

FLORIDA ASSOCIATION OF COLLEGE TEST ADMINISTRATORS

Examination Security and Ethics for the Florida College Test Administrator

A FACTA White Paper

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Introduction

The mission of the Florida Association of College Test Administrators (FACTA) is to enhance professional growth and communication among test administrators employed by SACS accredited postsecondary institutions in the State of Florida. FACTA actively advocates and supports the National College Testing Association's (NCTA's) Professional Standards and Guidelines. Our mission is accomplished by working in partnerships with the Florida Department of Education (FLDOE), the Florida Board of Governors (BOG), the Independent Colleges and Universities of Florida (ICUF), and testing agencies, while always keeping the needs of the employee's institution at the center of decision-making.

The purposes of FACTA are to:

- (1) enhance professional testing practices;
- (2) provide opportunities for professional development and enhanced understanding of emerging issues and trends for Florida testing administrators;
- (3) advance collaboration and cooperation among testing professionals, testing companies, and state policy-making agencies with regard to test administration, management and operation of new college testing centers, analysis and review of testing instruments, and implementation of new testing initiatives;
- (4) provide support activities and technical assistance for information sharing, best practice resources, and program enhancement efforts;
- (5) serve as a professional resource and advocate in regard to matters relevant in college testing with state agencies and other affinity groups within Florida higher education.

Toward these aims, FACTA has put forth this white paper in which we attempt to elucidate an approach to examination security and ethics that can be shared by Florida college test administrators. Florida college test administrators are fortunate to work with the Florida Department of Education (FDOE), who has set forth statutory language and rule verifying our obligations toward test security (appendix A). Guidance for administering mandatory exams is also provided in test vendor administration manuals. This is usually in the form of brief sets of requirements for delivering examinations. These requirements may represent guidelines to which we are contractually bound and are often sandwiched between information irrelevant to the process of administering the exam.

As test administrators, we benefit from state direction that is broad in scope and audience as well as informative of Florida requirements. We are also provided with basic test administration rules as set forth by test vendors. However, there remains a need amongst Florida college test administrators for a shared platform from which we can conscientiously build our unique institutional policies for administering standardized exams. This shared platform should be more specific in its recommendations than Florida's language on exam security and it should be more attentive to the practice and process of secure exam administration than what vendor manuals provide. Furthermore, guidelines for adhering to an ethic of fairness through exam security will provide maximum utility to Florida college test administrators if it is directed to a discrete audience. With guidelines that make sense to us, we can more easily hold ourselves accountable.

The Current State of Cheating

At the time of this writing, the state of cheating on standardized exams is being shaped by three themes – the continued evolution of mobile communication technologies, the global demand and supply for stolen exam information, and the increased economic hardship faced by large numbers of students.

Beginning in the 1990's, when mobile communication or recording devices such as cell phones, digital cameras, cassette or digital audio recorders, and personal digital assistants (PDAs) became prevalent, test administrators have needed to be vigilant about subsequent waves` of new devices used to cheat or steal examination information. Students have and will continue to use low-tech methods of cheating. We still see the "cheat sheet," and written formulas or answer keys on arms, hat brims, or the inside of plastic soda bottle labels. Examinees still attempt to whisper or sign answers to each other or copy when given the opportunity. With the advent of mobile devices to record or communicate information, however, test administrators must have sharper eyes and ears. The smaller these devices get, the easier it gets for examinees to steal information and share it instantaneously with any number of recipients, access information or answers through any number of formats, or communicate directly with individuals off site to obtain answers to specific items. Technological advances such as computer adaptive testing, remote monitoring, and confirming identification through digital photos or electronic signature records can only do so much to maintain test security.

The ubiquity of these devices relates to the second characteristic of test center cheating today. Stolen exam information has become a big business with stakeholders in multiple geographic locations, some of whom help to steal standardized exam information, provide that information to examinees, and make a lot of money. Because the stakes for many standardized exams are so high -- livelihoods depend on passing these exams – many people are willing to pay large sums of money to guarantee a passing score. Criminals have heard this demand and invested substantial resources into developing global networks to steal and distribute exam information to paying customers.

Consider the following real-life description of an incident involving individuals that seem nefariously poised to obtain or provide exam information for money. This post was taken from a list-serve and identifying details have been scrubbed, but the account itself is unaltered.

We had a strange incident this weekend with the EBAT. One of our proctors discovered a couple of people lingering outside of the room where they were giving the EBAT. Upon questioning them, they claimed they were waiting to use the room after the test. They were still hanging around and when asked again stated that they were working for EBAT and they had a survey for the test takers to fill out after the test. At this point, the proctor told the test supervisor what was going on and she contacted EBAT. They said that no one from EBAT was sent here from their company. The test supervisor went out and they were still claiming to be from EBAT. She told them that she had in fact checked with EBAT and knew they were not officials from there and that they should leave. She also asked for identification that they were from EBAT which they were not able to provide. They seemed to walk away but then the proctor checked back in the hallway and they were back hanging around. At this point, she contacted campus security. When she informed them that she had called campus security, they were overly polite and said they were sorry and they would leave. As they were walking away they said something about waiting in the parking lot for the test takers. She told them that they just need to leave campus. The test supervisor told the test takers that if someone approached them after the test they should not talk to them since they were not

legitimate officials affiliated with EBAT. This totally seems suspicious to me. Anyone else had a similar incident?

Appearances suggest that the lingering individuals were attempting to find buyers of exam content or recruit individuals to help obtain exam content. To imagine that similar attempts are occurring to breach content of the exams that *we* administer, is not a stretch.

The last circumstance shaping the state of cheating is an economic scene dominated by the highest unemployment rate many Floridians have ever experienced, 12.7% at the time of this writing. This occurs against a backdrop trending away from blue collar job availability toward knowledge-based occupations that require postsecondary degrees and certifications. High unemployment and shifting demands for worker skills combine to paint a desperate picture for some Floridians, many of whom will contemplate doing unethical things to shorten the distance between them and a job. We can assume that some of our students are looking to cheat. There are also people and devices to help them do it.

Standardization as a Requirement for High Stakes Exam Administration

Whereas it is understood that many of Florida's college test administrators are responsible for the administration of exams associated with academic coursework, the majority of exams we deal with are standardized and developed by test companies according to specific, legally-defensible protocol. Standardized exams are usually made up of multiple choice items and are favored by large agencies or inter-institutional entities because they can assess a large number of examinees on many content areas in a short time span.

The fact that they are given in a standard, secure manner every time allows us to make the reasonable assumption that the exam content can be used over and over again without fear of compromise or exposure. In turn, this allows us to assume that our students are being measured on the same knowledge domains, without the risk of unfair advantage for any group of students. Exam security, then, is a prerequisite for effective measurement of knowledge and use of subsequent results to impact students' futures.

Any Florida college test administrator can tell you that the ways standardized exam results are used to affect student circumstances are myriad. Examples include curriculum planning, targeting of student groups for remediation, guidance for institutional and state initiatives, measurement of teacher effectiveness, and granting of common course credit.

Standardized exams administered differently to each examinee cannot be said to provide a reliable measure of student performance nor should their results be used to inform educational decision making. To understand how non-standardized test conditions might yield different results, consider the two scenarios below.

Alma arrives at Campus A test center with government issued photo ID in hand. She had already heard about this requirement in student orientation. After the front desk attendant checked her ID, she was asked to read and sign a statement about cheating and cheating penalties, which she did. Alma was then told how long the exam might take and asked if she needed to use the restroom first. An escort would be needed if she needed to leave the room in the middle of testing. Alma goes to the restroom and calls her boyfriend to tell him what time to pick her up. At the attendant's request, Alma turns off her phone, puts it in her purse, and puts the purse in a locker. This is not a big deal to her. The locker is large enough and she's confident no one will steal her things because she has the key. A proctor leads her to a computer station in the quiet, comfortable test room and explains how to move from one item to the next. She completes the exam without incident in an hour and fifty minutes, collects her things, and meets her boyfriend who has been waiting outside for 20 minutes.

Let's look at another student experience.

Sarah arrives at Campus B testing center. She is also asked for her ID so she provides the one she has with her, a college staff ID card. The attendant tells her that it is not acceptable because it doesn't have a signature. A loud conversation between Sarah and the attendant ensues. Sarah says that she wasn't told ahead of time about ID or that it had to have a signature. She also detects that the attendant may not be sure about the requirement himself. The attendant walks into the test room to talk to a proctor about the requirement. The proctor tells the attendant to go ahead and make an exception because it's obviously

someone who works at the college. Sarah is then led to the test room and the exam is launched. She asks how long the exam will take and pulls out her cell phone to tell her uncle when to pick her up. The proctor tells her that cell phones aren't allowed and the phone must be confiscated and held up at the front desk for the duration of the exam. She is offended at the implication that she was trying to cheat and worries about that her phone might get stolen. Sarah is upset and flustered as the exam begins. She sees a student next to her use his concealed cell phone's calculator for a math problem. Sarah contemplates leaving and coming back again so that she can be sure to bring her phone in and keep it hidden so she can use her calculator too. She decides against it because she doesn't want to deal with the hassle again.

Looking at the experiences of Alma and Sarah, it's not difficult to see how two ways of administering the same exam could lead to drastically different results, even if we assume that both students possess identical levels of ability. We can also see how unfairness built into Sarah's experience could lead to unfairness on a much larger scale because of the ease with which exam content can be stolen from Campus B and distributed to others.

The Manual: A Guide to Administering Standardized Exams

It is FACTA's stance that a complete and well-written administration manual can make the difference between the scenarios experienced by Alma and Sarah. Test personnel should have a daily go-to resource to help them serve students in the same way. It should provide them with concrete information to perform their daily functions properly and engage in the protocols essential for exam security. A good manual is comprehensive, well-organized, and easy-to-read. It will help staff to capably and confidently serve examinees and negotiate problematic situations that could ultimately pose threats to exam security. Test environments staffed by personnel with a set of instructions provided verbally or with little coherence can easily become rife with opportunities for cheating, stealing, and otherwise poor conditions for testing.

Essential contents of a good college exam administration manual are addressed in the remainder of this paper but it's also important to consider how the contents are presented to the reader. Quite simply, the contents should be written well – that is, they should be clear and easy to follow. Ideally, a manual should be written by someone who has some experience in technical writing, understands the process of administering exams, and knows the importance of test security and how it can be compromised. Relevant elements of technical writing for this purpose follow:

- Write steps as commands.
- Pick terms and stick with them.
- Use consistent formatting and style for headings and lists.
- Don't let extra discussion obscure steps.
- Give introductions for different sections.
- Don't forget to use graphics or screen shots where helpful.

Individuals crafting this resource for their institution may also want to consider incorporating the most stringent security requirements contained in the vendor-specific manuals for exams administered on a regular basis. By including the strictest vendor requirement from a choice of security approaches, the test manual will make test administration easier because there is less need to determine which approach to use for different exams. Questioning of standards will be minimized and should a challenge occur to the manner in which tests are administered at the college, adherence to vendor requirements and due diligence in protecting a vendor or academic asset will be met with documentation of due diligence and proper protocol.

At the same time, FACTA is not blind to the unique constraints inherent to the institutional workings of each Florida college and university. We are aware that college test administrators answer to a variety of stakeholders who may have something to say about how standardized exams are administered. It is FACTA's hope, however, that the guidance provided here will allow you to develop and disseminate procedures based on a rationale drawn directly from the mandate to serve students by administering exams fairly. It is a rare administrator or faculty member who would look at the Sarah's experience and say she was served fairly or that the results of such an exam administration would be useful for placement into her first session of college coursework.

Creating the Standardized Environment

As the experiences of Alma and Sarah illustrate, the condition of the test environment is vital to proper exam administration. In general, it is important that the standardized test environment support three things: comfort, order, and exam security.

A comfortable test environment is accessible and free of distraction to an examinee's focus on the task at hand. Common characteristics of a comfortable, secure, distraction-free test room are listed below. Most, if not all of these characteristics should be included in the test administration manual for the benefit of testing staff and those responsible for allocating resources:

- A clearly visible wall clock.
- A designated proctor-to-examinee ratio so that students can be served in a timely manner.
- A separate lock-and-key area to store examination materials.
- Ability to maintain visual contact with testing students at all times.
- Acoustics that do not amplify sounds.
- Adequate technological resources to efficiently support students, i.e., bandwidth, server capacity, scanners, keyboards, paper shredders, phone trees, camera monitoring, low noise printers and copiers, etc.
- Adequate writing surface space for paper-and-pencil exams.
- Bathroom facilities located nearby.
- Climate control that can be adjusted from the test area.
- Lighting suitable for extended periods of reading.
- Location in a designated area in which sound associated with examinee check-in or other activities cannot be heard.
- Monitored security alarm.
- Single point, monitored entry and exit to test center and test rooms.
- Sufficient space between test stations for examinee comfort and exam security.
- Universal seating arrangements to accommodate students with various physical abilities and sizes.
- Water fountains located nearby.

It is understood that most institutional departments also have well-founded needs for the technological resources mentioned above. The need for these resource requirements for efficient student service in our test centers, however, cannot be over emphasized. Test centers without these capabilities are often louder, less orderly, and more conducive to any number of distractions to students who need to be successful in taking an exam.

For those college test administrators who have not talked with administration about technological or other environmental requirements for a test center to be comfortable, orderly, and secure -- a conversation is clearly warranted prior to the inclusion of those requirements in a test administration manual. In any case, it is important to include some explicit guidance regarding the proper test environment.

Examinee Check-in

Instructions for examinee identification and control of entry and exit from the test center are essential. For most Florida colleges and universities, photo ID cards are used as the primary method of ensuring that the person taking the test is the person who should be taking it. This is done by checking the photo on the ID against the appearance of the student and, in some cases, requiring the student to sign a sign-in sheet or examinee attestation form and making sure the signature matches the signature on the card. Because of budget considerations, it is the rare postsecondary test center that actually collects additional proof of identification such as digitized photographs and signatures or other biometric data.

The fact that low tech methods are involved in confirming examinee identity does not imply that the process itself is straightforward. Checking ID is often the first step in protecting the exam and the first source of confusion if staff and students are not provided with clear guidelines beforehand. The manual should provide a concrete and specific description of acceptable identification. Typical descriptions are that an ID should be government-issued, bear a photo and/or signature, or be “official.” Regardless of what a specific institution requires for identification, the requirements should be communicated consistently across media to students and staff.

For Florida community colleges, the issue of what identification should be required is often complicated by the mandate to provide open educational access to students. We want to eliminate hurdles to college. We are loathe to implement policies that seem unnecessary or actually limit educational access to some students with very few resources. At the same time, however, we must be cognizant of the real need to protect exam content. It’s a simple fact that the ability to obfuscate identity by using fraudulent identification is a real problem. Lax identification policy can allow a student’s friends, family, or hired individuals to act as a stand-in examinee or allow unauthorized, nonstudents to gain access to exam items for purposes of theft.

In the absence of a distinct policy regarding ID requirements, it is important to have a discussion with multiple institutional representatives with consideration toward both exam security and open access. Characteristics unique to the institution and population served should also be considered before devising a test center identification policy and publicizing it to students and staff.

Dealing with Unauthorized Materials

Test administrators who are aware of ways exams can be compromised and the consequences of such compromise, understand the importance of clear policy regarding unauthorized materials. Quite simply, examinees should not be able to bring unauthorized materials in to the test room. The manual should explicitly describe what constitutes unauthorized materials. It should also describe how such materials should be handled if a student arrives with them.

Special care should be taken in crafting the manual statement describing specific items and pieces of technology to be prohibited. Consider the use of specificity in the statement, “No paper, pens, pencils, books, food, drink, calculators, paper, pagers, PDAs, tape recorders, or cell phones may be brought into the test center.” On one hand, specificity is problematic when describing prohibited electronic devices. This is because it dictates periodic revision to guard against non-standard procedures when new devices are developed. To eliminate the need for a high level of vigilance in revising language, it may be helpful to say that ALL electronic devices are prohibited with the exception of those authorized as

accommodations based on a disability. Hearing aids and insulin pumps would be examples. On the other hand, specificity may be appropriate where the author describes materials not subject to the pace of technological change. Specifically listing items such as paper, pens, pencils, food, and drink makes sense.

A statement that provides enough specificity but also leaves room for the continual additions to the world of technological gadgets might read something like, “Examinees may not bring food, drink, paper, pens, pencils, books, or any electronic device into the test room unless specifically authorized.” Note that examinees usually need to use some of the items they themselves are prohibited from bringing into the test room, typically scratch paper and sharpened pencils. Test centers should be prepared to supply these.

It stands to measure that where items are prohibited and commonly carried by examinees, tools and procedures must be in place for their secure storage during testing. Appropriate storage methods range from the use of laundry bags and pegs behind the front desk area, to coin-operated lockers like the ones found in amusement parks. The physical layout and relative resources available for test centers will help dictate which method is most suitable. Regardless of the method for storage of examinee belongings, the ethical test center administrator will make sure that procedures are in place for storage of belongings for all students, and that every effort is made to treat such belongings with care. Belongings may be expensive to replace, and may contain personal information that should not be disclosed.

Procedures for Handling Sensitive Information

A key test staff duty is to protect sensitive information. This includes personally identifiable examinee information, exam scores, and other items pertinent to a student’s educational record – those items governed by the Family Educational Rights and Privacy Act of 1974 (FERPA). As such, the test administration manual should describe procedures for protecting student records in a way which clearly demonstrates adherence to FERPA regulations. In general, those regulations require educational institutions receiving federal funding to provide guardians and eligible students with access to their educational records as well as restrict educational record information from view by individuals not authorized by the guardian or eligible student (appendix D).

Of course, we are as obligated to protect sensitive personal information as exam content and the means by which exam content can be accessed. Procedures for handling sensitive information should include information associated with the student and the exam, and should cover the areas below.

- Exam platform login information.
 - Individuals authorized to use login information for specific functions.
 - Method of assignment.
 - Intervals for updating passwords.
 - Acceptable method of storage and communication.
- Paper-and-pencil exam materials.
 - Secure receipt.
 - Secure storage.
 - Inventory practices.
 - Secure shipping or forwarding on campus.
 - Capture and destruction of scratch paper.
- Sensitive examinee information.

- Review of score results.
- Provision of score results.
- Storage of personal belongings.

Of all of the procedural areas above, none is more deserving of our careful consideration and crafting of protocol, than the methods whereby we distribute platform login information. Because it is simply a code we distribute, we often do not take into consideration what that code represents. The login information IS exam access. Therefore, a complete test administration manual should include procedures that clearly describe to whom login information should be supplied, by whom it should be supplied, and under what circumstances it should be supplied, .i.e., after signed attestation to confidentiality rules.

As with most procedures to be included in the manual, the specific work flow and historical constraints exclusive to the institution will play a great part in helping to determine what to include and how to include it. It's clear though, that test center staff do need to take care in protecting the sensitive information discussed above. The test administrator who knowledgeably engages in due diligence will be able to clearly describe to test staff how to demonstrate that care in a standardized fashion.

How to Handle Irregular Incidents

Because Florida college test administrators are charged with ensuring that the exam administration environment is standardized and secure, it is important to set protocol on how to deal with events that interfere with a standardized test experience. The centerpiece to this protocol is a document that can be found in test administration manuals used in all sectors of the testing industry, from small credentialing agencies who administer in-house exams, to large exam programs granting international credentials. It is the irregularity report.

Incorporating irregularity report protocol into the daily responsibilities of test staff serves several purposes. Test staff are documenting their due diligence and in so doing, protect themselves and their institutions from possible legal or other censorious action. Staff who regularly complete irregularity reports are also engaging in periodic self audits. By requiring staff to scan for events that disrupt the standard exam experience, college test administrators are ensuring that staff continuously compare their actions against a standard model. Finally, and most instrumental to immediate action, the completion of an irregularity report triggers and supplies needed information for possible corrective action. Such action can range from invalidation of a student's test scores, to initiation of criminal investigation, to a phone call to the new ROTC organizer to request that formation be held at the other end of the quad.

The use of two types of reporting mechanisms allows for documentation of incidents involving individual examinees, as well as incidents involving groups of students. It is the first type that deals most often with examinee misconduct. When completing irregularity reports, it is important to objectively document with sufficient detail the specifics of an event that may serve to somehow affect the outcome of an exam administration. As test administrators, it is not our responsibility to determine what the consequences may be for an examinee or other involved individuals.

Regardless of the nature of the report, it should be completed as soon as possible after an event, include any witness attestation, and be forwarded to the recipient designated by the college test administrator. Both the time period for completion and the designated recipient should be clear to test staff and detailed in the test administration manual or on the form itself. Templates for report forms should also be included

in the manual (appendix G). One of the advantages of immediately supplying a completed report to the designated decision maker is that staff members and possibly other individuals such as the examinee or other students are more likely to recall important details if additional information needs to be collected.

There may be occasions in which test center staff are not enthusiastic about submitting reports in a timely fashion. Staff may ask why such a report needs to be completed at all. Some may protest that most of their time is already spent administering exams, and performing multitude associated duties, and, as long as the examinee is fine with the situation, why do others have to know about it? Some individuals may even resist documenting an incident that might implicate themselves as not following procedure.

These concerns again, shine the light on the need to provide staff with the resources necessary to follow procedures. That is, staff need to know what they are. They need to be clear and they need to be in one location – the test administration manual. When the availability of such resources is supplanted by an attitude of continuous improvement, constant training, and clear communication, the tendency for staff to avoid recording irregular incidents will not seem so reasonable.

Unambiguous Agreements: Laying Out Violations and Consequences

Common sense, behavior management theory, and exemplary educational practice indicate that unambiguous expectations are required when requesting certain behavior. Since one of the main duties of test center staff is to protect exams by making sure that examinees do not engage in certain activities, it makes sense to describe to examinees, at the earliest opportunity, what activities they may not engage in. Such expectations should be written for understanding and contain little or no jargon. Examinees should also have the benefit of a clear description of the consequences for engaging in one of the described prohibited behaviors.

Unfortunately, it is often true that neither students nor staff have a clear understanding of what constitutes breaking the rules and what the penalties may be. In some cases, rules are not posted in test centers or otherwise publicized. Often they only exist as blocks of jargon-loaded text that examinees glance at briefly upon sign in. Sometimes exam security rules and consequences are presented to examinees on a computer monitor, a mode of presentation that encourages the examinee to quickly click “I accept” without reading the content because the act of accepting is so clearly the last requirement for the exam to launch.

Instead, test center rules and consequences should be laid out in accessible language. Examinees should have time to read the rules and consequences, ask questions, and be asked to engage in a concrete and meaningful action by which they indicate a conscious agreement to such terms. This should most likely occur in the form of a signature, rather than a click of the button. Collection of signatures is also beneficial because it allows us to collect proof of identity simultaneous with proof of agreement.

Test center staff will also benefit if the action of acquiring examinee agreement to test center terms is carried out in such an explicit fashion. For example, there will be little room for argument about questions such as whether an examinee knew that her cell phone was not allowed in the test room. Proof enough to refute such an argument would be in the form of the examinee’s signature, eliminating the need for a staff member and student to engage in an unfortunate battle of memories.

The consequences that may be applied at any given institution may vary as much as institutional codes of conduct. Where such codes exist and can be described clearly in such agreements, they should be included. Reference can also be made to state rule and statute and possibly even pertinent federal law (appendices A and B).

Ethics and Due Diligence

Throughout this paper, we have used the concept of due diligence. The test administration manual can be the centerpiece of the Florida college test administrator's strategy for due diligence and exam ethics.

By documenting test administration and security policy, procedure, and key rationale, test administrators protect themselves and their institutions from challenges and other negative actions posed by examinees, vendors, or bodies of oversight. Maintenance of a cohesive and useful test administration manual helps test staff administer exams with confidence and guides them in nonstandard administrations. Properly recorded documentation allows for the imposition of penalties on examinees who engage in prohibited behavior. Due diligence, then, protects us from penalty and justifies imposition of reasonable consequences for those who threaten exam security.

We challenge the reader to see due diligence from a perspective broader than that which is concerned with protection from or imposition of penalty. Everyday diligence for the Florida college test administrator involves continuous, prudent effort to do the right thing for students seen and unseen. The act of making procedural tools available to test staff is not merely an exercise in bureaucracy because without those tools, the people who administer exams can't do the right thing by our students. They can't give exams in a standard, secure way to all students. Simply stated, a good administration manual helps us be fair to students.

Dot McGinnes, Coordinator of Assessment (retired) at Santa Fe College, is currently employed as part-time Admissions Advisor at Santa Fe College. Dot has over 35 years of experience in the community college system including 20 years in testing and she is an emeritus member of the Florida Association of College Test Administrators. She also serves as a consultant, presenter, and trainer for The College Board's ACCUPLACER program. Dot earned a bachelor's degree from St. Leo University as a non-traditional student while working full time.

Barbara Rodriguez, Director of Testing at Miami Dade College, North Campus. She has served in this role since August 2009. Prior to her current position, she served as full-time English faculty, Department Chairperson, and Curriculum Dean at Central Carolina Community College in Sanford, North Carolina. She currently teaches freshman composition as an adjunct, serves as the Lead Testing Director for the eight Miami Dade College campuses, and is an active member of the Florida Association of College Test Administrators serving on the membership Committee.

Silvio Rodriguez, Director of Test Administration and Program Evaluation in the Office of Institutional Research for Miami Dade College. He is the College's Institutional Test Administrator since 2000, co-chairs the College's Academic and Student Support Council – Research and Testing Committee, has 21 years of standardized testing experience including Miami Dade College – Medical Center Campus Director of Testing, and is past Co-President of the Florida Association of College Test Administrators.

Travis Spaulding, Director of Assessment, Testing, and Student Advocacy at Seminole State College, has 25 years of community college and university administrative experience in student development, inclusive of articulation, assessment and testing, student advocacy, registrar, student records, admissions, academic advising and guidance. Dr. Spaulding earned his Ph.D., majoring in biology, and teaches biology at Seminole State as adjunct instructor; and is also in charge of the production of the College Catalog. He is an active member of the Florida Association of College Test Administrators serving on the FACTA Council and is committee chair for Public Relations.

Janet Ullman, Director of Testing Services at Florida Gulf Coast University (FGCU) earned a Bachelor's degree in Psychology and Masters in Mental Health Counseling from the University of South Florida. She has been Director of Testing since 1997, having spent 2 years establishing the Testing Center from 1995-1997. Prior to FGCU, she was on staff at the University of South Florida for 13 years. She is an active member of the Florida Association of College Test Administrators serving on the FACTA Council; By-Laws Committee; and Assessment Committee. She currently serves on the FGCU ADA Committee; and is a presenter throughout the year at Test Anxiety workshops.

Alisha Vitale, Coordinator of Collegewide Testing at St. Petersburg College, has almost 10 years of experience in standardized exam program management and administration. She spent seven years in a coordinating capacity with the Florida Teacher Certification Examination program at the University of South Florida. She has also worked for the private sector in exam security and the development and management of certification examination programs. She is 2011 Florida Association of College Test Administrators Membership Committee Chair and serves on the FACTA Council.

Gay Withers, Coordinator of Collegewide Testing at Brevard Community College, is responsible for standardized test administration for the institution. She has been responsible for standardized testing since 2000 and she is a council member and co-chairperson of the Florida Association of College Test Administrators By-Laws Committee. She previously worked for the college as a Student Advisor and coordinated a summer enrichment camp for school age children.

Appendices

Appendix A: Florida Statute, Rule, and Penalty

Florida Test Security Statute

The following Florida Statute information provided by Online Sunshine, the Official Internet Site of the Florida Legislature was accessed at <http://www.leg.state.fl.us> on January 18th, 2011.

1008.24 Test Security

(1) It is unlawful for anyone knowingly and willingly to violate test security rules adopted by the State Board of Education for mandatory tests administered by or through the State Board of Education to students, educators, or applicants for certification or administered by school districts pursuant to s. 1008.22, or, with respect to any such tests, knowingly and willfully to:

- (a) Give examinees access to test questions prior to testing;
- (b) Copy, reproduce, or use in any manner inconsistent with test security rules all or any portion of any secure test booklet;
- (c) Coach examinees during testing or to alter or interfere with examinees' responses in any way;
- (d) Make answer keys available to examinees;
- (e) Fail to follow security rules for distribution and return of secure test materials as directed, or fail to account for all secure test materials before, during, and after testing;
- (f) Fail to follow security rules for distribution and return of secure test materials as directed, or fail to account for all secure test materials before, during, and after testing;
- (g) Fail to follow test administration directions specified in the test administration manuals; or
- (h) Participate in, direct, aid, counsel, assist in, or encourage any of the acts prohibited in this section.

(2) Any person who violates this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(3) (a) A district superintendent of schools, a president of a community college, a president of a university, or a president of a private postsecondary institution shall cooperate with the commission of Education in any investigation concerning the administration of a test administered pursuant to state statute or rule.

(b) The identity of a school or postsecondary educational institution, the personally identifiable information of any personnel of any school district or postsecondary educational institution, or any specific actions of misconduct obtained or reported pursuant to an investigation conducted by the Department of Education of a testing impropriety are confidential and exempt from the provisions of s. 119.07(a) and s. 24(a), Art. I of the State Constitution until the conclusion of the investigation or until such time as the investigation ceases to be active. For the purpose of this paragraph, an investigation shall be deemed concluded upon a finding that no impropriety has occurred, upon the conclusion of any resulting preliminary investigation pursuant to s. 1012.796, upon completion of any resulting investigation by a law enforcement agency, or upon the referral of the matter to an employer who has the authority to take disciplinary action

against an individual who is suspected of a testing impropriety. For the purpose of this paragraph, an investigation shall be considered active so long as it is ongoing and there is a reasonable, good faith anticipation that an administrative finding will be made in the foreseeable future. The paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2014, unless reviewed and saved from repeal through reenactment by the Legislature.

Rule 6A-10.042, FAC Maintenance of Test Security

The following Florida Rule information provided by Florida Department of State: State Library and Archives of Florida was accessed at <https://www.flrules.org/gateway> on January 18th, 2011.

- (1) Test implemented in accordance with the requirements of Sections 229.053(2)(D), 229.57, 231.087, 231.0861(3), 231.17, 233.011, 39.301(10), 240.107(8), and 240.117, Florida Statutes, shall be maintained and administered in a secure manner such that the integrity of the test shall be preserved.
 - a. Test questions shall be preserved in a secure manner by individuals who are developing and validating test. Such individuals shall not reveal in any manner, verbally or in writing, the test questions under development.
 - b. Tests or individual test questions shall not be revealed, copied, or otherwise reproduced by persons who are involved in the administration, proctoring, or scoring of any test.
 - c. Examinees shall not be assisted in answering test questions by any means by persons administering or proctoring the administration of any test.
 - d. Examinees' answers to questions shall not be interfered with in any way by persons administering, proctoring, or scoring the examinations.
 - e. Examinees shall not be given answer keys by any person.
 - f. Persons who are involved in administering or proctoring the tests or persons who teach or otherwise prepare examinees for the tests shall not participate in, direct, aid, counsel, assist in, or encourage any activity which could result in the inaccurate measurement or reporting of the examinee's achievement.
 - g. Each person who has access to tests or test questions during the development, printing, administration, or scoring of the test shall be informed of specifications for maintaining test security, the provisions in statute and rule governing test security, and a description of penalties for breaches of test security.
 - h. During each test administration, school district and institutional test administration coordinators and contractors employing test administrators and proctors shall ensure that required test procedures are being followed at all test administration sites. Officials from the Department are authorized to conduct unannounced observations of test administration procedures at any test administration site to ensure that test procedures are being correctly followed.
- (2) Test materials, including all test booklets and other materials containing secure test questions, answer keys and student responses, shall be kept secure and precisely accounted for in accordance with the procedures specified in the examination program administration manuals and other communications provided by the Department. Such procedures shall include but are not limited to the following:
 - a. All test materials shall be kept in secure, locked storage prior to and after administration of any test.

- b. All test materials shall be precisely accounted for and written documentation kept by test administrators and proctors for each point at which test materials are distributed and returned.
 - c. Any discrepancies noted in the number or serial number of test materials received from contractors shall be reported to the Department by designated institutional or school district personnel prior to the administration of the test.
 - d. In the event that test materials are determined to be missing while in the possession of an institution or school district, designated or school district personnel shall investigate the cause of the discrepancy and provide the Department with a report of the investigation within thirty (30) calendar days of the initiation of the investigation. At a minimum, the report shall include the nature of the situation, the time and place of occurrence, and the names of persons involved in or witness to the occurrence. Officials from the Department are authorized to conduct additional investigations.
 - e. In those cases where the responsibility for secure destruction of certain test materials is assigned by the Department to designated institutional or school district personnel, the responsible institutional or school district representative shall certify in writing that such destruction was accomplished in a secure manner.
 - f. In those cases where test materials are permitted by the Department to be maintained in an institution or school district, the test materials shall be maintained in a secure manner as specified in the instructions provided by the Department.
- (3) In those situations where an employee of the educational institution, school district, or contractor, or an employee of the Department suspects a student of cheating on a test or suspects other violations of the provisions of this rule, a report shall be made to the Department or test support contractor, as specified in the test administration procedures, within ten (10) calendar days. The report shall include a description of the incident, the names of the persons involved in or witness to the incident, and other information as appropriate. Officials from the Department are authorized to conduct additional investigations.
- (4) Violations of test security provisions shall be subject to penalties provided in statute and State Board Rules.

Penalty

Persons violating test security requirements are guilty of a first-degree misdemeanor, punishable by a fine of not more than \$1,000.00 or imprisonment for not more than 90 days, or both.

Appendix B: Federal Trade Secret Law and Penalties

The following United States Code information provided by United States Office of the Law Revision Counsel was accessed at <http://uscode.house.gov> on January 18th, 2011.

1832. Theft of Trade Secrets

(a) Whoever, with the intent to convert a trade secret, that is related to or included in a product that is produced for or placed in interstate or foreign commerce, to the economic benefit of anyone other than the owner thereof, and intending or knowing that the offense will injure any owner of the trade secret, knowingly –

(1) steals, or without authorization appropriates, takes, carries away, or conceals, or by fraud, artifice, or deception obtains such information;

(2) without authorization copies, duplicates, sketches, draws, photographs, downloads, uploads, alters, destroys, photocopies, replicates, transmits, delivers, sends, mails, communicates, or conveys such information;

(3) receives, buys, or possesses such information, knowing the same to have been stolen or appropriated, obtained, or converted without authorization;

(4) attempts to commit any offense described in paragraphs (1) through (3); or

(5) conspires with one or more other persons to commit any offense described in paragraphs (1) through (3), and one or more of such persons do any act to effect the subject of the conspiracy, shall, except as provided in subsection (b), be fined under this title or imprisoned not more than 10 years, or both.

(b) Any organization that commits any offense described in subsection (a) shall be fined not more than \$5,000,000.00

Appendix C: Family Educational Rights and Privacy Act (FERPA)

The following FERPA information provided by the Family Policy and Compliance Office was accessed from <http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html> on December 14th, 2010.

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

- Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
 - School officials with legitimate educational interest;
 - Other schools to which a student is transferring;
 - Specified officials for audit or evaluation purposes;
 - Appropriate parties in connection with financial aid to a student;
 - Organizations conducting certain studies for or on behalf of the school;
 - Accrediting organizations;
 - To comply with a judicial order or lawfully issued subpoena;
 - Appropriate officials in cases of health and safety emergencies; and
 - State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

For additional information, you may call 1-800-USA-LEARN (1-800-872-5327) (voice). Individuals who use TDD may call 1-800-437-0833.

Or you may contact us at the following address:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-8520

Appendix D: Sample Proctor Agreement

Proctor Agreement

I, _____, have read, understand, and agree to administer examinations according to the policies laid out in the Examination Administration Manual.

I accept responsibility for administering all standardized examinations in a way that protects exam security. I will do this by following the manual guidelines with special attention to those things I must do to protect examinations such as:

- Checking and verifying the examinee's identification.
- Making sure that every examinee reads, understands, and signs an examinee attestation.
- Ensuring that unauthorized individuals do not enter the test room. This includes individuals whose identity cannot be adequately confirmed or who do not sign the examinee attestation form.
- Prohibiting all unauthorized materials or devices from the test room and providing a storage area outside of the test room for student use.
- Monitoring examinees while they are in the test room.
- Protecting confidential information, such as proctor passwords, examinee personal information, exam contents, from being disclosed to any unauthorized person both during and after my employment at this institution.
- Completing and forward irregularity reports for irregular incidents.

I understand that by failing to perform the above responsibilities, I may be subject to punishment as specified in this institution's Code of Conduct, and state law. This may include action related to my employment at this institution or misdemeanor charges, punishable by a fine of not more than \$1,000.00, imprisonment for not more than 90 days, or both.

Signature: _____ Date: _____

Appendix E: Sample Test Staff Agreement

Test Staff Agreement

I, _____, have read, understand, and agree to perform my testing related duties in a way that protects all confidential information related to students and exams. I will do this by:

- Protecting confidential information, such as proctor passwords, examinee personal information, exam contents from being disclosed in any form to any unauthorized person both during and after my employment at this institution.
- Not removing materials containing confidential information from the test environment unless authorized to do so by my supervisor.
- Returning all materials containing confidential information or any information not commonly known outside of the test environment to my supervisor upon reassignment or termination of test employment.

I understand that by failing to perform the above responsibilities, I may be subject to punishment as specified in this institution's Code of Conduct, and state law. This may include action related to my employment at this institution or misdemeanor charges, punishable by a fine of not more than \$1,000.00, imprisonment for not more than 90 days, or both.

Signature: _____ Date: _____

Appendix F: Sample Examinee Agreement

Examinee Agreement

I, _____, have read, understand, and agree to the following guidelines before, during, and after taking a test administered by the test center. I will not:

1. Give or receive assistance from other examinees.
2. Submit another person's work as my own.
3. Try to take a test for another person.
4. Work on or read the test during a time not authorized by the test staff.
5. Try to take any test information out of the test center.
6. Have or use books, notes, calculators, electronic communication devices, recording devices, or any other aids unless specifically authorized.
7. Present myself as another person, forge a signature, give false identification, or give false information on any official academic document.
8. Reproduce or circulate test questions or answers.
9. Try to obtain advance access to test questions or answers.
10. Disturb other examinees.
11. Try to obtain test questions or answers from a staff member.
12. Try to take scratch paper or notes out of the test room.
13. Try to tamper with the computer.
14. Disobey test staff directions.
15. Try to communicate with another examinee in the test room with gestures or signals.
16. Bring food or drink in to the test room.
17. Disobey any other test center rule presented to me.

I understand that should I do any of the above, I may be subject to punishment as specified in this institution's Code of Conduct, and state law. This may include disqualification of exam scores, revocation of future test center use, academic suspension, or academic expulsion, or misdemeanor charges, punishable by a fine of not more than \$1,000.00, imprisonment for not more than 90 days, or both.

Signature: _____ Date: _____

Appendix G: Sample Irregularity Report Forms

Individual Irregularity Report Form

This form is to be completed by a test staff member. It is for test center irregularities or instances of misconduct in which one individual was involved. Complete this form for any group irregularity and provide a copy to the designated Institutional Test Administrator within one business day.

Date:	Test or subtest:
Time began:	Time ended:
Examinee name and ID number:	

Check all that apply:

<input type="checkbox"/>	Problem with ID.
<input type="checkbox"/>	Impersonation.
<input type="checkbox"/>	Late arrival.
<input type="checkbox"/>	Test environment complaint, i.e., noise, temperature, etc.
<input type="checkbox"/>	Defective test materials.
<input type="checkbox"/>	Complaint about test item.
<input type="checkbox"/>	Possession of weapon.
<input type="checkbox"/>	Behavior caused disturbance.
<input type="checkbox"/>	Examinee attempt to give or receive assistance, copy answers, or otherwise cheat.
<input type="checkbox"/>	Illness.
<input type="checkbox"/>	Examinee did not complete test.
<input type="checkbox"/>	Examinee worked past time call.
<input type="checkbox"/>	Possession of unauthorized material or device.
<input type="checkbox"/>	Attempted removal of materials or test information from test room.
<input type="checkbox"/>	Other (describe):

Briefly describe incident:

Check actions taken:

<input type="checkbox"/>	Examinee warned.	<input type="checkbox"/>	Referred to the following person:
<input type="checkbox"/>	Continued testing.	<input type="checkbox"/>	Entry denied.
<input type="checkbox"/>	Test center dismissal.	<input type="checkbox"/>	No action required.
<input type="checkbox"/>	Seat changed.	<input type="checkbox"/>	Other:

One or more additional witnesses are required for incidents involving examinee misconduct. Provide information below about additional witnesses.

Name:	Location/Department:
Phone:	Email:
Signature:	Date:

Name:	Location/Department:
Phone:	Email:
Signature:	Date:

Report completed by:

Name:	Location/Department:
Phone:	Email:
Signature:	Date:

Group Irregularity Report Form

This form is to be completed by test staff. It is for test center irregularities in which more than one person was affected. Complete this form for any group irregularity and provide a copy to the designated Institutional Test Administrator within one business day.

Date:	Test or subtest if applicable:
Time began:	Time ended:
Examinee names and ID numbers:	

Check all that apply:

<input type="checkbox"/>	Noise.
<input type="checkbox"/>	Temperature.
<input type="checkbox"/>	Lighting.
<input type="checkbox"/>	Electrical.
<input type="checkbox"/>	Technological.
<input type="checkbox"/>	Timing.
<input type="checkbox"/>	Seating or furniture.
<input type="checkbox"/>	Location change.
<input type="checkbox"/>	Behavioral issue.
<input type="checkbox"/>	Test material.
<input type="checkbox"/>	Weather.
<input type="checkbox"/>	Other:

Briefly describe the incident:

Describe the action taken:

Report completed by:

Name:	Location/Department:
Phone:	Email:
Signature:	Date: