

Reporting Test Security Violations

All suspected test security violations as defined in S.C. Code Ann. §59-1-445 (2004) or 2 S.C. Code Ann. Regs. 43-100 (2011) must be reported to the South Carolina Department of Education (SCDE).

The District Test Coordinator (DTC) and School Test Coordinator (STC) are responsible for conducting a comprehensive investigation of each allegation. The DTC must prepare and submit to the SCDE all required documentation.

Following an internal SCDE review of the submitted documentation, and considering the gravity of the alleged violation, the SCDE will take one of three actions:

1. the incident will not be reported to the South Carolina Law Enforcement Division (SLED);
2. the incident will be reported to SLED for information; or
3. the incident will be reported to SLED for investigation.

As appropriate, the DTC and/or the Superintendent will receive an e-mail or a letter indicating which of these actions is being pursued by the Office of Assessment.

Reports may serve as a basis for initiating invalidation of test scores or other actions by the Certification Review Committee and/or the State Board of Education.

Required Documentation

The following documents must be completed and submitted to Kathryn Rhodes in the Office of Assessment.

1. **Test Security Violation (TSV) Action Form**—DTCs must complete this form with Adobe Reader or Acrobat and submit via secure fax (803-734-8886) to Kathryn Rhodes or encrypt the completed form and send via e-mail to KRhodes@ed.sc.gov. Do not send unencrypted TSV forms or documentation via e-mail. A PDF file may be downloaded from the Office of Assessment Test Security Web page at: <http://ed.sc.gov/agency/ac/Assessment/TestSecurity.cfm>. Click on the Test Security Violation Action Form link.

The Action Form must include all of the requested information including the identification of the person who allegedly committed the violation and their certificate number. Indicate the law that is violated, if applicable. See S.C. Code Ann. § 59-1-445—located in the “Test Security” section of the *Test Administration Manual (TAM)* for each assessment program and posted under “South Carolina Test Security Law” on the Test Security Web page—for the appropriate letters (a–f) to use for Legislative Violation(s).

Also indicate the regulation(s) violated, using the exact wording of the violation(s) as stated in 2 S.C. Code Ann. Regs. 43-100 (2011), found in the *TAM* for each assessment program and posted under “State Board Test Security Regulations” on the Test Security Web page. For example, if a teacher assisted a student on the test, the following should be typed on the Action Form for Regulation Violation(s): “H. Coaching examinees, altering examinee responses, or interfering with examinee responses in any way prior to, during, or after testing.”

The Description of Violation section of the Action Form should provide a concise summary of the incident. The summary should include the basic elements of “who, what, where, when, and how” the violation occurred. This section does not replace an overall summary written by the DTC (see supporting documentation).

2. **Supporting Documentation**—This information would include all of the following items:
- a. written statements from all adults involved in the incident,
 - b. summaries of any interviews with students,
 - c. IEP team meeting minutes with an indication of their recommendations, if applicable, and
 - d. a summary written by the DTC, highlighting all applicable information and indicating actions, if appropriate, taken by the DTC or the district office.

The supporting documentation can be encrypted and sent to Kathryn Rhodes via e-mail (KRhodes@ed.sc.gov), Do not send unencrypted supporting documentation via e-mail. Supporting documentation may also be sent by secure fax (803-734-8886), or postal mail (South Carolina Department of Education, Office of Assessment, 1429 Senate Street, Suite 210-A, Columbia, SC 29201).

How to Conduct an Investigation and Document the Information

The following paragraphs outline more specific information about how to conduct an investigation and how to document the information included in the test security violation report.

- A. If a test security violation is observed within a school, the individual(s) observing the incident must notify the School Test Coordinator (STC) or the District Test Coordinator (DTC) as soon as possible. The STC must notify the DTC immediately regarding the violation. The DTC must notify the appropriate Office of Assessment program manager.
- B. The DTC and the STC are responsible for conducting a comprehensive investigation to reconstruct what occurred to cause the alleged violation. The investigation should capture information including the “who, what, where, when, and how” of the incident.
- C. The STC and/or the DTC should obtain a written statement of events (affidavit) from each adult involved in the situation, including the accused. Affidavits must be signed and dated in ink by the person making the statement. It is not necessary to have individual statements from students.
- D. As appropriate, the STC and DTC may need to interview some or all of the persons involved in each incident. All interviews should be conducted individually to elicit the most reliable information. Open-ended questions should be used during the interview process to obtain the most compelling evidence. In the case of student interviews, the STC should write a summary of the information learned from each student. It is not necessary to have the students provide a written statement.
- E. The DTC must write a summary of events. This summary should be in the form of a letter written to Kathryn Rhodes. If appropriate, the DTC may want to provide additional details regarding the incident such as action taken as a result of the investigation, if the district referred the violation to the South Carolina Law Enforcement Division, or any information that supports or refutes the credibility of any witness. The additional information regarding the incident may be attached to the Action Form.