NEVADA VIRTUAL CHARTER SCHOOL

Plan for
Test Administration
and Test Security
2024-2025



INTRODUCTION

Test security procedures must be understood and adhered to by all district and school personnel involved in test administration or the handling of materials related to state assessments. Unless otherwise stated, test security procedures apply to all state-mandated test administrations, including actual (live) as well as field and pilot tests.

Strict adherence to procedures protects the integrity of the State assessment program, and ensures consistency in test administration, security of test materials, and the validity of scores. Failure to adhere to the procedures outlined herein may result in state-administered corrective action, including, but not limited to, invalid scores and/or licensure sanctions.

All inquiries regarding test security must be directed to the Nevada Department of Education (NDE) test security coordinator **through the district test director**.

Assurances from Principals

The school principal must be familiar with the prescribed procedures for the physical security of all test materials and proper test administration. Although the principal may assign test scheduling and training responsibilities to a school test coordinator, the principal is ultimately responsible for all testing activities, and must agree in writing to comply with test security and administration procedures; investigations conducted by the state and/or district; and the requirement to provide annual test security training and refresher training.

The **district test director** will obtain the principals' written assurances and submit them collectively to the NDE as follows:

- Download a form entitled Authorization to Administer Tests (template available to district test directors at Bighorn > Assessment Resources) and distribute the form to principals.
- Collect the completed forms.
- Submit **electronic** copies to the NDE Assessment Administrative Assistant on or before September 15 (NAC 390.240). If a new principal joins the school after the original submission, the school **must submit a replacement form** with an updated signature.

NDE ANNUAL REQUIREMENTS

Student Participation

Nevada's system for assessing students consists of different tests administered to students enrolled in public schools, including charter schools, in specific grades and programs. All students enrolled in public schools, including charter schools, at a grade level where a mandated test is administered statewide, are expected to participate. For information regarding testing special-needs students, district test directors may download and distribute the 2024-2025 Usability, Accessibility, and Accommodations Guide (UAAG—available to district test directors at Bighorn > Assessment Resources).

District Test Security Plans

The NVCS Board shall adopt and enforce a plan setting forth procedures to ensure the security of all state- and NVCS-mandated tests (NRS 390.275). This plan must apply to all public schools in the district, including district- sponsored charter schools. By September 1 of each year, NVCS must submit plans to the State Board of Education and the Legislative Committee on Education. A checklist used by the district to review district plans is included in the Appendix.

The NVCS plan must be consistent with the procedures outlined in this document and must include the following criteria:

- Procedures by which students and other individuals may report irregularities in test security and administration.
- The manner in which the school officials will contact the NVCS board regarding reports of testing irregularities and how the board will, in turn, notify the NDE (includes the board identifying the district test director or other district official to act as its designee for reporting purposes).
- Procedures necessary to ensure security of test materials and consistency of test administration.
- Procedures that each school will use to verify the identity and eligibility of students testing.
- Procedures for online test administration.
- Procedures that set forth actions that must be taken in response to a reported irregularity in test administration or test security, including actions that must be taken during an investigation of the irregularity and identifying the individuals responsible for the actions in each category.

On or before September 30 of each year, the NVCS Board shall provide a written notice regarding the examinations to the following individuals (NRS 390.275):

- All teachers and education personnel employed by NVCS.
- All employed personnel who are involved in test administration.
- Students who are required to take the examinations.
- The parents or legal guardians of these students

The written notice must be prepared in a format that is easily understood and must include a description of the following items:

- The NVCS test security plan
- Potential consequences for violations of the plan or for other testing irregularities

School Test Security Plans

NVCS will produce a school test security plan that will be kept on file at the school site and the district office for three consecutive school years. The school plan must be consistent with the procedures outlined in the state and district plans and must include, but is not limited to, the following provisions:

- The manner in which test materials will be stored, distributed, collected, and returned
- The names and titles of the individuals responsible for carrying out the procedures
- Procedures to ensure compliance with testing accommodation plans
- Procedures for online test administration
- Procedures regarding students who require additional time for testing, students who become ill
 during testing, responding to technology malfunctions, and evacuation protocol.

NDE assessment personnel may conduct unannounced on-site observations or audits to verify implementation of school test security plans.

Testing Locations and Prescribed Dates

The NDE prescribes the specific date or range of dates on or during which examinations will be administered (calendar available to district test directors at Bighorn > Assessment Resources). Each test must be given in a public facility approved by the board of trustees or the governing body. NVCS will provide a centralized location for students to appear in person to take the scheduled state-mandated examinations.



Nevada Virtual Charter School Assessment Calendar for the 2024-2025 School Year

| Student Assessments – All Students | Grades | Testing Windows |
|--|------------------------|--|
| Smarter Balanced Summative Assessment English Language Arts and Mathematics | 6 - 8 | March 11 - May 6 |
| Science Assessments | 8 - 9 | March 11 - May 6 |
| ACT College & Career Readiness Assessment English Language Arts and Mathematics | 11 | February 25-28 & March 3-7 <i>Make-up 1:</i> April 8-11 & April 14-18 <i>Make-up 2:</i> April 22-25 & April 28-May 2 |
| iReady | 6 - 12 | First Administration: Beginning of school year Second Administration: Middle of school year Third Administration: End of school year |
| NAA – Nevada Alternate Assessment English Language Arts & Mathematics Alternate Assessments | 6 - 8, 11 | March 11 - May 14 |
| Science Alternate Assessment | 8 & 11 | March 11 - May 14 |
| WIDA – Students Identified as English Learners English Language Proficiency Assessment in Speaking, Listening, Reading, and Writing | 6 - 12 | January 13 - February 28 |
| CTE – Career & Technical Education Workplace Readiness Skills & End- of-Program Technical Skills | CTE Program Completers | February 10 - March 21 |
| Workplace Readiness Skills & End-of- Program Technical Skills Retakes | CTE Program Completers | April 14 - 25 |

Training Requirements

The NDE provides a required annual program of education and training (NRS 390.300) to district test directors and school test coordinators. District test directors must certify that all school test coordinators and appropriate district personnel have participated in the NDE's program of training. The NDE may request proof of training as part of an investigative process.

The principal is responsible for providing complete training annually in test security and test administration for all school personnel who will be involved with the testing process.

Primary responsibility for test administration must only be given to licensed Nevada educators. (EXCEPTION: Provided it is not a violation of the district test security plan, qualified paraprofessionals who have certified on the WIDA website for the appropriate assessments may administer the Speaking (all grades) and Kindergarten portions of WIDA. Administration must occur under the direct supervision of assigned, licensed personnel who are trained in 2024-2025 test security and administration procedures.)

Only individuals who have received test security and administration training for the current school year are permitted to administer or proctor an examination. Training must address the following practices:

- Instructions in proper handling of test materials, including test tickets
- Instructions in proper test administration
- Security procedures as outlined in this document
- Additional security procedures as outlined in the district test security plan
- Information regarding protection of school district personnel regarding the disclosure of testing irregularities (See Protection of School District Personnel in the Appendix.)
- The potential consequences for failure to comply with the state and district test security plans

Each individual participating in the administration of state examinations will acknowledge in writing or electronically that they have participated in the annual and/or refresher training (see BEFORE TESTING) and that they have been informed of and understands procedures, and the potential consequences for nonadherence.

Training records/acknowledgements containing dates and signatures of all participants must be retained for three consecutive school years.

SECURITY OF TEST MATERIALS

 Any materials containing student-identifying information, responses, or test content must be stored securely and must not be accessible to anyone other than the principal or school test coordinator (or other designated individuals who require access). Under no circumstances may student-identifying information printed on the tickets be distributed via email or any other nonsecure method.

- The secure storage may not be used for other materials to which unauthorized individuals have access. A sign-in/sign-out sheet including dates and times must be kept to track the movement and custody of materials.
- Secure testing materials, including test tickets, must remain in secure storage until the
 prescribed date for test administration, and must be handled securely during and after testing
 (i.e., under the supervision of or in the custody of a licensed Nevada educator).
- Security cameras or other classroom monitoring devices must be directed away from student testing devices and materials.
- For paper/pencil test materials:
 - School test coordinators must follow the directions in the Test Coordinator's Manual regarding the receipt and return of materials and the reporting of discrepancies.

BEFORE TESTING

- The principal must ensure that all personnel who will be participating in assessment-related activities receive a refresher training prior to the beginning of the school's testing window.
- School test coordinators are responsible for scheduling test sessions, assigning test administrators and proctors, and creating student seating charts. At least one test administrator and a sufficient number of proctors must be provided for each testing room to supervise testing adequately. A ratio of one test administrator to not more than 30 students is strongly recommended.
- Embedded testing accommodations and designated supports must be selected for the
 appropriate students in the online testing system prior to test administration. Non-embedded
 accommodation and designated support information must also be provided to test
 administrators.
- Instructional materials or any other materials that provide specific factual information or that
 might assist students in responding to test questions must be removed or covered with blank,
 opaque material.
- "TESTING—DO NOT DISTURB" signs should be placed on testing room doors and in halls and entrances, rerouting hallway traffic in order to promote optimum testing conditions.

DURING TESTING

Testing Environment

- The testing environment must be quiet and free of distractions.
- The test administrator's computer must be secured and monitored throughout the testing session.
- All individuals present in the testing room—including students, licensed and unlicensed personnel, and any unauthorized individuals who may have entered the room—must be documented.

- Students who are not participating in a specific test must not be allowed in the testing room while tests are being administered.
- Parents or guardians of students who are testing must not be allowed in the testing room.
- Student desk/table tops must be cleared of any material not specified in the Test Administrator's Manual. Students may not access additional materials unless documented as testing accommodations or designated supports. Unauthorized possession of non-permissible materials may result in invalid scores.
- Material that is affixed to desk tops must be covered with blank, opaque material.
- Cell phones and smart watches are collected and stored prior to distributing test materials (EXCEPTION: students with a continuous glucose monitor app). Test administrators and proctors should avoid cell phone and smart watch use unless it is the only means of contacting administration regarding testing issues.
- Photographing, recording, or transmitting any part of a test or testing session is PROHIBITED
 unless the activity is required for test administration as indicated in the Test Administrator's
 Manual, or when the school test coordinator, principal, or district test director is collecting
 evidence related to a test security investigation.
- Food and beverages are only permitted during a supervised break. Procedures for breaks are included in the Test Administrator's Manual and must be followed explicitly.

Test Materials

- All testing materials, including test tickets, must be distributed or accessed prior to the beginning
 of the testing session, and must remain secure at all times. See the Test Administrator's Manual
 for permissible materials.
- Test tickets must be distributed to the appropriate students—the identity and eligibility of all students who are testing must be verified accordingly. See the Test Administrator's Manual for instructions regarding the distribution and collection of test tickets.
- Scratch paper may only be plain unlined or lined paper, grid-only graph paper, or patty paper. No other pre-printed material is permitted on the front or back except for student-identifying information. See the Test Administrator's Manual for specific instructions regarding scratch paper.
- Test administrators must read and follow the script provided in the Test Administrator's Manual.

Monitoring Students

- Students must be supervised by licensed personnel while having access to test materials.
- Test administrators and proctors must monitor students to ensure they are working independently and adhering to procedures. It is not appropriate to engage in other activity (e.g., grading assignments, checking emails) during test administration. Particular attention must be paid to the following security threats to online test administration:

- Cheating threats:
 - Colluding with others
 - Using cheating aids
 - Using a proxy test taker
 - Copying responses from other students
- Stealing threats
 - Capturing content by digital photography devices
 - o Transcribing questions verbally (on paper or recording device)
- Students may not communicate with, interact with, or provide assistance of any kind to other students.
- Test administrators, proctors, or other adults may not provide assistance of any kind (including gestures, signals, rewards, or any other form of communication) beyond what is described in the Test Administrator's Manual.
- Electronic devices are strictly PROHIBITED unless a student has an accommodation plan or designated support that allows a specific permissible device, or the device is required for test administration as indicated in the Test Administrator's Manual. Unauthorized possession of electronic devices may result in invalid scores.
- The district test director or designee is responsible for invalidating tests for students who were cheating, communicating with other students, receiving inappropriate assistance, or accessing unauthorized materials or devices. All incidents involving student cheating or misconduct must be responded to in accordance with district and/or school disciplinary procedures.

English Learners

- Assessments are administered in English. See the 2024-2025 Usability, Accessibility, and Accommodations Guide (UAAG—available to district test directors at Bighorn > Assessment Resources) for information regarding designated supports for English Learners.
- The test administrator or proctor of the WIDA Speaking Test (all grades) must have native English fluency.

Unlocking Tests

Online Science Assessments and Summative Performance Tasks (PTs) lock each night, or after 20 minutes of inactivity, or when a student submits a test for scoring. Unlocking a test allows a student to access a test that has locked or has already been submitted. Tests lock for security reasons, and should not be unlocked except in rare cases of unforeseen and unavoidable errors during testing.

If a test in progress (i.e., not submitted) is unlocked, the test will reopen at the location at which the student stopped testing. The student will be able to review items within the current segment of the test, but cannot return to previous segments.

All unlocked tests must be reported as testing irregularities unless otherwise noted below.

If a submitted test is unlocked, the test will reopen at the last page of the test.

- For interruptions in testing occurring for more than 20 minutes, the NDE grants permission to district test directors or their designees to unlock tests for the following:
 - A student has completed 5 or fewer responses, and is unable to complete a test due to a technological difficulty that results in the locking of the test.
 - A student has completed 5 or fewer responses, and is unable to complete a test before it locks due to a sudden illness or unanticipated school closure/evacuation.
- For instances of human error, when discovered on the day of testing, the NDE grants permission to district test directors or their designees to unlock tests if:
 - A student begins a part of the test unintentionally. The student should stop the test as soon as
 the error is noticed and should be directed to log in to the appropriate test part. The district test
 director or their designee may unlock the test part that was begun erroneously prior to
 administration of that part if the student had completed 5 or fewer responses.
 - A student has completed 5 or fewer responses, and unintentionally submits a test—if the
 incident is reported immediately and the test is unlocked and completed the same day (this is
 not an irregularity).
- In certain circumstances, unlocking a test will not correct a situation, or is not an available option (Computer Adaptive Tests, or CATs, do not lock). Because students are only permitted to complete a test once during the testing window, district test directors or their designees must obtain permission from the NDE to have the testing vendor regenerate the test ticket for the following:
 - A student begins a part of a PT or CAT using another student's test ticket or log in information, and has completed 5 or fewer responses.
 - A student begins a part of a PT or CAT without having an accommodation or designated support activated, and has completed 5 or fewer responses.
- Tests that are left in "in progress" status will be automatically submitted at the end of the testing window and do not need to be unlocked to submit.

Disclosure of Test Content

Knowledge or review of actual test content is not necessary for valid test administration and is strictly prohibited.

- The material contained in state-mandated examinations is the property of the Nevada Department of Education, and is confidential. Disclosure is unlawful except under the following circumstances:
 - To the extent necessary for administering and evaluating the examinations
 - When it is necessary for the performance of the duties of a
 - o State officer who is a member of the executive or legislative branch
 - Superintendent of a school district
 - Director of curriculum of a school district
 - Director of testing of a school district

- Specific content may be disclosed if the Superintendent of Public Instruction determines that the
 content is not being used in a current examination and making the content available to the
 public poses no threat to the security of the current examination process.
- NDE staff and/or the Office of the Nevada Attorney General are charged with determining whether gaining access to state-mandated examinations is necessary and permitted by law.
- Test administrators, proctors, school administrators, teachers, substitute teachers, aides, any
 other school personnel, or other individuals required to be present during test administration
 (e.g., medical caregivers) are not permitted to review test content.
 - EXCEPTION: When a test administrator, proctor, or ASL interpreter is authorized to view test
 content in order to provide specific accommodations or designated supports (i.e., read aloud,
 signing, scribing); or as needed for administration of the Nevada Alternate Assessment or WIDA.
 A Confidentiality Agreement (template available to district test directors at Bighorn >
 Assessment Resources) must be signed prior to test administration and retained with the
 school's test security documentation for three consecutive school years.
- Test material, whether online or paper/pencil, must not be copied or reproduced by any means without the prior written authorization of the test publisher and the NDE, nor is any individual permitted to review, analyze, discuss, or notate test content.
- All materials containing student identifying information and/or responses are the confidential
 property of the Nevada Department of Education (NDE), and not public record. Disclosure is
 strictly prohibited without written permission from the NDE.

Reporting and Investigating Testing Irregularities

- If the NDE has reason to believe a violation in test security or administration has occurred, the NDE has an obligation to investigate the incident as it deems appropriate. NVCS is required to comply with the NDE's requests for documentation and information relevant to the investigation.
- If the district test director has reason to believe a violation of the state or district test security plan has occurred, they must do the following:
 - Immediately notify the NDE test security coordinator either orally or in writing.
 - Ensure that a Report of Testing Irregularity is submitted to the district within 14 calendar days after the incident occurred.
 - Ensure that a Report of Testing Irregularity is submitted to the state within 14 calendar days after it is submitted to the district.
 - Begin an investigation of the incident.
 - If a potential breach in test security has occurred, and the school has video surveillance equipment capable of downloading and saving a digital clip of the alleged occurrence, that clip must be retained as evidence for three consecutive school years.
 - All other evidence related to test security investigations must be retained for three consecutive school years.
 - The district test director or designee must submit all investigative findings to the NDE test security coordinator during the course of the investigation.

- A school official who has reason to believe that a violation of the NVCS test security plan has
 occurred must immediately notify the principal, district test director, or their designee.
- All evidence and documentation related to test security investigations is confidential.
- The NDE may choose to conduct an investigation separately or in conjunction with the school district.
- The majority of the communication regarding the incident will occur between the district test director and the NDE test security coordinator.
- Upon receipt of a Report of Testing Irregularity, the NDE test security coordinator will review the report and determine how to proceed, including whether further evidence or investigation is required.
- Depending on the severity of the incident and the potential impact to the state assessment program, the NDE's determination may include, but is not limited to:
 - No further action
 - Invalidation of student scores
 - A requirement, including the NDE's recommendations, for the district or school to complete a corrective action plan (NRS 390.295) if investigative findings indicate the irregularity resulted from inadequate test security or administration procedures.
 - A requirement for the district or school to conduct an additional administration of the examination (NRS 390.290)
 - Licensure sanctions administered by the State Board of Education (NRS 391.330)

AFTER TESTING

- Students who finish before the end of the scheduled testing period may be excused according to school test security procedures. If students are not to be excused, they may read quietly (paper versions only—no electronic devices). Materials must not be on student desk or table tops while they are testing, but may be stored under desks or in a designated area in the room. Drawing and writing are not permitted.
- All testing materials, including test tickets, scratch paper, and test booklets must be returned to
 the test administrator and accounted for before a student is allowed to leave the testing area for
 any reason. (See the Test Coordinator's Manual for instructions regarding the return of materials
 to the testing vendor.)
- Printed test items/passages, including embossed Braille printouts, and scratch paper must be collected and inventoried, then immediately destroyed upon a student's completion of the test.
- Test items, stimuli, reading passages, or writing prompts must not be used for instruction.

Assessment Investigation Plan

The NVCS Investigation Plan details the overall strategy for managing investigations when test irregularities are reported to the NVCS test director or designee. This plan outlines the testing

irregularities required for an investigation, responsibilities of personnel, procedures for reviewing available information, conducting interviews, and developing a report with the evidence.

Investigation

NVCS completes a testing irregularity report in the NDE online system, Caveon Core.

Testing Irregularities

Testing irregularities that are considered to be a failure of process do not merit a NVCS investigation. These process irregularities generally include mistakes in administration. Testing irregularities that arise due to cheating, accusations of purposeful misconduct by personnel, large increases in scores from one year to the next, or high levels of incorrect to correct answer changes will trigger a NVCS investigation.

Role Responsibilities

In cases in which investigation(s) of testing irregularities are necessary, an investigation will be conducted. The investigative team may include, but is not limited to, the NVCS test director or designee, NVCS Principal, or the Executive Director.

Reviewing Available Information

The investigation will include a checklist of available information during the site visit. This will include observations, such as proper test handling, storage, and check in/out logs.

Planning and Conducting Interviews

Part of the investigation may include interviewing personnel at the site in question. The following questions will be used, when applicable, during an investigation:

- Were you asked to read the manual for administering the test?
- Were you provided with test security professional learning? When and by whom?
- When did you receive testing materials?
- In the case of computer-based tests (CBTs), when did you first have access to the examination questions?
- Where were physical test materials stored?
- Who had access to the test materials in both paper/pencil and CBT-delivered exams?
- Describe the process on test day for the site as a whole and for each testing room.
- How were test materials collected and returned the school when testing was complete?
- Did you observe any testing irregularities at your site on any of the testing days?
- Are there ways you would like to see test security practices enhanced?

Compiling a Report

The final report of the investigation will be a culmination of the site visit checklist and personnel interviews. It will highlight key findings with an analysis of the observations, interviews, and the original irregularity report.

Recommendations for prevention or corrective action may also be included in this report.

- Conduct a thorough review of the information contained in the Report of Test Irregularity.
- If necessary, request additional information to assist in the review process from the principal, the NVCS test director, and any other school staff members or students involved in the reported test irregularity.
- Determine whether evidence exists to indicate that actions which resulted in the testing irregularity were intentional.
- Determine whether evidence exists to indicate that consequences associated with the testing irregularity have resulted in, or will result in, significant damage to the state-mandated assessment.
- Determine whether sufficient evidence exists to warrant an invalidation of student scores.
- Notify the Executive Director, in writing, indicating the results of the findings.
 - o If the findings indicate that an irregularity in test administration or security has occurred, but there is no evidence that the irregularity was intentional, and there is no evidence that the consequences associated with the irregularity will result in significant damages to the statemandated assessment, the investigative team may determine:
 - Whether an additional administration of the test is necessary.
 - Whether the school or NVCS is required to file a corrective action plan.
 - Recommendations and/or other remedial courses of action to be taken by the school and/or NVCS.
 - If it is determined that there is sufficient evidence that an intentional irregularity in testing administration or security has occurred, or there is evidence that the consequences associated with the irregularity resulted in, or may result in, significant damages to the state-mandated assessment, the investigation may:
 - o Require the NVCS to conduct an additional administration of the test.
 - o Require the NVCS to file a corrective action plan.
 - Specify NDE's recommendations and/or requirements for corrective action.
 - Begin an investigation, or require the NVCS test director to begin an investigation to obtain further information regarding the testing irregularity.
 - o Invalidate student test scores, as indicated.
 - If, after longitudinal review of NVCS and NDE records of testing irregularities, it was determined
 that at least one testing irregularity occurred at a school during one school year, and in the
 immediately preceding school year, at least one additional irregularity had occurred, a
 determination will be made as to whether the irregularities warrant an additional administration
 of the examination.

- If it is determined that an additional administration of the examination is required, the school principal shall be notified of this determination. The additional administration may include an entire grade, or merely specific pupils, as determined by the investigative team.
 - When determining the need for an additional administration of an examination, the investigative team must consider the effect of each testing irregularity on the scores of pupils and whether sufficient time remains in the school year.
 - The additional administration must occur in the same school year in which the additional irregularity occurred, if feasible.
 - Unless determined otherwise, the NVCS test director will coordinate the additional test administration, with the assistance of school administrators, as deemed necessary.
- If it is found that the test irregularity resulted from inadequate or insufficient NVCS test administration and security protocol, the principal or the NVCS test director will be required to file a corrective action plan with NDE.
- If it is found that school personnel were not adequately or sufficiently professionally developed in NVCS test administration and security protocol, the principal or the NVCS test director will be required to file a corrective action plan with NDE.
- If it is determined that the evidence is insufficient to issue a charging document of violation of test security against an individual, and the evidence does not indicate a significant consequence as related to the breach, NDE will write a letter indicating this to the Executive Director and the NVCS test director. No disciplinary action will be taken by NDE, but this does not preclude NVCS from taking disciplinary action.
- If the evidence is sufficient to support charging a violation of test security against an individual, and the Executive Director decides to take action for the suspension or revocation of the license, a notice of complaint will be issued to the licensee.
 - When there is sufficient evidence to take action against an individual's license, the significance of the consequence of the violation of test security is a factor considered in evaluating the appropriateness of suspension or revocation of license.
- o If a notice of complaint is issued, the individual against whom it is issued has the right to request a hearing from an impartial hearing officer chosen from the American Arbitration Association.
 - o If the individual does not request an impartial hearing, a hearing before the State Board of Education will be conducted.
 - If the individual requests an impartial hearing, the hearing officer will hear the matter, make findings, and issue a recommendation. The ultimate determination of discipline against the licensee is made by the State Board of Education.

In addition to disciplinary action that may be taken against a licensed counselor, teacher, or school administrator, breaches in security that impact the reliability and validity of student scores may result in the invalidation of student scores.

Protection of NVCS Personnel Regarding the Disclosure of Testing Irregularities

2024-2025 School Year

NRS 390.350 through 390.430 provides for specific rights and responsibilities of NVCS personnel with regard to the disclosure of irregularities in testing administration and testing security relative to all state

and NVCS-mandated examinations. NRS 390.425 also requires NDE to annually submit a written summary of these rights and responsibilities to the NVCS Board.

Rights and Responsibilities

- School officials are encouraged to disclose testing irregularities, and it is the intent of the legislature to protect the rights of a school official who makes such a disclosure.
- A school official shall not directly or indirectly use or attempt to use his official authority or influence
 to intimidate, threaten, coerce, command, or influence another school official in an effort to
 interfere with or prevent the disclosure of information concerning testing irregularities. "Official
 authority or influence" includes taking, directing others to take, recommending, processing, or
 approving any personnel action such as an appointment, promotion, transfer, assignment,
 reassignment, reinstatement, restoration, reemployment, evaluation, or other disciplinary action.
- If reprisal or retaliatory action is taken against a school official who discloses information concerning testing irregularities within 2 years after the information is disclosed, the school official may file a written appeal with the state board for a hearing on the matter and determination of whether the action taken was a reprisal or retaliatory action. The written appeal must be accompanied by a statement that specifies:
 - The facts and circumstances leading to the disclosure of information concerning testing irregularities; and
 - The reprisal or retaliatory action that is alleged to have been taken against the school official.
- The state board may issue a subpoena to compel the attendance or testimony of any witness or the production of any materials needed as part of the appeal investigation.
- If the state board determines that the action taken was a reprisal or retaliatory action, it may issue an order directing the proper person to desist and refrain from engaging in such action.
- The state board may not rule against the school official based on the identity of the person or persons to whom the information concerning testing irregularities was disclosed.
- No school official may use the provisions outlined in this summary to harass another school official.
- A person who willfully discloses untruthful information concerning testing irregularities:
 - o Is guilty of a misdemeanor; and
 - Is subject to appropriate disciplinary action.
- These provisions do not apply to offenses committed before July 1, 2001.
- Upon receipt of this summary, the board of trustees or governing body shall provide a copy of the written summary to all school officials within the school district or charter school.

Terms and Definitions

The following terms and definitions will be used when referring to the Nevada Department of Education assessment program:

• "Examination" means achievement and proficiency examinations that are administered to pupils pursuant to 390.105, 390.600, and 390.610, and includes the following:

- English Language Arts (ELA) and mathematics in grades 3 8
- Science assessments in grades 5, 8, and High School
- End-of-Course Examinations
- College and Career Readiness Assessment
- NWEA Reading Assessment in grades K 3
- Any other examinations that measure achievement and proficiency of pupils and which are administered to pupils on a district-wide basis
- "Irregularity in testing administration" means the failure to administer an examination in the manner intended by the person or entity that created the examination.
- "Irregularity in testing security" means an act or omission that tends to corrupt or impair the security of an examination, including, but not limited to, the following:
 - Failure to comply with state or district security procedures
 - Disclosure of questions or answers to questions on an examination in a manner not otherwise approved by law
 - Other breaches in the security or confidentiality of the questions or answers to questions on an examination
- "School official" means the following:
 - A member of a board of trustees of a school district
 - o A member of a governing body of a charter school
 - A licensed or unlicensed person employed by the board of trustees of a school district or the governing body of a charter school
- "District Test Director" is appointed by the school district superintendent and refers to the individual who represents an individual school district on all matters of testing, including, but not limited to, the following:
 - Serving as a liaison between the local school district and the Nevada Department of Education
 - Assisting the local board of trustees in the development of a district test security plan
 - Organizing the district testing calendar
 - Ensuring that school principals and school test coordinators are adequately trained and informed of all relevant test administration guidelines and procedures
 - Disseminating and collecting testing materials
- "School Test Coordinator" or "Test Coordinator" is the school principal or a licensed individual appointed by the school principal and refers to the person who represents the school on all matters of testing that may include, but are not limited to, the following:
 - Assisting the school principal by serving as a liaison between the school and the district test director
 - Assisting the school principal in the development of school test administration procedures
 - Assisting the school principal in providing annual training for school officials involved in test administration
 - Assisting the school principal in organizing the test schedule
 - Assisting the school principal in the dissemination and collection of test materials
 - Assisting the school principal in assigning school officials to administer or proctor the assessments

Although school principals may delegate testing responsibilities to a school test coordinator, the school principal assumes final responsibility for the proper training and administration of all state-mandated testing.

- "Classroom Test Administrator" or "Test Administrator" is assigned by the school principal or school
 test coordinator and refers to a school official whose responsibilities may include, but are not limited
 to, the following:
 - Administering the assessment to an assigned group of students in accordance with all test security and test administration procedures
 - Assuming primary responsibility for the verification of the identity and eligibility of each student participating in the assessment (in accordance with procedures outlined in the district test security plan)
 - Assuming primary responsibility for the dissemination and collection of each student's test materials
 - Assuming primary responsibility for the supervision of students during their participation in the assessment
 - Ensuring that students are taking the assessment in accordance with test security and test administration procedures
 - Following up on unusual behavior or activity on the part of the students
 - Assuming primary responsibility for ensuring that applicable time limits are being adhered to
- "Classroom Proctor" or "Proctor" is assigned by the school principal or school test coordinator and refers to a school official whose responsibilities may include, but are not limited to, the following:
 - Assisting the classroom test administrator in supervising students during their participation in the assessment
 - Ensuring that students are taking the assessment in the manner in which they were instructed by the classroom test administrator
 - Immediately notifying the classroom test administrator of any unusual behavior or activity on the part of students
 - Assisting the classroom test administrator in the dissemination and/or collection of test materials
 - Assisting the classroom test administrator in ensuring that applicable time limits are being adhered to