need more time and provisions should be made to accommodate these students. In addition, the test administrator will need approximately 15 minutes to give directions to students.

Performance Test, Form A: The Performance Test will take approximately 75 minutes to administer, including time needed to provide instructions to the students and for students to move between stations. Field testing has determined that almost all students will complete the tasks at the three stations in this amount of time. Students are allowed 15 minutes at each station. All stations must be administered in one session.

Administering and Scoring the Written Test

Detailed Directions for Administering the Written Test

Make sure that sufficient quantities of all test materials are on hand. The following materials are needed:

for each student

- test booklet
- answer sheet
- No. 2 pencil

for the test administrator

- detailed directions for administering and scoring the Written Test (pages 16–20 of this manual)
- test booklet (for demonstration purposes)
- answer sheet (for demonstration purposes)
- extra answer sheets and No. 2 pencils

At the beginning of each test session, proctors must read the following statement to all students taking State tests:

You cannot have any communications device, including a cell phone, with you during this test 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
- 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 or a 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.

After the desks have been cleared of books and papers and when the students are ready to begin, say:

Today you are going to take a test in science. I will now give each of you a test booklet face up on your desk. Do not open the booklet until I tell you to do so.

Distribute one test booklet, face up, to each student. Then say:

I will now give out the answer sheets. Please do not write on the answer sheet until I tell you what to do.

After the answer sheets have been distributed, give directions for completing the heading of the answer sheet. Provide directions for marking any machine-readable name or number grids. These directions should be provided by the RIC.

If students do not understand how to mark the answer sheet, explain the appropriate directions until everyone knows what to do. Then say:

Look at the cover of your test booklet. Be sure it says "Grade 4 Elementary-Level Science Test, Written Test, June 2, 2014." If you do not have the correct booklet, raise your hand.

Read the directions on the cover silently to yourself while I read them aloud.

Print your name and the name of your school on the lines above. (*Pause.*)

This test has two parts. Parts I and II are in this test booklet.

Part I contains 30 multiple-choice questions. Record your answers to these questions on the separate answer sheet. Use only a No. 2 pencil on your answer sheet.

Part II consists of 15 open-ended questions. Write your answers to Part II in this test booklet.

You will have as much time as you need to answer the questions.

Now turn to page 2. Read the directions on page 2 silently to yourself while I read them aloud.

DIRECTIONS

There are 30 questions on Part I of this test. Each question is followed by three or four choices labeled A–C or A–D. Read each question carefully. Decide which choice is the best answer. On the separate answer sheet, mark your answer in the row of circles for each question by filling in the circle that has the same letter as the answer you have chosen. Use a No. 2 pencil to mark the answer sheet.

Read Sample Question **S-1** below.

S-1 Frozen water is called

- A fog
- B ice
- C steam
- D vapor

The correct answer is **ice**, which is next to letter **B**. On your answer sheet, look at the box showing the row of answer circles for Sample Question **S-1**. See how the circle for letter **B** has been filled in.

Now read Sample Question **S-2**. Mark your answer on the answer sheet in the box showing the row of answer circles for Sample Question **S-2**.

Allow students time to mark the answer to Sample Question S-2 on their answer sheets. If necessary, demonstrate on the chalkboard the correct way of marking answers on the answer sheet. Then say:

S-2 Which animal has wings?

- A bird
- B frog
- C mouse
- D rabbit

The correct answer is **bird**, which is next to letter **A**. On your answer sheet, you should have filled in circle **A**.

Answer all 30 questions on Part I of this test. Fill in only one circle for each question. Be sure to erase completely any answer you want to change. You may not know the answers to some questions, but do the best you can on each one.

When you finish Part I, go on to Part II. Answer all of the questions in Part II in the space for each question.

If students do not appear to understand the sample questions or the marking of the answer sheet, the appropriate directions may be explained until everyone knows what to do. After all questions have been answered, say:

Check your booklet to be sure that it is complete and that no pages are stuck together.

When I tell you to, turn to question 1 and begin work. When you are finished, close your test booklet and place it on top of your answer sheet.

Now turn the page and begin work.

Walk around the room and make sure that all students understand the directions and are marking their answer sheets properly. Explain again the test-taking procedures to any student who appears to be having difficulty.

No one, under any circumstances, may interpret or explain test questions to students, nor may anyone review or comment on any of a student's answers while a test is in progress. In response to inquiries by students concerning the meaning or interpretation of test questions, students should be advised to use their own best judgment.

Students should remain quietly at their desks when they finish the test. The teacher may collect the test materials either as students complete the test or when most of the students have finished.

If the test is administered in a large-group setting, school administrators may prefer to allow students to hand in their test materials as they finish and then leave the room. If so, take care that students leave the room as quietly as possible so as not to disturb the students who are still working on the test.

No one, under any circumstances, including the student, may alter the student's responses on the test once the student has handed in his or her test materials. Teachers and administrators who engage in inappropriate conduct with respect to administering and scoring State tests 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.

Scoring the Written Test, Parts I and II

NOTE: Teachers are **not** permitted to score their own student's answer papers.

The Scoring Key for the Written Test Part I and the Rating Guide for the Written Test Part II will be posted on the Department's web site at <http://www.p12.nysed.gov/assessment/> at approximately 3:00 p.m. on June 4, 2014.

The student's raw score is determined as follows:

Part I—All schools administering the Grade 4 Elementary-Level Science Test are required to make arrangements to obtain answer sheets and associated scanning services from a RIC or large-city scoring center. These centers will scan and score the answer sheets according to the following criteria:

1. One credit will be awarded for each correct answer.
2. Credit will not be allowed if two or more answers have been marked for the same question.
3. The raw score for Part I will be determined by counting the number of correct responses.

Part II—assign credits as indicated in the Rating Guide for the Written Test. A list of criteria for rating the open-ended questions on Part II is provided in that guide.

Machine Scoring. Schools should be sure to check with their scoring center concerning the procedure to be followed in preparing the answer sheets for machine scoring.

The separate answer sheet containing the multiple-choice answer grids also provides grids for recording a student's Part II and Performance Test scores. When filled in, these grids enable scoring centers to produce student records that include final student scores. Record the Performance Test scores in these grids **after** the Written Test is administered but before the answer sheets are machine scored. If schools have two separate answer sheets for the Written and Performance Tests, both must be sent to the RIC or large-city scanning center.

Determining the Student's Final Test Score. A chart for converting the student's Written Test raw score and Performance Test raw score to a final score will be provided on the Department's web site at <http://www.p12.nysed.gov/assessment/>. Once a final score has been determined for each student, a performance level can be assigned. The Performance Levels Chart is provided in Appendix VIII of this manual.

Note: The final score corresponding to the raw scores in the conversion chart will change with each year's edition of the test. For this reason, it is crucial that for each test year only the conversion chart provided for that edition be used to determine the student's final score.

Rating the Written Test, Part II

Approximately one-third of the Written Test will consist of open-ended questions. A group of teachers should rate the Part II open-ended questions on the Grade 4 Elementary-Level Science Test. There must be at least two raters. No rater assigned to score a student's test responses may be that student's teacher. School administrators decide who may rate Grade 4 Elementary-Level Science Test(s) after review of the teachers' certification and present and past teaching assignments. It is estimated that two teachers working as a team should be able to rate all of the open-ended responses for 30 students in approximately one hour.

The Rating Guide for the Written Test, Part II gives detailed directions for rating the open-ended section of the Written Test and specific criteria for rating each question. In rating the students' test booklets, each rater should follow the procedures detailed in the rating guide. The rating should be completed no later than June 12, the date when answer sheets must be submitted to the scanning centers. Copies of the Written Test Rating Guides should be kept on file at the school for reference for at least one year.

Organizing the Rating Process

The following is a suggested procedure for managing the mechanics of the rating process.

1. Designate one person as the coordinator of the rating process. The coordinator may be appointed at either the building or the district level. He or she will be responsible for training and supervising raters and may also rate some of the questions in the student test booklets.
2. Set aside one room as a central rating room for collecting, sorting, circulating, and storing test booklets and for preparing and maintaining records.
3. Provide adequate time for rating during the school day.
4. Make sure each rater receives approximately the same number of student booklets, taking care to ensure that no teacher is assigned to rate the test booklets of his or her own students.
5. At least two teachers must participate in rating the open-ended questions in Part II. Each should be responsible for rating a selected number of the open-ended questions in each test booklet. No one teacher is to score more than half of all the open-ended questions in a student's test booklet.
6. Prior to the rating of students' responses to the open-ended questions in Part II, allow time to provide training for all raters (even if they have received prior training). If possible, select at random 10–15 student test booklets and duplicate them for use as a "warm-up" exercise with the raters for discussion of the questions, the criteria, and the rating of each item. During the training exercise, after three or four complete student test booklets have been rated, ask the raters to indicate, by a show of hands, how many credits they gave each response. If there is some disagreement about the number of credits to be awarded a response, ask raters who gave different credits to a response to explain their rating by citing specific criteria from the rating guide.

Administering and Rating the Performance Test

Preparation

Well in Advance of the Test Date:

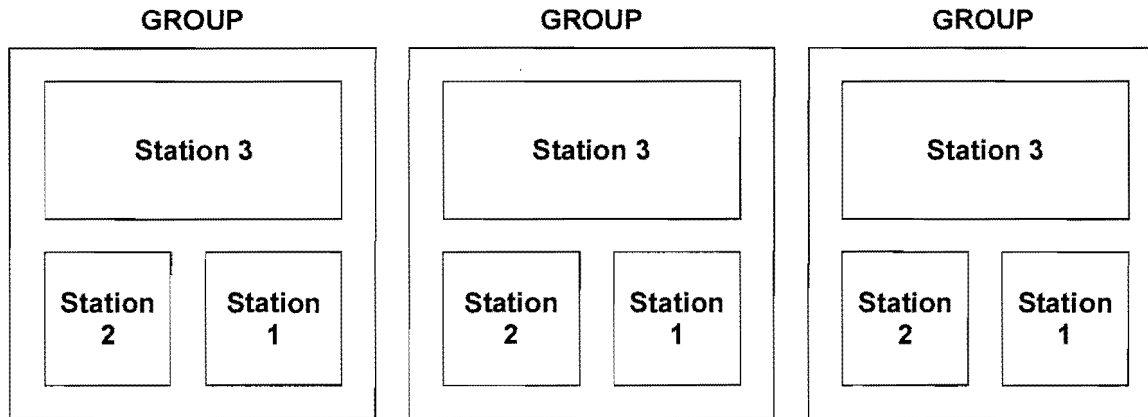
1. Notify teachers and other staff of this test, the role that each will have, and that test security measures must be maintained.
2. Assemble and prepare all equipment according to the directions (pages 24–30) in this manual. The materials listed specify what is needed for a single station. Several commercial and public suppliers have constructed kits that provide the specific equipment for each station. Appendix VII provides a list of these suppliers. Although kits ordered from suppliers should generally be the same, some kits may not be ready for immediate use, and additional time may be needed for preparation. The school will need to provide some miscellaneous materials such as marking pens, tape, or labels.
3. Check the materials well in advance of the test date. Contact the supplier for a replacement if a piece of equipment or material is missing or arrives broken.
4. Check to be sure that the equipment and materials are adequate for the number of students to be tested. Appendix I provides a complete list of materials needed for each station. A supplier's kit of materials usually provides for a maximum of 30 students. Each group of stations will accommodate three students, and students will move to each station within the group. If 30 students are to participate in the Performance Test, you will need equipment for 10 complete setups of each station. Each student will need one test booklet and a sharpened pencil. Check that enough booklets will be available for the number of students to be tested. Test administrators should have a supply of extra sharpened pencils on hand.
5. Select and reserve a testing room. Appendix II provides a comparison of possible Performance Test sites. Once all the equipment has been prepared, it should take three to four person-hours to set up the room, 75 minutes to administer the test (for a class of 30 students), and one hour to disassemble the setup. For larger schools and schools where the test will be given early in the school day, station setup can be done the day before and secured overnight. Do **not** leave test booklets out overnight.
6. **Plan the layout of the room and prepare a diagram of the layout of the stations. This is an essential step in the process of Performance Testing.** The testing room must have flat top student work spaces (student tables, lab tables, library tables, or cafeteria tables) in sufficient numbers for the number of students to be tested. An individual student desk may be too small to accommodate all the equipment for a station plus provide room for the student to write. It may be possible to place two smaller individual desks together to make a larger work area for one station. Determine how many tables will be needed and how they will be arranged in groups of three stations each (see page 23). The room will need to be large enough to accommodate 8–10 groups (24–30 students) comfortably. Students will need to move (either sideways or front-to-back) among stations within their group with as little confusion as possible.
7. One station, the “Ball and Ramp,” needs more space than is available comfortably on a single student desktop for the ball and ramp place mat. If you use single desks, the “Ball and Ramp” station will require two student desks abutted side-by-side. (See diagram on page 30.) Figure out how many desks (tables) will be needed and how they will be arranged in groups so that students will be able to rotate easily from one station to the next with a minimum amount of confusion. Give special attention to the placement of the “Ball and Ramp” station, especially if two student desks are abutted. Make a diagram of your testing room setup for reference.

8. Check that all print materials from the Department are ready. These include the student Performance Test booklets, directions for setting up the stations, detailed directions for administering the test, Station Diagrams for Stations 1, 2, and 3, and a Test Administrator's Record Sheet.
9. Check that at least two adult test administrators (two professionals, or one professional and one paraprofessional) have been trained and are completely familiar with the test protocols and the equipment. These adults will administer the test, direct student movement, and resolve any problems with the equipment. In addition, teachers or aides may be present to provide testing accommodations to students with disabilities pursuant to their IEPs. To minimize possible distractions during the testing, other adults should **not** be invited to attend.

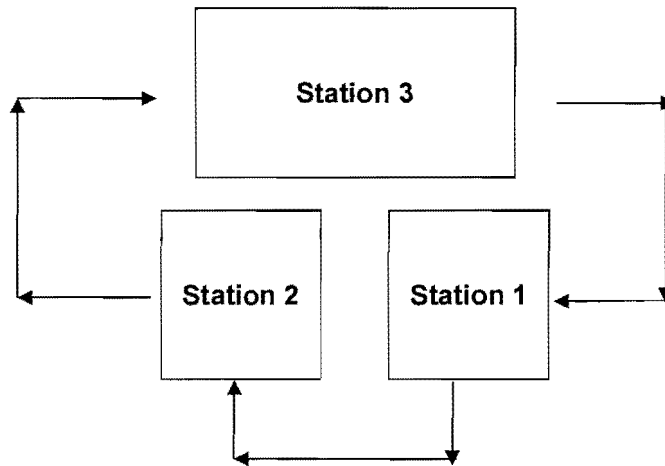
One Day Prior to the Test or Early Morning on the Test Date:

1. Arrange the tables into groups of three stations each. Set up each station according to the directions provided in the section of this manual entitled "Preparing Each Station," on page 24–30. The materials listed specify what is needed at each station for each group that is being tested. Arrange the equipment exactly as it is shown on the Station Diagram.
2. Place the Station Diagram at the bottom left corner of each station.
3. **Safety:** The Performance Test is to be administered under the supervision of trained test administrators. Staff should exercise the same safety precautions that apply when students engage in performance tasks in a science classroom. Students should be monitored closely for safe use of equipment and materials at all times.
4. **Suggestion:** Have a mop or sponge handy for spills at Station 1.
5. **Complete the Test Administrator's Record Sheet. This information is very important. It will be used to determine the range of correct answers by the teachers rating the students' tests. A copy is provided in Appendix III of this manual.**

Diagram of Typical Classroom Setup



Student Rotation within Groups



Preparing Each Station

A list of the materials needed for one station is provided below, along with specific directions for preparing the materials and setting up the station. Refer to the diagram of the setup for your testing room to determine how many individual station setups you will need. For example, if you plan to have 10 groups (30 students), you will need 10 setups for each station.

Station 1 — Measuring Objects and Liquids

Materials needed for *one* station:

- 1 equal-arm balance
- 1 set of gram masses (mixture of two 20-g, three 10-g, four 5-g, and ten 1-g for a total of 100 g)
- 3 clear plastic jars, approximately 125-mL capacity
- 2 screw tops to fit jars
- 1 large plastic cup, approximately 300-mL capacity containing about 150 mL of water
- 1 measuring container (beaker), 100-mL capacity with clearly marked gradations
- 1 rough-cut rock (about 1" cube) that will fit easily into the beaker and sink completely in the water without causing the water to overflow
- 1 resealable plastic bag, large enough to hold the set of gram masses
- 1 ruler with units for metric (30 cm) and for standard (12 inches) measurement, neither with indented zero points
- 2–3 paper towels
- Station Diagram for Station 1 (see next page)

Teacher materials:

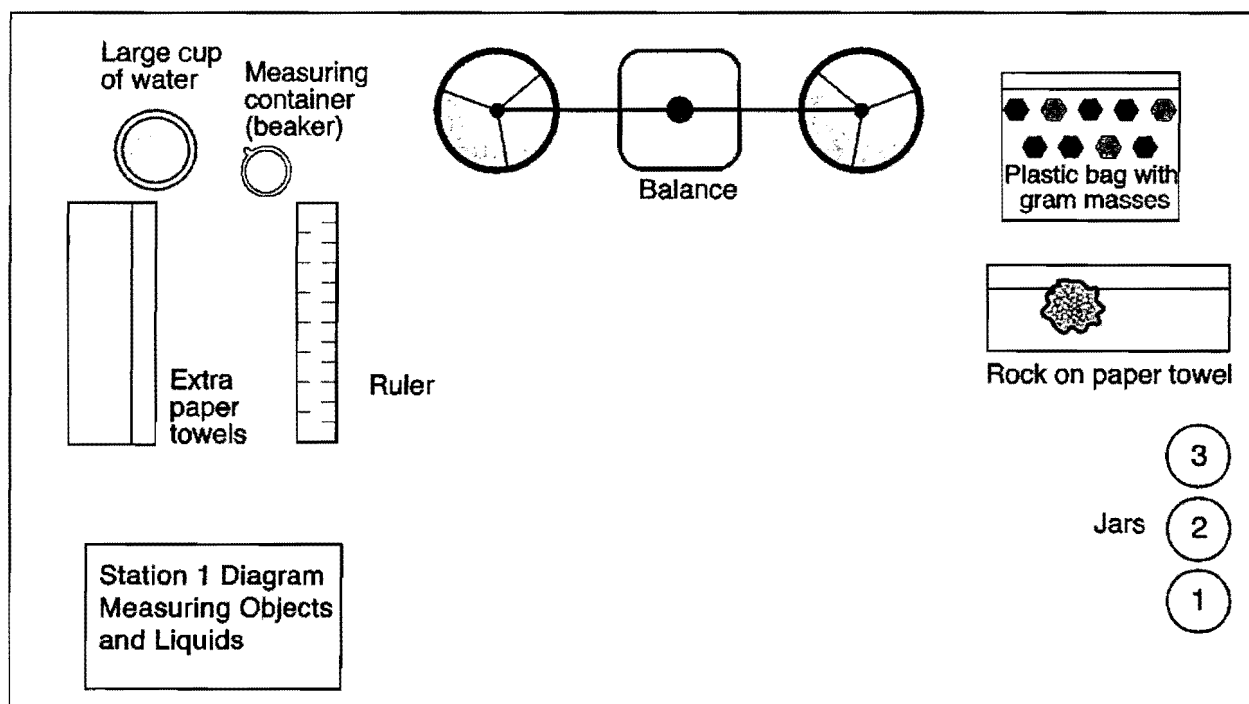
- 1 black, permanent, fine-line marker
- supply of water for 10 Station 1 setups
- medicine cup or other tool to measure 25 mL of water as accurately as possible

Preparation:

1. Check that all Jar 1s are approximately the same width, height, and mass so that the acceptable range for scoring question 1 will be correct for all of them.
2. On Jar 1, draw a thin line all the way around the outside surface with a permanent black marker so the inside volume to the line is 65 mL. On opposite sides of the jar, affix a label or print "1." (This jar will *not* have a screw top.)
3. Check that the volume of water to the line on all Jar 1s is approximately the same, so that the acceptable range established for scoring question 2 will apply to all of them. **The volume to the line should be 65 mL.**
4. Use the medicine cup to measure exactly 25 mL of water. Pour this water into Jar 2 and secure it with a screw top. On opposite sides of the jar, affix a label or print "2" and "DO NOT OPEN." When measuring the water, be as precise as possible, so that the acceptable ranges established for scoring question 4 will apply to all Jar 2s. Do not use the student beaker for this measurement. Make sure that each Jar 2 contains exactly 25 mL of water.
5. Secure Jar 3 with a screw top. On opposite sides of the jar, affix a label or print "3" and "DO NOT OPEN."
6. On the plastic bag, affix a label or print "GRAM MASSES" with black permanent marker on one side. Place the set of gram masses inside the bag.

7. Set up the equal-arm balance as shown in the Station Diagram for Station 1 below.
 8. On the plastic cup, affix a label or print "WATER" on opposite sides. Add approximately 150 mL of water to the plastic cup.
 9. Complete the table for Station 1 on the Test Administrator's Record Sheet for Station 1 (see Appendix III).
 10. Tape the Station Diagram for Station 1 at the bottom left corner of the station.
 11. Place all the materials at the station as shown in the Station Diagram for Station 1.
 12. On the ruler for Station 1, be sure that both scales, metric and standard units, are not taped over but are available for student use.
- Note:** For Station 3, the ruler will *not* have standard units visible. Therefore, once prepared for use, these two sets of rulers cannot be used interchangeably.

Station Diagram Station 1 – Measuring Objects and Liquids



Station 2 — Electrical and Magnetic Testing

Materials needed for one station:

- electrical tester:
 - 1.5-volt “D” cell battery
 - 1.5-volt bulb and bulb holder
 - battery holder (plastic or metal recommended)
 - 3 insulated wires with clips
- bar magnet (approximately 1.5 cm x 7 cm)
- resealable plastic bag containing eight objects and labeled “Test Objects”
 - penny
(**Note:** Penny must be new and shiny. Oxidized pennies will not conduct electricity.)
 - rubber band (at least 1/4 inch wide)
 - paper clip (all metal)
 - plastic spoon (small)
 - nickel (United States five cents)
 - wooden stick (like Popsicle stick or tongue depressor)
 - aluminum foil (heavy duty, about 5-cm square)
 - colored ceramic disk (magnetic)
(**Note:** Ceramic materials are nonmetallic, even if they are magnetic.)
- Station Diagram for Station 2 (see next page)

Teacher materials:

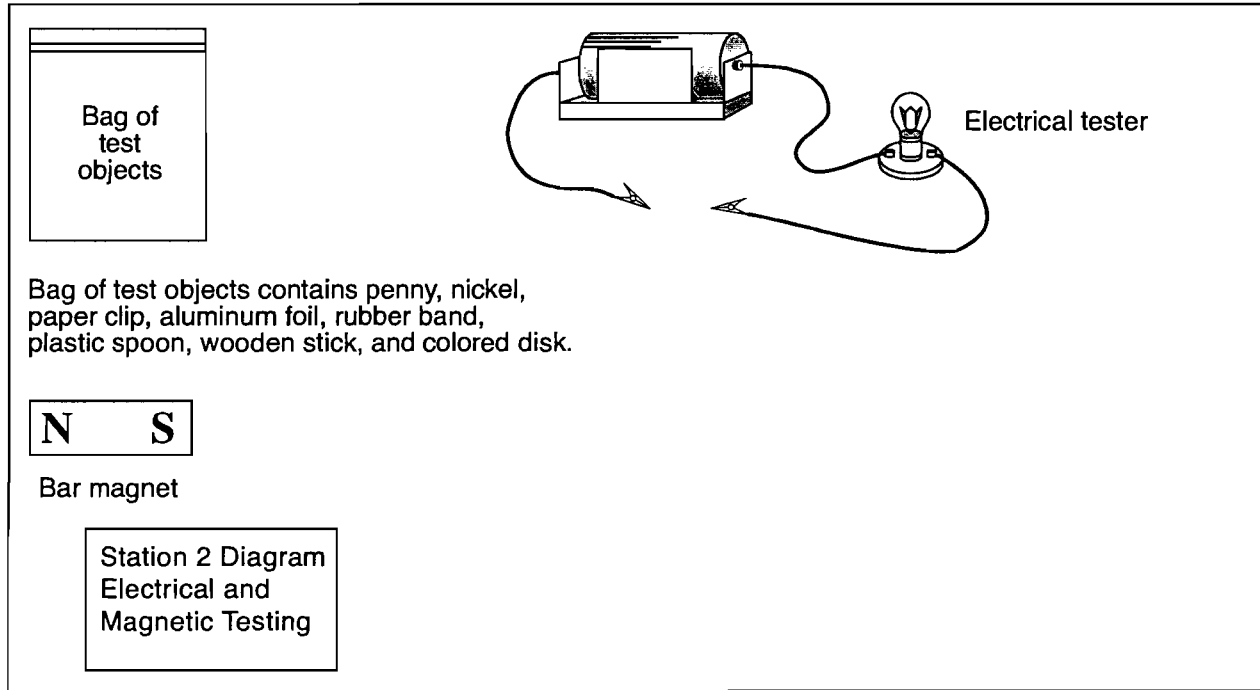
- 1 black, permanent, fine-line marker
- extra batteries and bulbs for the electrical testers

Preparation:

1. Make the electrical tester using the equipment listed above for the “electrical tester.” Check to be sure that it will work.
2. Affix a label or print “Test Objects” on the resealable plastic bag with a permanent black marker.
3. Place the eight objects in the bag labeled “Test Objects.”
4. Tape the Station Diagram for Station 2 at the bottom left corner of the station.
5. Place all the materials at the station as shown in the Station Diagram for Station 2.

Safety: Be sure the students do not leave the electrical tester hooked up when it is not in use. When storing the tester, make sure that the batteries are separated from the conductors, so that they cannot come in contact and cause a short circuit. Carefully monitor the use of equipment by the students. Students should not put any of the objects in their mouths.

Station Diagram
Station 2 – Electrical and Magnetic Testing



Station 3 — Ball and Ramp

Materials needed for *one* station:

- Wood block (preferably a cube) to serve as the ramp support (total height: 5–6 cm)
- 1 ruler, 30-cm plastic without an indented zero mark and with a grooved center that can accommodate a golf ball
- 1 transparent, round, plastic deli container about 12-cm diameter, 1 pint in volume, and approximately 15 grams in mass
- 1 golf ball in a resealable, clear plastic bag labeled “Golf Ball”
- 1 Ping-Pong ball in a resealable, clear plastic bag labeled “Ping-Pong Ball” (Do *not* put the Ping-Pong ball at the station.)
- 1 Ball and Ramp Place Mat (see Appendix IV for template if needed)
- Station Diagram for Station 3 (see page 30)

Teacher materials:

- 1 black, permanent, fine-line marker
- 1 pair of scissors or craft knife
- 1 roll double-sided carpet tape or duct tape
- 1 set of self-adhesive colored dots for top of the containers (one dot for each container)
- 1 roll of masking tape

Preparation:

1. Cut a hole (about 6 cm x 6 cm) on one side of the plastic cup to allow enough room for either ball to roll inside. (See the diagrams below.)
2. Place a colored dot sticker on the top center of the cup. You may also make the dot with a colored permanent marker:



3. The grooved plastic ruler serves as the ramp for rolling the balls. On the ruler, allow only the metric units to show. Cover the standard units (inches) with black permanent marker, masking tape, or electrical tape. Be sure the tape does not get into the groove of the ruler, as it may interfere with the roll of the balls. If necessary, place tape on the backside of the ruler to ensure that the metric units are legible.
4. Reproduce enough Place Mats for the number of stations you will need. They must be 8½" x 11", preferably laminated. Appendix IV provides a master copy that can be reproduced and laminated. (Most suppliers will include these in their kits.)
5. Obtain enough blocks of wood to act as the ramp support for each of the ten stations.

Station Setup Sequence:

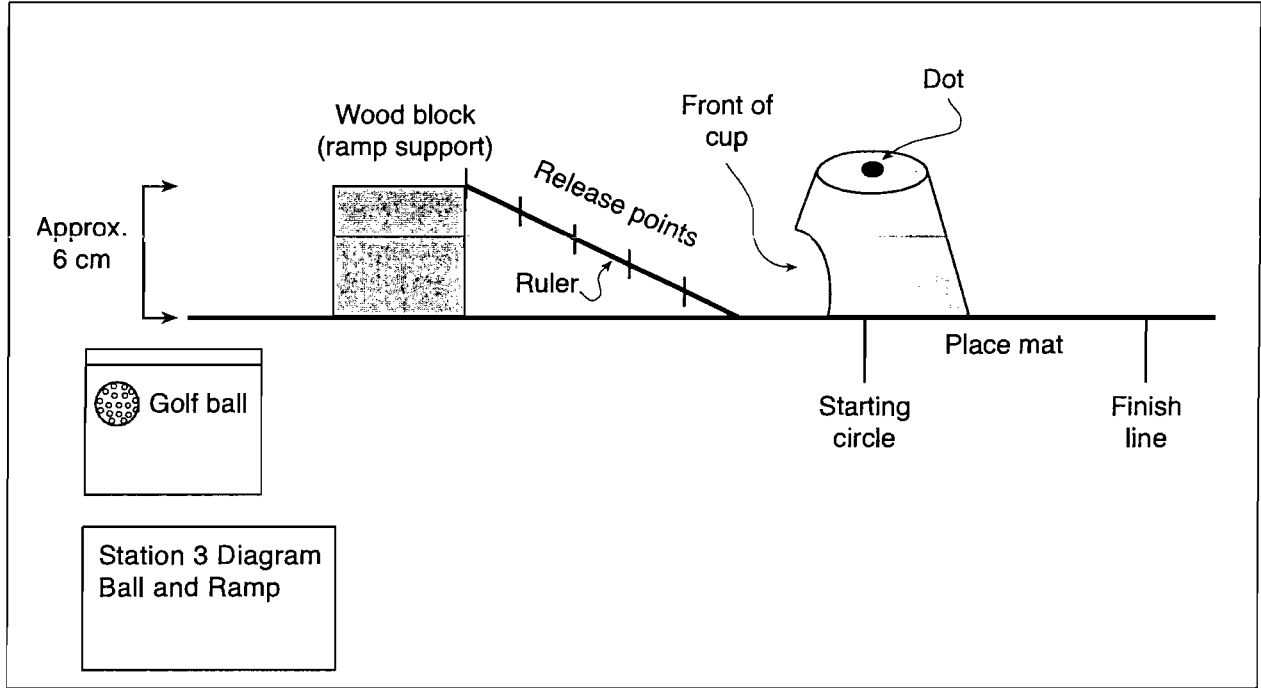
1. The student materials for this station can be set up:

- on a large table
- on two single student desks pushed together so that the ramp crosses over the gap between the two desks

DO NOT TAPE DOWN ANY EQUIPMENT UNTIL EVERYTHING HAS BEEN PUT IN PLACE AND TESTED.

2. Place the ramp support to the back and far left of the desk/table so that the ruler will slope down from left to right. Place the ramp back far enough on the desktop so that the student has plenty of room to write in the test booklet. The ruler's numbers must be closest to the student's side of the desk (even if the numbers are upside down). If the numbers are not closest to the student's side, reverse the ramp position to the right of the desk.
3. Place the ruler's 29-cm mark at the edge of the ramp support and the ruler's zero mark on the table. Slip the place mat under the ruler so that it is aligned with the "End of Ruler Placement" mark (about 1 cm inside the edge of the mat).
4. When the golf ball is released from the top of the ramp, it must be able to push the cup significantly farther than the Finish Line on the place mat. Try one setup first to be sure that the cup is not too heavy.
5. Place the cup on the place mat's Starting Circle (1 cm away from the end of the ruler, with the cup's opening toward the ruler). Try rolling the golf ball from the 20-cm and the 15-cm marks. The ball must push the dot on the cup past the Finish Line each time. Try again from the 5-cm mark. The dot must **not** reach the Finish Line. From the 10-cm mark, the golf ball may either push the dot on the cup either too far or not far enough, but the dot must **not** stop on the Finish Line from the 10-cm release point. From any of the release points, 20, 15, 10, or 5-cm, the dot should not stop on the Finish Line. If any of these causes the dot to stop on the Finish Line, slightly adjust the slope of the ramp so that it would be necessary to have a release point someplace between the 15-cm and 10-cm point or between 10-cm and 5-cm point to have the dot stop on the Finish Line. Do not make the ramp too steep as it will become more difficult to keep the ball in the groove of the ruler, or the ball will bounce at the bottom of the ramp, producing inconsistent results. (As a laminated place mat is used more over time the laminate becomes smoother and has less friction which may cause the distances the cup will travel to change slightly.)
6. Once you have determined the correct height of the ramp, tape down the ramp support with double-sided carpet tape or duct tape. Tape the ruler to the place mat. Roll duct tape back on itself so that there are two sticky sides. Place duct tape or masking tape **under** each end of the ruler to fasten it securely to the block and the place mat. Place masking tape across the ruler above the 29-cm mark and tape it down to the supports. Tape down the place mat.
7. Tape the Station Diagram for Station 3 to the bottom left corner of the station.
8. Place all materials at the station as shown in the Station Diagram for Station 3.

Station Diagram Station 3 — Ball and Ramp



Detailed Directions for Administering the Performance Test

NOTE: Make sure that the Test Administrator’s Record Sheet (Appendix III) was completed when the stations were set up. This information is *very important*. It will be used to determine the range of correct answers by the teachers rating the test.

Make sure that sufficient quantities of all test materials are on hand. The following materials are needed:

For each student:

- test booklet (Form A)
- pencil

The appropriate test booklet should be placed at each station.

For the test administrator:

- detailed directions for administering the Performance Test (pages 31–35 of this manual)
- Test Administrator’s Record Sheet (Appendix III)

Several groups with three different stations are set up in the testing room. Each of the three stations contains different tasks. The stations are numbered from 1 to 3. Each student will rotate through all three of these stations. Students will have 15 minutes to complete the tasks at each station. Check each station before the students are admitted to the testing room to determine that each station has the required materials and that they are properly arranged (see diagram on page 23).

Place a blank test booklet and a sharpened pencil at each station *before* each new class enters the room. Recheck each station *before* each new class enters the testing room to assure that *all* materials are available and are in order.

Before the test session begins, write a sample heading on the chalkboard. The information should include the student name, school name, city, teacher’s name, and today’s date.

You must use an accurate timing device, such as a stopwatch or a clock with a sweep-second hand, to accurately provide time splits of 10, 13, and 15 minutes. Note the start time and intervals on a piece of paper, the chalkboard, or in this administration manual. The table below provides a sample of the information that will be needed for *each session*. A blank table is provided on page 34.

	ACTUAL TIME		
Time	First Station	Second Station	Third Station
Start	9:00	9:25	9:50
+10 minutes	9:10	9:35	10:00
+13 minutes	9:13	9:38	10:03
+15 minutes	9:15	9:40	10:05

Students should have an opportunity to visit the restrooms and wash their hands just before the testing period.

Students should be assigned to the stations as they enter the room, filling the seats in an orderly fashion so that all stations in a group are full. Have the first three students take seats at the group of stations farthest from the door, the next three students at the next group, etc.

Instruct students *not* to open the test booklet or touch the equipment until they are told to do so.

At the beginning of each test session, proctors must read the following statement to all students taking State tests:

You cannot have any communications device, including a cell phone, with you during this test 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
- 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 or a 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.

When students are at their first station and ready to work, read the following information to them. This direction-reading stage is *not* to be counted as part of the 15 minutes for completing the first station. Say:

Good morning [afternoon]. Today, you will be taking a science skills test. I think you will enjoy it because you will get to use science equipment to help you answer the questions on the test. Please listen carefully, follow directions closely, and do your best work.

You should have a test booklet and a pencil at your station. If you don't, raise your hand. *(Pause.)*

Now, on your test booklet, print your first and last name. *(Pause.)* Print the name of your school, your city, your teacher's name, and today's date. I have put that information on the chalkboard. *(Pause for students to finish.)*

Keep this test booklet with you throughout the test. It will be collected at the end of the test. Read the directions on the cover silently to yourself while I read them aloud.

Your booklet contains three science performance tasks. At each station you will have 15 minutes to finish your work. Continue working at each station until you see the word **STOP!** at the bottom of the page or until the time is up. Please wait quietly and patiently if you finish before the time is up. **Please leave the station the way you found it.**

Do *not* help other students or ask others to help you. There must be no talking between students during this test.

Read the directions for each station carefully. All of your answers must be written in this test booklet. You will be given directions on how and when to move to the other stations. Please listen carefully to all of the directions.

Do *not* go on to the next page until you are told to do so.

Do not try to explain at this time how the students will be moving from station to station. Leave that information until after the completion of the first task.

The directions that follow will be repeated three times during the testing session.

START HERE when reading directions for the second and third stations.

Say:

At the bottom left edge of your table, there is a Station Diagram with the name and station number where you will be working. Open your test booklet and find that station number.

Look around to be sure that everyone has found his or her place. Say:

Now, read the directions for that station number in the box at the top of the page in your test booklet. *(Pause for 15 seconds.)* Then check that all of the materials are at your station. Use the Station Diagram to make sure that your equipment is set up correctly. Be sure that you have all the equipment. *(Pause for about 1 minute.)* If anyone is missing equipment, raise your hand. *(Pause.)* At Station 2, check to be sure that the electrical tester works. If the electrical tester does not work, raise your hand. *(Pause.)*

Once all of the students complete their equipment check, say:

You may begin work.

Begin timing the 15 minutes now. **Complete the table below for each session.** You will need to make additional copies if you are testing students in more than one session.

	ACTUAL TIME		
Time	First Station	Second Station	Third Station
Start			
+10 minutes			
+13 minutes			
+15 minutes			

Most student questions should be answered with “Read it again,” “Sound out the word,” or “Do your best.” If students are not sure about the names of specific objects or equipment, you may refer them to the Station Diagram. All materials are labeled and clearly identified on these diagrams.

Do **not** give students assistance on how to conduct the procedure. You should **not** acknowledge that the student is engaged in a correct or an incorrect process. No one, under any circumstances, may interpret or explain test questions to students, nor may anyone review or comment on the answer paper of a student while this test is in progress. Exceptions to this would be safety concerns (short circuiting the electrical tester, a student putting an object in his or her mouth, etc.), lost or broken equipment, or specific provisions in a student’s IEP for allowable testing accommodations.

Station 3 — Ball and Ramp: While at this station, the students will raise their hands to get a Ping-Pong ball from the test administrator.

After 10 minutes, say:

You have 5 minutes left. Continue working until you see the word **STOP!**

After 13 minutes, say:

You have 2 minutes left. Continue working until you see the word **STOP!**

After 15 minutes, say:

Stop work. Please put everything back the way it is shown on the Station Diagram.
At Station 1, pour the water from the beaker back into the large cup and place the rock on the paper towel.
At Station 2, make sure all the objects are placed back in the bag and the bar magnet is left outside of the bag.
At Station 3, raise your hand to return the Ping-Pong ball.

Collect all the Ping-Pong balls from the students at Station 3. Before the students rotate within groups, make sure that the equipment at all stations is placed correctly so that it corresponds with the station diagrams.

Then say:

You are now going to move to the next station. I will show you how it is done.
Be sure to take your test booklet and pencil with you.

Because stations have been arranged in groups, student movement can be kept to a minimum. It is recommended that the test administrator take one group and demonstrate for the whole class how students will move to the next station. Then let each group rotate one at a time and provide help when necessary. When all the students have moved, repeat the directions beginning on page 34 until the testing session is complete.

When the students have completed ALL THREE STATIONS, say:

The science skills test is over. Thank you for being so attentive and cooperative during the test. Please wait quietly until you are dismissed.

Be sure to collect a test booklet and pencil from each student before the students leave the testing room. Return all unused test booklets and materials to the secure locations designated by your school administrator until such time as they are returned to the Department according to the instructions on page 13 of this manual.

Rating the Performance Test

NOTE: Teachers are **not** permitted to score their own students' answer papers.

The entire Performance Test will require rating by elementary-level teachers. It is estimated that a team of three teachers should be able to rate the responses to all three stations for about 30 students in one hour. This scoring can be most quickly accomplished if one teacher rates all students' responses to Station 1 while another rates all students' responses to Station 2 and a third rates all students' responses to Station 3.

A team of at least two teachers should rate the Grade 4 Elementary-Level Science Performance Test. School administrators determine who may rate the Grade 4 Elementary-Level Science Performance Test upon review of teachers' certification and current and past teaching assignments.

The Rating Guide for the Performance Test, Form A, gives detailed directions for rating the Performance Test and specific criteria for rating each item. It is printed on yellow paper and was included in the shipment of test materials from the Department. In rating the students' test booklets, each rater should follow the procedures in the rating guide. The rating should be completed as soon as possible after the administration of the Performance Test and prior to June 12, the date when answer sheets must be submitted to the scanning center.

Organizing the Rating Process

The following is a suggested procedure for managing the mechanics of the rating process.

1. Designate one person as the coordinator of the rating process. The coordinator may be appointed at either the building or the district level. He or she will be responsible for training and supervising raters and may rate some of the students' responses.
2. Set aside one room as a central rating room for collecting, sorting, circulating, and storing test booklets and for preparing and maintaining records.
3. Provide adequate time for rating during the school day.
4. Make sure each rater receives approximately the same number of student booklets, taking care to ensure that no teacher is assigned to rate the test booklets of his or her own students.
5. Provide a copy of the completed Test Administrator's Record Sheet (Appendix III) to each rater.
6. At least two teachers and preferably three should participate in rating the questions on the Performance Test. Each should be responsible for rating all of the questions for one station. No one teacher is to score all the open-ended questions in a student's test booklet.
7. Prior to the rating of the students' answers to the Performance Test, allow time to provide training for all raters (even if they have received prior training). If possible, select at random 10–15 student test booklets and duplicate them for use as a "warm-up" exercise with the raters for discussion of the questions, the criteria, and the rating of each item. During the training exercise, after three or four complete student test booklets have been rated, ask the raters to indicate, by a show of hands, how many credits they gave each answer. If there is some disagreement about the number of credits to be awarded for an answer, ask raters who gave different credits to an answer to explain their rating by citing specific criteria from the rating guide.
8. Raters should have a set of stations available to check the accuracy of questionable student answers by actually performing the task for which the answer was given.

Note: It is recommended that schools do **not** record the students' Performance Test scores on their scannable answer sheets until after the students have taken the Written Test and completed their portion of the answer sheet. This way, students will not be distracted by seeing their Performance Test scores on the answer sheets. This will also prevent students from altering those scores.

Finality of Teacher Scoring Committee's 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 *Test Scoring Certificate* attesting that he or she faithfully observed the regulations for scoring the tests. 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 test 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 this test. Teachers and administrators who violate Department policy with respect to scoring State tests 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 had occurred in the calculation of a final score for a student or in recording the student's score in the permanent records. For example, the final test 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 State test of no more than 5% of the school's test takers for that test or 5 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 occurrences, the superintendent or chief administrative officer must advise OSA in writing 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 test, the students' original and corrected scores, and a brief explanation of the nature of the scoring error which 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 test or when such 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 test 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 test 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 in this manual 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 a test. 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 test scores when appropriate. Only in such circumstances is the school not required to notify or obtain approval from the Department to correct students' final test scores.

Reporting Irregularities and/or Misadministrations

Pursuant to Section 102.3 of the Regulations of the Commissioner of Education, "Building principals are responsible for administering department examinations and maintaining the integrity of examination content and programs, in accordance with directions and procedures established by the commissioner." Accordingly, the building principal is responsible for all aspects of the school's test administration and must take appropriate measures both to prevent, as much as possible, and to investigate all security breaches and irregularities associated with the administration and scoring of the test. In addition, the principal must report the following testing irregularities and misconduct by students, in writing on school letterhead and signed by the principal, to OSA via fax to 518-474-1989 or by e-mail to emscassessinfo@mail.nysed.gov:

- All student infractions of the Department's policy prohibiting the possession or use of cell phones and other communications devices during State tests.
- All confirmed cases of students cheating.
- All interruptions of test sessions including those caused by power outages or fire alarms.
- All instances in which a State test is administered without Department authorization on a date outside the published statewide administration or makeup schedule.
- All instances in which scorers do not rate State tests in accordance with the scoring materials provided by the Department.
- All cases in which student test books or answer sheets are lost prior to either the scoring of the tests or submission of the answer sheets to the RIC or large-city scanning center.
- All instances of school officials or staff members providing students with other nonstandard test administrations, unrelated to cheating.

The report must include:

- The school's BEDS Code,
- The name and grade level of the test,
- A brief description of the incident,
- The number of students affected, and
- The New York State Student Identification System (NYSSIS) ID numbers of affected students.

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 tests. 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." The following are examples of improper testing conduct that must be reported to the TSU:

- All suspected or confirmed cases of a school official or staff member giving aid or impromptu lessons on specific test content to students immediately before or during a State test or altering student responses on a test paper.
- All cases in which a school official does not adhere to the Department policy concerning the finality of test scores as determined by the teacher scoring committees. This policy is explained on page 37 of this manual under the heading "Finality of Teacher Scoring Committee's Scores."
- All instances of an administrator or teacher instructing another administrator or teacher to alter or interfere with a student's test score.

Coding of Invalid Tests

Any breaches or irregularities described on the previous page, except interruptions caused by power outages or alarms, may be determined by the school or by the Department to invalidate a student's test results. In cases where a student's test has been invalidated the principal must:

1. Darken the circle on the affected student's answer sheet denoting "administrative error."
2. Notify the RIC or large-city scanning center of the administrative error. In order to expedite accurate reporting, provide the BEDS Code, School Name, Subject, Grade, and NYSSIS ID number.
3. In the SIRS, in the *Assessment Standard Achieved Code* field, code the student's test result as "administrative error with *Standard Achieved Code* of 97."
4. If a student's test is deemed to be an administrative error **after** the student's answer sheet has been scanned, the scanning center must be contacted and asked to submit a request to the Department's Office of Information and Reporting Services for permission to override the score to an Assessment Standard Achieved Code of "97" indicating administrative error.

On the verification reports, a student for whom an administrative error occurred will not receive a valid score and will appear as "not tested."

Circumstances that Should Not Be Reported as Administrative Error

If a scanning center sends an answer sheet that contains inaccurate demographic data, do not darken the circle denoting an administrative error on the answer sheet. Instead, communicate the problem to the scanning center, go back into the student management system (SMS), correct the demographic data, and reload it into SIRS. If the student uses a blank/extra answer sheet in place of the preprinted answer sheet with incorrect demographic data, do not code the original answer sheet as an administrative error. Instead, communicate the problem to the scanning center but do not submit the incorrect answer sheet for processing.

If a scanning center sends an answer sheet to the school for a student who is no longer enrolled in that school, do not code the answer sheet as an administrative error. Instead, communicate the problem to the scanning center and go back into the SMS to correct the enrollment record to reflect the ending enrollment and reload it into the SIRS.

Students originally reported with an incorrect grade level should not be reported as administrative error as long as the student is administered the correct grade level test using a blank answer sheet for the appropriate grade level test. Do not submit the incorrect answer sheet to the scanning center. Instead, communicate the problem to the scanning center, correct the student information in the SMS, and reload the updated demographic information into SIRS.

Schools should communicate any concerns or questions to the RIC or large-city scanning center prior to, or at the time of, delivery of the answer sheets.

Appendix I

Materials Needed to Administer the Performance Test, Form A

The Department will provide the test booklets, rating guides, and other printed administration materials. Schools are responsible for obtaining the materials needed for the performance tasks. Schools can either prepare these materials or purchase the materials in a complete kit from one of several suppliers. A list of approved suppliers is provided in Appendix VII. A list of materials that will be needed for *one* setup for each of the three stations appears below.

Station 1 — Measuring Objects and Liquids

Materials needed for *one* station:

- 1 equal-arm balance
- 1 set of gram masses (mixture of two 20-g, three 10-g, four 5-g, and ten 1-g for a total of 100 g)
- 3 clear plastic jars, approximately 125-mL capacity
- 2 screw tops to fit jars
- 1 large plastic cup, approximately 300-mL capacity containing about 150 mL of water
- 1 measuring container (beaker), 100-mL capacity with clearly marked gradations
- 1 rough-cut rock (about 1" cube) that will fit easily into the beaker and sink completely in the water without causing the water to overflow
- 1 resealable plastic bag, large enough to hold the set of gram masses
- 1 ruler with units for metric (30 cm) and for standard (12 inches) measurement, neither with indented zero points
- 2–3 paper towels
- Station Diagram for Station 1

Teacher materials:

- 1 black, permanent, fine-line marker
- supply of water for 10 Station 1 setups
- medicine cup or other tool to measure 25 mL of water as accurately as possible

Station 2 — Electrical and Magnetic Testing

Materials needed for *one* station:

- electrical tester:
 - 1.5-volt "D" cell battery
 - 1.5-volt bulb and bulb holder
 - battery holder (plastic or metal recommended)
 - 3 insulated wires with clips
- bar magnet (approximately 1.5 cm x 7 cm)
- resealable plastic bag containing eight objects and labeled "Test Objects"
 - penny
(**Note:** Penny must be new and shiny. Oxidized pennies will not conduct electricity.)
 - rubber band (at least 1/4 inch wide)
 - paper clip (all metal)
 - colored ceramic disk (magnetic)
(**Note:** Ceramic materials are nonmetallic, even if they are magnetic.)
 - plastic spoon (small)
 - wooden stick (like Popsicle stick or tongue depressor)
 - nickel (United States five cents)
 - aluminum foil (heavy duty, about 5-cm square)
- Station Diagram for Station 2

Station 2 (continued)

Teacher materials:

- 1 black, permanent, fine-line marker
- extra batteries and bulbs for the electrical testers

Station 3 — Ball and Ramp

Materials needed for *one* station:

- Wood block (preferably a cube) to serve as the ramp support (total height: 5–6 cm)
- 1 ruler, 30-cm plastic without an indented zero mark and with a grooved center that can accommodate a golf ball
- 1 transparent, round, plastic deli container about 12-cm diameter, 1 pint in volume, and approximately 15 grams in mass
- 1 golf ball in a resealable clear plastic bag labeled "Golf Ball"
- 1 Ping-Pong ball in a resealable clear plastic bag labeled "Ping-Pong Ball" (Do *not* put the Ping-Pong ball at the station.)
- 1 Ball and Ramp Place Mat (see Appendix IV for template)
- Station Diagram for Station 3

Teacher materials:

- 1 black, permanent, fine-line marker
- 1 pair of scissors or craft knife
- 1 roll double-sided carpet tape or duct tape
- 1 set of self-adhesive colored dots for top of the containers (one dot for each container)
- 1 roll of masking tape

Appendix II

Comparison of Possible Performance Test Sites

SITE: CLASSROOM	
<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> ▪ Ease of station preparation ▪ Furniture already at site ▪ Good station-to-station movement ▪ Only classroom teacher and students will be disrupted ▪ Secure location 	<ul style="list-style-type: none"> ▪ Need to relocate the teacher and students whose room is being used for the duration of the testing ▪ Individual student desks may be too narrow for the ball and ramp station unless they are at least 36 inches wide
SITE: LIBRARY	
<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> ▪ Large space ▪ Tables and chairs at site ▪ Secure location 	<ul style="list-style-type: none"> ▪ May disrupt more teachers and students than classroom site ▪ Library unavailable for other uses during testing
SITE: CAFETERIA	
<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> ▪ Large space ▪ Tables and chairs at site 	<ul style="list-style-type: none"> ▪ May disrupt large numbers of teachers and students ▪ Unavailable for other uses during testing ▪ Poor security ▪ Breakfast/lunch program may interrupt the testing ▪ Poor acoustics and high noise levels ▪ May need to disassemble and reassemble stations before and after lunch
SITE: SCIENCE ROOM	
<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> ▪ Large space ▪ Tables and chairs at site ▪ Secure location ▪ Science materials on site 	<ul style="list-style-type: none"> ▪ May disrupt more teachers and students than classroom site
SITE: GYMNASIUM	
<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> ▪ Large space 	<ul style="list-style-type: none"> ▪ May disrupt large numbers of teachers and students ▪ Need to move tables or desks and chairs into space ▪ Poor security ▪ Poor acoustics ▪ Not a familiar testing site for students ▪ May need to disassemble and reassemble stations to accommodate physical education classes

Appendix III

Test Administrator's Record Sheet Grade 4 Elementary-Level Science Performance Test, Form A

This record sheet should be completed by the person(s) administering the Performance Test. At the conclusion of the test administration, return this completed record sheet with the student test booklets to the person in charge of the testing program for the school. This record sheet is very important because it will be used to determine the range of correct answers by the teachers rating the test. It should be kept with the test booklets.

Test Administrator(s) _____ Date _____

School Name _____ School District _____

Station 1 — Measuring Objects and Liquids

Complete the measurements and calculate acceptable ranges in the table below according to the directions for each item to be measured. There will be up to ten Station 1 setups in the testing room. It is important that the directions for preparation (pages 24–25) be followed carefully so that the acceptable ranges will apply to all ten setups.

Location in Student Booklet	Item to Be Measured	Actual Measurement by Administrator during Set-up	Directions for Calculating Acceptable Range	Acceptable Range for Student Responses
1a	Jar 1 inside width	_____ cm (to the nearest 0.1 cm)	± 0.5 cm For example, the acceptable range for a measurement of 5.2 cm is 4.7– 5.7 cm.	_____ to _____ cm
1b	Jar 1 inside height	_____ in (to the nearest 1/8 inch)	$\pm \frac{1}{4}$ in For example, the acceptable range for a measurement of $2 \frac{5}{8}$ inches is $2 \frac{3}{8}$ – $2 \frac{7}{8}$ inches; the acceptable range for a measurement of $2 \frac{1}{2}$ inches is $2 \frac{1}{4}$ – $2 \frac{3}{4}$ in.	_____ to _____ in
2	Volume of water to line on Jar 1 (must be 65 mL)	_____ mL	The acceptable range is the 10-mL interval on the beaker in which the actual measurement falls. For example, the acceptable range for a measurement of 63 mL is 60–70 mL. Note: Do <i>not</i> use ± 5 mL as the acceptable range. The gradations on the beaker do not allow this much precision.	_____ to _____ mL
4a	Mass of Jar 2 with cover and water	_____ G	± 3 g	_____ to _____ g
4b	Mass of Jar 3 with cover (empty jar)	_____ G	± 3 g	_____ to _____ g

Test Administrator's Record Sheet
Grade 4 Elementary-Level Science Performance Test, Form A (page 2)

Note: If any materials used during the test administration were different from those specified in Appendix I or if the administration directions were not followed exactly as written, note these differences below. Be specific. These variations can be important when scoring the students' test booklets.

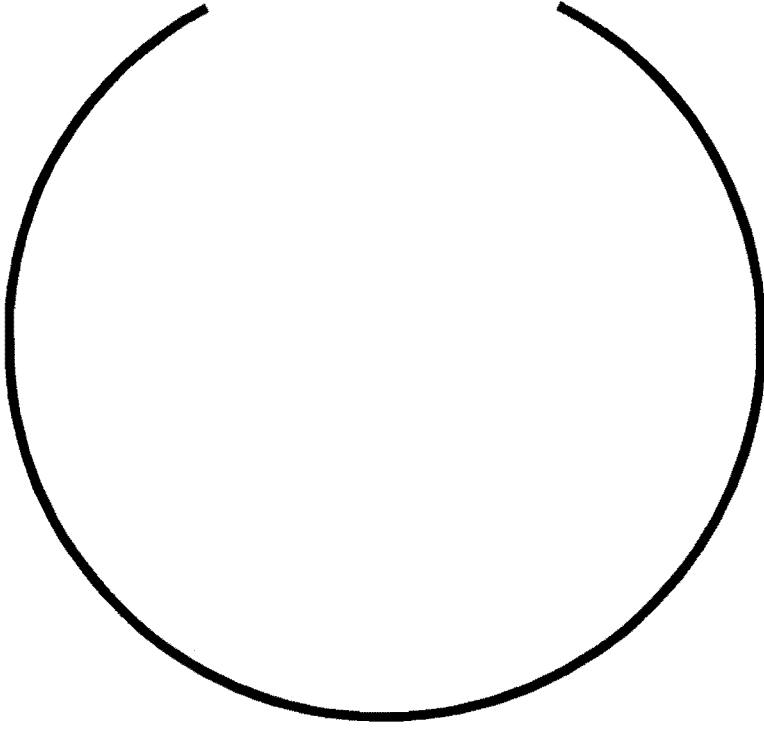
Appendix IV
Station 3—Ball and Ramp Place Mat

The place mat on the next page should be reproduced on 8½" x 11" paper and laminated. In most cases, these place mats will be supplied in the performance test kits.

End of Ruler Placement

End of Ruler Placement

Starting Circle



Place Mat

Finish Line



Appendix V
Test Storage Certificate
Deputy and Proctor Certificate
Test Scoring Certificate

TEST STORAGE CERTIFICATE

Grade 4 Elementary-Level Science Test

School Name: _____

Performance Test

Test Date: _____

(Month/Year)

Written Test

I, the undersigned principal of the school named above, do hereby declare that each of the security procedures listed below was fully and faithfully observed for the current administration of the 2014 Grade 4 Elementary-Level Science Test.

1. The shrink-wrapped packages of secure test materials were stored in the secure location indicated on the Test Storage Plan submitted to the Department for the above test date period.
2. The secure location was maintained under strict security conditions.
3. An inventory of the test materials was conducted as soon after delivery as was practical. The Department was notified in writing if any of the packages of secure test materials were not properly shrink-wrapped when received. The shrink-wrapped packages of secure test materials were replaced inside the secure location immediately after the inventory was completed.
4. The shrink-wrapped packages of secure materials were not removed from the secure location, except for the inventory of test materials shipped to the school, until the day on which the test was scheduled to be administered.
5. The shrink-wrapped packages of secure test materials were not opened until the day on which the test was scheduled to be administered.
6. Following testing, test booklets and answer sheets were collected and stored in a secure location.

Name of Principal (print or type): _____

Signature of Principal: _____ Date: ____ / ____ / ____

After completion, retain in school files for one year.

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

DEPUTY AND PROCTOR CERTIFICATE
Grade 4 Elementary-Level Science Test

School Name: _____ Performance Test

Test Date: _____ Written Test
 (Month/Year)

We, the undersigned deputies and proctors who assisted in the administration of the 2014 Grade 4 Elementary-Level Science Test, hereby declare our belief in the correctness of the following:

The rules and regulations for administering the test were fully and faithfully observed, and in particular:

1. The rules for administering the test were read to or read by each person who assisted in administering the test.
2. The test was administered within the prescribed dates.
3. The secure test materials were kept in the shrink-wrapped packages until the administration date.
4. The students were given appropriate instructions and orientation before beginning the test.
5. The students were so seated as to prevent collusion.
6. Adequate supervision was maintained throughout the administration of the test.
7. The answer papers were collected from the students immediately at the close of the test.
8. All test books and answer sheets for the test were collected and returned to the principal for storage in a secure location after testing.

	Print Name	Signature	Test Proctored	Test Room
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

(Make additional copies as necessary.)

After completion, retain in school files for one year.

TEST SCORING CERTIFICATE

Grade 4 Elementary-Level Science Test

School Name: _____ Performance Test Written Test
City or Town: _____ Test Date: _____
(Month/Year)

As one of the undersigned raters who participated in the scoring of the Grade 4 Elementary-Level Science Test (**each** participating rater **must** sign below), I hereby declare our belief in the correctness of the following statement:

The rules and guidance materials for rating the test were fully and faithfully observed, and in particular:

1. As a rater, I was trained using the procedures and materials described in the Grade 4 Elementary-Level Science Test Manual for Administrators and Teachers, the Rating Guide for the Written Test Part II, and the Rating Guide for the Performance Test.
2. The rating committee, of which I was a member, included the required minimum number of raters as specified in the Grade 4 Elementary-Level Science Test Manual for Administrators and Teachers.
3. Test questions were assigned to me for rating according to the procedures described in the Grade 4 Elementary-Level Science Test Manual for Administrators and Teachers.
4. As a rater, I did not rate any of my own students' responses.
5. Where required, my name or initials were clearly recorded on the answer paper or scoring record.
6. The answer papers and test booklets were safeguarded while scoring was occurring.

1. _____	11. _____
2. _____	12. _____
3. _____	13. _____
4. _____	14. _____
5. _____	15. _____
6. _____	16. _____
7. _____	17. _____
8. _____	18. _____
9. _____	19. _____
10. _____	20. _____

As principal, I attest that the rules and regulations for scoring, as listed above, were fully and faithfully observed.

Principal: _____ Date: ____ / ____ / ____

After completion, retain in school files for one year.

Appendix VI

Information on Ungraded Students

Students who are graded must take the State test for the grade level in which they are enrolled. The chart below is to be used solely to ascertain the appropriate grade-level tests to administer to ungraded students with disabilities.

Age Ranges for Testing on the NYSAA and General Assessments for Ungraded Students with Disabilities at the Elementary and Middle Levels in the 2013–2014 School Year

Assessment	Birth Date	Reaches Age Given Between September 1, 2013 and August 31, 2014
Grade 3 English Language Arts, Mathematics	September 1, 2004–August 31, 2005	9
Grade 4 English Language Arts, Mathematics, Science	September 1, 2003–August 31, 2004	10
Grade 5 English Language Arts, Mathematics	September 1, 2002–August 31, 2003	11
Grade 6 English Language Arts, Mathematics	September 1, 2001–August 31, 2002	12
Grade 7 English Language Arts, Mathematics	September 1, 2000–August 31, 2001	13
Grade 8 English Language Arts, Mathematics, Science	September 1, 1999–August 31, 2000	14

Appendix VII

Suppliers for Grade 4 Elementary-Level Science Performance Test Kits

The Grade 4 Intermediate-Level Performance Test, Form A, will be given during the designated administration period. This is the same performance test that has been administered since 2004. A new kit will not be needed. The suppliers below can be contacted if replacement materials or additional kits are needed.

Kathy Arminio, Director
Elementary Science Program
Monroe#2 - Orleans BOCES
38 Turner Drive
Spencerport, NY 14559
585-352-1140
800-832-8011
E-mail: karminio@monroe2boces.org
Web site: www.espsciencetime.org

Frey Scientific
80 Northwest Boulevard
Nashua, NH 03063

Mr. Rod Gusman, Regional Sales Manager
(Southern NY, New York City and Long Island)
Frey Scientific Customer Service: 800-225-3739
Local Office: 908-578-5901
E-mail: rod.gusman@schoolspecialty.com

Dr. Charlene Jordan
Director of Professional Development
and Instructional Support
Rockland BOCES
65 Parrott Road
West Nyack, NY 10994
Office Phone: 845-627-4725
Office Fax: 845-623-3343
E-mail: cjordan@rboces.org

Mr. Paul Glodek, Regional Sales Manager
(All other areas of New York State)
Frey Scientific Customer Service: 800-225-3739
Local Office: 215-439-5503
E-mail: paul.glodek@schoolspecialty.com

Mr. Geof Smith
Ward's Science
5100 West Henrietta Road
PO Box 92912
Rochester, NY 14692-9012
800-962-2660 x309416
Office Phone: 585-321-9416
Cell: 585-260-7266
E-mail: geof.smith@vwr.com
Web site: <http://www.wardsci.com>

Appendix VIII
Performance Levels Chart
New York State Grade 4 Elementary-Level Science Test

The chart on the next page defines the four performance levels for this test. The state-designated level of performance for this test is a final score of 65 or higher (level 3 and 4). Students scoring below 65 (levels 1 and 2) must be provided with academic intervention services or Response to Intervention according to Section 100.2(ee) of the Regulations of the Commissioner of Education. The chart provides the final score range and a brief description of student performance for each level.

**Performance Levels for Final Score
Grade 4 Elementary-Level Science Test**

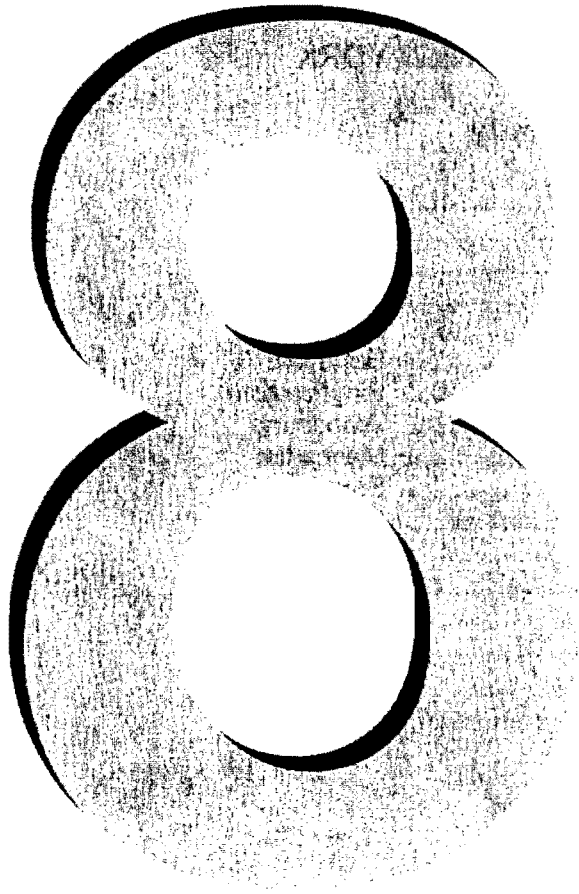
Level	Final Test Score Range	Description of Student Performance
4	85–100	<p align="center">Meeting the Standards with Distinction</p> <ul style="list-style-type: none"> • The student demonstrates superior understanding of elementary-level science content and concepts for the learning standards and key ideas being assessed. • The student demonstrates superior elementary-level science skills related to the learning standards and key ideas being assessed. • The student demonstrates superior understanding of the science content, concepts, and skills required for an elementary-level academic environment.
3	65–84	<p align="center">Meeting the Standards</p> <ul style="list-style-type: none"> • The student demonstrates understanding of elementary-level science content and concepts for the learning standards and key ideas being assessed. • The student demonstrates elementary-level science skills related to the learning standards and key ideas being assessed. • The student demonstrates understanding of the science content, concepts, and skills required for an elementary-level academic environment.
2	45–64	<p align="center">Not Fully Meeting the Standards</p> <ul style="list-style-type: none"> • The student demonstrates only minimal understanding of elementary-level science content and concepts for each of the learning standards and key ideas being assessed. • The student demonstrates minimal elementary-level science skills related to the learning standards and key ideas being assessed. • The student demonstrates minimal understanding of the science content, concepts, and skills required for an elementary-level academic environment.
1	0–44	<p align="center">Not Meeting the Standards</p> <ul style="list-style-type: none"> • The student is unable to demonstrate understanding of elementary-level science content and concepts for the learning standards and key ideas being assessed. • The student is unable to demonstrate elementary-level science skills related to the learning standards and key ideas being assessed. • The student is unable to demonstrate understanding of the science content, concepts, and skills required for an elementary-level academic environment.



**New York State
Grade 4
Elementary-Level
Science Test**

Manual for Administrators and Teachers

EXHIBIT “D”



NEW YORK STATE
GRADE 8
INTERMEDIATE-LEVEL
SCIENCE TEST

Manual for
Administrators and Teachers

2014 Written Test
Performance Test, Form A



The University of the State of New York
THE STATE EDUCATION DEPARTMENT
Albany, New York 12234 • www.nysed.gov

THE UNIVERSITY OF THE STATE OF NEW YORK

Regents of The University

MERRYL H. TISCH, <i>Chancellor</i> , B.A., M.A., Ed.D.	New York
ANTHONY S. BOTTAR, <i>Vice Chancellor</i> , B.A., J.D.	Syracuse
ROBERT M. BENNETT, <i>Chancellor Emeritus</i> , B.A., M.S.	Tonawanda
JAMES C. DAWSON, A.A., B.A., M.S., Ph.D.	Plattsburgh
GERALDINE D. CHAPEY, B.A., M.A., Ed.D.	Belle Harbor
HARRY PHILLIPS, 3rd, B.A., M.S.F.S.	Hartsdale
JAMES R. TALLON, Jr., B.A., M.A.	Binghamton
ROGER B. TILLES, B.A., J.D.	Woodbury
CHARLES R. BENDIT, B.A.	Manhattan
BETTY A. ROSA, B.A., M.S. in Ed., M.S. in Ed., M.Ed., Ed.D.	Bronx
LESTER W. YOUNG, Jr., B.S., M.S., Ed. D.	Brooklyn
CHRISTINE D. CEA, B.A., M.A., Ph.D.	Staten Island
WADE S. NORWOOD, B.A.	Rochester
JOSEPHINE VICTORIA FINN, B.A., J.D.	Albany
KATHLEEN M. CASHIN, B.S., M.S., Ed.D.	Brooklyn
JAMES E. COTTRELL, B.S., M.D.	Brooklyn
T. ANDREW BROWN, B.A., J.D.	Rochester

President of The University and Commissioner of Education

DR. JOHN B. KING, JR.

Deputy Commissioner of Education, P-12

KEN SLENTZ

Deputy Commissioner, Office of Curriculum, Assessment and Educational Technology

KEN WAGNER

Assistant Commissioner, Office of Assessment, Standards and Curriculum

CANDACE H. SHYER

Director, Office of State Assessment

STEVEN E. KATZ

The State Education Department does not discriminate on the basis of age, color, religion, creed, disability, marital status, veteran status, national origin, race, gender, genetic predisposition or carrier status, or sexual orientation in its educational programs, services and activities. Portions of this publication can be made available in a variety of formats, including braille, large print or audio tape, upon request. Inquiries concerning this policy of nondiscrimination should be directed to the Department's Office for Diversity, Ethics, and Access, Room 530, Education Building, Albany, NY 12234.

Contents

General Features of the Grade 8 Intermediate-Level Science Test	1
Information for School Administrators	2
General Information.....	2
Test Forms.....	2
Scanning of Machine-Scorable Answer Sheets.....	2
Reporting Test Results.....	2
Administration Schedule.....	3
Students to Be Tested.....	3
Testing Accommodations.....	4
Security of the Tests.....	7
Test Certificates.....	7
Emergency Supply of Test Materials.....	8
Test Preparations and Other Guidelines	9
Administration of the Tests.....	9
Orientation of Test Administrators.....	9
Preparation of Students for Testing.....	9
Selecting the Testing Room(s).....	9
Preparation of the Testing Room(s).....	9
Supervision of Students.....	10
Determining the Need for Academic Intervention Services.....	12
Evaluating School Results on the Grade 8 Intermediate-Level Science Test.....	13
Recording Test Scores and Storing Student Answer Papers.....	13
Individual Student Results.....	13
Review of Answer Papers by Students and Parents.....	13
Online Submission of Teacher Evaluations of the Test to the Department.....	13
Return of Tests and Scoring Materials to the Department.....	14
Department Contacts.....	15
General Test Administration Procedures	16
Test Materials.....	16
Test Administration Time.....	16
Administering and Scoring the Written Test	17
Detailed Directions for Administering the Written Test.....	17
Scoring the Written Test, Parts I and II.....	19
Rating the Written Test, Part II.....	20
Organizing the Rating Process.....	20
Administering and Rating the Performance Test	22
Preparation.....	22
Preparing Each Station.....	25
Detailed Directions for Administering the Performance Test.....	34
Detailed Directions to Students Taking the Performance Test.....	35
Rating the Performance Test.....	39
Organizing the Rating Process.....	39

Finality of Teacher Scoring Committee’s Scores	40
Reporting Irregularities and/or Misadministrations	41
Mandatory Reporting of Testing Improperities by Adults.....	41
Coding of Invalid Tests.....	42
Circumstances that Should Not Be Reported as Administrative Error.....	42
Appendix I: Materials Needed to Administer the Performance Test, Form A	43
Appendix II: Comparison of Possible Performance Test Sites	44
Appendix III: Test Administrator’s Record Sheet	45
Appendix IV: Station 1—Sorting Chart	47
Appendix V: Station 2—Ramp Place Mat	51
Appendix VI: Test Storage Certificate, Deputy and Proctor Certificate, Test Scoring Certificate	55
Appendix VII: Information on Ungraded Students	63
Appendix VIII: Suppliers for Grade 8 Intermediate-Level Science Performance Test Kits	64
Appendix IX: Performance Levels Chart	65

General Features of the Grade 8 Intermediate-Level Science Test

The Regulations of the Commissioner of Education provide that an intermediate-level science test is to be administered in Grade 8 to serve as a basis for determining students' need for academic intervention services in science. The Grade 8 Intermediate-Level Science Test is designed to measure the content and skills contained in the *Intermediate-Level Science Core Curriculum, Grades 5–8*. The core curriculum is based on the *New York State Learning Standards for Mathematics, Science, and Technology*.

The New York State Grade 8 Intermediate-Level Science Test consists of two required components: a Written Test and a Performance Test. The Written Test consists of multiple-choice and open-ended questions. Students will have two hours in which to complete the Written Test. The Performance Test (Form A) consists of hands-on tasks set up at three stations. Students will have 15 minutes to complete the tasks at each of the three stations, for an actual total testing time of 45 minutes. All three stations of the performance test must be administered in one continuous session. Teachers will need additional time for both the Written and Performance Tests to set up, distribute, and collect test materials and to provide instructions to students.

The first section of this manual contains information of special interest to administrators. Subsequent sections contain information on test preparations and other guidelines along with directions for administering and scoring the Written and Performance Tests.

Noteworthy Details:

- The Department's policy concerning the prohibition of student use of communications devices during State tests is provided on pages 10 and 11.
- Please see page 19 for the Department's scoring policy.
- The procedure for reporting testing improprieties by adults is explained on page 41.

Information for School Administrators

General Information

All school personnel who will be involved in the administration and scoring of the Grade 8 Intermediate-Level Science Test should have a copy of and be familiar with the information in this manual. The manual may be photocopied by the school as needed. In addition, please check the Office of State Assessment's (OSA's) web site periodically at <http://www.p12.nysed.gov/assessment/> for possible updates. Schools may submit questions concerning the administration of the Grade 8 Intermediate-Level Science Test via e-mail to OSA at emscassessinfo@mail.nysed.gov.

Pursuant to Section 102.3 of the Regulations of the Commissioner of Education, "Building principals are responsible for administering department examinations and maintaining the integrity of examination content and programs, in accordance with directions and procedures established by the commissioner."

Test Forms

Written Test: The Written Test booklet has two parts and should be administered in one sitting. Part I contains multiple-choice questions, and Part II contains open-ended questions. Students are allowed two hours of working time to complete the Written Test. In addition, the test administrator will need approximately 15 minutes to give directions to students. The Department will provide a new form of the Written Test each year. All schools must use an answer sheet developed by a RIC or large-city scanning center. Students must use this answer sheet to record their responses to the multiple-choice questions. Students write their answers to the questions in Part II of the Written Test in the test booklet.

Performance Test, Form A: The Performance Test consists of tasks at three stations which must be administered in one session. Each station requires 15 minutes of testing time, for a total testing time of 45 minutes. Additional time is needed to provide instructions to students and for students to move between stations. Allot at least one hour for administration of the Performance Test. The Performance Test is hand scorable only. Students write their answers to the questions on the Performance Test in the test booklet.

Scanning of Machine-Scorable Answer Sheets

It is the school's responsibility to make the necessary arrangements for scoring the test and reporting data to the Student Information Repository System (SIRS). All schools, public, nonpublic and charter, must contract with a RIC or large-city scanning center for answer sheets, scanning, and reporting services. The school must send answer sheets to the RIC/large-city scanning center after the rating of the Written Test, Part II, and the Performance Test are completed.

Some schools will have two separate answer sheets, one for the Performance Test and one for the Written Test. If this is the case, both must be sent to the RIC/large-city scanning center if that is part of their arrangement. Schools may not require students to record their responses for the same multiple-choice questions on more than one answer sheet.

Reporting Test Results

Data for all schools must be reported through the SIRS. For more information about reporting results, school administrators should contact their local RIC or their large-city scanning center. **Schools must not send completed answer sheets to the Department.**

Administration Schedule

The Grade 8 Intermediate-Level Science Performance Test must be administered between May 21 and May 30, 2014. The specific date (within that timeframe) when the test is administered is a local decision. The Written Test must be administered on June 2, 2014. Students who are absent for the Performance Test on the specific administration date established by the school must be tested when they return to school, but no later than May 30. Similarly, students who are absent for the Written Test on June 2 must be tested when they return to school, but no later than June 4. Answer sheets for all students must be submitted to the scanning center by June 12, 2014.

Students to Be Tested

Except as noted below, all public and charter school students in Grades 3–8 must take all State assessments administered for their grade level. This includes students who have been retained in these grades. The birth dates of ungraded students with disabilities should be used to determine who must be tested and which grade-level test they will take (see Appendix VII). Nonpublic schools are also encouraged to participate and are to follow the same guidelines for each grade-level test they are administering. When determining which students will participate in these tests, be sure to consider students who attend programs operated by the Boards of Cooperative Educational Services (BOCES) as well as any other programs located outside the district.

- *Students with Disabilities.* The Committee on Special Education (CSE) must decide for each student, on a case-by-case basis, whether the student will participate in the general State assessment or in the New York State Alternate Assessment (NYSAA) for students with severe disabilities. The CSE's decision must be documented on the student's Individualized Education Program (IEP). The criteria that the CSE must use to determine eligibility for the NYSA are available at the web site <http://www.p12.nysed.gov/assessment/nysaa/>.
- *Medically Excused.* A student may be medically excused from testing if documentation from a medical practitioner is obtained and kept on file at the school indicating that the student is too incapacitated to test at the school, at home, or in a medical setting. When reporting assessment data to the Department for a student who is medically excused, the principal must report the student's results with an Assessment Standard Achievement Code of "93" in SIRS.

The provisions of the No Child Left Behind Act (NCLB) do not permit any exemption of English language learners from the Grade 8 Intermediate-level Science Test. All English language learners in these grades must take the Grade 8 Intermediate-level Science Test. This test is available in Chinese (traditional), Haitian Creole, and Spanish. Information about administering these translated editions is included on page 16 under "Test Materials." The test can be translated orally into other languages for those English language learners whose first language is one for which a written translation is not available from the Department. Schools are permitted to offer English language learners specific testing accommodations when taking State tests to ensure valid and reliable test results (see pages 5–6).

The Grade 8 Intermediate-Level Science Test should be administered to students in the grade in which they will have completed all of the material in the *Intermediate-Level Science Core Curriculum, Grades 5–8*. While this grade is typically Grade 8, the test may also be administered to students in Grade 7 who will have completed by the end of this school year all of the material in the *Intermediate-Level Core Curriculum, Grades 5–8* and are being considered for placement in an accelerated high school level science course when they are in Grade 8. The inclusion of Grade 7 students who meet these criteria is a local decision. Schools can use the scores for these Grade 7 students to help determine whether students should be placed in accelerated science courses. Students who take the test in Grade 7 will not be permitted to take the test again in Grade 8. Therefore, caution is advised in administering the test to Grade 7 students. If a Grade 7 student scores below the State-designated level of performance, the student will be required to have academic intervention services the following year.

Schools are required to administer this assessment to those Grade 8 students who did not take this assessment last school year as Grade 7 students, unless such students will be taking a Regents Exam in science at the end of this school year. School principals have the discretion to either require or waive the Grade 8 Intermediate-Level Science Test for those accelerated Grade 8 students who did not take this test during the last school year but who will be taking a Regents Exam in science at the end of this school year. For those accelerated students for whom the principal waives the Grade 8 Intermediate-Level Science Test, the student's achievement in science will be measured by the student's performance on the Regents Exam in science.

Students who are repeating Grade 8 are required to take the test again.

Testing Accommodations

Students Who Incur Disabilities Shortly Before Test Administration

Principals may provide accommodations when testing general education students who incur an injury (e.g., broken arm) or experience the onset of either a short- or long-term disability (either cognitive or physical) within 30 days prior to test administration. Eligibility for such accommodations is based on the principal's professional judgment. The principal may confer with CSE/504 Multi-Disciplinary Team members, the school physician, or other school personnel in making such a determination. These accommodations must not significantly change the constructs/skills being tested and are limited to the following:

- extending the time limit for a test,
- administering the test in a special location,
- recording the student's answers in any manner, and
- reading the test to a student (only for a student whose vision is impaired).

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

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

Students with Disabilities

Students with disabilities must be provided with the testing accommodations specified in their IEPs or 504 Plans when taking this test. It is the principal's responsibility to ensure that this occurs and that those staff who will be providing these testing accommodations are appropriately trained. Plan all necessary arrangements for implementing testing accommodations well in advance of the test dates.

The Department's Office of Special Education provides more information on test access and accommodations for students with disabilities on its web site at <http://www.p12.nysed.gov/specialed/publications/policy/testaccess/policyguide.htm>. If you have questions on this topic for which you are unable to find answers on the web site, you may contact that office via e-mail to speced@mail.nysed.gov.

Use of Scribes or Tape Recorders and Large-Type or Braille Editions

Instead of using a scribe, the Department encourages the use of a word processor (with dictionary disabled), as most students have some experience with computers, and word processing allows the student more control over his or her environment, fosters independence, and is less labor-intensive than using a scribe. However, the use of scribes and the use of tape recorders are allowable accommodations for the Grade 8 Intermediate-Level Science Test. Note the following procedures for scribing:

- The scribe must record word-for-word what the student dictates or records.
- The scribe must use lined paper and must write on every other line.
- The student must read the complete dictation/transcription and indicate on the skipped lines any further changes to be transcribed.
- The scribe must then transfer the student's completed response into the test book exactly as dictated or recorded and should attach the lined paper with the student's dictation to the back of the test booklet, preferably by stapling, to ensure against the student's response being lost.

For students who use large-type or braille editions of the test, or large-type answer sheets, teachers should transcribe the students' responses onto regular test answer sheets and test books exactly as dictated or recorded.

Format Changes

Any format changes to the text to be made by the school, such as the re-spacing of questions, enlargement beyond the standard large-type edition provided, colorization, etc., must receive prior written approval from the Department. Note that the reformatting of State assessments may never change the wording of questions, nor may additional examples be included.

In order for the Department to process requests for reformatting by the school, requests for approval should be submitted to OSA at least one week before the first scheduled date of the test administration. Requests should include a letter from the school signed by the school principal. Each request must include the portion of the student's IEP in which the type of reformatting is listed or defined. Requests may be faxed to 518-474-1989. Department approvals will be provided by fax. However, regardless of approval, under no circumstances may the shrink-wrapped test packages of State assessments be opened prior to the morning of the day that the test is to be administered in the school.

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 one-half of that amount of time), 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 State tests to English language learners individually or in small groups in a separate location.
- *Bilingual Dictionaries and Glossaries:* English language learners may use bilingual dictionaries and glossaries when taking this test. The bilingual dictionaries and glossaries may provide **only** direct translations of words. Bilingual dictionaries or glossaries that provide definitions or explanations are **not** permitted.

- *Translated Editions:* English language learners may be provided with a translated edition of the Grade 8 Science Test. This test is available in Chinese (Traditional), Haitian Creole, and Spanish. In addition, English language learners may use both an English and an alternative language edition of the test simultaneously. However, they should be carefully instructed to record all of their responses in only one of the two editions. The alternative language edition used by the student should be so indicated on the student's answer sheet.
- *Oral Translation for Lower Incidence Languages:* Schools may provide English language learners with an oral translation of this test when there is no translated edition provided by the Department. All translations must be oral, direct translations of the English edition; written translations are not allowed. No clarifications or explanations may be provided. Translators should receive copies of the English edition of the test *one hour prior* to administration. The Department's Office of Bilingual Education and Foreign Language Studies (telephone 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 may write their responses to the open-ended questions in their native language. Scoring the responses to the open-ended questions 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 "English Language Learners" only to those former English language learners who were identified as English language proficient based on their scores on one of the two most recent administrations of the New York State English as a Second Language Achievement Test (NYSESLAT), either Spring 2012 or Spring 2013. These accommodations may not be provided to former English language learners who were identified as English language proficient prior to the 2012 NYSESLAT administration.

For each English language learner or eligible former English language learner, darken the circles on the answer sheet in the box labeled "ELL Accommodations" to indicate the testing accommodations provided.

Security of the Tests

Prior to Testing

Secure test materials will arrive about two to three school days before testing at the secure facility designated by the principal via the online Examination Request System. Prior to these delivery dates, the principal should make arrangements to be notified when the test materials arrive.

Safeguarding Test Materials

The sealed packages of secure test materials must be stored in a secure place at the location indicated on the *Test Storage Plan* submitted to the Department. As soon as practical after delivery, an inventory of the test materials must be conducted. Except while taking inventory, the sealed packages of secure test materials must be kept inside the secure location. The school principal must notify the Department in writing via fax to 518-474-1989 if any of the packages of secure test materials are not properly sealed when received. The sealed packages of secure test booklets may **not** be opened until the test administration date, and then just early enough to permit the distribution of booklets prior to the scheduled starting time.

All Written Test booklets, both used and unused, and all used answer sheets must be held secure from the date the school receives its shipment of test materials until 3:00 p.m. on June 4, 2014 at which time the Rating Guide will be posted on the Department's web site at <http://www.p12.nysed.gov/assessment/>. Once the Department-designated test administration period has ended, the Written Test materials are no longer considered secure.

All Performance Test materials must be kept secure except during the actual administration and scoring of the Performance Test. Scoring materials for the Performance Test will be sent to schools along with the test booklets. The same Performance Test (Form A) will be administered for several years, and all Performance Test materials **except** student test booklets are to be returned to the Department.

To minimize the number of testing irregularities, principals should conduct a review of the test administration procedures prior to each test administration with all faculty and staff who will be involved in the test administration and scoring. In addition, to preserve the integrity of the test, advise all teachers administering and scoring this test that they are not to discuss test questions or other specific test content online via e-mail or LISTSERV or through any other electronic means. Teachers and test administrators may not use cell phones or other photographic devices to duplicate test materials, and should keep their own communication devices put away during testing, using them only in emergency situations. Please note that shrink-wrapped packages of test books cannot be opened prior to the distribution of tests to students.

Test Certificates

The *Test Storage Certificate*, the *Deputy and Proctor Certificate*, and the *Test Scoring Certificate* must be completed and signed by all of the appropriate parties following the administration and scoring of the Performance Test and again following the administration and scoring of the Written Test. Both sets of signed certificates must be retained in the school's files for one year. Copies of these certificates can be found in Appendix VI. The *Test Scoring Certificate* may be copied and **must** be completed for each test administered. All scorers for each test and the principal are required to sign this form to indicate compliance with all scoring procedures as outlined in the scoring keys and rating guides for each test.

Emergency Supply of Test Materials

All shipments of secure test materials should be inventoried immediately after delivery and before being placed in secure storage. After taking inventory:

1. If you determine that any items listed on your shipping notice are **missing** from your shipment, circle the item(s) and quantity that are missing on the notice and fax the corrected shipping notice to the Department's Operations Group at 518-474-2021. (No cover sheet is necessary.) The missing item(s) will be sent to your school's storage site.
2. If the school requires items that were **not originally requested**, or items necessary to accommodate students of whose needs the school was not previously aware, contact the Department's Operations Group by sending a fax to 518-474-2021. The Operations Group will determine whether the regional center has the materials necessary to satisfy the additional request. After contacting the Operations Group, the school should contact the official in charge of the regional center to arrange pickup of test materials on the day of test administration.
 - The official school representative picking up secure test material must present to the regional center official a photo ID and a letter of authorization signed by the principal listing the materials to be picked up. This letter, authorizing the school representative to pick up test materials, must be written on school stationery. (**Note:** Secure materials can be obtained from the regional center only on the day that they will be administered.)
 - The school representative must countersign the authorization letter and leave it with the regional center official before the emergency supply of materials can be released.
 - Information on regional centers is available at <http://www.p12.nysed.gov/assessment/ei/eigen.html>.

Please note: Performance Test material will not be sent to Regional Centers, only to schools.

Test Preparations and Other Guidelines

Administration of the Tests

To ensure that the Grade 8 Intermediate-Level Science Test provides an accurate measure of student achievement, both students and teachers should be properly prepared for its administration. This manual provides suggestions for preparing students to take the tests. School personnel who administer the Written and Performance Tests must be familiar with the test materials and the directions for administration provided in this manual.

Orientation of Test Administrators

This manual is not secure; copies of this publication should be distributed to teachers in advance of the administration date(s) so they may familiarize themselves with the procedures for administering the test. Schools may make photocopies of this publication if necessary. It also is available at <http://www.p12.nysed.gov/assessment/manuals/>.

In addition, schedule an orientation prior to the testing dates to enable test administrators to become adequately prepared. The orientation should include direct hands-on experience with the Performance Test if the test administrators have not had previous experience with that component of the test. BOCES or large-city central offices may provide assistance for conducting such orientation sessions.

Note regarding test security: Allow access to the Performance Test materials only to those who are scheduled to administer the Performance Test, conduct the orientation, or rate the test. **These materials must remain under strict security conditions at all times to preclude access to the test materials by students and other unauthorized persons.**

Preparation of Students for Testing

The administration of the test should be announced to students before the date that the test is scheduled to be administered. All announcements should be made in such a way as to increase the students' interest in the test without causing them to become overly anxious. In addition, parents should be informed of the dates of testing and the purpose of the tests. Parents should be asked to encourage students to do their best on the test and to ensure that students are well rested on the days of testing. Students should be familiar with the general types of questions on the test and the procedures that they should follow when recording the answers to the test questions. Previous editions of the Written Test that feature questions similar to those that will be on this year's test are available on the Department's web site at <http://www.nysedregents.org/Grade8/Science/>.

Selecting the Testing Room(s)

Arrangements for administering the tests should interfere as little as possible with the normal school routine. The Written Test may be administered in the students' regular classroom, or classes may be arranged into smaller or larger groups, at the convenience of the school. The Performance Test need only be set up in one location. For buildings with more than one class of Grade 8 students, classes should cycle through the testing area one at a time. Suggestions for selecting an appropriate testing site for the Performance Test are provided in the section of this manual entitled "Administering and Rating the Performance Test" (pages 22–23) and in Appendix II.

Preparation of the Testing Room(s)

The room(s) in which the tests are administered should be well lighted, well ventilated, and quiet. Make preparations before the testing period to keep noise and other distractions to a minimum. Place a "Do Not Disturb" sign on the door to prevent interruptions. If tests are to be administered in a classroom, clear desks and shelves under the desks of all books, papers, and other materials. Completely cover or remove from the walls all charts and blank or completed graphic organizers pertinent to science and all board work. Make arrangements in advance to seat the students so that each student will be clearly visible to the proctor at all times and so that there will be the least possible opportunity for any communication between students. Seating of students in alternate rows is recommended.

Supervision of Students

Unauthorized Materials

Students should be under close supervision at all times during the administration of the tests and may not use any unauthorized notes, printed materials, scrap paper or tools.

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 test is being administered. Test proctors 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 session, proctors must read the following statement to all students taking State tests:

You cannot have any communications device, including a cell phone, with you during this test 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
- 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 or a 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.

Any student observed with any prohibited device while taking a State test must be directed to turn the device over to the proctor immediately. To allow for all possible outcomes of procedural due process, the student should be allowed to complete the test. The incident must be reported promptly to the school principal. If the student had a prohibited device in his or her possession during the test administration, the principal must invalidate the student's test score (no score may be calculated for that student), and report the incident to OSA.

The incident must be promptly reported, in writing, to OSA via fax to 518-474-1989 or by e-mail to emscassessinfo@mail.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.

Aid to Students

No one, under any circumstances, may interpret or explain test questions to students, nor may anyone review or comment to the student about the correctness or sufficiency of the student's response while the test is in progress. In response to inquiries by students concerning the meaning or interpretation of test questions, proctors should advise students to use their own best judgment. Teachers may give students assistance only in the mechanics of taking the test, such as understanding that their multiple-choice responses must only be recorded on the answer sheet and their constructed responses must be recorded in the test book.

Temporary Absence from Testing Room

No student may be permitted to leave and then return to the testing room during any part of the test unless the student is accompanied by a proctor for the duration of his or her absence from the testing room.

Emergency Evacuation of a School Building

Evacuation of a school building during a test may be required because of an emergency such as a fire alarm or bomb threat. In any situation in which the safety of the students is endangered, the principal has full authority to interrupt the test immediately. If it is possible, the students should be kept under supervision during the emergency. If work can be resumed following evacuation then students may make up the remaining time so that they will have the allotted time on the test. Following the test, a written report of the circumstances should be faxed to OSA. (See "Reporting Irregularities and/or Misadministrations" on page 41.)

Student Cheating

Do not permit students to obtain information from or give information to other students in any way during the test. If the proctor suspects that such an attempt has occurred, the proctor should warn the students that any further attempts will result in the termination of their tests. If necessary, the proctor should move the students to another location. If these steps fail to end attempts to obtain or give information, the proctor should notify the principal immediately and terminate the students' tests. At the conclusion of the test, all suspected cheating must be reported to the principal.

If, in the judgment of the principal, a student has attempted to give aid to or obtain aid from another person during the test, the principal must follow the school's disciplinary procedure for student cheating and invalidate the student's test. Score reports will not be produced for invalidated tests. When reporting student assessment data to the Department under such circumstances, the principal must report the student's test result as "administrative error." (See "Coding of Invalid Tests" on page 42.)

Illness

If a student becomes ill during a part of the test, the student should be excused until he or she is well enough to continue. The principal should estimate the time that the student had remaining to complete that part of the test. When the student is well enough to complete the test (and as long as the testing or makeup period has not ended), the student may be given the remaining time for that part. When the student is finishing the test, the student must be closely supervised so that he or she does not go back to previously completed questions on the test.

Students Absent on the Test Day

Plan to administer the test at a later date during the test administration or makeup period to all students who were absent when the test was initially given. Do not involve these students in any classroom discussions about the test prior to the time they take it.

Proctoring

Proctors must circulate periodically around the room during the administration of each session of the test to ensure that students are recording their responses to test questions in the proper manner and in the proper place. While circulating around the room, proctors should make sure that students are recording their responses to the multiple-choice questions on their answer sheets and their constructed responses in their test books. Students are not to record their multiple-choice responses in their test books. Proctors should also point out to students that they have left one or more answers blank or have darkened more than one circle for the same multiple-choice question. However, proctors may **not** comment to the student on the correctness or sufficiency of any answer.

No additional time is to be provided to students to transfer answers from test books to answer sheets at the end of the test, and no one, other than the student, may transfer answers marked in his or her test book to the multiple-choice answer sheet (the latter does not apply to students whose IEP or 504 Plan allows scribes to transfer answers from the test book to an answer sheet).

No one, under any circumstances, including the student, may alter the student's responses on the test once the student has handed in his or her test materials. Teachers and administrators who engage in inappropriate conduct with respect to administering and scoring State tests 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.

Determining the Need for Academic Intervention Services

Section 100.2(ee)(i) of the Regulations of the Commissioner of Education requires schools to provide academic intervention services to students who score below the State-designated performance level (performance level 3, final test score 65) on the Grade 8 Intermediate-Level Science Test. All students who achieve a final score in performance levels 1 and 2 (see Appendix IX) must receive academic intervention services. These services must commence in the semester immediately following the administration of the test. Charter schools are exempt from this provision. Providing academic intervention services is not mandated for nonpublic schools.

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

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

Evaluating School Results on the Grade 8 Intermediate-Level Science Test

The Rating Guides for the Written and Performance Tests provide summary charts that link each test question to the Intermediate-Level Science Core Curriculum. The core curriculum is based on the *New York State Learning Standards for Mathematics, Science, and Technology (Intermediate-Level)*. The charts provide a reference to these documents for each question on the Written and Performance Tests.

Recording Test Scores and Storing Student Answer Papers

Schools must maintain complete and accurate records of students' test scores. A student's score and the date of administration must be entered on the student's permanent record.

All schools must keep their students' Performance Test booklets on file in the school for at least one year. Since the Performance Test booklets remain secure, they must be stored in a secure location. Schools must also keep their students' Written Test answer sheets on file for the same period.

Individual Student Results

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

Review of Answer Papers by Students and Parents

Students and parents/guardians of students who have taken the Grade 8 Intermediate-Level Science Test have the right to review student answer papers after the scores have been recorded as described in the preceding section. Answer papers should be reviewed in the presence of the principal, or the principal's designee, to ensure that no changes are made on the answer papers as they are being reviewed.

Online Submission of Teacher Evaluations of the Test to the Department

Suggestions and feedback from teachers provide an important contribution to the test development process. The Department provides an online evaluation form for State assessments where teachers may respond to several specific questions and may make suggestions. Go to <http://www.p12.nysed.gov/assessment/teacher/evaluation.html> to complete and submit your evaluation.

Return of Tests and Scoring Materials to the Department

Written Test: Since the Department will provide a new form of the Written Test each year, schools do **not** have to return Written Test materials to the Department. After the Department-designated test administration period has ended and the test has been scored, schools may use the Written Test as part of the instructional program. Schools may make photocopies of the Written Test if additional copies are needed for this purpose. All schools must keep student answer papers for the Written Test on file in the school for one year. Copies of this manual, the Rating Guide, and the Test Storage, Deputy Proctor and Test Scoring Certificates for the Written Test should be kept on file at the school with the students' answer papers for reference. **No school should send answer sheets to the address listed below for the return of certain Performance Test materials.**

Performance Test: Principals are required to ensure that the school returns Performance Test materials to the Department as indicated in the chart below.

Return to the Department's Test Distribution Unit	Retain in the School Do NOT return to the Department
All <i>unused</i> Performance Test booklets, including regular, large-type, braille, and alternative language editions All used and unused Performance Test Rating Guides	Performance Test booklets used by students Test Administrator's Record Sheet Copies of this test administration manual Completed Test Storage Certificate Completed Deputy and Proctor Certificate Completed Test Scoring Certificate

The Performance Test materials must be returned at your school's expense after scoring has concluded but no later than June 16, 2014. For your convenience, a pre-addressed return label was enclosed with the shipment of test materials to return the Performance Test materials to:

Test Distribution Unit
New York State Education Department
Cultural Education Center, Room 167
Empire State Plaza
Albany, New York 12230

Note: New York City public schools should follow the procedures for the return of Performance Test materials provided to them by the New York City Department of Education.

Department Contacts

Different Department staff are responsible for various aspects of the test. Direct questions to one of the persons or offices listed below.

Do not discuss test questions or other specific test content via e-mail. This is a violation of security, as stated on page 7. Questions about scoring should be addressed by telephone.

Test Administration:	Carolyn Trombe, Test Administration 518-474-5902 ctrombe@mail.nysed.gov
Rating/Scoring:	Judy Pinsonnault, Test Development Unit 518-474-5900 jpinsonn@mail.nysed.gov
Requests for Additional Test Materials	Operations Group Fax a copy of shipping notice with a note itemizing which materials are needed to: 518-474-2021
Content/Curriculum:	Office of Curriculum and Instruction (C&I) 518-474-5922 emscurric@mail.nysed.gov
Accommodations for Students with Disabilities	Special Education Policy and Professional Development 518-473-2878 speced@mail.nysed.gov
Reporting Results in SIRS	Information and Reporting Services 518-474-7965 dataquest@mail.nysed.gov
Academic Intervention Services	David Bryant, Office of Innovative Programs, Student Support Services 518-486-6090 dbryant@mail.nysed.gov

General Test Administration Procedures

Test Materials

The test materials provided by the Department for administering the Grade 8 Intermediate-Level Science Test include:

For the Written Test:

- test booklets
- directions for administering and scoring the Written Test (pages 17–21 of this manual)

NOTE: Answer sheets are provided by your school's RIC/large-city scanning center (see page 2).

Schools will no longer receive printed scoring materials for the Written Test. The Scoring Key for the Written Test Part I and the Rating Guide for the Written Test Part II will be posted on the Department's web site at <http://www.p12.nysed.gov/assessment/> at approximately 3:00 p.m. on June 4, 2014. Schools must print sufficient copies to supply one to each rater.

For the Performance Test (Form A):

- test booklets
- Station Diagrams (10 sets of each of these Station Diagrams and one Test Administrator's Record Sheet)
- directions for administering and rating the Performance Test (pages 22–39 of this manual)
- Test Administrator's Record Sheet (Appendix III of this manual)
- Rating Guide for the Performance Test (Form A)

The Written Test booklet and the test booklet and Station Diagrams for the Performance Test (Form A) are available in large-type and braille as well as in the following alternative language editions: Chinese (Traditional), Haitian Creole, and Spanish. The alternative language editions are direct translations of the English editions. The directions to students on the alternative language test materials are the same as those on the English editions. The Department does not provide separate directions for administering the alternative language editions of the tests. Teachers who speak the language should be able to administer the alternative language editions by using a copy of the test materials in the appropriate language and the directions provided in this manual. If a teacher who does not speak the alternative language administers the tests, the directions on the test materials should enable students to complete the tests by themselves.

The test materials to be provided by the school include pencils for both the Written and Performance Tests and the station materials for the Performance Test.

Test Administration Time

Written Test: Students are allowed two hours of working time to complete the Written Test. In addition, the test administrator will need approximately 15 minutes to give directions to students.

Performance Test, Form A: The Performance Test should be administered in a 45-minute time period. Field testing has determined that almost all students will complete the tasks at all three stations in this amount of time. In addition, the test administrator will need approximately 15 minutes to give directions to students. All stations must be administered in one session.

Administering and Scoring the Written Test

Detailed Directions for Administering the Written Test

Make sure that sufficient quantities of all test materials are on hand. The following materials are needed:

for each student

- test booklet
- answer sheet
- No. 2 pencil
- calculator (**Note:** Calculators *may* be needed for some questions. If so, four-function calculators are sufficient. Scientific calculators are permitted. Graphing calculators are *not* permitted.)

for the test administrator

- detailed directions for administering and scoring the Written Test (pages 17–21 of this manual)
- test booklet (for demonstration purposes)
- answer sheet (for demonstration purposes)
- extra answer sheets and No. 2 pencils

At the beginning of each test session, proctors must read the following statement to all students taking State tests:

You cannot have any communications device, including a cell phone, with you during this test 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
- 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 or a 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.

After the desks have been cleared of books and papers and when the students are ready to begin, say:

Today you are going to take a test in science. I will now give each of you a test booklet face up on your desk. Write your name and school on the cover. Do not open the booklet until I tell you to do so.

Distribute one test booklet, face up, to each student. Then say:

I will now give out the answer sheets. Please do not write on the answer sheet until I tell you what to do.

Now, read the directions on the cover and on page 3 of the test booklet.

After the answer sheets have been distributed, give directions for completing the heading of the answer sheet. Provide directions for marking any machine-readable name or number grids. These directions *must* be developed by the school.

If students do not understand how to mark the answer sheet, explain the appropriate directions until everyone knows what to do. Then say:

Look at the cover of your test booklet. Be sure it says "Grade 8 Intermediate-Level Science Test, Written Test, June 2, 2014." Check that your booklet is complete and that no pages are stuck together. If you do not have the correct book or a complete book, raise your hand.

When I tell you to, turn to page 4 and begin work. When you are finished, close your test booklet and place it on top of your answer sheet.

Now, turn the page and begin work.

Begin timing the two hours now. Note the time on a clock and record the time on the chalkboard or on a sheet of paper. A sample is shown below.

Start time: _____

Stop time: _____

Stop time less 15 minutes: _____

Stop time less 5 minutes: _____

Walk around the room and make sure that all students understand the directions and are properly marking their answer sheets. Explain again the test-taking procedures to any student who appears to be having difficulty.

No one, under any circumstances, may interpret or explain test questions to students, nor may anyone review or comment on the answer paper of a student while a test is in progress. In response to inquiries by students concerning the meaning or interpretation of test questions, students should be advised to use their own best judgment.

When 15 minutes remain, say:

You have 15 minutes left.

When 5 minutes remain, say:

You have 5 minutes left.

When the time is up, say:

Stop work. Put down your pencil. Close your test booklet and place it over your answer sheet.

Students should remain quietly at their desks when they finish the test. The teacher may collect the test materials either as students complete the test or when most of the students have finished.

If the test is administered in a large-group setting, school administrators may prefer to allow students to hand in their test materials as they finish and then leave the room. If so, take care that students leave the room as quietly as possible so as not to disturb the students who are still working on the test.

Note: No one, under any circumstances, including the student, may alter the student's responses on the test once the student has handed in his or her test materials. Teachers and administrators who engage in inappropriate conduct with respect to administering and scoring State tests 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.

Scoring the Written Test, Parts I and II

NOTE: Teachers are **not** permitted to score their own student's answer papers.

The Scoring Key for the Written Test Part I and the Rating Guide for the Written Test Part II will be posted on the Department's web site at <http://www.p12.nysed.gov/assessment/> at approximately 3:00 p.m. on June 4, 2014.

Part I—All schools administering the Grade 8 Intermediate-Level Science Test are required to make arrangements to obtain answer sheets and associated scanning services from a RIC or large-city scanning center. These centers will scan and score the answer sheets according to the following criteria:

1. One credit will be awarded for each correct answer.
2. Credit will not be allowed if two or more answers have been marked for the same questions.
3. The raw score for Part I will be determined by counting the number of correct responses.

Part II—assign credits as indicated in the Rating Guide for the Written Test Part II. A list of criteria for rating the open-ended questions on Part II is provided in that guide.

Machine Scoring. Schools should be sure to check with their scoring center concerning the procedure to be followed in preparing the answer sheets for machine scoring.

The separate answer sheet containing the multiple-choice answer grids also provides grids for recording a student's Part II and Performance Test scores. When filled in, these grids enable scoring centers to produce student records that include final student scores. Record the Performance Test scores in these grids **after** the Written Test is administered but before the answer sheets are machine scored. If schools have two separate answer sheets for the Written and Performance Tests, both must be sent to the RIC or large-city scanning center.

Determining the Student's Final Test Score. A chart for converting the student's Written Test raw score and Performance Test raw score to a final score will be provided on the Department's web site at <http://www.p12.nysed.gov/assessment/> at approximately 3:00 p.m. on June 4, 2014. Once a final score has been determined for each student, a performance level can be assigned. The Performance Levels Chart is provided in Appendix IX of this manual.

Note: The final score corresponding to the raw scores in the conversion chart will change with each year's edition of the test. For this reason, it is crucial that for each test year only the conversion chart provided for that edition be used to determine the student's final score.

Rating the Written Test, Part II

Approximately one-half of the questions on the Written Test will be open-ended. A group of teachers should rate the Part II open-ended questions on the Grade 8 Intermediate-Level Science Test. There must be at least two raters. No rater assigned to score a student's test responses may be that student's teacher. School administrators decide who can rate Grade 8 Intermediate-Level Science Test(s) after review of the teacher's certification, and present and past teaching assignments. It is estimated that two teachers working as a team should be able to rate all of the open-ended responses for about 20 students in approximately one hour.

The Rating Guide for the Written Test, Part II gives detailed directions for rating the open-ended section of the Written Test and specific criteria for rating each question. In rating the students' test booklets, each rater should follow the procedures detailed in the rating guide. The rating should be completed prior to June 12, the date when answer sheets must be submitted to the scanning centers. Copies of the Written Test Rating Guides should be kept on file at the school for reference for at least one year.

Organizing the Rating Process

The following is a suggested procedure for managing the mechanics of the rating process.

1. Designate one person as the coordinator of the rating process. The coordinator may be appointed at either the building or the district level. He or she will be responsible for training and supervising raters and may also rate some of the questions in the student test booklets.
2. Set aside one room as a central rating room for collecting, sorting, circulating, and storing test booklets and for preparing and maintaining records.
3. Provide adequate time for rating during the school day.
4. Make sure each rater receives approximately the same number of student booklets, taking care to ensure that no teacher is assigned to rate the test booklets of his or her own students.
5. At least two teachers must participate in rating the open-ended questions in Part II. Each should be responsible for rating a selected number of the open-ended questions in each test booklet. No one teacher is to score more than half of all the open-ended questions in a student's test booklet.

6. Prior to the rating of students' responses to the open-ended questions in Part II, allow time to provide training for all raters (even if they have received prior training). If possible, select at random 10–15 student test books and duplicate them for use as a “warm-up” exercise with the raters for discussion of the questions, the criteria, and the rating of each item. During the training exercise, after three or four complete student test booklets have been rated, ask the raters to indicate, by a show of hands, how many credits they gave each response. If there is some disagreement about the number of credits to be awarded a response, ask raters who gave different credits to a response to explain their rating by citing specific criteria from the rating guide.

Administering and Rating the Performance Test

Preparation

Well in Advance of the Test Date:

1. Notify teachers and other staff of this test, the role that each will have, and that test security measures must be maintained. Notify other professionals and support staff of this test and the role that they may need to play.
2. Assemble and prepare all equipment according to the directions (pages 25–33) in this manual. The materials listed specify what is needed for a single station. Some commercial and public suppliers have constructed kits that provide *most* of the specific equipment for each station. Appendix VIII provides a list of these suppliers. Although kits ordered from suppliers should generally be the same, some kits may not be ready for immediate use, and additional time may be needed for preparation. The school may need to provide some miscellaneous materials such as marking pens, tape, or labels.
3. Check the materials well in advance of the test date. Contact the supplier for a replacement if a piece of equipment or material is missing or arrives broken.
4. Check to be sure that the equipment and materials are adequate for the number of students to be tested. Appendix I provides a complete list of materials needed for each station. A supplier's kit of materials usually provides for a maximum of 30 students. Each group of stations will accommodate three students, and students will move to each station within the group. If 30 students are to participate in the Performance Test, you will need equipment for 10 complete setups of each station. Each student will need one test booklet and a sharpened pencil. Check that enough booklets will be available for the number of students to be tested. Test administrators should have an extra supply of sharpened pencils on hand.
5. Check the equipment schools must provide: triple-beam balances, compound microscopes with at least two objectives, and handheld calculators. Make sure that all balances can be "zeroed," all microscopes are in good working order, and all calculators have an energy source. The microscopes should have an eyepiece with 10× magnification, a lowest-power objective of 4× magnification, and a highest-power objective of about 10× magnification. Overall, the microscopes should give total magnifications of about 40× and about 100×.
6. Select and reserve a testing room. Once all the equipment has been prepared, it should take three to four person-hours to set up the room, one hour to conduct the assessment (for a class of 30 students), and one hour to disassemble the setup. For larger schools and schools where the test will be given early in the school day, station setup can be done the day before and secured overnight. Do *not* leave test booklets out overnight.
7. **Plan the layout of the room and prepare a diagram of the layout of the stations. This is an essential step in the process of performance testing.** The testing room must have flat top student work spaces (student tables, lab tables, library tables, or cafeteria tables) in sufficient numbers for the number of students to be tested. An individual student desk may be too small to accommodate all the equipment for a station plus provide room for the student to write. It may be possible to place two smaller individual desks together to make a larger work area for one station. Determine how many tables will be needed and how they will be arranged in groups of three stations each (see page 24). The room may need to be large enough to accommodate 8–10 groups (24–30 students) comfortably. Students will need to move (either sideways or front-to-back) among stations within their group with as little confusion as possible. An important consideration is the location of Station 1, which requires the use of a microscope. If the microscope uses a mirror, it should be positioned so that it has enough light but not direct sunlight. If it has an electrical light source, it must be positioned near an electrical outlet.

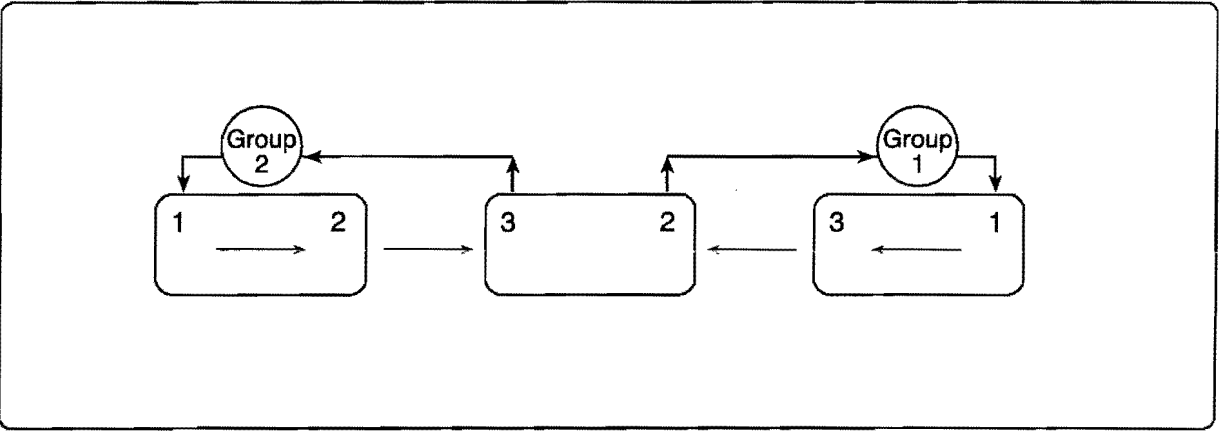
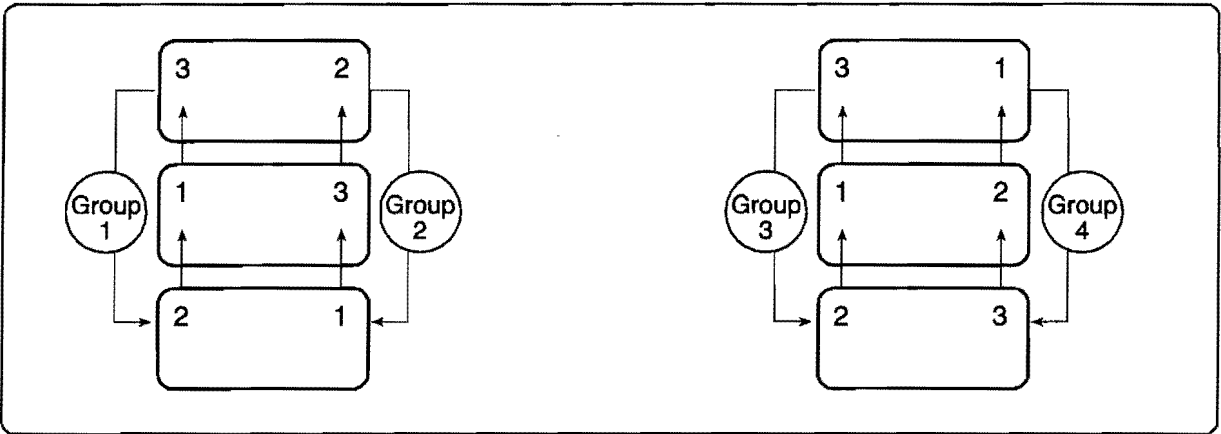
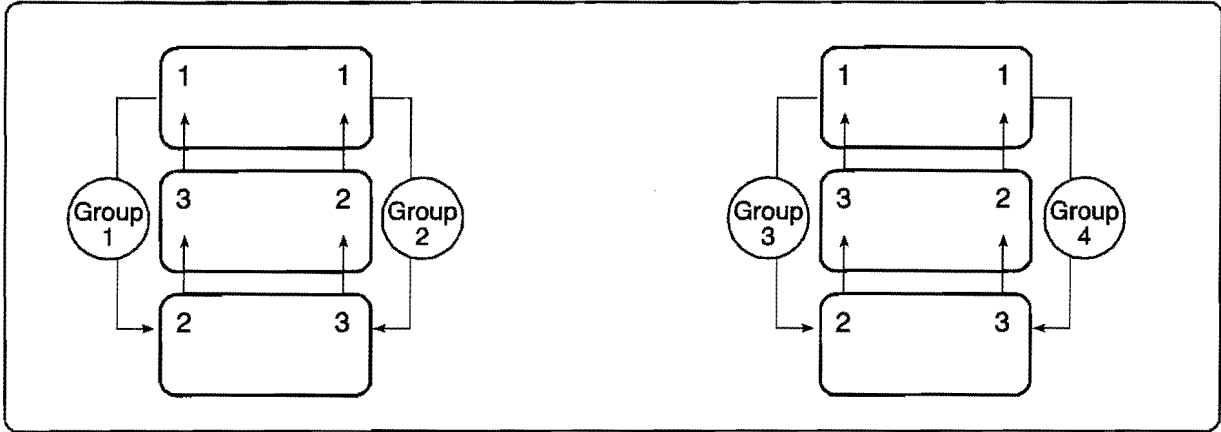
8. Check that all print materials from the Department are ready. These include the student test booklets, directions for setting up the stations, detailed directions for administering the test, Station Diagrams for Stations 1, 2, and 3, and a Rating Guide.
9. Check that at least two adult test administrators (two professionals, or one professional and one paraprofessional) have been trained and are completely familiar with the test protocols and the equipment. These adults will administer the test, direct student movement, and handle equipment issues. In addition, teachers or aides may be present to provide testing accommodations to students with disabilities pursuant to their IEPs. They should also receive training regarding the procedures used in this assessment. To minimize possible distractions during the testing, other adults should *not* be invited to attend.

One Day Prior to the Test or Early Morning on the Test Date:

1. Prepare a diagram of the room layout of the stations.
2. Arrange the tables into groups of three stations each. Remember that natural or artificial lighting is needed for the microscopes, so locate all Station 1 setups first. Set up each station according to the directions provided in the section of this manual entitled "Preparing Each Station," pages 25–33. The materials listed specify what is needed at each station for each group that is being tested. The stations do not need to be in numerical order. Arrange the equipment exactly as it is shown on the Station Diagram.
3. Assign a group number to each set of Stations 1, 2, and 3. Use this numbering system to tell students which group they are in. This number will be recorded on the cover of each student's test booklet. The group number will be important when rating students' responses based on specific materials. For Group 1, the station setups should include Block B–1 and Slide X–1; for Group 2, the station setups should include Block B–2 and Slide X–2; etc.
4. Write the school name on the chalkboard so that students can correctly and quickly record it in their test booklets.
5. Instruct students *not* to bring any items with them to the testing room. However, reserve a location near the door for the quick placement of items that students might bring with them, such as books, bookbags, and coats.
6. Give students the opportunity to visit the restrooms prior to the testing session.
7. Place a sharpened pencil and one copy of the student test booklet face down at each station just before students enter the room. Have a supply of sharpened pencils available.
8. **Safety:** Staff should exercise the same safety precautions that apply when students engage in performance tasks in a science classroom. Students should be monitored closely for safe use of equipment and materials at all times.
9. **Complete the Test Administrator's Record Sheet. This information is *very important*. It will be used to determine the range of correct answers by the teachers rating the students' tests. A copy is provided in Appendix III of this manual.**

Partial Diagrams of Typical Classroom Setups Three Typical Group Setups

Electric Outlets or Windows



Windows

Electric Outlets

Preparing Each Station

The detailed directions listed below include a list of the materials needed for each station, a Station Diagram, and specific suggestions for preparing the materials and setting up the stations. Refer to the diagram of the setup for your testing room to determine how many individual station setups you will need.

Station 1: Sorting Creatures

Materials needed for one station:

- Black permanent marker
- Collection of six specific plastic creatures
- Index card (3"×5", unlined)
- Masking tape
- Microscope with an eyepiece of 10× and at least two lenses providing total magnification of about 40× and 100×
- Slide A—slide of grid with 1-mm squares (graph paper)
- Slide X—microscopic specimen: (recommend *Drosophila*—must clearly show six legs)
- Sorting Chart (8½" × 14"), laminated

Preparation to be done prior to the test date:

1. When setting up the room, determine the location of this station first. This is important because the microscope may need an electrical outlet for a light source or good natural lighting if it uses mirrors. Do *not* place microscopes where direct sunlight could hit the mirror and reflect into a student's eye.
2. Appendix IV provides a master for the Sorting Chart. It should be on an 8½" × 14" sheet of paper (preferably laminated).
3. Use a black permanent marker to label each of the six specific plastic models with its corresponding letter. Place the capital letter on the underside of each creature. (**Note:** These models are available from the suppliers listed in Appendix VIII.)

A—centipede

D—ant

B—fly

E—spider

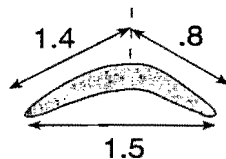
C—dragonfly

F—bristletail

4. The microscope should have an eyepiece of 10×. The lowest power objective should provide about 4× magnification. The highest power objective should provide about 10× magnification. These will provide total magnifications of about 40× and about 100×. If the microscope has a higher objective than these two, it should be covered so that students will not use it. This can be done by wrapping a piece of lens paper over it and securing the paper with masking tape.

Note: Microscopes in a school's inventory may have a total lowest magnification of 100×. These should work if students are accustomed to moving specimens across the field of view to determine measurements. You must also provide a second objective larger than 10×. If a microscope has only two objectives, 10× and 40×, both of these objectives should be available for the student's use; neither should be covered.

5. Prepare a Slide A for each Station 1. This is a permanent slide that can be made from a section of graph paper ruled every 1.0 mm. Cut out a 1.0-cm × 1.0-cm section of the graph paper. Use clear transparent tape to mount the graph-paper section in the center of the blank slide. Label this Slide A. Place Slide A on the index card. (**Note:** Some suppliers may provide slides with grid lines printed directly onto the slides.)
6. Prepare a Slide X for each Station 1. Dry and mount a *Drosophila* under a coverslip so that all six legs are clearly visible. Specimens should be approximately 2–2.5 mm in length. (These specimens are available commercially.)
7. Use consecutive numbers to label the microscopes 1, 2, 3, etc. These numbers will indicate which group used that microscope. Fill out the Test Administrator's Record Sheet (Appendix III) for each microscope by recording the lowest power and the field of view to the nearest 0.5 mm.
8. Use consecutive numbers to label the Slide X samples, e.g., X-1, X-2, X-3, etc. These numbers will indicate which group observed that slide. Place Slide X on the index card.
9. Once a Slide X has been placed at each Station 1, examine the slides under lowest power *using the microscope at that station*. In the table on the Test Administrator's Record Sheet, record the length of the *Drosophila* on each slide to the nearest 0.5 mm. A simple method for determining the length of the *Drosophila* is to place Slide A on the microscope stage and place Slide X on top of it. Focusing on these two slides will easily show the size of the *Drosophila*. **Note:** Some of the *Drosophila* specimens are bent and could be measured by adding the two sections or by measuring across from head to end. Do *not* include the antennae, legs, and wings. If possible, replace these slides. If not, make a note of both values on the Test Administrator's Record Sheet. For example:



(Not drawn to scale)

If the specimens were bent as illustrated above, both 1.5 ± 0.5 mm or 2.2 ± 0.5 mm can be accepted.

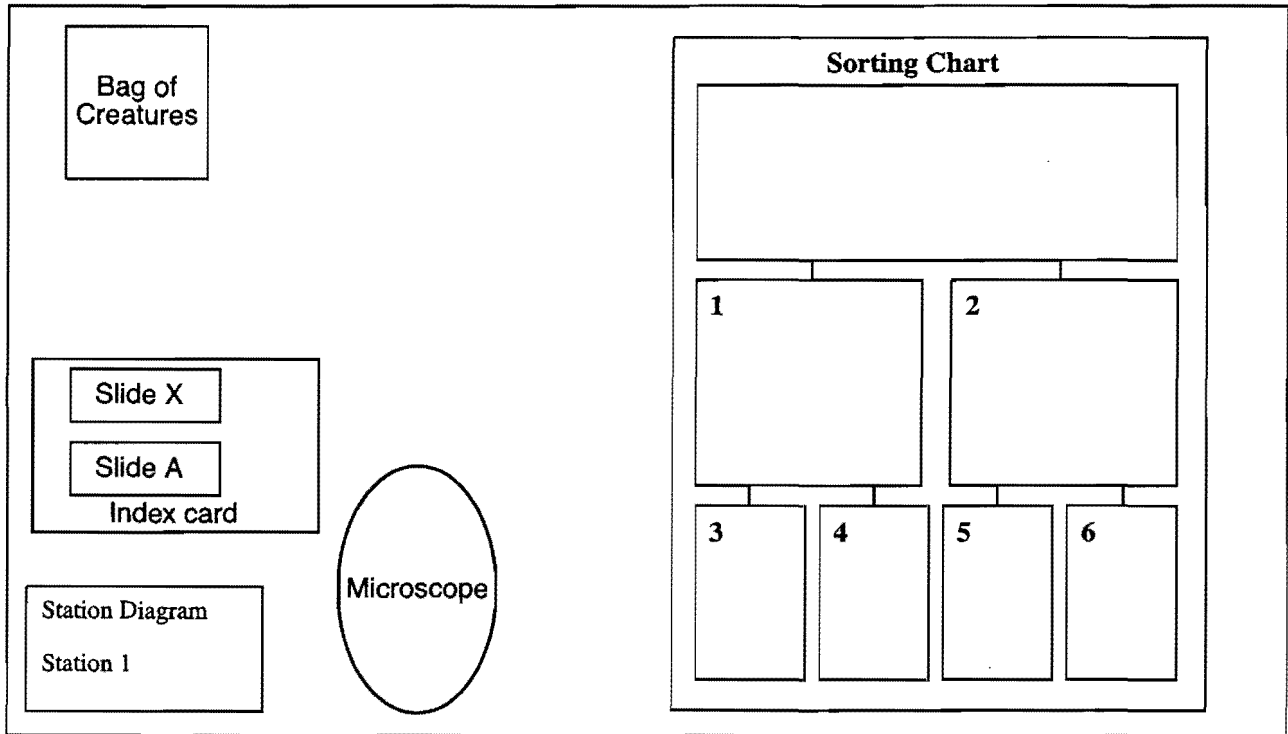
10. Use masking tape to secure the Station Diagram in the lower left corner of the desk/table.
11. Place the equipment at the station so its location agrees with the Station Diagram on page 27.

Safety:

1. When positioning a microscope with a mirror, be sure that the mirror will not be pointed directly at the Sun at any time during the testing sessions.
2. Alert students about handling sharp-edged microscope slides.
3. Monitor the students for safe use of the microscopes.
4. If electrical extension cords are used, take care that students do not trip or push against them as they move among stations. If necessary, tape the cords to the floor and/or flag them so that they can be easily seen.
5. Do not place electrical lights or extension cords near water faucets.

Station Diagram

Station 1: Sorting Creatures



Station 2: Ramp and Golf Ball

Materials needed for *one* station:

- Black permanent marker
- Carpet tape or duct tape
- 5-gram mass or 25-cent coin
- Golf ball
- Masking tape
- Resealable plastic bag
- Ping-Pong ball
- Place mat with measuring strip
- Round plastic container with hole
- Ruler with groove (metric)
- Support block(s)
- Labels

Preparation to be done prior to the test date:

1. The round plastic container should be transparent or translucent, about 12 cm in diameter (1-pint size), and about 15 g in mass, e.g., a deli container. From the rim, cut a hole (about 6 cm × 6 cm) to allow enough room for the golf ball to roll inside. (Some vendors may have already done this step.) This is the front of the cup.

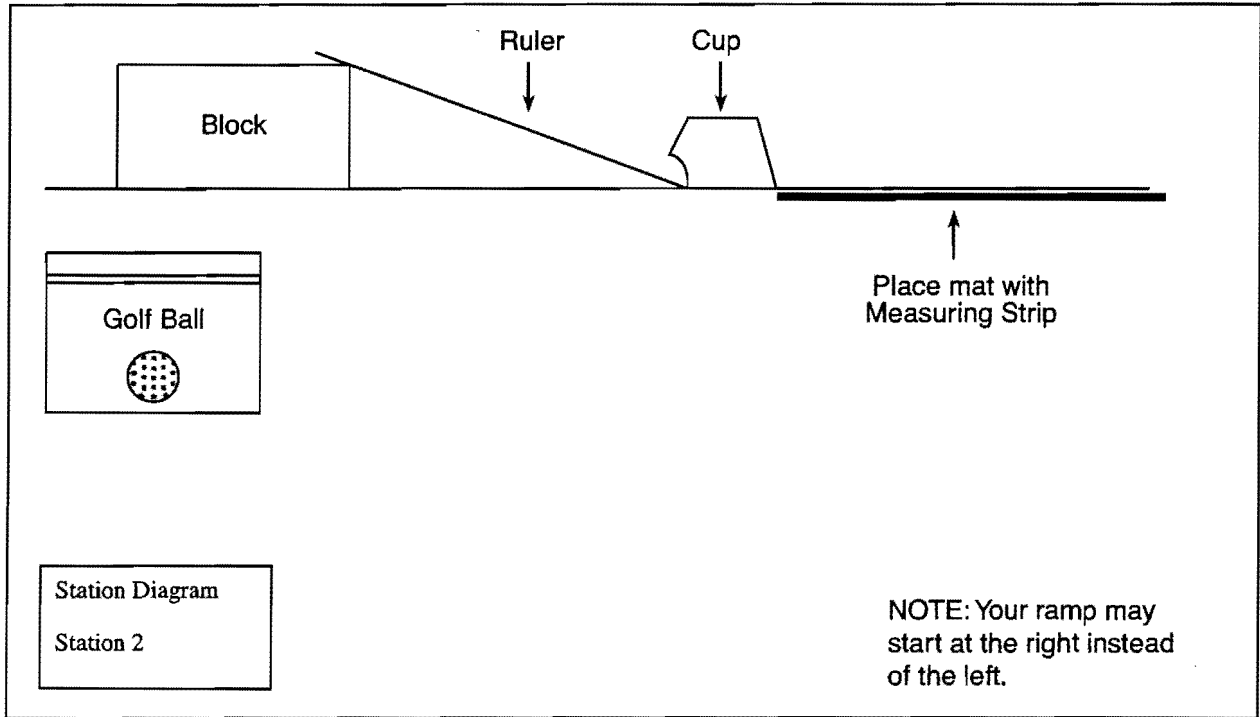


2. The grooved plastic ruler serves as the ramp for rolling the golf ball. Allow only the metric units to show on the ruler. Cover the standard units (inches) with black permanent marker or duct tape. Be sure the tape does not get into the groove of the ruler, as it may interfere with the roll of the ball. The ruler's zero mark should be at the end of the ruler, *not* indented.
3. Appendix V (pages 51–53) provides a master for the place mat. Make it on an 11" × 17" sheet of paper (preferably laminated).
4. A block of wood about 5–6 cm in height will serve as the ramp support.
5. Assemble the ramp setup as described below, but do *not* tape any equipment down until everything has been put in place and tested. The ramp must be set up so the ball does not push the cup off the table.
6. Use masking tape to secure the Station Diagram in the lower left corner of the desk/table. Refer to the diagram when setting up the station.
7. Place the ruler's 28–29-cm mark at the edge of the ramp support and the ruler's zero mark on the table. Slip the place mat under the ruler so that it is aligned with the "End of Ramp Ruler" mark (about 1 cm inside the edge of the place mat).
8. Place the ramp support to the back and far left of a level desk/table so that the ruler will slope down from upper left to lower right. The ruler's numbers must be on the side of the ruler nearest the students (even if the numbers are upside down). If the numbers are not on the student's side, reverse the ramp position to the back and right of the desk. (**Note:** If this is the case, the Station Diagram will not exactly match the setup.) Place the ramp back far enough on the desk/table so that the student has plenty of room to write in the test booklet.
9. Place the cup on the place mat's "Starting Circle" 1 cm away from the end of the ruler, with the cup's opening toward the ruler.

10. Place a 5-g mass or a 25-cent coin on the top of the cup and secure it in two directions with masking tape. Try rolling the golf ball from the 28–29-cm mark. The back rim of the cup should slide and stop beyond the 15-cm mark on the place mat. Release the ball from the 10-cm and 25-cm marks to be sure to have a good range of values for the distance that the cup slides. (If the ramp is too steep, the ball will bounce down the ramp and onto the table, giving inconsistent results.)
11. Once you have determined the correct height of the ramp, tape down the corners of the place mat. Then tape the base of the support block(s) to the table. Use carpet tape to secure the bottom of the block. If using duct tape (or masking tape), secure strips of tape against the side of the block. Do this on all four sides of the block. (If the block should slip during setup, reset the block by using the ruler as a guide to the place mat.) On the underside of the ruler at the 0-cm and the 29-cm marks, place carpet tape to secure the ruler. (You can also use duct tape or masking tape that has been rolled back on itself so there are two sticky sides.) When the ruler is put into place, its 0-cm mark should be on the place mat and the support should be at the 28–29-cm mark. Place two additional strips of tape across the ruler at the 29-cm mark, following the ruler's contour, and secure it to the support. If the tape is too tight, this will lift the other end of the ruler off the place mat.
12. Release the golf ball from the 29-cm mark again to be sure that the whole system is working correctly and the cup is not pushed off the table.
Note: As more students use the setup, the place mat may become smoother, and the cup will travel farther.
13. Place the golf ball into a transparent, resealable bag that is labeled "Golf Ball," and put it on the desk/table.
14. Place a Ping-Pong ball into a transparent, resealable bag that is labeled "Ping-Pong Ball" and "Do Not Open." Use masking tape or duct tape to cover the seal on the bag so that it cannot be opened. The test administrator will give a Ping-Pong ball to the student upon request.
15. Place the equipment at the station so its location agrees with the Station Diagram on the next page.

Safety: Routine laboratory safety procedures are required.

Station Diagram
Station 2: Ramp and Golf Ball



Station 3: Woods and Water

Materials needed for one station

- Balance (triple beam, 0.1 g)
- Block A (3.7-cm cube) in plastic resealable bag (pine, maple, or other wood with a density $<1.0 \text{ g/cm}^3$)
- Block B (2.5-cm cube) (lignum vitae or other wood with a density $>1.0 \text{ g/cm}^3$, available in science stores or wood specialty stores)
- Handheld calculator (Four-function calculators are sufficient. Scientific calculators are permitted. Graphing calculators are **not** permitted.)
- Paper towels
- Black permanent marker
- Ruler (metric)
- Transparent plastic cup (5 oz) with water
- Plastic bag (resealable)
- Masking tape
- Labels

Preparation to be done prior to the test date:

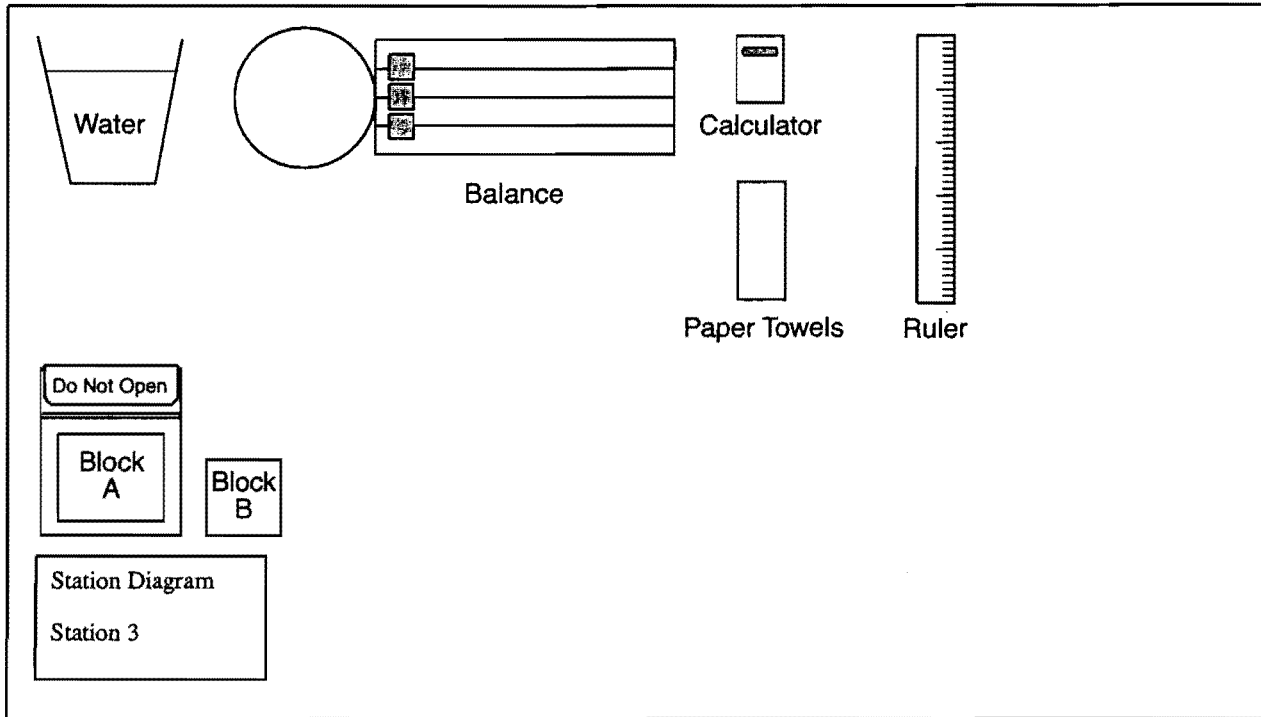
1. The triple-beam balance must be mechanical and measure to the nearest 0.1 g. Do **not** use electronic balances. Do **not** place balances at locations near windows or doors if they will be open during testing. Air breezes may cause balance arm to oscillate while the student is measuring.
2. The ruler must have only metric units showing. All other units must be covered with tape or marked over with permanent marker. Be sure the tape does not get into the groove of the ruler. The 0-cm mark should be at the end of the ruler, not indented.
3. Use consecutive numbers to label the balance for each group. These numbers will indicate which students worked with that balance.
4. Block A should be about 3.7 cm on each side. Block A's density should be about 0.7 g/cm^3 . Place Block A in a resealable plastic bag labeled "Block A" and "Do Not Open." Secure the bag with duct tape, masking tape, or a label so that it can **not** be opened.
5. Block B should be about 2.5 cm on each side. Block B's density should be about 1.3 g/cm^3 . Replace any Block Bs that are not cubes with all sides approximately equal. (Lignum vitae may be purchased from a science store or wood specialty store.)
6. Label each face of the block with the letter "B." Use consecutive numbers to label the Block B samples for each group, e.g., B-1, B-2, etc. These numbers will indicate which group worked with that block.
7. Record the length of one side of the Block B samples on the Test Administrator's Record Sheet (Appendix III). Round length to the nearest 0.1 cm.
8. Once a Block B has been placed at each Station 3, find the mass of each block *using the balance at that station*. Record your results on the Test Administrator's Record Sheet. **Note:** The mass of Block B may be slightly greater at the end of the day. After the testing sessions are over, record the mass of Block B specimens again to be certain that the mass did not change appreciably. If this is the case, make notes on the Test Administrator's Record Sheet.
9. Calculate and record the volumes of the Block B samples on the Test Administrator's Record Sheet.
10. Calculate and record the density of the Block B samples on the Test Administrator's Record Sheet.
11. The plastic cup should be large enough for Block B to sink in about $\frac{1}{2}$ cup of water. It should be easy for the student to remove Block B from the cup.

12. **Note:** It is very important to test all Block B specimens to be certain that they sink when placed in the cup of water. **Block Bs that do not sink should be replaced with blocks that sink.**
13. Use masking tape to secure the Station Diagram in the lower left corner of the desk/table.
14. Place the equipment at the station so its location agrees with the Station Diagram on the next page.

Modifications: Any triple-beam balance that students are familiar with is acceptable as long as it is mechanical and able to measure to the nearest 0.1 g.

Safety: Routine laboratory safety procedures are required.

Station Diagram Station 3: Woods and Water



Detailed Directions for Administering the Performance Test

NOTE: Make sure that the Test Administrator's Record Sheet (Appendix III) was completed when the stations were set up. This information is *very important*. It will be used to determine the range of correct answers by the teachers rating the test.

1. This assessment is a timed test. Students should be provided the opportunity to visit the restrooms prior to coming to the test room so that an unscheduled interruption does not occur during the testing period.
2. Teachers should tell students not to bring bookbags, coats, books, or such items to the testing room. These items will get in the way when students rotate among stations.
3. Just before the testing period begins, make sure that all microscope lamps are turned on (or microscope mirrors can get indirect light), the balances are at zero, and the calculators are at zero.
4. Quickly bring students into the testing room, first filling those stations farthest from the door. It does not matter which station students go to first because each student will eventually be doing all tasks. Instruct students *not* to touch the equipment and *not* to open the test booklet until they are instructed to do so.
5. If you must take attendance, save time by waiting until students are working at their stations.
6. Do *not* attempt to explain to students at the beginning of the test how to move among stations within the group. Present that information after they complete the first task and then again after the second task.
7. If students have questions during the test, you may give assistance for lost or broken equipment or safety issues. However, for most questions you should answer only, "Read it again," "Sound out the word(s)," or "Do your best," etc.
8. You must *not* give assistance to students on how to perform a procedure or acknowledge that the student is performing a correct or an incorrect procedure. This is not the time to be providing instruction. The purpose of this test is to determine what the student is able to do. Exceptions to this would be safety concerns or specific provisions in a student's IEP for allowable testing accommodations.
9. Use a timing device, stopwatch, or clock with a sweep-second hand to provide accurate time splits of 10 minutes, 13 minutes, and 15 minutes. If you use a clock with a sweep-second hand, note the start time and splits on a piece of paper, the chalkboard, or the Test Administrator's Record Sheet. See the chart below as an example. Be sure to collect a test booklet and pencil from *each* student before the students leave the testing room.

Time	Say:	First Station	Second Station	Third Station
Start Time	"You may begin work."			
Start Time + 10 minutes	"You have 5 minutes left."			
Start Time + 13 minutes	"You have 2 minutes left."			
Start Time + 15 minutes	"Stop working."			

Detailed Directions to Students Taking the Performance Test

Students will be anxious to get started. When students are at their first station and ready to work, quickly read aloud to the students the scripts that are in the boxes that follow. (Information in italics or in parentheses or information that is outside the boxes is information for you and your colleagues and is *not* to be read aloud.) Do *not* count this direction-reading stage as part of the time for completing the first task.

At the beginning of each test session, proctors must read the following statement to all students taking State tests:

You cannot have any communications device, including a cell phone, with you during this test 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
- 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 or a 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.

Good morning (afternoon). Today, you will be taking a science skills test. I think you will enjoy it because you will be able to use science equipment to help you answer the questions on the test. Please listen carefully, follow my directions and the directions in your test booklet, and do your best work.

If you do not have a test booklet and a pencil at your station, raise your hand.
(short pause)

Print your name on the cover of your test booklet and put a check mark to indicate whether you are male or female. (pause) Write in the name of our school as I have it written on the chalkboard. (pause) Write your group number. I will tell you which group you are in. (Assign a number to the students in each group. This number can be determined by the number on Block B at Station 3 and Slide X at Station 1. For example, Group 4 should have Block B-4 and Slide X-4, etc.)

Keep this test booklet and pencil with you throughout the test. They will be collected at the end of the test.

Look at the cover of your test booklet. Let's read the test directions together. You read along silently while I read aloud.

This booklet contains science performance tasks located at three different stations: 1, 2, and 3. During this skills test, you will work at all three stations. You are already seated at one of these stations. Use the materials at each station to help you do the tasks.

At each station you will have 15 minutes to finish your work. Continue working until you see the word "STOP" at the bottom of the page or until the 15 minutes are up. If you have extra time, check your work, or wait quietly.

Do not help other students or ask others to help you. Everyone should work alone. There must be no talking between students during this test.

Read the description of each station carefully. Read carefully all of the directions in boxes. All of your answers must be recorded in this test booklet.

After you complete the tasks at each station, please leave the station the way it is shown on the Station Diagram. This diagram is located in the lower left corner of your station.

Do *not* try to explain at this time how the students will be moving from station to station. Leave that information until after they complete the first station (and then again after they complete the second station).

The directions that follow will be repeated three times during the testing session.

START HERE when reading directions for the second and third stations.

Say:

Look at the bottom left corner of your desk/table. The Station Diagram gives the number and the title of the station where you will be working. Open your booklet and find that station.

Pause and look around to be sure that everyone has found the correct place.

Look at the Station Diagram again. Check to see that you have all the equipment shown on the diagram and that the equipment is located where it should be. If you are missing equipment, raise your hand. (*pause*)

Resolve any equipment problems.

You may begin work. Read the description of the station at the top of the page. Read carefully all of the directions in boxes.

Begin timing the 15 minutes now.

Start a stopwatch or note the time on a clock with a sweep-second hand. Record the time on the chalkboard or on a sheet of paper. A sample chart is shown below.

Time	Say:	First Station	Second Station	Third Station
Start Time	"You may begin work."			
Start Time + 10 minutes	"You have 5 minutes left."			
Start Time + 13 minutes	"You have 2 minutes left."			
Start Time + 15 minutes	"Stop working."			

Remember that you can provide only limited assistance to the students. If students have questions during the test, you may give assistance only for lost or broken equipment, safety issues, or specific provisions in a student's IEP for allowable testing accommodations. For most student questions, you should answer, "Read it again," "Sound out the word(s)," or "Do your best," etc. You must *not* give assistance to students on how to perform a procedure or acknowledge that the student is performing a correct or an incorrect procedure. This is not the time to be providing instruction. The purpose of this test is to determine what the student is able to do.

For students at Station 1, Sorting Creatures: Be sure that students are recording their answers in the test booklet after performing the sort using the separate sorting chart.

For students at Station 2, Ramp and Golf Ball: While at this station, the students will raise their hands to return the golf ball. Do *not* give the students the Ping-Pong ball at this time. Wait until the students raise their hands a second time.

After 10 minutes, say:

You have 5 minutes left.

After 13 minutes, say:

You have 2 minutes left.

After 15 minutes, say:

Stop work.

Please put all the equipment back the way it is shown on the Station Diagram. Put the microscopes back to lowest power; put the balances back to zero; put the calculators back to zero. (*pause*)

Before the students rotate to the next station, check to be sure all equipment and materials are positioned as shown in the Station Diagrams. Be sure that the Ping-Pong balls have been collected and the golf balls have been returned to each Station 1 setup.

You are now going to move to your next station. I will show you how to do that. Be sure to take your test booklet and pencil with you.

Because stations have been arranged in groups, student movement can be kept to a minimum. Take one group and demonstrate for the whole class how students will move to the next station. Then let each group move one at a time and provide help when necessary. When all the students have moved, repeat the directions that start on page 37 until the testing session is completed.

When the students have completed ALL THREE STATIONS, say:

The science skills test is over. Thank you for being so attentive and cooperative during the test. Please wait quietly until all test materials are collected and you are dismissed.

Be sure to collect the test booklets and pencils from all students before they leave the room. Return all unused test booklets and materials to the secure location designated by your school administrator until such time as they are returned to the Department according to the instructions on page 14 of this manual.

Rating the Performance Test

NOTE: Teachers are **not** permitted to score their own student's answer papers.

The entire Performance Test will require rating by teachers. School administrators decide who can rate the Grade 8 Intermediate-Level Science Test after review of each teacher's certification and present and past teaching assignments. It is estimated that a team of three teachers should be able to rate the responses to all three stations for about 30 students in one hour. This scoring can be most quickly accomplished if one teacher rates all students' responses to Station 1 while another rates all students' responses to Station 2 and a third rates all students' responses to Station 3.

The Performance Test, Form A Rating Guide gives detailed directions for rating the Performance Test and specific criteria for rating each item. It is printed on yellow paper and is included in the shipment of test materials from the Department. In rating the students' test booklets, each rater should follow the procedures in the rating guide. The rating should be completed prior to June 12, the date when answer sheets must be submitted to the scanning centers.

Organizing the Rating Process

The following is a suggested procedure for managing the mechanics of the rating process.

1. Designate one person as the coordinator of the rating process. The coordinator may be appointed at either the building or the district level. He or she will be responsible for training and supervising raters and may rate some of the students' responses.
2. Set aside one room as a central rating room for collecting, sorting, circulating, and storing test booklets and for preparing and maintaining records.
3. Provide adequate time for rating during the school day.
4. Make sure each rater receives approximately the same number of student booklets, taking care to ensure that no teacher is assigned to rate the test booklets of his or her own students.
5. Provide a copy of the completed Test Administrator's Record Sheet (in Appendix III) to each rater.
6. At least two teachers, preferably three, should participate in rating the questions on the Performance Test. Each should be responsible for rating all of the questions for one station. No one teacher is to score all the open-ended questions in a student's test booklet.
7. Prior to the rating of the students' answers to the Performance Test, allow time to provide training for all raters (even if they have received prior training). If possible, select at random 10–15 student test booklets and duplicate them for use as a "warm-up" exercise with the raters for discussion of the questions, the criteria, and the rating of each item. During the training exercise, after three or four complete student test booklets have been rated, ask the raters to indicate, by a show of hands, how many credits they gave each answer. If there is some disagreement about the number of credits to be awarded for an answer, ask raters who gave different credits to an answer to explain their rating by citing specific criteria from the rating guide.
8. Raters should have a set of stations available to check the accuracy of questionable student answers by actually performing the task for which the answer was given.

Note: It is recommended that schools do *not* record the students' Performance Test scores on their scannable answer sheets until after the students have taken the Written Test and completed their portion of the answer sheet. This way, students will not be distracted by seeing their Performance Test scores on the answer sheets. This will also prevent students from altering those scores.

Finality of Teacher Scoring Committee's 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 *Test Scoring Certificate* attesting that he or she faithfully observed the regulations for scoring the tests. 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 test 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 this test. Teachers and administrators who violate Department policy with respect to scoring State tests may be subject to disciplinary action in accordance with Sections 3020 and 3020-a of Education Law or to action against their certification pursuant to Part 83 of the Regulations of the Commissioner of Education.

On rare occasions, an administrator may learn that an isolated error had occurred in arriving at a final test score for a student or in recording the student's score in the permanent records. For example, the final test 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 State test of no more than 5% of the school's test takers for that test or 5 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 occurrences, the superintendent or chief administrative officer must advise OSA in writing 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 test, the students' original and corrected scores, and a brief explanation of the nature of the scoring error which 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 test or when such 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 test 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 test 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 in this manual 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 a test. 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 test scores when appropriate. Only in such circumstances is the school not required to notify or obtain approval from the Department to correct students' final test scores.

Reporting Irregularities and/or Misadministrations

Pursuant to Section 102.3 of the Regulations of the Commissioner of Education, "Building principals are responsible for administering department examinations and maintaining the integrity of examination content and programs, in accordance with directions and procedures established by the commissioner." Accordingly, the building principal is responsible for all aspects of the school's test administration and must take appropriate measures both to prevent, as much as possible, and to investigate all security breaches and irregularities associated with the administration and scoring of the test. In addition, the principal must report the following testing irregularities and misconduct by students, in writing on school letterhead and signed by the principal, to OSA via fax to 518-474-1989 or by e-mail to emscassessinfo@mail.nysed.gov

- All student infractions of the Department's policy prohibiting the possession or use of cell phones and other communications devices during State tests.
- All confirmed cases of students cheating.
- All interruptions of test sessions including those caused by power outages or fire alarms.
- All instances in which a State test is administered without Department authorization on a date outside the published statewide administration or makeup schedule.
- All instances in which scorers do not rate State tests in accordance with the scoring materials provided by the Department.
- All cases in which student test books or answer sheets are lost prior to either the scoring of the tests or submission of the answer sheets to the RIC or large-city scanning center.
- All instances of school officials or staff members providing students with other nonstandard test administrations, unrelated to cheating.

The report must include:

- The school's BEDS Code,
- The name and grade level of the test,
- A brief description of the incident,
- The number of students affected, and
- The New York State Student Identification System (NYSSIS) ID numbers of affected students.

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 tests. 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." The following are examples of improper testing conduct that must be reported to the TSU:

- All suspected or confirmed cases of a school official or staff member giving aid or impromptu lessons on specific test content to students immediately before or during a State test or altering student responses on a test paper.
- All cases in which a school official does not adhere to the Department policy concerning the finality of test scores as determined by the teacher scoring committees. This policy is explained on page 40 of this manual under the heading "Finality of Teacher Scoring Committee's Scores."
- All instances of an administrator or teacher instructing another administrator or teacher to alter or interfere with a student's test score.

Coding of Invalid Tests

Any breaches or irregularities described on the preceding page, except interruptions caused by power outages or alarms, may be determined by the school or by the Department to invalidate a student's test results. In cases where a student's test has been invalidated the principal must:

1. Darken the circle on the affected student's answer sheet denoting "administrative error."
2. Notify the RIC or large-city scanning center of the administrative error. In order to expedite accurate reporting, provide the BEDS Code, School Name, Subject, Grade, and NYSSIS ID number.
3. In the SIRS, in the *Assessment Standard Achieved Code* field, code the student's test result as "administrative error with *Standard Achieved Code of 97.*"
4. If a student's test is deemed to be an administrative error **after** the student's answer sheet has been scanned, the scanning center must be contacted and asked to submit a request to the Department's Office of Information and Reporting Services for permission to override the score to an Assessment Standard Achieved Code of "97" indicating administrative error.

On the verification reports, a student for whom an administrative error occurred will not receive a valid score and will appear as "not tested."

Circumstances that Should Not Be Reported as Administrative Error

If a scanning center sends an answer sheet that contains inaccurate demographic data, do not darken the circle denoting an administrative error on the answer sheet. Instead, communicate the problem to the scanning center, go back into the student management system (SMS), correct the demographic data, and reload it into SIRS. If the student uses a blank/extra answer sheet in place of the preprinted answer sheet with incorrect demographic data, do not code the original answer sheet as an administrative error. Instead, communicate the problem to the scanning center but do not submit the incorrect answer sheet for processing.

If a scanning center sends an answer sheet to the school for a student who is no longer enrolled in that school, do not code the answer sheet as an administrative error. Instead, communicate the problem to the scanning center and go back into the SMS to correct the enrollment record to reflect the ending enrollment and reload it into the SIRS.

Students originally reported with an incorrect grade level should not be reported as administrative error as long as the student is administered the correct grade level test using a blank answer sheet for the appropriate grade level test. Do not submit the incorrect answer sheet to the scanning center. Instead, communicate the problem to the scanning center, correct the student information in the SMS, and reload the updated demographic information into SIRS.

Schools should communicate any concerns or questions to the RIC or large-city scanning center prior to, or at the time of, delivery of the answer sheets.

Appendix I

Materials Needed to Administer the Performance Test, Form A

The Department will provide the test booklets, rating guides, and other printed administration materials. Schools are responsible for obtaining the materials needed for the performance tasks. Schools can either prepare these materials or purchase the materials in a complete kit from one of several vendors (see Appendix VIII). Schools might want to contact the vendor that has supplied them with kits in the past. A list of materials that will be needed for *one* setup for each of the three stations appears below.

Schools will need to provide microscopes, triple-beam balances, and handheld calculators.

Station 1: Sorting Creatures

Materials for *one* station

- Black permanent marker
- Collection of six specific plastic creatures
- Index card (3" × 5", unlined)
- Masking tape
- Microscope with an eyepiece of 10× and at least two lenses (providing total magnification of about 40× and 100×)
- Slide X—slide of microscopic specimen: (recommend *Drosophila*—must clearly show six legs)
- Slide A—slide of grid with 1-mm squares
- Sorting Chart (8½" × 14")

Station 2: Ramp and Golf Ball

Materials for *one* station:

- Ruler with groove (metric)
- Round plastic container with hole
- Support block(s)
- Place mat with measuring strip
- 5-gram mass or 25-cent coin
- Resealable plastic bag
- Golf ball
- Masking tape
- Ping-Pong ball
- Carpet tape or duct tape
- Black permanent marker
- Labels

Station 3: Woods and Water

Materials for *one* station:

- Balance (triple beam, 0.1 g)
- Block A (3.7-cm cube) in plastic resealable bag (pine, maple, or other wood with a density <1.0 g/cm³)
- Block B (2.5-cm cube) (lignum vitae or other wood with a density >1.0 g/cm³, available in science stores or wood specialty stores)
- Handheld calculator (Four-function calculators are sufficient. Scientific calculators are permitted. Graphing calculators are *not* permitted.)
- Paper towels
- Black permanent marker
- Ruler (metric)
- Transparent plastic cup (5 oz) with water
- Plastic bag (resealable)
- Masking tape
- Labels

Appendix II
Comparison of Possible Performance Test Sites

SITE: CLASSROOM	
<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> • Ease of station preparation • Furniture already at site • Good station-to-station movement • Only classroom teacher and students will be disrupted • Secure location 	<ul style="list-style-type: none"> • Need to relocate the teacher and students whose room is being used for the duration of the testing • Individual student desks may be too narrow for the ball and ramp station unless they are at least 36 inches wide
SITE: LIBRARY	
<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> • Large space • Tables and/or carrels and chairs at site • Secure location 	<ul style="list-style-type: none"> • May disrupt more teachers and students than classroom site • Library unavailable for other uses during testing
SITE: CAFETERIA	
<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> • Large space • Tables and chairs at site 	<ul style="list-style-type: none"> • May disrupt a large number of teachers and students • Unavailable for other uses during testing • Poor security • Breakfast/lunch program may interrupt the testing • Poor acoustics and high noise levels • May need to disassemble and reassemble stations before and after lunch
SITE: SCIENCE ROOM	
<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> • Large space • Tables and/or carrels and chairs at site • Secure location • Science materials on site • Counters with electrical outlets for microscopes 	<ul style="list-style-type: none"> • May disrupt more teachers and students than classroom site
SITE: GYMNASIUM	
<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> • Large space 	<ul style="list-style-type: none"> • May disrupt large numbers of teachers and students • Need to move tables or desks and chairs into space • Poor security • Poor acoustics • Not a familiar testing site for students • May need to disassemble and reassemble stations to accommodate physical education classes
SITE: HOME AND CAREERS CLASSROOM	
<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> • Large space • Counters with electrical outlets for microscopes 	<ul style="list-style-type: none"> • May disrupt more teachers and students than classroom site

Appendix III
Test Administrator's Record Sheet
Grade 8 Intermediate-Level Science
Performance Test, Form A

This record sheet should be completed by the person(s) administering the Performance Test. At the conclusion of the test administration, return this completed record sheet with the student test booklets to the person in charge of the testing program for the school. **The information on this record sheet will be needed to accurately score the tests.** Be certain to fill in both sides of this sheet completely.

Test Administrator(s): _____ Date: _____

School Name: _____ School District: _____

Station 1: Sorting Creatures
Microscope Power and Data for *Drosophila* on Slide X

Group	Lowest Power Available on Microscope	Field of View Diameter (to nearest 0.5 mm)	Acceptable Range for Field of View (± 0.5 mm)	Length of <i>Drosophila</i> (to nearest 0.5 mm)	Acceptable Range for Length (± 0.5 mm)	Number of Legs That Are Clearly Visible	Acceptable Range for Number of Legs (± 1)
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							

Station 3: Woods and Water
Mass, Length, and Volume for Block B

Group	Mass (to nearest 0.1 g)	Acceptable Range (± 1.0 g)	Length of One Side (to nearest 0.1 cm)	Acceptable Range (± 0.1 cm)	Volume (to nearest 0.1 cm ³)	Acceptable Range (± 3.0 cm ³)	Density (to the nearest 0.1 g/cm ³)	Does Block B sink when placed in water?
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								

Station 3 Note: All Block B specimens must have a density of greater than 1.0 and **must** sink when placed in water.

Note: If any materials used during the test administration were different from those specified in Appendix I, or if the administration directions were not followed exactly as written, note these differences below. Be specific. These variations can be important when scoring the students' test booklets.

Appendix IV

Station 1—Sorting Chart (to be reproduced on 8½" × 14" paper and laminated)

Sorting Chart

Place all the creatures here. Move the creatures in and around the appropriate boxes as you answer the questions.

Question: Does this creature have more than six legs?

1

Yes

Question: (Record your question in the test booklet.)

2

No

Question: (Record your question in the test booklet.)

3

Yes

4

No

5

Yes

6

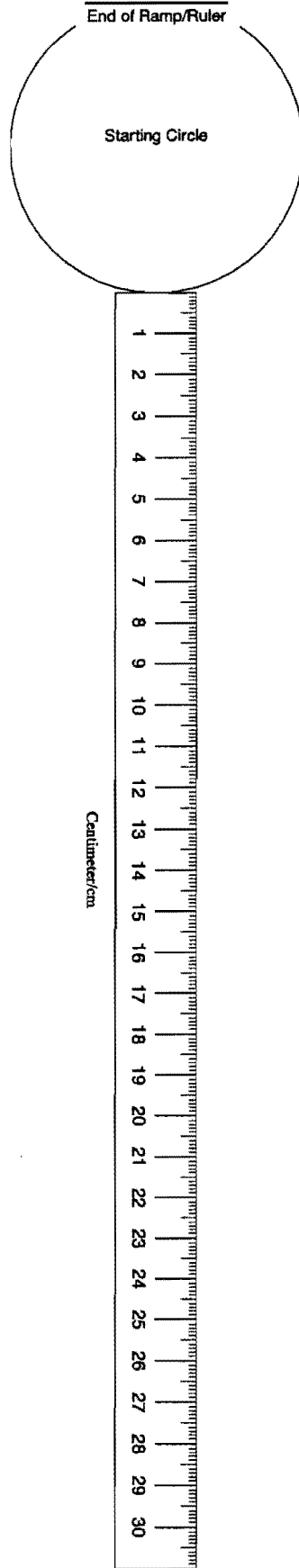
No

Appendix V

Station 2—Ramp Place Mat (to be reproduced on 11" × 17" paper and laminated)

Ramp Place mat

for actual size-
increase to 155%
and print on
11" x 17" paper



Appendix VI

Test Storage Certificate

Deputy and Proctor Certificate

Test Scoring Certificate

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

TEST STORAGE CERTIFICATE

Grade 8 Intermediate-Level Science Test

School Name: _____

Performance Test

Test Date: _____
(Month/Year)

Written Test

I, the undersigned principal of the school named above, do hereby declare that each of the security procedures listed below was fully and faithfully observed for the current administration of the 2014 Grade 8 Intermediate-Level Science Test.

1. The shrink-wrapped packages of secure test materials were stored in the secure location indicated on the Test Storage Plan submitted to the Department for the above test date period.
2. The secure location was maintained under strict security conditions.
3. An inventory of the test materials was conducted as soon after delivery as was practical. The Department was notified in writing if any of the packages of secure test materials were not properly shrink-wrapped when received. The shrink-wrapped packages of secure test materials were replaced inside the secure location immediately after the inventory was completed.
4. The shrink-wrapped packages of secure materials were not removed from the secure location, except for the inventory of test materials shipped to the school, until the day on which the test was scheduled to be administered.
5. The shrink-wrapped packages of secure test materials were not opened until the day on which the test was scheduled to be administered.
6. Following testing, test booklets and answer sheets were collected and stored in a secure location.

Name of Principal (print or type): _____

Signature of Principal: _____ Date: ____ / ____ / ____

After completion, retain in school files for one year.

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

DEPUTY AND PROCTOR CERTIFICATE
Grade 8 Intermediate-Level Science Test

School Name: _____ Performance Test

Test Date: _____ Written Test
 (Month/Year)

We, the undersigned deputies and proctors who assisted in the administration of the 2014 Grade 8 Intermediate-Level Science Test, hereby declare our belief in the correctness of the following:

The rules and regulations for administering the test were fully and faithfully observed, and in particular:

1. The rules for administering the test were read to or read by each person who assisted in administering the test.
2. The test was administered within the prescribed dates.
3. The secure test materials were kept in the shrink-wrapped packages until the administration date.
4. The students were given appropriate instructions and orientation before beginning the test.
5. The students were so seated as to prevent collusion.
6. Adequate supervision was maintained throughout the administration of the test.
7. The answer papers were collected from the students immediately at the close of the test.
8. All test books and answer sheets for the test were collected and returned to the principal for storage in a secure location after testing.

	Print Name	Signature	Test Proctored	Test Room
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

(Make additional copies as necessary.)
After completion, retain in school files for one year.

TEST SCORING CERTIFICATE

Grade 8 Intermediate-Level Science Test

School Name: _____ Performance Test Written Test
City or Town: _____ Test Date: _____
(Month/Year)

As one of the undersigned raters who participated in the scoring of the Grade 8 Intermediate-Level Science Test (*each* participating rater *must* sign below), I hereby declare our belief in the correctness of the following statement:

The rules and guidance materials for rating the test were fully and faithfully observed, and in particular:

1. As a rater, I was trained using the procedures and materials described in the Grade 8 Intermediate-Level Science Test Manual for Administrators and Teachers, the Rating Guide for the Written Test Part II, and the Rating Guide for the Performance Test.
2. The rating committee, of which I was a member, included the required minimum number of raters as specified in the Grade 8 Intermediate-Level Science Test Manual for Administrators and Teachers.
3. Test questions were assigned to me for rating according to the procedures described in the Grade 8 Intermediate-Level Science Test Manual for Administrators and Teachers.
4. As a rater, I did not rate any of my own students' responses.
5. Where required, my name or initials were clearly recorded on the answer paper or scoring record.
6. The answer papers and test booklets were safeguarded while scoring was occurring.

1. _____	11. _____
2. _____	12. _____
3. _____	13. _____
4. _____	14. _____
5. _____	15. _____
6. _____	16. _____
7. _____	17. _____
8. _____	18. _____
9. _____	19. _____
10. _____	20. _____

As principal, I attest that the rules and regulations for scoring, as listed above, were fully and faithfully observed.

Principal: _____ Date: ____ / ____ / ____

After completion, retain in school files for one year.

Appendix VII

Information on Ungraded Students

Students who are graded must take the State test for the grade level in which they are enrolled. The chart below is to be used solely to ascertain the appropriate grade-level tests to administer to ungraded students with disabilities.

Age Ranges for Testing on the NYSAA and General Assessments for Ungraded Students with Disabilities at the Elementary and Middle Levels in the 2013–2014 School Year

Assessment	Birth Date	Reaches Age Given Between September 1, 2013 and August 31, 2014
Grade 3 English Language Arts, Mathematics	September 1, 2004–August 31, 2005	9
Grade 4 English Language Arts, Mathematics, Science	September 1, 2003–August 31, 2004	10
Grade 5 English Language Arts, Mathematics	September 1, 2002–August 31, 2003	11
Grade 6 English Language Arts, Mathematics	September 1, 2001–August 31, 2002	12
Grade 7 English Language Arts, Mathematics	September 1, 2000–August 31, 2001	13
Grade 8 English Language Arts, Mathematics, Science	September 1, 1999–August 31, 2000	14

Appendix VIII

Suppliers for Grade 8 Intermediate-Level Science Performance Test Kits

The Grade 8 Intermediate-Level Performance Test, Form A, will be given during the designated administration period. This is the same performance test that has been administered since 2001. A new kit will not be needed. The suppliers below can be contacted if replacement materials or additional kits are needed.

Kathy Arminio, Director
Elementary Science Program
Monroe#2 - Orleans BOCES
38 Turner Drive
Spencerport, NY 14559
585-352-1140
800-832-8011
E-mail: karminio@monroe2boces.org
Web site: www.espsciencetime.org

Frey Scientific
80 Northwest Boulevard
Nashua, NH 03063

Mr. Rod Gusman, Regional Sales Manager
(Southern NY, New York City and Long Island)
Frey Scientific Customer Service: 800-225-3739
Local Office: 908-578-5901
E-mail: rod.gusman@schoolspecialty.com

Dr. Charlene Jordan
Director of Professional Development
and Instructional Support
Rockland BOCES
65 Parrott Road
West Nyack, NY 10994
Office Phone: 845- 627-4725
Office Fax: 845-623-3343
E-mail: cjordan@rboces.org

Mr. Paul Glodek, Regional Sales Manager
(All other areas of New York State)
Frey Scientific Customer Service: 800-225-3739
Local Office: 215-439-5503
E-mail: paul.glodek@schoolspecialty.com

Mr. Geof Smith
Ward's Science
5100 West Henrietta Road
PO Box 92912
Rochester, NY 14692-9012
800-962-2660 x309416
Office Phone: 585-321-9416
Cell: 585-260-7266
E-mail: geof.smith@vwr.com
Web site: <http://www.wardsci.com>

Appendix IX

Performance Levels Chart

The chart on the next page defines the four performance levels for this test. The state-designated level of performance for this test is a final score of 65 or higher (levels 3 and 4). Students scoring below 65 (levels 1 and 2) must be provided with academic intervention services or Response to Intervention according to Section 100.2(ee) of the Regulations of the Commissioner of Education. The chart provides the final score range and a brief description of student performance for each level.

Performance Levels
Grade 8 Intermediate-Level Science Test

Level	Final Test Score Range	Description of Student Performance
4	85 – 100	<p style="text-align: center;">Meeting the Standards with Distinction</p> <ul style="list-style-type: none"> • The student demonstrates superior understanding of the intermediate-level science content and concepts for each of the learning standards and key ideas assessed. • The student demonstrates superior intermediate-level science skills related to each of the learning standards and key ideas assessed. • The student demonstrates superior understanding of the intermediate-level science content, concepts, and skills required for a secondary academic environment.
3	65 – 84	<p style="text-align: center;">Meeting the Standards</p> <ul style="list-style-type: none"> • The student demonstrates understanding of the intermediate-level science content and concepts for each of the learning standards and key ideas assessed. • The student demonstrates the science skills required for intermediate-level achievement in each of the learning standards and key ideas assessed. • The student demonstrates understanding of the intermediate-level science content, concepts, and skills required for a secondary academic environment.
2	44 – 64	<p style="text-align: center;">Not Fully Meeting the Standards</p> <ul style="list-style-type: none"> • The student demonstrates only minimal proficiency in intermediate-level science content and concepts in most of the learning standards and key ideas assessed. • The student demonstrates only minimal proficiency in the skills required for intermediate-level achievement in most of the learning standards and key ideas assessed. • The student demonstrates marginal understanding of the science content, concepts, and skills required for a secondary academic environment.
1	0 – 43	<p style="text-align: center;">Not Meeting the Standards</p> <ul style="list-style-type: none"> • The student is unable to demonstrate understanding of the intermediate-level science content and concepts in most of the learning standards and key ideas assessed. • The student is unable to demonstrate the science skills required for intermediate-level achievement in most of the learning standards and key ideas assessed. • The student is unable to demonstrate evidence of the basic science knowledge and skills required for a secondary academic environment.



**New York State
Grade 8
Intermediate-Level
Science Test**

Manual for Administrators and Teachers

EXHIBIT “E”



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

BUREAU CHIEF
OFFICE OF STATE ASSESSMENT

May 2014

TO: Principals of Public and Nonpublic Schools
Leaders of Charter Schools

FROM: Barbara M. Wallis *Barbara M. Wallis*

SUBJECT: Spring 2014 Grade 4 and Grade 8 Science Tests

GENERAL INFORMATION

This memorandum provides information concerning the shipping, storing, administration, and returning of materials for the Grades 4 and 8 Science Tests. Additional information on these tests is available at <http://www.p12.nysed.gov/assessment/>. If you have any questions about the information in this memorandum, you may call 518-474-8220.

DATES FOR THE SPRING 2014 GRADES 4 AND 8 SCIENCE TESTS

Test	Administration Dates	Makeup Dates
Grades 4 and 8 Science Performance Tests	Wednesday, May 21– Friday, May 30	N/A
Grades 4 and 8 Science Written Tests	Monday, June 2	Tuesday, June 3– Wednesday, June 4

The supply of test materials for your school will be sent in two shipments for each grade. Shipments will be delivered by UPS and may arrive at any time between the hours of 8:00 a.m. and 5:00 p.m. Please be sure that someone is available in your school or approved storage location during those hours to accept the shipments. Should any problems occur in connection with the delivery of test materials, please call this office at 518-474-8220 or 518-474-5902 immediately.

The dates on which shipment of tests will be delivered to schools are as follows:

Test	Delivery Dates
Grades 4 and 8 Science Performance Tests	Friday, May 16– Tuesday, May 20
Grades 4 and 8 Science Written Tests	Wednesday, May 28– Friday, May 30

Schools that do not receive their shipment of secure test materials by 12:00 p.m. on May 20 for the Performance Test and May 30 for the Written Test should track the shipment of test materials on the Internet.

1. Go to <http://www.ups.com/tracking/tracking.html>.
2. Click "Track by Reference."
3. In the Shipment Reference field, type the BEDS code of the school where you indicated you wanted your tests to be shipped.
4. Enter the Ship Date Range. (The initial ship date is May 15 for the Performance Test and May 27 for the Written Test.)
5. If you are unable to track your shipment or notice some other irregularity, contact the Office of State Assessment (OSA) via fax to 518-474-2021.

OBTAINING TEST MATERIALS FROM REGIONAL CENTERS

School administrators who need to obtain Grades 4 or 8 Science Written Tests that were not originally requested should contact the Department's Operations Group by calling 518-474-8220. Under the direction of the Operations Group, school administrators should contact the official in charge of their regional center to arrange for pickup of test materials. Information on regional centers is available at <http://www.p12.nysed.gov/assessment/ei/eigen.html>.

The person sent to pick up an emergency supply of test materials from a regional center must present authorization written on school letterhead and signed by the principal that lists the materials to be picked up and authorizes the person to pick up those materials. The person obtaining test materials must provide picture identification and must countersign the authorization letter and leave it with the official in charge of the regional center. Test materials may be picked up from the regional centers only on the scheduled date for the administration of the test. **Please note that Performance Test materials will not be sent to regional centers, only to the schools.**

SCORING MATERIALS

Schools will receive two printed copies each of the Rating Guides for the Grades 4 and 8 Science Performance Tests. Schools must print additional copies for each rater. The Department does not provide printed copies of the Scoring Keys and Rating Guides for the Written Tests. Instead, the Scoring Keys and Rating Guides for the Written Tests will be posted on the Department's web site at <http://www.p12.nysed.gov/assessment/scoring/>. Schools must print sufficient copies to supply one to each rater. Posting time for the Scoring Key and Rating Guides for the Written Tests will be approximately 3:00 p.m. on June 4.

SECURITY OF TEST MATERIALS

As soon as each shipment of test materials arrives at the school or other approved location, it should be checked by the principal to verify that all materials indicated on the shipping notice have been received. School officials who determine that some materials are missing from their shipment of Grade 4 or Grade 8 Science Test materials must contact OSA via fax to 518-474-2021 to obtain these materials. **Shrink-wrapped secure test materials must not be opened until the day the test is scheduled to be administered.** Except for taking inventory of the test shipment, schools must keep all test materials in a secure location.

The principal of each school requesting tests is responsible for making the necessary arrangements for safeguarding the materials received by the school. The secure location where test materials are being stored should be checked daily to ensure that the test materials have not been tampered with and remain secure. The combination or key to the secure location must be maintained under strict security conditions to preclude access to the test materials by students and other unauthorized persons.

Following the scoring of the Grades 4 and 8 Science Performance Tests, schools are required to return to the Department all *unused* Performance Test answer booklets, including large-type, braille, and translated editions, and all used and unused Performance Test Rating Guides. Schools must follow the complete instructions for the return of test materials found on page 13 of the *Grade 4 Elementary-Level Science Test Manual for Administrators and Teachers* or on page 14 of the *Grade 8 Test Manual*. These materials must be returned to:

Test Distribution Unit
New York State Education Department
Cultural Education Center
Empire State Plaza
Albany, New York 12230

All teachers who assist in the administration and scoring of the Grade 4 Elementary-Level Science Test or the Grade 8 Intermediate-Level Science Test are expected to sign the *Deputy and Proctor Certificate* and the *Test Scoring Certificate* contained within the *New York State Grade 4 Elementary-Level Science Test Manual for Administrators and Teachers* and the *Grade 8 Intermediate-Level Science Test Manual for Administrators and Teachers*. Principals are required to sign the *Test Scoring Certificate* and to complete and sign the *Test Storage Certificate*, also found within the test manuals. These three certificates, as well as student answer papers, must be retained on file in the school for one year.

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 test is being administered. Test proctors 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 session, proctors must read the following statement to all students taking State tests:

You cannot have any communications device, including a cell phone, with you during this test 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
- 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 or a 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. 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.

Any student observed with any prohibited device while taking a State test must be directed to turn the device over to the proctor immediately. To allow for all possible outcomes of procedural due process, the student should be allowed to complete the test. 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.

The incident must be promptly reported, in writing, to OSA by fax to 518-474-1989 or by e-mail to emscassessinfo@mail.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 Individualized Education Program (IEP) or Section 504 Accommodation Plan (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.

STUDENTS TO BE TESTED

Except as noted below, all public school students in Grade 4 and Grade 8 must take the State assessments administered for their grade level. This includes students who have been retained in these grades. Nonpublic schools are strongly encouraged to administer these tests to their students in accordance with these same provisions. The birthdates of ungraded students should be used to determine who must be tested. For more information on ungraded students, see Appendix VI in the Grade 4 test manual or Appendix VII in the Grade 8 test manual. When determining which students will be participating in these tests, be sure to consider students who attend programs operated by the Board of Cooperative Educational Services (BOCES) as well as any other programs located outside the school.

For Grade 8 Accelerated Students

The Grade 8 Intermediate-Level Science Test should be administered to students in the grade in which they will have received instruction in all the material in the Intermediate-Level Science Core Curriculum (5–8). While this is typically Grade 8, the test may also be administered to students in Grade 7 who will have received instruction in all the material in the Intermediate-Level Science Core Curriculum (5–8) and are being considered for placement in an accelerated high school-level science course when they are in Grade 8. The school may **not** use this assessment to retest any students who participated in this assessment last school year while in Grade 7. Schools are required to administer this assessment to students in Grade 8 who did not take this assessment in Grade 7, unless they will be taking a Regents Exam in science at the end of this school year.

Principals have the discretion to either require or waive the Grade 8 Intermediate-Level Science Test for accelerated Grade 8 students who did not take this exam during the last school year but who will be taking a Regents Exam in science at the end of this school year. For accelerated students for whom the school waives the Grade 8 Intermediate-Level Science Test, their achievement in science will be measured by their performance on the Regents Exam in science.

Students with Disabilities

Students with disabilities must participate in the Grades 4 and 8 science tests unless a student's IEP, as developed by the Committee on Special Education (CSE), specifically indicates that the student should take the New York State Alternate Assessment (NYSAA). A small percentage of students are recommended by their CSEs to participate in the NYSAA for students with severe cognitive disabilities. The criteria that the CSE must use to determine eligibility for the NYSAA are available on the Department's web site at <http://www.p12.nysed.gov/specialed/publications/policy/alterassess.htm>.

English Language Learners

All English language learners are required to participate in the Grade 4 Elementary-Level Science Test and the Grade 8 Intermediate-Level Science Test. They may take the tests in either an alternative language or in English, whichever would be better for the student. Translated editions of the Grade 4 Elementary-Level Science Test and the Grade 8 Intermediate-Level Science Test are provided in Chinese (Traditional), Haitian Creole, and Spanish. These tests may be translated orally into other languages for English language learners whose first language is one for which a written translation is not available from the Department. Schools are permitted to offer English language learners specific testing accommodations when taking these tests. (See page 6.)

TESTING ACCOMMODATIONS

Students Who Incur Disabilities Shortly Before Test Administration

Principals may provide accommodations when testing general education students who incur an injury (e.g., a broken arm) or experience the onset of a short- or long-term disability acquired or diagnosed within 30 days prior to the administration of State assessments. 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 a test,
- administering the test in a special location,
- recording the student's answers in any manner, and
- reading the test to the student (only for students whose vision is impaired).

Eligibility for these accommodations is based on the principal's professional discretion, but the principal may confer with members of the CSE or with other school personnel in making this determination. 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 name of the student,
- the title of the test,
- a brief description of the student's injury or disability, and
- a listing of the accommodations that were authorized by the principal.

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

Students with Disabilities

Students with disabilities must be provided with the testing accommodations specified in their IEP or 504 Plans when taking these tests. It is the principal's responsibility to ensure that this occurs and that all staff members who will be providing these testing accommodations are appropriately trained. Plan all necessary arrangements for implementing testing accommodations well in advance of the test date.

The Department's Office of Special Education provides more information on test access and accommodations for students with disabilities on its web site at

<http://www.p12.nysed.gov/specialed/publications/policy/testaccess/policyguide.htm>. If you have questions on this topic for which you are unable to find answers on the web site, you may contact the Office of Special Education via e-mail to speced@mail.nysed.gov.

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 one-half of that amount of time), 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 State tests to English language learners individually or in small groups in a separate location.
- *Bilingual Dictionaries and Glossaries:* English language learners may use bilingual dictionaries and glossaries when taking State exams in science. 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 Translated Editions:* For State exams in science, English language learners may use both an English and a translated edition of the test simultaneously. However, they should be instructed to record all of their responses in only one of the two editions. The translated 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 State exam in science when there is no translated edition provided by the Department. All translations must be oral, direct translations of the English editions. Written translations are not allowed. No clarifications or explanations may be provided. The translator should receive a copy of the English edition of the test *one hour prior* to administration. The Department's Office of Bilingual Education and Foreign Language Studies (telephone 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/>.
- *Writing Responses in the Native Language:* English language learners may write their responses to the open-ended questions on science tests in their native language. Scoring the tests is the responsibility of the school. However, the Department's Office of Bilingual Education and Foreign Language Studies and the 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 also may provide the testing accommodations listed above under the heading “English Language Learners” to those former English language learners who were identified as English language proficient based on their scores on one of the two most recent administrations of the New York State English as a Second Language Achievement Test (NYSESLAT), either Spring 2012 or Spring 2013. These accommodations may not be provided to former English language learners who were identified as English language proficient prior to the 2012 NYSESLAT administration.

For each English language learner or eligible former English language learner, darken the circles on the answer sheet in the box labeled “ELL Accommodations” to indicate the testing accommodations provided.

SCORING OF THE GRADE 4 AND GRADE 8 SCIENCE TESTS

Teachers are **not** permitted to score their own students' answer papers.

REPORTING ADMINISTRATION AND SCORING IRREGULARITIES TO THE DEPARTMENT

The building principal is responsible for all aspects of the school's test administration and must take appropriate measures both to prevent, as much as possible, and to investigate all security breaches

and irregularities associated with the administration and scoring of the Grade 4 Elementary-Level Science Test and the Grade 8 Intermediate-Level Science Test. In addition, the principal must report the following testing irregularities and misconduct by students, in writing on school letterhead and signed by the principal, to OSA via fax to 518-474-1989 or by e-mail to emscassessinfo@mail.nysed.gov:

- All student infractions of the Department's policy prohibiting the possession or use of cell phones and other communications devices during State tests.
- All confirmed cases of students cheating.
- All interruptions of test sessions including those caused by power outages or fire alarms.
- All instances in which a State test is administered without Department authorization on a date outside the published statewide administration or makeup schedule.
- All instances in which scorers do not rate State tests in accordance with the scoring materials provided by the Department.
- All cases in which student test books or answer sheets are lost prior to either the scoring of the tests or submission of the answer sheets to the RIC or large-city scanning center.
- All instances of school officials or staff members providing students with other nonstandard test administrations, unrelated to cheating.

The report must include:

- The school's BEDS Code,
- The name and grade level of the test,
- A brief description of the incident,
- The number of students affected, and
- The New York State Student Identification System (NYSSIS) ID numbers of affected students.

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 tests. 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 website at <http://www.highered.nysed.gov/tsei/> by submitting the incident report form located on the main page under "Report Educator Test Fraud." The following are examples of improper testing conduct that must be reported to the TSU:

- All suspected or confirmed cases of a school official or staff member giving aid or impromptu lessons on specific test content to students immediately before or during a State test or altering student responses on a test paper.
- All cases in which a school official does not adhere to the Department policy concerning the finality of test scores as determined by the teacher scoring committees. This policy is explained on page 37 of the *Grade 4 Elementary-Level Science Test Manual* and on page 40 of the Grade 8 manual.
- All instances of an administrator or teacher instructing another administrator or teacher to alter or interfere with a student's test score.

ONLINE SUBMISSION OF TEACHER EVALUATIONS OF THE TEST TO THE DEPARTMENT

Suggestions and feedback from teachers are an important contribution to the test development process. The Department provides an online evaluation form for State assessments where teachers may respond to several specific questions and may make suggestions. Complete and submit your evaluation of the Grade 4 Elementary-Level Science Test or the Grade 8 Intermediate-Level Science Test at <http://www.p12.nysed.gov/assessment/teacher/evaluation.html>.

Thank you for everything you do on behalf of New York State students.

EXHIBIT “F”




THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

Deputy Commissioner
Office of Curriculum, Assessment and Educational Technology

Updated April 2014

TO: District Superintendents
Superintendents of Public and Nonpublic Schools
Principals of Public, Charter, and Nonpublic Schools

FROM: Ken Wagner 

SUBJECT: 2014–15 Elementary- and Intermediate-level Testing Schedule

2014–15 School Year

This schedule has been updated to include dates for the NYS Alternate Assessment (NYSAA)

Test	Administration Dates	Make-up Dates	Scoring Dates	Final Dates to Submit Answer Sheets to Scanning Centers
NYS Alternate Assessment (NYSAA)	Monday, September 29 – Friday, February 27	Make-ups must be given within the testing window	Monday, March 16 – Friday, May 1	Monday, May 4
NYSESLAT Speaking	Tuesday, April 14 – Friday, May 15	Make-ups must be given within the testing window	Speaking is scored as it is administered.	Thursday, May 28
Grades 3–8 English Language Arts	Tuesday, April 14 – Thursday, April 16	Friday, April 17 – Tuesday, April 21	Friday, April 17 – Wednesday, April 29	Wednesday, April 29
Grades 3–8 Mathematics	Wednesday, April 22 – Friday, April 24	Monday, April 27 – Wednesday, April 29	Monday, April 27 – Thursday, May 7	Thursday, May 7
NYSESLAT Listening, Reading, Writing	Monday, May 4 – Friday, May 15	Make-ups must be given within the testing window	Monday, May 18 – Thursday, May 28	Thursday, May 28
Grade 4 Science Performance Test	Wednesday, May 20 – Friday, May 29	Make-ups must be given within the testing window	Scoring may start immediately following administration	Thursday, June 11
Grade 8 Science Performance Test	Wednesday, May 20 – Friday, May 29	Make-ups must be given within the testing window	Scoring may start immediately following administration	Thursday, June 11
Grade 4 Science Written	Monday, June 1	Tuesday, June 2 – Wednesday, June 3	Following make-up dates, but no later than Thursday, June 11	Thursday, June 11
Grade 8 Science Written	Monday, June 1	Tuesday, June 2 – Wednesday, June 3	Following make-up dates, but no later than Thursday, June 11	Thursday, June 11

EXHIBIT “G”

Appendix H: Exam Scoring Confidentiality Agreement

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

EXAM SCORING CONFIDENTIALITY AGREEMENT

2014 Grades 3–8 English Language Arts Tests

or

2014 Grades 3–8 Mathematics Tests

Scoring Site _____ Date(s) of Scoring _____

The purpose of all New York State assessments is to provide a fair and equitable assessment system that reliably measures the State learning standards. Because you will have access to secure test materials and to confidential student information, you also have the responsibility to assist the scoring site in ensuring the security and confidentiality of the test materials, student responses, and scores. Therefore, by signing this agreement, you agree to abide by the following security restrictions. Please retain a copy of this confidentiality agreement for your records.

Secure Test Materials

The test materials that you are scoring are “secure test materials” and are subject to certain security restrictions, including those listed below. “Secure test materials” include, but are not limited to, all test books, answer sheets, scoring guides, and any other information, whether printed or electronic (CD), relating to the scoring of the 2014 Grades 3–8 Common Core English Language Arts and Mathematics Tests. Secure test materials also include any notes you take during your participation in the scoring of secure test materials and confidential student information.

By signing this agreement, I agree to maintain and honor the security and confidentiality of all secure test materials and to abide by the following security restrictions:

- 1) I agree not to disclose any secure test materials, including test questions and answers, other than while participating in the scoring activity described above.
- 2) Upon completion of the work described above, I agree to return to the scoring site coordinator all secure test materials provided to or prepared by me, including all copies thereof and all notes taken or otherwise prepared by me.
- 3) I understand that I may not retain any copies of any secure test materials, including scoring materials and any notes pertaining to their contents.
- 4) I agree that I will not use or discuss the content of secure test materials, including test questions and answers, in any classroom or other activities.
- 5) I understand that teachers and administrators who engage in inappropriate conduct with respect to State assessments may be subject to disciplinary actions in accordance with Sections 3020 and 3020-a of Education Law and/or to action against their certification pursuant to Part 83 of the Regulations of the Commissioner of Education. I also understand that §225 of the Education Law makes fraud in exams a misdemeanor.

I, _____, have read the confidentiality agreement above and agree to abide by the security restrictions described herein.

Signature (Print): _____ Date: _____

School (Print): _____

EXHIBIT “H”

EXAM SCORING CONFIDENTIALITY AGREEMENT

Scoring Site: Questar Conference Center, 10 Empire State Blvd. Castleton, NY 12033

Date(s) of Scoring: June 2014

The purpose of all New York State assessments is to provide a fair and equitable assessment system that reliably measures the State learning standards. Because you will have access to secure test materials and to confidential student information, you also have the responsibility to assist the scoring site in ensuring the security and confidentiality of the test materials, student responses, and scores. Therefore, by signing this agreement, you agree to abide by the following security restrictions. Please retain a copy of this confidentiality agreement for your records.

Secure Test Materials

The test materials that you are scoring are "secure test materials" and are subject to certain security restrictions, including those listed below. "Secure test materials" include, but are not limited to, all test books, answer sheets, scoring guides, and any other information, whether printed or electronic (CD), relating to the scoring of the 2014 Science Tests. Secure test materials also include any notes you take during your participation in the scoring of secure test materials and confidential student information.

By signing this agreement, I agree to maintain and honor the security and confidentiality of all secure test materials and to abide by the following security restrictions:

- 1) I agree not to disclose any secure test materials, including test questions and answers, other than while participating in the scoring activity described above.
- 2) Upon completion of the work described above, I agree to return to the scoring site coordinator all secure test materials provided to or prepared by me, including all copies thereof and all notes taken or otherwise prepared by me.
- 3) I understand that I may not retain any copies of any secure test materials, including scoring materials and any notes pertaining to their contents.
- 4) I agree that I will not use or discuss the content of secure test materials, including Test questions and answers, in any classroom or other activities.
- 5) I understand that teachers and administrators who engage in inappropriate conduct with respect to State assessments may be subject to disciplinary actions in accordance with Sections 3020 and 3020-a of Education Law and/or to action against their certification pursuant to Part 83 of the Regulations of the Commissioner of education. I also understand that 225 of the Education Law makes fraud in exams a misdemeanor.

I, Matthew J. Kelly, have read the confidentiality agreement above and agree to Abide by the security restrictions described herein.

Signature: Matthew J. Kelly

Please print:

Date: 6/9/14

School: THCS

EXHIBIT “I”



Evaluation Form for New York State Grade 8 Intermediate-Level Science Written Test

For Teacher Use Only

The Commissioner of Education invites the cooperation of teachers in evaluating the written test component of the science tests listed above. The questions in these tests were written by classroom teachers and science educators. The development process included pretesting and field testing on representative groups of students, assembly of the tests by committees of classroom teachers, and review by committees of educators.

Suggestions from teachers provide an important contribution to the test development program. May we ask your assistance in evaluating the science written test just administered in your school? A number of specific questions are asked below. Your judgment on each of these points would be appreciated. Please be as specific as possible.

1. Teacher's Name [text box] (required)

2. Teacher's Email [text box]

3. School's Name [text box] (required)

4. City or Post Office [text box] (required)

5. APPROPRIATENESS - Do the written and performance components, as a whole, provide a useful means for identifying students who need academic intervention services in science?

Radio buttons for Yes, Yes, With Exceptions, No (required)

Comment: [text box with up/down arrows]

6. CONTENT - Were the written test questions generally appropriate in content and in difficulty?

Radio buttons for Yes, Yes, With Exceptions, No (required)

a. Which questions, if any, were particularly appropriate?

Comment: [text box with up/down arrows]

b. Which questions, if any, were inappropriate and how could they have been improved?

Comment: [text box with up/down arrows]

7. DIRECTIONS - Were the directions in the written test booklet and on the answer sheet clear and simple for students to follow?

Radio buttons for Yes, Yes, With Exceptions, No (required)

Comment: [text box with up/down arrows]

8. **FORMAT** - Was the format of the written test booklet, answer sheet, scoring key, and the rating guide satisfactory in terms of type size, spacing, arrangements, etc.?

Yes Yes, With Exceptions No (required)

Comment:

9. **ADMINISTRATION** - Were the directions for administering and scoring the written test appropriate and useful?

Yes Yes, With Exceptions No (required)

Comment:

10. **TIME** - Was the suggested time allowance for the administration of the written test reasonable and appropriate?

Yes Yes, With Exceptions No (required)

Comment:

If you want to retain a printed copy of this form for your records,
please use your browser's print feature prior to clicking Submit.