

Final Rule
LSA Document #11-404(F)

DIGEST

Adds [511 IAC 5-5](#) to establish new test integrity procedures. Effective 30 days after filing with the Publisher.

[511 IAC 5-5](#)

SECTION 1. [511 IAC 5-5](#) IS ADDED TO READ AS FOLLOWS:

Rule 5. Test Integrity and Security Procedures

[511 IAC 5-5-1](#) Applicability

Authority: [IC 20-19-2-8](#); [IC 20-32-5-22](#)

Affected: [IC 20-31-4](#); [IC 20-31-11](#); [IC 20-32](#)

Sec. 1. This rule applies to the administration of the Indiana stateside *[sic]* testing for educational progress (ISTEP), Indiana modified achievement standards test (IMAST), and end-of-course assessments (ECAs) to protect the integrity and achieve the intended purposes of [IC 20-32](#).

(Indiana State Board of Education; [511 IAC 5-5-1](#); filed Feb 6, 2012, 3:02 p.m.: [20120307-IR-511110404FRA](#))

[511 IAC 5-5-2](#) Definitions

Authority: [IC 20-19-2-8](#); [IC 20-32-5-22](#)

Affected: [IC 20-31-4](#); [IC 20-31-11](#); [IC 20-32-5-1](#)

Sec. 2. The following definitions shall apply throughout this rule:

- (1) "Code of ethical practices and procedures" means the moral and principled practice of handling, training, and administering assessment materials that protects the security and overall integrity of systematic assessments as set forth in section 3 of this rule.
- (2) "Integrity breach" means any action that undermines the integrity and/or inhibits the effectiveness of the ISTEP from achieving the purposes set forth in [IC 20-32-5-1](#). An integrity breach includes, but is not limited to, any security breach, testing irregularity, testing administration breach, and violation of the code of ethical practices and procedures.
- (3) "Intellectual property right" means any applicable copyright or trademark that may be contained in test and test preparation materials.
- (4) "Security breach" means the failure to observe/follow the documented procedures established to protect, maintain, and implement the testing process, such as the code of ethical practices and procedures, testing security and integrity agreement, and procedures prescribed in the testing manuals by any person administering or assisting with the administration of a systematic assessment.
- (5) "Standard conditions" mean the prescribed procedures to be followed during the administration of a specific assessment as specified in the code of ethical practices and procedures and the ISTEP program manual.
- (6) "Testing administration breach" means the failure to follow the documented test administration procedures that could alter the results or testing environment of the assessment for one (1) or more students, including, but not limited to, timing an untimed test and not implementing required accommodations.
- (7) "Testing irregularity" means any unexpected event that significantly disrupts the testing environment of two (2) or more students, including, but not limited to, the sounding of the fire alarm or power outage.
- (8) "Testing security and integrity agreement" means the agreement required under [511 IAC 5-6-5](#) *[sic]*.

(Indiana State Board of Education; [511 IAC 5-5-2](#); filed Feb 6, 2012, 3:02 p.m.: [20120307-IR-511110404FRA](#))

[511 IAC 5-5-3](#) Code of ethical practices and procedures

Authority: [IC 20-19-2-8](#); [IC 20-32-5-22](#)

Affected: [IC 20-28-5-7](#); [IC 20-31-4](#); [IC 20-31-11](#); [IC 20-32-5-1](#); [IC 20-32-8](#)

Sec. 3. (a) The department shall develop and publish a code of ethical practices and procedures (code) that addresses special concerns regarding appropriate professional practices within the ISTEP, IMAST, and ECAs.

(b) The school shall provide a copy of the code to all school personnel who may be involved with any part of handling, coordinating, or administering ISTEP, IMAST, or ECA. School personnel shall review and be familiar with the procedures and activities described in the code.

(c) Failure to comply with the code, once established and published, may constitute evidence of an integrity breach.

(d) Any allegations of a breach of the code shall be reported immediately to the department according to the protocol established under section 4 of this rule.

(e) An integrity breach may result in an action under [IC 20-28-5-7](#) for the suspension or revocation of a license.

(f) The department shall have the authority to enforce intellectual property laws to ensure the integrity of the assessments.

(Indiana State Board of Education; [511 IAC 5-5-3](#); filed Feb 6, 2012, 3:02 p.m.: [20120307-IR-511110404FRA](#))

[511 IAC 5-5-4](#) Protocol for reporting and investigating alleged breaches or irregularities

Authority: [IC 20-19-2-8](#); [IC 20-32-5-22](#)

Affected: [IC 20-28-5-7](#); [IC 20-31-4](#); [IC 20-31-11](#); [IC 20-32](#)

Sec. 4. (a) The department shall develop and publish a protocol (protocol) for reporting and investigating alleged breaches or irregularities.

(b) Any allegations of cheating, security breach, testing administration breach, intellectual property right infringement, loss of materials, or other deviation from acceptable and ethical security and test integrity procedures shall be reported immediately to the department according to the protocol described in subsection (a).

(c) Failure to comply with the protocol described in subsection (a) may constitute evidence of an integrity breach.

(Indiana State Board of Education; [511 IAC 5-5-4](#); filed Feb 6, 2012, 3:02 p.m.: [20120307-IR-511110404FRA](#))

[511 IAC 5-5-5](#) Indiana testing security and integrity agreement

Authority: [IC 20-19-2-8](#); [IC 20-32-5-22](#)

Affected: [IC 20-31-4](#); [IC 20-31-11](#); [IC 20-32](#)

Sec. 5. (a) The department shall develop and publish an Indiana testing security and integrity agreement (testing integrity agreement).

(b) Any individual who administers, handles, or has access to secure test materials at the school or school corporation shall complete assessment training and sign a testing security and integrity agreement to remain on file in the appropriate building-level office each year.

(c) Each individual required to sign the testing integrity agreement under this rule shall sign the form by the date established and included on the testing integrity agreement.

(d) The school shall retain the form for a minimum of two (2) years from the date of signing.

(e) Failure to comply with the terms of the testing integrity agreement may constitute evidence of an integrity breach.

(Indiana State Board of Education; [511 IAC 5-5-5](#); filed Feb 6, 2012, 3:02 p.m.: [20120307-IR-511110404FRA](#))

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