

## REPORTING PROHIBITED CONDUCT BY ADULTS, STUDENT CHEATING, AND OTHER TESTING IRREGULARITIES

### Reporting Prohibited Conduct by Adults

Examples of prohibited conduct by adults include, but are not limited to\*:

#### **Before Testing DO NOT:**

- Access secure test booklets and answer sheets prior to the time allowed under NYCDOE guidelines, or copy, reproduce, or keep any part of secure exam materials. **Note:** *This does not apply to NYC DOE Performance Assessments or 3rd Party Assessments used as a Measure of Student Learning, which schools are permitted to access and copy for the test administration process.*
- Review secure test booklets in order to:
  - Determine and record correct responses for use during testing.
  - Create pre-test lessons or discussions with students or any other person about concepts being tested.
  - Create a “cheat sheet” for students to use while taking the test, including formulas, concepts, or definitions necessary for the test.

#### **During Testing DO NOT:**

- Give students any clues or answers, including:
  - Coaching students about proper answers.
  - Defining terms and concepts included in the test.
  - Pointing out wrong answers to a student, and suggesting that the student reconsider or change the recorded response.
  - Reminding students during testing of concepts they learned in class.
  - Making facial or other non-verbal suggestions regarding answers.
- Allow any student more time to take the test than is allowed for that student, or give any other testing accommodations to students who are not entitled to receive them.
- Leave any materials displayed in the room containing topics being tested or write formulas, concepts, or definitions necessary for the test on the board.
- Allow students to copy information from, duplicate, or remove test booklets, answer documents, or other testing materials from the classroom.

#### **After Testing DO NOT:**

- Review an answer sheet for wrong answers and return it to a student with instructions to change or reconsider the wrong responses.
- Alter, erase, or in any other way change a student’s recorded responses after the student has handed in his/her test materials.
- Rescore portions of the test with the intention of altering the student’s score in any way that deviates from established scoring procedures.
- Deviate from State-provided scoring rubrics when scoring New York State assessments.

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**\*Note:** *These are general examples. Different rules and procedures apply to different tests. Please refer to the Assessment Memoranda for test-specific information.*

**Any person who intentionally engages in testing misconduct could face sanctions and discipline, including termination and/or the loss of certification.**

#### **Mandatory Reporting Procedure:**

**Any individual who observes or suspects adult misconduct related to the administration and/or scoring of assessments should notify the principal immediately\*\*, and also must immediately notify:**

- 1) NYCDOE Borough Assessment Implementation Director (BAID): contact information can be found [here](#); and  
**Note:** *For NYC DOE Performance Assessments or 3rd Party Assessments used as a Measure of Student Learning, it is not necessary to contact the BAID. Reports should be made directly to SCI (step #2, below).*
- 2) NYC Office of the Special Commissioner of Investigation (SCI): call (212) 510-1500 or email [intake@nycsci.org](mailto:intake@nycsci.org); and
- 3) **For New York State assessments only**, NYSED’s Test Security Unit, by submitting an Incident Report Form, available at <http://www.highered.nysed.gov/tsei/fraud.html>.

**\*\*The principal can provide support in following the reporting procedure outlined above.**

## Reporting Student Cheating

### Examples of prohibited conduct by students include, but are not limited to:

- Obtaining test booklets or answer documents to a secure exam prior to the test.
- Giving aid to or obtaining aid from other students before, during, or after the test.
- Possessing, displaying, or using cell phones or other prohibited electronic devices during testing.
- Using unauthorized reference materials during the test.
- Sharing information about a test the student has taken but other students have not yet taken.
- Copying any information from, duplicating, or removing test booklets, answer documents, or testing materials from the classroom.

### Mandatory Reporting Procedure:

#### If suspected/observed student cheating occurs during the test administration, the proctor must:

- Warn the student(s) that any attempts to cheat may result in the invalidation of their exams;
- If necessary, move the student(s) to another location;
- If the incident involves the display or use of a cell phone or other prohibited electronic device, confiscate it immediately;
- Notify the principal of the incident during the exam (if possible to do so without disrupting proctoring duties) or immediately after the exam.
- To allow for all possible outcomes, **the student(s) should be allowed to complete the exam.**

Additionally, anyone who obtains information about potential student cheating prior to test administration, or anyone who becomes aware after test administration that student cheating may have occurred, must report the information immediately to the principal.

#### Upon receiving any information of suspected/observed student cheating or the presence or use of a cell phone/prohibited electronic device, the principal must immediately:

- Notify the [NYCDOE Borough Assessment Implementation Director \(BAID\)](#).  
*Note: For NYC DOE Performance Assessments or 3rd Party Assessments used as a Measure of Student Learning, contact your Network Assessment Liaison.*
- **If the incident involves the presence or use of a cell phone/prohibited electronic device** for any purpose during a New York State assessment, invalidate the student's test results and notify NYSED's Office of State Assessment by e-mailing [emscassessinfo@mail.nysed.gov](mailto:emscassessinfo@mail.nysed.gov).
- **For all other incidents, conduct an investigation**, in alignment with the school's and the NYCDOE's policies for any incident of suspected/observed student misconduct, to determine whether the incident is substantiated or unsubstantiated:
  - ❖ If the principal determines that the incident is **unsubstantiated**, the principal must report that determination to the BAID, and no further action is necessary.
  - ❖ If the principal determines that the incident is **substantiated**, the principal must immediately:
    - 1) Notify the BAID of the outcome of the investigation;
    - 2) Invalidate the student's test results (for assistance, contact the BAID);
    - 3) **For New York State assessments only:** Notify NYSED's Office of State Assessment by e-mailing [emscassessinfo@mail.nysed.gov](mailto:emscassessinfo@mail.nysed.gov). If submitting the report as an email attachment, ensure the attachment is written on school letterhead. **The report must include:**
      - The school's name and BEDS code
      - The student's name and NYC ID number
      - Grade level and subject of the impacted test(s)
      - A brief description of incident and the final action taken
      - Confirmation that the student's exam(s) have been/will be invalidated
    - 4) Notify the student and his/her parents/guardians of the invalidation of the exam, and of any other consequences for the student, in accordance with the school's discipline policy;
    - 5) Enter in OORS.

## Reporting Other Testing Irregularities

### Examples of other testing irregularities, unrelated to intentional misconduct, that must be reported include, but are not limited to:

- All interruptions of testing sessions including those caused by fire alarms, bomb threats, power outages, or weather-related incidents.
- All instances in which a State exam is administered without Department authorization at a time outside the published Statewide schedule.
- All cases in which student test booklets or answer papers are lost prior to the recording of the scores in students' permanent records.
- All instances in which students did not receive testing accommodations they were entitled to receive.

#### The principal is responsible for immediately reporting any irregularities concerning test administration to:

- 1) [NYCDOE Borough Assessment Implementation Director \(BAID\)](#); and
- 2) **For New York State Assessments only:** NYSED Office of State Assessment by e-mail to [emscassessinfo@mail.nysed.gov](mailto:emscassessinfo@mail.nysed.gov).

*Note: For NYC DOE Performance Assessments or 3rd Party Assessments used as a Measure of Student Learning, contact your Network Assessment Liaison for support.*