

**2019 Edition  
School Administrator's Manual  
Regents Examinations**



**The University of the State of New York  
THE STATE EDUCATION DEPARTMENT  
Office of State Assessment  
Room 775 EBA  
Albany, New York 12234  
<http://www.p12.nysed.gov/assessment/>**

# THE UNIVERSITY OF THE STATE OF NEW YORK

## Regents of The University

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## FOREWORD

This publication is intended for use by school administrators and counselors. It provides general information on Regents Examinations as well as the specific requirements and procedures for requesting, administering, and rating these examinations.

The Office of State Assessment (OSA) has overall responsibility for the administration of Regents Examinations. All questions and comments concerning the administration of these examinations should be addressed to that office. Examples would include admission to examinations, scheduling of examinations, testing accommodations for English Language Learners/Multilingual Learners, and rating of papers.

The contact information for OSA is provided below.

Office of State Assessment  
Room 775 EBA  
New York State Education Department  
Albany, New York 12234  
518-474-5902  
[emscassessinfo@nysed.gov](mailto:emscassessinfo@nysed.gov)  
<http://www.p12.nysed.gov/assessment/>

# Contents

	Page
<b>Section One</b>	
<b>General Information</b>	
Purposes of the Examinations .....	1
Required Use of Examinations.....	1
State Testing Requirements for Graduation.....	1
Examination Centers .....	2
Subjects.....	2
Dates of Administration .....	2
Examinations Not Administered Due to Inclement Weather .....	3
Attendance Records.....	3
Admission Requirements .....	3
Credit by Examination .....	4
Testing Students Enrolled in Other Schools .....	4
Use of Alternative Assessments .....	4
<b>Section Two</b>	
<b>Requesting and Administering Regents Examinations</b>	
Informational Materials .....	5
Obtaining Examination Materials .....	5
Safeguarding Examination Materials .....	7
Shipment and Emergency Supplies of Examination Materials .....	8
Preparations for Testing.....	10
Conducting the Examinations .....	12
Reporting Testing Misconduct and Irregularities to the Department.....	17
Administering Examinations to English Language Learners/Multilingual Learners .....	18
Administering Examinations to Students with Disabilities.....	19
Restricted Examinations.....	21
<b>Section Three</b>	
<b>Rating Examination Papers, Recording Scores, and Providing Academic Intervention Services</b>	
Rating Examination Papers.....	23
Passing Scores .....	25
Recording Examination Scores.....	26
Individual Student Results.....	26
Retention of Answer Papers .....	26
Required Academic Intervention Services .....	26

**Section Four****Returning Test Materials to the Department**

Teacher Evaluation Forms .....	28
Examination Scoring Certificate .....	28
Deputy and Proctor Certificate .....	28
Examination Storage Certificate.....	28
Materials Returned to the Department in Regents Boxes.....	28

**Section Five****Review of Examination Papers**

Local Review .....	30
Department Review of State Examinations.....	30

**Section Six****Awarding of Credit and Issuance of Regents Diplomas**

Awarding of Credit for Courses of Study.....	32
Students Not Enrolled in Courses of Study.....	32
Issuance of Regents Diplomas by Schools.....	32



## SECTION ONE GENERAL INFORMATION

### **Purposes of the Examinations**

Regents Examinations are achievement tests that are aligned with New York State's learning standards. Prepared by teacher examination committees and Department subject and testing specialists, Regents Examinations provide schools with a basis for evaluating the quality of instruction and learning that have taken place. They are used by school personnel to identify major learning goals, offering both teachers and students a guide to important understandings, skills, and concepts. The examinations also provide students, parents, counselors, administrators, college admissions officers, and employers with objective and easily understood achievement information for use in making sound educational and vocational decisions. Passing scores on the Regents Examinations in English, mathematics, science, and social studies satisfy the State testing requirements for a high school diploma.

### **Required Use of Examinations**

#### **Regents Examinations**

Section 3.35 of the Rules of the Board of Regents relating to apportionment provides, in part, that schools receiving State aid shall make general use of Regents Examinations in the senior high school grades. Nothing in this section, however, prohibits State aid to any school that administers approved alternative assessments in lieu of Regents Examinations. (See the listing of Department-approved [alternatives](#) available on the Department website.)

[Section 100.2\(e\) of the Regulations of the Commissioner of Education](#) requires public school districts to offer students attending their schools the opportunity to meet all of the requirements for and to receive a Regents diploma. Students shall have the opportunity to take Regents courses and Regents Examinations in Grades 9 through 12 and, when appropriate, in Grade 8.

Regents Examinations are designed to measure the achievement of students who have had instruction based on curriculum aligned with the commencement-level learning standards. Students are entitled to take Regents Examinations no earlier than their completion of high school-level coursework deemed appropriate by the school.

### **State Testing Requirements for Graduation**

[Section 100.5\(a\)\(5\) of the Regulations of the Commissioner of Education](#) requires that all public school students earn passing scores on State examinations in the areas of English, mathematics, science, and social studies, in order to obtain a high school diploma. Please visit the Office of Curriculum and Instruction's website for additional information regarding [requirements for obtaining a diploma](#).

General education students in public schools who first entered Grade 9 in September 1999 and thereafter must earn passing scores on certain Regents Examinations.

Information regarding passing scores on Regents Examinations, multiple pathways and other options for earning a diploma, and challenging for credit can be found on the websites listed in Section Three of this manual.

*Lower Passing Score on Regents Examinations for a Local Diploma for Students with Disabilities.* Students with disabilities are required to take the same Regents Examinations as general education students. However, students with disabilities who first entered Grade 9 in September 2005 and thereafter may meet the examination requirements for a local diploma by earning a lower passing score on the Regents Examinations required for high school graduation. In addition, in October 2012, the Board of Regents approved an amendment to Section 100.5 of the Regulations of the Commissioner of Education

to provide a compensatory option to students with disabilities to graduate with a local diploma. For additional information on the compensatory option, please refer to the memorandum [“Amendment to Section 100.5 of the Regulations of the Commissioner of Education Relating to the Safety Net for Students with Disabilities to Graduate with a Local High School Diploma.”](#)

*Transfer Students.* Students transferring into New York State schools must satisfy the State testing requirements in English, mathematics, and United States history and government. Depending on the grade to which the student is assigned upon such entry, the passing of a Regents Examination in global history and geography and a Regents Examination in science may also be required to earn a high school diploma. [Section 100.5\(d\)\(5\) of the Regulations of the Commissioner of Education](#) may be found on the Department’s website.

## **Examination Centers**

Regents Examinations may be administered only at official test centers within New York State. The official test centers include all registered secondary schools and other educational institutions that have been given specific approval to administer secondary-level State examinations. Pursuant to Section 102.3 of the Regulations of the Commissioner of Education, the school principal or chief administrative officer of the examination center is responsible for the school’s compliance with all regulations and Department policies governing the administration of these examinations.

## **Subjects**

For the 2018-19 school year, the Department offers the following secondary-level Regents Examinations:

### **English**

English Language Arts

### **Mathematics**

Algebra I

Geometry

Algebra II

### **Science**

Living Environment

Physical Setting/Chemistry

Physical Setting/Earth Science

Physical Setting/Physics

### **Social Studies**

Transition Examination in Global History and Geography - Grade 10

Global History and Geography II (New Framework) [first administration, June 2019]

United States History and Government

## **Dates of Administration**

The Department provides schools with examination schedules for the school year. Regents Examinations in all subjects listed above are offered each year in January and June, while a limited number of Regents Examinations are offered each August.

In general, the examination periods are scheduled in accordance with the following principles:

1. **January.** This Regents Examination period is scheduled to occur during one of the last full weeks in January.



2. **June.** This Regents Examination period is scheduled to provide at least two, but no more than six, weekdays in the period that begins the day after the Regents Examination period and ends the last day of June.
3. **August.** This Regents Examination period is scheduled to follow a summer school session of approximately 30 days.

Announcements concerning the [dates and schedules](#) for future Regents Examination periods are available on the Department's website.

## Examinations Not Administered Due to Inclement Weather

During the January Regents Examination period, superintendents must follow normal procedures in determining whether school should be closed due to inclement weather. Schools may not administer State examinations when weather conditions are severe enough to warrant closing school and canceling normal bus transportation.

If a school is closed and unable to administer State examinations in January due to inclement weather, the superintendent, excepting those of Big Five City School Districts, must notify the BOCES district superintendent of the date(s) of closing and any examination(s) that were canceled.

## Rescheduling Examinations Due to Inclement Weather

When the school district reopens after a weather-related closure, each superintendent or principal in a district or school affected by closure must send to the Department via [e-mail](#) a description of the date(s) on which schools were closed due to inclement weather, which January Regents Examinations had to be cancelled, the date(s) and time(s) when the district or school will administer the test(s), and a comprehensive plan to ensure the security of examinations and scoring materials during this period. Public schools should also notify their BOCES District Superintendent of their plan.

## Attendance Records

For purposes of meeting the 180-day requirement for calculation of State aid allocations, days within secondary-level State examinations period are counted. For June Regents Examination periods, this includes the Rating Day at the end of the examination period. For purposes of the minimum annual instructional-hour requirement, school districts may use the greater of the average number of instructional hours it ordinarily provides on non-examination days, or the amount of time provided for the tests.

Schools are permitted to excuse students in grades 7 through 12 who are not taking a Regents Examination, and who are located in the same building as students taking a Regents Examination, if their class schedules are disrupted by the Regents Examination schedule and if staff are needed to properly administer the examinations.

Schools are expected to continue regular instruction during the January and June Regents Examination periods to the fullest extent possible. The additional flexibility provided by the revised minimum instruction time requirements beginning with the 2018-19 school year may allow districts to dismiss other students and grade levels depending on the district's available hours. Districts may consult the State Aid Office at [180days@nysed.gov](mailto:180days@nysed.gov) for more information.

## Admission Requirements

In accordance with Section 8.2 of the Rules of the Board of Regents, all students who have completed the course of study leading to a Regents Examination have the right to be admitted to that examination. **Students may not be barred from an examination for disciplinary reasons or because their achievement in a subject is considered unsatisfactory.** In the case of a science Regents Examination, only students who have also met the laboratory requirement, which includes 1200 minutes of hands-on laboratory experience with satisfactory laboratory reports, may be admitted. (See also *Credit*

by Examination below.) Once a student qualifies, through completion of course of study, to take a Regents Examination, that student is eligible to retake that examination.

## **Credit by Examination**

In accordance with [Section 100.5\(d\)\(1\) of the Regulations of the Commissioner of Education](#), students who have not completed the generally expected units of study may be admitted to a Regents Examination for the purpose of demonstrating academic proficiency acquired through independent, out-of-school, or other study. Such students may be admitted to an examination only upon the determination by the superintendent of a public school district or the chief administrative officer of a religious or independent school, or his or her designee that, based on the student's past academic performance, the student will benefit academically by exercising this option. School administrators are expected to develop local criteria, consistent with Section 100.5(d), for determining which students may attempt to earn credit without completing the course of study. Up to 6½ units of credit may be earned in this manner.

Pursuant to Section 8.2(c) of the Rules of the Board of Regents, in the case of the science Regents Examinations, the student must meet the laboratory requirement before admission to the examination. With documentation, this requirement can be met through industrial and commercial experiences or by completing the necessary number of minutes of school laboratory exercises.

## **Testing Students Enrolled in Other Schools**

Students enrolled in a high school other than the school in which an examination is to be administered must provide the test site administrator with written permission from their home school principal. In addition, before a student from another school is admitted to a Regents Examination, the test site administrator must receive from the home school principal a scannable answer sheet for that student's use. The test site administrator must retain the written permission from the home school administrator for a minimum of one year from the date of testing.

The school administering the examination must require that students from other schools provide adequate prior notice and present satisfactory personal identification. The school may establish its own policy regarding charging nonresident students a reasonable fee to cover administrative and rating costs. The test site administrator is responsible for maintaining a record of the test results for all students taking State examinations at that test center, including those of students enrolled in other schools. Following scoring of the constructed-response questions, the test site administrator must return the student's scannable answer sheet to the home school. The home school is responsible for having the answer sheet scanned by its scanning center and for reporting the examination results to the State Education Department.

Schools must inform students when they sign up to take examinations at a school other than their home school that they may be required to use calculators provided by the school.

## **Use of Alternative Assessments**

In accordance with [Section 100.2\(f\) of the Regulations of the Commissioner of Education](#), the Department may authorize the use of alternative examinations in lieu of Regents Examinations. A list of the [assessments that have been approved](#) for use in lieu of Regents Examinations is available on the Department's website.

## SECTION TWO

### REQUESTING AND ADMINISTERING REGENTS EXAMINATIONS

#### Informational Materials

School principals will receive a minimum of two e-mails concerning the requesting and administering of Regents Examinations for each examination period. The first e-mail includes a memorandum that provides information on the procedures for requesting and storing the examinations. These materials are e-mailed well in advance of the January and June examination periods to all registered secondary schools and to other educational institutions that have been given specific approval to administer the Regents Examinations. The materials for requesting the August examinations are e-mailed to all secondary schools that, during the regular school year, have indicated a need for them through the online examination request system. Other schools wishing to request August examinations should notify the Office of State Assessment (OSA) by June 27 via [e-mail](#). Online requests for each Regents Examination period should be submitted by the date specified in the memorandum.

Approximately three weeks before each examination period, the second set of materials is e-mailed to school administrators. Included in this e-mail are two memoranda: the first provides information on the shipping and administration of the examinations and the return of examination materials to the Department; the second provides information on the format and content of the examinations.

#### Obtaining Examination Materials

##### General Requesting Procedures

Schools may request only the quantities of examination materials that are actually needed during an examination period. Except when restricted, copies of [past Regents Examinations](#) are available on the Department's website.

When requesting regular examination booklets, indicate the number of booklets needed plus no more than 5 percent to provide for unanticipated increases. Schools are **not** permitted to request examinations for other schools. The Department does not provide printed copies of the answer booklets for the essay questions for the English and social studies Regents Examinations, teachers' directions, or English or alternative-language editions of reference tables. [These materials](#) are available on the Department's website. Schools are responsible for printing sufficient quantities for student use during the examinations.

Except for those instances in which an examination is provided in restricted form (Physical Setting/Physics in January and some Braille editions), the Department does not provide printed copies of scoring keys and rating guides. For restricted examinations the Department will continue to send to schools, printed copies of scoring keys and rating guides. For all other examinations, these [scoring materials](#) will be made available on the Department's website. Posting time for the scoring materials for the January and June Regents Examinations will be approximately 11:00 a.m. for morning examinations and approximately 3:00 p.m. for afternoon examinations. Posting time for the scoring materials for the August Regents Examinations will be approximately 11:30 a.m. for morning examinations and approximately 3:30 p.m. for afternoon examinations.

Each scoring key and rating guide posted on the Department's website will be password protected. **Principals and/or their designees will need to access the [Online Examination Request System](#) to obtain the passwords required for the scoring materials each day that Regents Examinations are being administered.**

Access to the scoring materials posted for each examination will require [Adobe Reader](#)<sup>®</sup> 10 or higher. Schools should check and update, as necessary, the version of Adobe Reader available on school computers in order to avoid any difficulty accessing the scoring keys and rating guides posted on the days of the examinations.

## Examinations for Students with Visual Disabilities

Braille and large-type test booklets are available for all examinations and may be requested through the online examination request system. The braille and large-type test booklets requested will be included in the shipment of secure examination materials to the school. Only the exact number of copies required for the students actually taking each examination may be requested. Because of the time required for the production of braille and large-type examination booklets, the Department may not be able to fill requests for braille and large-type materials that are received after the deadline for submitting examination requests.

Sample copies of past examinations and reference tables in braille and large type may be borrowed from the New York State Resource Center for the Visually Impaired, 2A Richmond Avenue, Batavia, New York 14020 (phone 585-343-5384). To make this loan service possible, schools are required to return all braille materials and unused large-type examinations and reference tables to the Department in the Regents box after each examination period.

## Examinations for English Language Learners/Multilingual Learners (ELLs/MLLs)

English Language Learners/Multilingual Learners may take State examinations in mathematics, science, and social studies either in an alternative-language edition or in English, whichever is more appropriate to the student's reading skills. During the January and June examination periods, the Regents Examinations in Algebra I, United States History and Government, Global History and Geography, Living Environment, and Physical Setting/Earth Science are available in five languages other than English: Chinese (Traditional), Haitian Creole, Korean, Russian, and Spanish. During the August examination period, these Regents Examinations are available in Spanish translation only. During all three examination periods, only English language editions are provided for the Regents Examinations in Algebra II, English Language Arts, Geometry, Physical Setting/Chemistry, and Physical Setting/Physics.

The translated editions of Regents Examinations are direct translations of the English editions that will be administered during the same examination period, so students identified as ELLs/MLLs may be permitted to use both editions simultaneously.

## Restricted Forms of Examinations

Certain administrations of selected examinations may be provided only in restricted editions. For restricted editions, each test booklet is numbered and then shipped to the school and returned to the Department in a sealed envelope. Information concerning the examinations that will be available in restricted form is provided to school administrators on the examination schedule and in the memorandum that is sent to them regarding the procedures for requesting and storing State examinations.

Schools must request the exact number of test booklets for restricted editions since all copies, whether used or unused, must be returned to the Department. Request one booklet for each student to be tested. Also request one additional copy for each proctor who will be reading the test to a student with a disability in accordance with a student's Individualized Education Program (IEP) or Section 504 Accommodation Plan (504 Plan).

## Reference Materials

The Regents Examinations in Physical Setting/Chemistry, Physical Setting/Earth Science, and Physical Setting/Physics require the use of reference tables provided on the Department's website. Students taking these examinations may use no other reference materials.

These reference tables are separate publications. The Department does not provide printed copies of the regular or translated-edition reference tables. Schools are required to use the online versions of the reference tables to print sufficient copies to supply one *clean* copy to each student during the administration of the examination. Note that the Department will continue to provide schools with the braille and large-type editions of reference tables in the shipment of secure test materials.

The regular and translated-edition [reference tables](#) are available on the Department's website.

## Confirmation of Examination Requests

Within three business days after submitting an examination request, the school principal will receive an e-mail confirmation notice indicating the number of test booklets requested and the number of test booklets that will be shipped for each examination. The confirmation notice will also indicate the address of the storage location to which shipments of secure examination materials will be sent. The confirmation notice must be carefully checked against the school's record of examinations requested to ensure that the correct quantities of materials will be shipped.

## Safeguarding Examination Materials

Every principal requesting State examinations must provide any information or affirmations required on the online examination request system. *The principal's agreement to the security pledge on the first screen indicates understanding and agreement to comply with the examination security requirements described in this manual.*

Secure examination materials must be stored in locked Regents boxes, which must, in turn, be stored in a *Department-approved safe or walk-in vault* that meets all of the specifications listed below. Newly constructed vaults, existing vaults that have been modified, or newly purchased safes must be inspected by a Department representative and approved by the Department before secure materials may be stored in any such facility. Approval of such a storage facility is contingent upon its having met all of the criteria outlined below. If a school's safe or vault has not been approved, but the administrator believes that it meets the criteria outlined below, arrangements for an inspection may be made by faxing a written request on school letterhead signed by the principal to OSA at 518-474-1989. Once a school's safe or vault is approved by the Department, the principal will be notified and the secure storage location will be reflected on the School Information page of the online examination request system.

**WALK-IN VAULTS** must have all of the following:

- poured concrete floor
- no windows or access panels
- walls of reinforced cement block or concrete, sealed to a poured concrete floor below and structural floor or roof deck above
- metal door in a metal frame with interior or welded-pin hinges
- built-in dead-latch (deadbolt) with combination or key lock that allows exiting at all times

**SAFES** must meet or exceed Underwriters Laboratories (UL) TRTL-30 performance standards for burglary resistance, and must have:

- steel door at least 1½" thick
- steel walls at least 1" thick
- 750 lbs. minimum weight
- built-in combination lock
- capacity to store the Regents boxes for the school's largest examination request (minimum acceptable unobstructed inside dimensions of 11"Hx20"Wx27"D to store one Regents box)

Principals of schools that do not have either of the above-mentioned secure storage facilities must make arrangements to store the examination materials in a Department-approved safe or vault in another school, school district building, or BOCES building and complete the *Examination Storage Plan*. If these arrangements cannot be made, it is the responsibility of the principal to notify OSA.

Principals who need to amend their school's storage information must send a fax to 518-474-2021 or e-mail to [OSA](#) with the school name and address where the examinations are to be securely stored. This office will then request written verification of the storage arrangements from the person in charge of the proposed "host" storage location before secure examination materials can be shipped to that address.

Principals should review the "School Information" page on the online examination request system to determine whether the school must submit a new *Examination Storage Plan*. In providing the affirmations required on the online examination request system, principals are indicating their intent to continue with



the ongoing storage arrangement and reaffirming that the storage facility is in compliance with the safe and vault requirements specified in this manual. Principals who need to revise their storage plans must send a fax to OSA (518-474-2021) specifying the new location where the examinations will be stored. Examinations will be shipped only to school locations that have Department-approved storage facilities.

Approximately three weeks before the examinations are scheduled to be administered, principals will be notified by e-mail as to when the examination materials will be shipped to the schools. Shortly before the expected delivery date(s), principals must notify all personnel who may be expected to receive the examination shipment(s) that they will be delivered within the next few days and instruct them to contact the principal immediately upon receipt of the shipment(s).

After an examination shipment has been delivered, the locked Regents box(es) must immediately be placed in the Department-approved safe or vault. If, for any reason, the Regents box(es) containing secure examination materials cannot be stored in the safe or vault at that location, the school administrator must contact OSA by phone 518-474-8220 or [e-mail](#) immediately for assistance in arranging for the proper storage of the Regents box(es).

The padlock key(s) for the Regents box(es) should be kept in a secure location other than the safe or vault where the Regents box(es) are kept. The combination or key to the safe or vault must be maintained under strict security conditions to preclude access to the examination materials by students or other unauthorized persons. When the safe or vault where the Regents boxes are stored is unlocked, school personnel must keep it under continuous supervision. Also, the locked Regents box(es) must be visually checked daily by the person in charge of the administration of the examinations to ensure that they have not been tampered with and that the materials in them remain secure.

If the examination materials are stored in a building other than the school in which the examinations will be administered, the materials for both the morning and afternoon examinations of each day may be picked up from the storage location on the morning of that day. However, the materials may *not* be picked up from the storage location before the day on which that examination is scheduled to be administered. If the materials for both morning and afternoon sessions are picked up in the morning, the principal must ensure that the afternoon examination materials are stored in a secure location until needed for administration. This is particularly important when the morning and afternoon examinations are shipped in the same Regents box. Those afternoon examinations must be immediately separated and secured. Any packages containing secure materials must *not* be opened until the day that each examination is to be administered. Any packages containing scoring keys for morning examinations must not be opened prior to 10:00 a.m. (9:15 a.m. for August examinations) on the day of the examination. Any packages containing scoring keys for afternoon examinations must not be opened prior to 2:00 p.m. (1:15 p.m. for August examinations) on the day of the examination.

Department personnel will make random, unannounced visits to some schools after the examinations have been delivered in order to verify that the tests are being properly stored and that the packages containing examination booklets and scoring keys are not opened until the proper time on the day that each examination is to be administered. If a violation of examination storage procedures is found, all examination materials will immediately be removed from the school and transferred to a location designated by the Department representative. Further, the school will be required to store all examination materials at a location designated by the Department for a period of at least one year from the end of the examination period during which the violation occurred. In addition, the Department may cancel the school's privilege to administer examinations.

## **Shipment and Emergency Supplies of Examination Materials**

### **Shipment of Examination Materials**

Each school requesting examinations will receive one or more shipments of examination materials, depending on what was requested.

The nonsecure examination materials will be shipped in cardboard cartons and will arrive at schools approximately twenty days before the examination period is to begin and, depending upon the examination titles requested by the school, may include the following:

- Earth Science Performance Test materials
- Regents diplomas

The secure examination materials will be shipped in locked Regents boxes to the location designated in the online examination request system. School administrators may receive one shipment (Single Shipment) comprising the secure examination materials for the entire examination period, or multiple shipments (Daily Delivery) consisting of one shipment for each day of the examination period.

About three weeks prior to the delivery of the secure examination materials, school administrators will be informed via e-mail of the type of shipment that they will receive and the date(s) on which the shipment(s) are scheduled to arrive at schools. The padlock keys will be sent to principals by first-class mail or UPS and will arrive about two to four school days before the Regents boxes are to be delivered.

### **Checking Receipt of Examination Materials**

The principal is responsible for verifying that all of the materials requested by the school have been received. **All shipments must be inventoried as soon as possible after delivery to the school (or alternative approved storage location).** When checking the examination shipments, the principal should use the shipping notice included in the shipment, which indicates the quantity of each type of examination material that should have been included in the shipment. If the expected quantities of examination materials have not been received, contact the nearest regional center immediately to arrange to obtain the required materials. (See *Emergency Supplies of Examination Materials* listed next in this section.)

**Under no circumstances may the sealed packages of secure examination materials (test booklets, scoring keys, and rating guides) be opened while the inventory is being conducted.** The packages may *not* be opened until the day of the examination, and no earlier than is necessary to permit the distribution of materials prior to the scheduled starting time.

Upon completion of the inventory, all secure examination materials for each examination must be stored in the locked Regents box in a Department-approved safe or vault until the morning of the day of the test. OSA must be notified immediately by fax to 518-474-2021 or by [e-mail](#) if any packages of secure examination materials are not properly sealed. This office must be similarly notified if the school receives any secure examination materials over and above the quantities requested, taking into account the bundling factor used in packaging the examinations.

### **Emergency Supplies of Examination Materials**

In January, June, and August, emergency supplies of examination materials are available from regional centers throughout the State. The [list of the regional centers](#) is provided for schools on the Department's website prior to each examination period. Materials will be released from the regional centers *only* on the day of each examination. Secure materials for morning examinations will be released in the morning; secure materials for afternoon examinations will not be released until after 11:00 a.m. Scoring keys and rating guides for restricted examinations will not be released by regional centers until after the Uniform Statewide Admissions Deadlines, which are specified on page 12.

In order to obtain examination materials at a regional center, an individual must present a letter of authorization written on school letterhead and signed by the principal. The letter must identify the person picking up the materials and list the specific materials requested. Anyone obtaining examination materials must provide identification with a photograph and countersign the authorization letter before the examination materials will be released.

School personnel are forbidden to make or authorize photocopies of secure State examination booklets without the express written prior approval of OSA. Such approval will be considered only when it is not feasible for the school to obtain the secure examination materials from a regional center.

## Preparations for Testing

### General Information

Principals are responsible for ensuring that all proctors and school personnel authorized to have access to secure test materials comply with these requirements and instructions. Principals are to authorize specific personnel to serve as proctors and train them to properly administer tests and to designate other school personnel permitted to access secure test materials and train them in test security protocol.

### Instructions for Proctors

Specific instructions for administering each Regents Examination are provided in a separate publication, [Directions for Administering Regents Examinations](#). These materials are available on the Department's website. Principals should print enough copies to provide them to teachers who will be responsible for proctoring and/or scoring these examinations several days in advance of the Regents Examination period, so that they have sufficient time to familiarize themselves with their contents.

### Orientation of Proctors

The principal must appoint a chief proctor for each room in which an examination is administered and sufficient deputy proctors to maintain adequate supervision of students at all times. Appropriate proctors must be available at all times for supervision for restroom breaks.

Several days before the examination period, the specific directions for administering and scoring the examinations must be distributed to all school personnel who will be responsible for proctoring and/or scoring these examinations.

A proctor orientation session must be held before the beginning of each examination period, during which the principal or the principal's designee can disseminate any special administrative information concerning the examination period and ensure that the proctors are familiar with the administrative procedures for the examinations that they will be administering.

All proctors must enforce, in every particular, the Department's regulations for administering examinations. Each proctor must complete and sign the Deputy and Proctor Certificate to indicate that the rules and regulations for administering examinations were properly observed.

### Materials Provided by the School and by Students

The Department does not provide printed copies of the essay booklet for the Regents Examination in English Language Arts or the essay booklet for the Regents Examinations in social studies. These [booklets](#) are available on the Department's website. Schools must print enough copies to supply one to each student.

The Department does not provide printed copies of the regular and translated-edition reference tables. Schools are responsible for providing one clean copy of the regular and translated edition reference tables for the Regents Examination in Physical Setting/Earth Science and the regular edition reference tables for the Regents Examinations in Physical Setting/Chemistry and Physical Setting/Physics to each student taking these examinations. Note that the Department will continue to provide the large-type and braille editions of these reference tables to schools in the shipment of secure examination materials.

The school must provide scrap paper for student use for all Regents Examinations, except for the Regents Examinations in mathematics. (Students are not permitted to use scrap paper for Regents Examinations in mathematics, unless this is indicated as an accommodation on the student's IEP or 504 Plan.) Schools should also have a supply of coordinate graph paper available for students taking the Regents Examinations in mathematics who request it in order to change their work on graphs.

Students should be informed before the day of the examination that they are expected to provide their own pens, pencils, erasers, and rulers. Information concerning the use of calculators and reference materials by students is provided later in this section under the headings *Use of Calculators*, *Administering Examinations to English Language Learners/Multilingual Learners (ELLs/MLLs)*, and *Reference Materials for Examinations*.



Schools may permit students to use highlighters when taking State examinations. Proctors must monitor student use of highlighters to ensure that they are not being used by students to record their responses to questions that must be answered in pencil or pen and that the use of highlighters does not obscure students' responses to open-ended questions.

### **Preparation of the Examination Room**

The room in which State examinations are administered should be well lit, well ventilated, and quiet. Preparations must be made before the testing period to keep noise and other distractions to a minimum. A "Do Not Disturb" sign may be placed on the door, in order to prevent interruptions.

If examinations are to be administered in a classroom, the teacher using the room must be instructed to make sure that it has been properly prepared. Desks and any shelves underneath them must be clear of all books, papers, and other materials. Charts or maps on the walls and all board work pertinent to the subject being tested must be completely covered or removed.

Seating arrangements must be made in advance, so that each student will be clearly visible to the proctor at all times and so that there will be no opportunity for any communication between students.

### **Machine-Scorable Answer Sheets**

Schools are required to use uniform machine-scorable answer sheets developed by the Regional Information Centers (RICs) or large-city scanning center. Throughout the State, in consultation with the Department, schools must make the necessary arrangements to obtain machine-scorable answer sheets and scanning services for all Regents Examinations from a RIC or large-city scanning center.

The uniform answer sheets contain several grids with spaces for recording various types of student identification information. The school, with assistance from the RIC or large-city scanning center, must develop uniform written directions about the completion of these grids and provide these directions to all teachers administering the examinations. Such directions should be based on careful consideration of the student and score information needed, as well as on the processing requirements of the scoring center that the school is using. Schools must also develop directions to students on what writing implement to use and how to fill in the answer sheets. These directions must be provided to all proctors administering the examinations.

All answer sheets provided by RICs or large-city scanning centers should be scanned only once, in order to preserve answer sheet quality for audit purposes. If a school elects to scan its own answer sheets, it must use the uniform answer sheet provided by the regional scanning center and provide a data file to its scanning center in a format that is compatible with the center's data system. Scanning should occur within a timeframe that allows data to be submitted to the New York State Education Department (NYSED) via the Student Information Repository System (SIRS) by the specified due dates outlined in the SIRS data reporting [timeline](#).

### **Conflicts**

A student who is scheduled to take more than one examination during the same session may do so, provided that the principal is satisfied that exercising this option would not be detrimental to the student's academic interests. However, a student may not be allowed more time than the standard three hours for each Regents Examination solely because of an examination conflict.

Students must take each Regents Examination on the day that it is scheduled for administration. Students taking more than one examination during the same session should be sequestered in a separate location and must be kept under close school supervision. School officials must prevent the possibility of any communication between the examinee and students who either have already taken or will be taking the same examination(s) as the examinee. Arrangements must be made for supervised lunch and rest periods, and the Uniform Statewide Admission Deadlines must be strictly observed.

## Conducting the Examinations

### Time Regulations

The specific hours during which Regents Examinations must be administered are indicated on the examination schedules and may also be indicated on the examination booklets. During the regular school year, examinations are scheduled for 9:15 a.m. or for 1:15 p.m. In August, examinations are scheduled for 8:30 a.m. or for 12:30 p.m. To allow sufficient time for giving directions and distributing examination materials, students should be instructed to be in their seats at least 15 minutes before the time specified for starting each examination.

All Regents Examinations are scheduled for administration during a three-hour examination session and proctors must ordinarily conclude each examination exactly three hours after the actual starting time. Special arrangements must be made to allow additional time for eligible students. (See *Administering Examinations to ELLs/MLLs* and *Administering Examinations to Students with Disabilities*, found later in this section.)

At the discretion of the principals, schools may begin secondary-level examinations earlier than the specified time. *Regardless of the starting time, no student shall be permitted under any circumstances to hand in his or her test materials and leave the examination room before the Uniform Statewide Admission Deadlines.* Any student who leaves the examination room without permission before the Uniform Statewide Admission Deadlines listed below will have his or her test invalidated and no score will be entered. When examinations are administered off-site to eligible students, the proctor is still required to adhere to the Uniform Statewide Admission Deadlines.

#### Uniform Statewide Admission Deadlines

	Morning Examinations	Afternoon Examinations
January/June	10:00 a.m.	2:00 p.m.
August	9:15 a.m.	1:15 p.m.

All students who arrive at the examination room before the Uniform Statewide Admission Deadline must be admitted to the examination, even if the students arrive after the scheduled starting time. Students who arrive at the examination after the Uniform Statewide Admission Deadline, but who have been under the supervision of school personnel since the admission deadline, may be admitted to the examination only if the principal is certain that the students did not have an opportunity to exchange information with students who have already left the examination.

The purpose of the Uniform Statewide Admission Deadlines is to eliminate any possibility of the exchange of information between students at different examination centers. All school principals must strictly comply with these regulations. It is recommended that schools provide students and their parents with written notice of this policy in advance of the tests, to make sure that parents are fully aware of why students are not allowed to enter examination rooms after the Uniform Statewide Admission Deadlines have passed.

Latecomers for Regents Examinations are not generally entitled to have the closing time extended. However, if students started late because of extenuating circumstances beyond their control, the principal is permitted, but not required, to extend the closing time of the examination for these students. Further, when an examination is administered under special conditions to a student who is injured or ill or who has a disability, the time may be extended at the discretion of the principal to allow the student reasonable time to complete the examination. For more information on this topic, see *Administering Examinations to Students with Disabilities* later in this section.

### Use of Calculators

*Schools must ensure that each student has the appropriate type of calculator when taking one of the secondary-level Regents examinations specified on the following page.*

The memory of any student's calculator with programming capability must be cleared, reset, or disabled when the student enters the examination room. If the memory of a student's calculator is password-protected and cannot be cleared, the calculator must not be used. Any applications that have been added to graphing calculators must be removed. No students may use calculators that are capable of symbol manipulation or that can communicate with other calculators through infrared sensors or any other means, nor may students use operating manuals, instruction or formula cards, or other information concerning the operation of calculators during the examinations. Symbol manipulation calculators are calculators capable of doing symbolic algebra or symbolic calculus (for example, factoring, expanding, or simplifying given variable output).

*Mathematics Regents Examinations.* Students taking any Regents Examination in mathematics must have a graphing calculator without symbol manipulation.

*Science Regents Examinations.* For the Regents Examination in Living Environment, all students who wish to use a four-function or scientific calculator must have one available. All students taking the Regents Examinations in Physical Setting/Chemistry and Physical Setting/Earth Science must have a four-function or scientific calculator. Students are not permitted to use graphing calculators when taking the Living Environment, Physical Setting/Chemistry, or Physical Setting/Earth Science examinations. All students taking the Regents Examination in Physical Setting/Physics must have a scientific or a graphing calculator without symbol manipulation.

### **Performance Tests**

*Regents Examination in Physical Setting/Earth Science.* The Physical Setting/Earth Science examination includes a performance test that must be administered during the last two weeks of the course and no later than the day before the written examination. This performance test must be administered to each student in one continuous block of time in one day. Printed materials for the administration of the Earth Science Performance Test are shipped to schools approximately one month before the Regents Examination period. Teachers are expected to administer the performance test in compliance with all instructions provided in the teacher's directions.

*Students Repeating the Regents Examination in Physical Setting/Earth Science.* **Students retaking the written test of the Regents Examination in Physical Setting/Earth Science must also retake the performance test.** Only the performance test score earned by the student in the weeks immediately preceding the written examination may be used to determine the student's final examination score for the Regents Examination in Physical Setting/Earth Science.

### **Rules for Proctoring**

*Identification of Students.* Plans must be made before the administration of State examinations to verify the identity of each student entering the examination room, especially students who are not enrolled in the school in which they are taking examinations. Accurate records must be kept of the students who take each examination, so it will be possible to confirm the presence or absence of a student for each examination administered.

*Checking for Unauthorized Materials.* Students who are taking State examinations must be under close supervision at all times during the examination session. When students enter the examination room, all materials brought into the examination room must be inspected to make sure that the materials do not contain any unauthorized notes, electronic devices, or printed material that would give the user an unfair advantage. The materials that students are permitted to bring into the examination room are identified in this section of this manual under the heading *Materials Provided by the School and by Students*.

*Obtaining Information from or Giving Information to Other Students.* Students must not be permitted to obtain information from or give information to other students in any way during the examination. If, in the opinion of the proctor, such an attempt has occurred, the students should be warned that any further attempts will result in the termination of their examinations. If necessary, the students should be moved to another location. In order to allow for all possible outcomes of procedural due process, the student should be allowed to complete the examination. If the steps described above fail to end attempts to obtain or give information, the principal should be notified immediately, and the students' examinations

terminated. At the conclusion of the examination, all suspected acts of fraud must be reported to the principal. Pursuant to Section 102.4 of the Regulations of the Commissioner of Education, no score may be earned by a student who, in the judgment of the principal, has attempted to obtain aid from or give aid to another student or has otherwise committed fraud during an examination.

## Student Use of Communications Devices

All students are prohibited from bringing cell phones and certain other electronic devices, as defined in the script below, into a classroom or other location where a State examination is being administered. Test proctors, test monitors, and school officials shall retain the right to collect and hold any prohibited electronic devices prior to the start of the test administration. Admission to the test shall be denied to any student who is in possession of a cell phone or other prohibited electronic device and refuses to relinquish it. Possession of such a device will cause the student's examination to be invalidated.

**At the beginning of each test administration, proctors must read the following statement to all students taking Regents Examinations:**

You cannot have any communications device, including a cell phone, with you during this examination or during any breaks (such as a restroom visit). Such devices include, but are not limited to:

- Cell phones
- iPods or other MP3 players
- iPads, tablets, and other eReaders
- Personal laptops, notebooks, or any other computing devices
- Cameras, other photographic equipment, and scanning devices
- Wearable devices/smart wearables, including smart watches and health wearables with a display
- Headphones, headsets, or in-ear headphones such as earbuds, and
- Any other device capable of recording audio, photographic, or video content, or capable of viewing or playing back such content, or sending/receiving text, audio, or video messages

If you brought any of these items to the building today, and have not already stored it in your locker or turned it over to me, a test monitor, or school official, you must give it to me now. You may not keep your cell phone or any of these items with you, or near you, including in your pockets, backpack, desk, etc. If you keep a cell phone or any of these items with you, your examination will be invalidated and you will get no score. Is there anyone who needs to give me any of these items now?

[Proctor: repeat list of devices.]

This is your last opportunity to do so before the test begins.

For Principals and Proctors:

- a. Any student observed with any prohibited device while taking a State examination must be directed to turn it over to the proctor or monitor immediately. To allow for all possible outcomes of procedural due process, the student should be allowed to complete the examination. The incident must be reported promptly to the school principal. If the principal determines that the student had a prohibited device in his or her possession during the test administration, the student's test **must** be invalidated. No score may be calculated for that student.
- b. The incident must be promptly reported, in writing, to OSA by fax to 518-474-1989 or by [e-mail](#), as is the case for all student-related testing irregularities, misadministrations, or other violations of State testing policy and procedures.

**NOTE:** Some students with disabilities may use certain recording/playback devices **ONLY IF** this accommodation is specifically required as a provision of the student's IEP or 504 Plan. In addition, a student may be allowed to retain an otherwise prohibited device in his or her possession if there is documentation on file at the school from a medical practitioner that the student requires such a device during testing. Without such documentation, the general policy on communications devices as provided above is in effect, and the school may not allow the student to retain any such equipment while testing.

*Proctoring.* Proctors must circulate periodically around the room during the administration of each examination to ensure that students are recording their responses to examination questions in the proper manner and with the proper instrument. While circulating around the room, proctors should point out to students when they have left one or more answers blank or when they do not appear to be recording their answers in the proper place or appear to have provided more than one answer for a single multiple-choice question.

For Regents Examinations, no additional time, beyond three hours, may be provided to students to transfer answers from test booklets to answer sheets at the end of the test and no one other than the student may transfer answers marked in his or her test booklet to a multiple-choice answer sheet. This does not apply to students who have an IEP or 504 Plan that allows scribes to transfer answers from the test booklet to an answer sheet.

*Aid to Students.* No one, *under any circumstances*, may interpret or explain examination questions to any student, nor may anyone comment to a student on the correctness or sufficiency of the student's response while the examination is in progress. In response to inquiries by students concerning the meaning or interpretation of questions on State examinations, proctors may advise students only to use their own best judgment.

*Safeguarding the Integrity of the Test Materials.* Staff is not permitted to discuss test questions or other specific test content with others online via e-mail or LISTSERV, or through any other electronic means prior to or during the test administration period or until one week after the conclusion of the examination period. **Proctors may not use cell phones or other electronic devices to duplicate test materials, and should keep their own communication devices put away during testing, using them only in emergency situations.** Test booklets cannot be opened prior to the distribution of tests to students.

*Clock.* A clock should be in sight of all students. If this is not possible, it is the duty of the proctors to indicate the time on the board at intervals not exceeding one-half hour throughout the examination session.

*Temporary Absence from Examination Room.* No student may be permitted to leave and then return to the examination room during any session of the examination unless accompanied by a proctor. Students who withdraw from the sight of the proctor during any examination session must have their examinations for that session terminated. Any examination paper that is removed from the examination room without authorization must be invalidated.

*Emergency Evacuation of a School Building.* Evacuation of a school building during an examination may be required because of an emergency, such as a fire alarm or a bomb threat. In any situation in which the safety of students is endangered, the principal has full authority to interrupt the examination immediately. If possible, the students should be kept under continuous supervision during the emergency and advised that they may not converse with each other. If it becomes feasible for testing to resume, students may be permitted to continue taking their interrupted test only if the students had been kept under continuous supervision and were not permitted to speak with each other during the interruption. In these circumstances, the ending time for the test should be adjusted, so that the students are given the full allotment of time for the examination. Following the examination, a written report of the circumstances must be sent to OSA by [e-mail](#) or by fax at 518-474-1989.

*Preserving the Integrity of Students' Responses.* No one, under any circumstances, including the student, may alter the student's responses on the test once the student has handed in his or her test materials.

**Proctors, teachers, and administrators who fail to adhere to the policies and procedures of the Department risk discipline. Teachers and administrators who engage in inappropriate conduct with respect to administering and scoring State examinations may be subject to disciplinary actions in accordance with Sections 3020 and 3020-a of Education Law or to action against their certification pursuant to Part 83 of the Regulations of the Commissioner of Education.**

## **Handling of Students' Completed Examination Materials**

When a student has completed a State examination, the student's answer materials should be collected and confirmed, or "checked in," by a proctor and logged in to a list of examinees before that student is permitted to leave the examination room. Once turned in, a student's answer sheet must not be returned to the student for any reason other than obtaining a signature on the student's declaration. When they are hand scored, answer papers for all State examinations must remain in the custody of teachers or administrators in the school building or regional scoring site until the rating process is complete and scores are recorded in the students' permanent records. When student papers are scored in cooperation with another school, answer papers may be transported to the cooperating school for scoring. It remains the principal's responsibility to ensure the security of all student answer papers while they are out of the building. Answer papers that are sent to a scanning center for scoring may be stored either at the scanning location or in the schools where the examinations were administered, as long as storage conditions are maintained that will not limit the principal's access to an individual student's answer paper. As an additional precaution, all scrap paper should be retained until all examination scores have been recorded.

If a student's answer paper is lost, the principal or superintendent must conduct an inquiry and file a written report with OSA by [e-mail](#). This report must include (1) a description of the loss or disappearance, including the number of students whose papers are missing; (2) the examination title and administration date; (3) the likely cause of the loss or disappearance; and (4) the steps that will be taken to prevent a similar occurrence in the future.

### **Student Declaration**

Pursuant to Section 102.5 of the Regulations of the Commissioner of Education, each student taking a Regents Examination is required to sign the following declaration:

I do hereby affirm, at the close of this examination, that I had no unlawful knowledge of the questions or answers prior to the examination, and that I have neither given nor received assistance in answering any of the questions during the examination.

The declaration for each examination is printed on the answer paper or the student information sheet provided by the Department for that examination. Proctors must check to be sure that each student has signed the declaration before the student leaves the examination room. The declaration can be signed with a pencil or a pen. Examination papers lacking a signed declaration must not be scored until the student's signature has been obtained.

## **Fraud**

Under Section 8.5 of the Rules of the Board of Regents, fraud shall include the use of unfair means to pass an examination; attempting to give aid to, or obtain aid from, another person in any examination; alteration of any Regents Examination credential; and intentional misrepresentation in connection with Regents Examinations or credentials. Section 225 of the Education Law makes fraud in examinations a misdemeanor, whether perpetrated by a student, teacher, administrator, or any other person. In addition, Section 102.4 of the Regulations of the Commissioner of Education prohibits testing fraud by students, educators, and others involved in the handling, administration, and scoring of State assessments.

### **Student Fraud**

Students who violate one of the prescribed State and/or local policies for taking examinations, but do not attempt either to obtain or give aid, have not committed fraud. For example, if a student leaves the examination room without the permission of a proctor but is under the supervision of school personnel at



all times while out of the room and there is no evidence that the student attempted to either obtain or give aid, the student may be disciplined only for leaving the examination room without permission and not for having committed fraud.

Pursuant to Section 102.4 of the Regulations of the Commissioner of Education, if, in the judgment of the principal, a student has committed or attempted to commit fraud during a State examination, the principal must cancel the student's examination. Before any penalty may be applied pursuant to Section 102.4, the student accused of fraud must be given an opportunity to make satisfactory explanations and to meet with the local board of education or its designee. The student, together with the student's parent(s) or guardian and (if so desired by the parents) an attorney, shall be given the opportunity to ask questions of the school officials and any other person having direct personal knowledge of the facts.

A student who has been judged by the principal to have committed or attempted to commit fraud must be excluded from any subsequent examinations until he or she has demonstrated by exemplary conduct and citizenship, to the satisfaction of the principal, that he or she is entitled to restoration of this privilege. When an examination is canceled, no score may be entered in the student's permanent record. The principal shall report promptly to OSA via fax to 518-474-1989 the initials or ID number of each student penalized under Section 102.4, together with a brief description of circumstances and the final action taken.

### **Testing Improprieties by Adults**

Testing misconduct by adults is strictly prohibited. Adults may not:

- Access secure test booklets and/or answer sheets prior to the time allowed by testing rules.
- Review test booklets prior to test administration in order to: determine and record correct responses for use during testing; create pre-test lessons or discussions with students about concepts being tested; or create a "cheat sheet" for students to use during testing, including sharing formulas, concepts, or definitions necessary for the test.
- Provide students clues or answers during testing, including coaching students about correct answers, defining terms and concepts contained in the test, pointing out wrong answers, suggesting that a student reconsider or change a recorded response, reminding students during testing of concepts they learned in class, or making facial or other non-verbal suggestions to students regarding answers.
- Give a student more time to take the test than is allowed for that student under State regulations.
- Leave materials displayed in the room containing topics being tested.
- Write test specific formulas, concepts, or definitions on the board prior to or during testing.
- Review an answer sheet for wrong answers and return it to the student to change responses.
- Alter, erase, or change a student's recorded responses after the student hands in test materials.
- Engage in rescoring of any portion of a test to add points, unless authorized by State rules.
- Encourage or assist anyone to engage in the above-described conduct.

### **Reporting Testing Misconduct and Irregularities to the Department**

The principal is responsible for all aspects of the school's administration of State examinations and must take appropriate measures both to prevent, as much as possible, and to investigate all irregularities associated with the administration and scoring of these examinations.

### **Reporting Student Testing Misconduct and Other Testing Irregularities**

The principal must report the following misconduct by students and testing irregularities in writing on school letterhead to OSA via fax to 518-474-1989 or by [e-mail](#):

- All student infractions of the Department's policy prohibiting the possession or use of cell phones and other communications devices during State examinations.
- All confirmed cases of students having committed fraud on State examinations.

- All interruptions of testing sessions, including those caused by power outages or fire alarms.
- All instances in which a State examination is administered without Department authorization at a time outside of the published Statewide schedule.
- All instances in which a school does not conform to the Uniform Statewide Admission Deadline in administering a State examination.
- All instances in which scorers do not rate State examinations in accordance with the scoring materials provided by the Department.
- All cases in which student answer papers are lost prior to the recording of the scores in students' permanent records.

### **Mandatory Reporting of Testing Improprieties by Adults**

The Department's Test Security Unit (TSU) handles all reports of testing improprieties by adults involved in the administration and scoring of State assessments. School officials and personnel are required to report any incident of testing misconduct by an educator or other adult involved in testing. Reports should be made via the TSU website by submitting the [incident report form](#) located on the main page under "Report Educator Test Fraud."

No adverse action, including dismissal and any disciplinary action, may be taken against an employee who files a mandatory report of testing misconduct, because the employee filed a report. Anyone who takes such unwarranted adverse action against another employee may face disciplinary action by the Department.

### **Administering Examinations to English Language Learners/Multilingual Learners (ELLs/MLLs)**

Schools may provide the following testing accommodations to ELLs/MLLs:

- *Time Extension.* Schools may extend the test time for ELLs/MLLs. Principals may use any reasonable extensions, such as "time and a half" (the required testing time plus half that amount), in accordance with their best judgment about the needs of the ELLs/MLLs. Principals should consult with each student's classroom teacher in making these determinations.
- *Next-Day Completion of Testing.* ELLs/MLLs who have been granted the accommodation of extended time and are scheduled to take two Regents Examinations on the same day may be approved by the school principal for the accommodation of Next-Day Completion of a Regents Examination. If Next-Day Completion is approved by the school principal, the student must complete the entire morning examination and at least the first part (Part 1 or Part A) of the afternoon examination on the date the Department scheduled the administration of those examinations. The student must then complete the remainder of the afternoon examination on the next school day. Prior to administration, the school principal must complete and submit to OSA an *Assurance* form. For more information, see the [memorandum](#) on the Department's website.
- *Separate Location.* Schools are encouraged to provide optimal testing environments and facilities for all students. They may administer Regents Examinations to ELLs/MLLs individually or in small groups in a separate location.
- *Bilingual Dictionaries and Glossaries.* ELLs/MLLs may use bilingual dictionaries and glossaries when taking Regents Examinations. The bilingual dictionaries and glossaries may provide **only** direct translations of words. Bilingual dictionaries or glossaries that provide definitions or explanations are **not** permitted.
- *Simultaneous Use of English and Alternative-Language Editions.* For Regents Examinations for which the Department provides written translations, ELLs/MLLs may use both an English and an alternative-language edition of the test simultaneously. However, they should be instructed to record all of their responses in only one of the two editions. The alternative-language edition used by the student should be so indicated on the student's answer sheet.



- *Oral Translation for Lower Incidence Languages.* Schools may provide ELLs/MLLs with an oral translation of a Regents Examination when there is no translated edition provided by the Department. This accommodation is permitted for State examinations in all subjects **except** English. All translations must be oral, direct translations of the English editions. Written translations are not allowed. No clarifications or explanations may be provided. Translators should receive copies of the English editions of the tests *one hour prior to administration*. The Department’s Office of Bilingual Education and World Languages (phone 518-474-8775) and the Regional Bilingual Education Resource Networks (RBERNs) can assist schools in locating suitable translators. A list of [RBERNS](#) is available on the Department’s website.
- *Writing Responses in the Native Language.* ELLs/MLLs making use of alternative-language editions or of oral translations of Regents Examinations may write their responses to the open-ended questions in their native language. Scoring the tests is the responsibility of the school. However, the Department’s Office of Bilingual Education and World Languages and the RBERNs can assist schools in locating persons who can translate the students’ responses into English to facilitate scoring of the answer papers.

### **Former English Language Learners/Multilingual Learners (ELL/MLLs)**

Schools may provide the testing accommodations listed above under the heading “Administering the Examinations to English Language Learners” to Former ELLs/MLLs who met the exiting criteria specified in Part 154-2 of the Regulations of the Commissioner of Education and were exited from English Language Learner status following their participation in one of the two most recent administrations of the New York State English as a Second Language Achievement Test (NYSESLAT). Such students either achieved an overall level of Commanding on the NYSESLAT or achieved an overall level of Expanding on the most recent administration of the NYSESLAT and scored at Level 3 or higher on the New York State Grades 3–8 English Language Arts Test or earned a score of 65 or higher on the Regents Examination in English Language Arts.

These accommodations may not be provided to Former ELLs/MLLs who achieved the exiting criteria through NYSESLAT administration more than two school years ago. [Additional guidance](#) on identification of Former ELLs/MLLs is available on the Department’s website.

### **Administering Examinations to Students with Disabilities**

#### **Students Who Incur Disabilities Shortly Before Test Administration**

Principals may provide testing accommodations for general education students who experience the onset of a short-term disability (e.g., incur an injury such as a broken arm) or a long-term disability (either cognitive or physical) acquired or diagnosed within 30 days prior to the administration of State examinations. In such cases, when sufficient time is not available for the development of an IEP or a 504 Plan, principals may authorize certain accommodations that will not significantly change the skills being tested. These accommodations are limited to:

- extending the time limit for an examination,
- administering the examination in a special location,
- recording the student’s answers in any manner (When answering questions on the Regents Examination in English Language Arts, students receiving this accommodation must provide all punctuation, the spelling of difficult words, paragraphing, etc.), and
- reading the test to the student. (This accommodation is allowed only for students whose vision is impaired. The Regents Examination in English Language Arts may *not* be read to these students.)

Eligibility for these accommodations is based on the principal’s professional discretion, but the principal is advised to confer with members of the Committee on Special Education (CSE) or with other school personnel in making these determinations. Pursuant to Section 102.3 of the Regulations of the Commissioner of Education, building principals are responsible for administering State examinations and for maintaining the integrity of examination content and programs in accordance with directions and procedures established by the Commissioner of Education.

Prior permission need not be obtained from the Department to authorize testing accommodations for general education students. However, a full written report concerning each authorization must be sent to OSA via fax to 518-474-1989. The report must be on school letterhead, must be signed by the principal, and must include the following information:

- the initials or ID number of the student,
- the title of the test,
- a brief description of the student's injury or disability, and
- a listing of the accommodations that were authorized by the principal.

If the student is expected to continue to need testing accommodations, the principal must immediately make the appropriate referral for the consideration of an IEP or 504 Plan.

### **Students with Disabilities**

Principals must ensure that students with disabilities receive the testing accommodations specified in their IEPs or 504 Plans, while also ensuring that the implementation of such testing accommodations is consistent with Department testing policies for administering State examinations. Principals must also ensure that only the accommodations specified in each student's IEP or 504 Plan are implemented. The use of these accommodations provides students with disabilities the opportunity to demonstrate proficiency on State examinations without being limited or unfairly restricted by their disabilities.

Information concerning the administration of State examinations to students with disabilities can be found in the publication [Testing Accommodations for Students with Disabilities, Policy and Tools to Guide Decision-Making and Implementation, February 2018](#). This publication is available on the Department's website.

Any accommodation listed as allowable for Regents Examinations in Appendix J of [Testing Accommodations for Students with Disabilities](#) may be authorized for students with disabilities in their IEPs, 504 Plans, or recommended upon declassification. Questions designed to measure reading ability in English may be read or signed to students when taking the Regents Examination in English Language Arts. Answers to questions designed to measure writing ability in English may be recorded in an alternative manner (for example, dictation by means of a scribe or an electronic recording device). Devices with spell-checking and/or grammar-checking capability are permitted.

Detailed [information](#) pertaining to the administration of State examinations over multiple days for students whose IEP requires this testing accommodation is available on the Department's website.

### **Large-Type Examinations**

In general, large-type examinations should be administered in the same way as regular examinations. Large-type examinations are exact reproductions (enlarged 136 percent) of the regular examinations. They have the same directions, questions, etc., as the regular examinations. They may be administered in the same room at the same time and with the same directions as those used for the regular examinations. Schools should limit all requests for large-type editions to the exact quantities needed for students requiring this accommodation, that is, students who are actually provided instructional materials (e.g., textbooks), locally developed tests, etc., in large-type format.

### **Braille Examinations**

The braille examinations require no special directions to students. The proctor administering a braille examination does not need to be able to read braille. The examination booklet provides the student with complete directions and descriptions. The questions on braille examinations are the same as those on the printed examinations with certain exceptions, which are described in the following paragraph. The questions are numbered the same as those on the printed examinations. Separate or special answer sheets are not provided with copies of braille examinations. The student may answer the questions in any manner appropriate and familiar to the student. The student may write, type, or braille the answers, dictate them to a proctor or a recorder, or use any combination of these methods.

When the Department transcribes an examination into braille, questions that contain material that cannot be reproduced in a manner understandable to a visually impaired student are modified. The questions are reworded or replaced with questions that measure skills similar to those measured by the original questions. In these situations, the Department provides teachers with special notices advising them of the modification(s) and any resulting scoring change(s) that may be necessary. Unless otherwise noted, the scoring key provided by the Department can be used for both the printed and braille editions of an examination.

### **Reader-Administered Examinations**

The regular examination booklet should be used when a proctor reads an examination to a student with a disability. The principal should provide the proctor with an examination booklet no earlier than one hour in advance of the required starting time so that the proctor can become familiar with the examination questions before reading them to the student.

In cases where test questions are to be read, the entire test must be read, including reading passages, open-ended, and multiple-choice questions. The test must be read in a neutral manner, without intonation or emphasis, and without otherwise drawing attention to key words or phrases. Passages and questions must be read word for word, without any clarification or explanation. However, such content may be read more than once.

Unless the IEP or 504 Plan specifically disallows it, when reading a mathematics test question to a student who has this accommodation, all numbers and mathematics symbols, along with words, should be spoken by the proctor to the student. For example, the symbol  $<$  should be read as “less than,” and 1,211 should be read as “one thousand, two hundred, eleven.” However, test questions may never be modified or simplified, nor may proctors provide additional examples.

### **Reference Materials for Examinations**

All information normally provided to students taking an examination must be provided for students with disabilities. All reference materials for Regents Examinations (e.g., tables, charts, and graphs) are available in large-type and braille. These materials will be supplied with the braille or the large-type examinations. When an examination is read to a student in accordance with the student’s IEP or 504 Plan, the proctor may read the required reference information to the student, as long as it does not give the student an unfair advantage.

No student may use an English language dictionary or thesaurus, either printed or electronic, during a State examination.

### **Restricted Examinations**

#### **Safeguarding Examination Materials**

The January administrations of the Regents Examination in Physical Setting/Physics and Braille editions of the Regents Examinations in Living Environment, Physical Setting/Earth Science, and Physical Setting/Physics are provided in restricted form. Extreme care must be taken to ensure that all restricted examinations can be accounted for at all times. Administrators should make a written record of individual booklet numbers to accompany the transfer of examinations to and from the deputies and proctors. Under no circumstances may the examinations be left unattended.

Each restricted examination booklet will be sealed in an envelope, which must be distributed to the student with the seal intact. Each student is to break the seal of the envelope at the time designated. Deputies, proctors, and teachers are not permitted to open an envelope containing a test booklet or to examine a test booklet for any reason other than to read questions to students with disabilities whose IEPs or 504 Plans call for this accommodation.

#### **Administering Restricted Examinations**

Detailed directions for administering and scoring restricted examinations are provided in [separate publications](#) available on the Department’s website. Principals should print copies of these directions and

distribute them several days before the examination period to each teacher administering restricted examinations.

All restricted examination booklets, both used and unused, scrap paper, and reference tables must be returned to the Department.

*Replacing Defective Booklets.* If a student receives a defective examination booklet, the proctor should provide the student with a new envelope, if one is available. If no extra envelope is available, call 518-474-8220 for instructions. After receiving the new envelope, the student should break the seal and write the new examination booklet number on the answer sheet above the old number. The student should then seal the defective examination booklet in its original envelope. The proctor should write “contains defective booklet” on the sealed envelope. All defective booklets should be reported in writing to OSA. The report should include the initials or ID number of the student (at the discretion of the principal) and the booklet number. The same procedure should be followed for a defective answer sheet.

*Students with Disabilities.* Restricted forms of examinations are available in both large-type and braille and may also be read to students with disabilities. When administering a restricted form to students with disabilities, a proctor should follow the same procedures as those followed when administering nonrestricted forms to students with disabilities. See *Administering Examinations to Students with Disabilities*, found earlier in this section. In addition, the proctor should follow the special procedures outlined in the preceding sections for administering restricted examinations to general education students.

*English Learner Learners/Multilingual Learners.* When a restricted form of an examination is administered to an ELL/MLL who requires the services of a translator, the guidelines for translators, found earlier in this section, must be followed. Both the student and the translator are allowed to read the questions in the examination booklet.

## SECTION THREE

### RATING EXAMINATION PAPERS, RECORDING SCORES, AND PROVIDING ACADEMIC INTERVENTION SERVICES

#### Rating Examination Papers

##### General Information

The principal is responsible for establishing rating procedures that will ensure reasonable confidence in the accuracy of the scores assigned to the answer papers by individual teachers or by committees of teachers. The principal is responsible for the rating of all answer papers written in the school, including papers written by persons admitted to examinations in subjects not regularly taught in the school, papers written by persons not enrolled in the school, papers written by students taking the alternative language editions of examinations, and papers written in braille.

Teachers are **not** permitted to score their own students' answer papers. This means that teachers currently instructing students in the coursework associated with a particular Regents Examination may **not** score those students' answer papers for that examination. This prohibition includes special education and academic intervention services (AIS) teachers. For the August examinations, neither the school year teacher nor the summer school teacher may score their own students' responses. The following examples are intended to offer guidance to school administrators who will be making determinations as to a teacher's eligibility to score specific students' examination papers.

- A teacher providing AIS to a student in preparation for the Regents Examination in U.S. History and Government may **not** score that student's answer paper for this examination.
- An English teacher who is a student's homeroom teacher but is not the student's current year English teacher may score that student's answer paper for the Regents Examination in English Language Arts.
- A mathematics teacher who taught a student algebra the year before but is not currently instructing a student in the coursework in geometry may score the student's answer paper for the Regents Examination in Geometry.
- A Global History and Geography teacher who taught a student in this subject area the year before, and is now currently instructing the same student in U.S. History, may score this student's answer paper for a retake of the Transition Examination in Global History & Geography – Grade 10, but may **not** score this student's answer paper for the Regents Examination in U.S. History & Government taken during the same test administration.

The principal is responsible for making the final determination as to whether or not a teacher may score specific students' examination papers, based on this scoring policy. A principal may establish rules that are more prohibitive than the illustrations above suggest.

To maintain uniform rating standards, all teachers involved in rating State examinations must be thoroughly familiar with the rating instructions provided by the Department. Each examination has a scoring key for multiple-choice questions and guidelines for rating the open-ended questions.

The teachers rating each answer paper must write their names or initials clearly on the answer paper or scoring record, as required. Teachers must rate strictly according to the scoring materials provided by the Department. They may allow credit for other answers to open-ended questions only if those answers are clearly equivalent to that indicated in the scoring material. A teacher may not give credit for answers that the teacher considers merely "possible" or "reasonable."

At the conclusion of January, June, and August examination periods, the principal must arrange for the collection and secure storage of **all** used and unused restricted test books (regular, large-type, and braille) and all used answer sheets. Used answer sheets must not be left unattended and must not pass from the custody of the teacher during scoring. Except when answer papers are being scored in

cooperation with another school, answer papers must not be removed from the school building until the rating has been completed and the test scores have been recorded in each student's permanent record. When the papers are being scored in cooperation with another school, it remains the principal's responsibility to ensure the security of the answer papers while they are out of the building.

### **Rating Regents Examinations**

At least two teachers must rate the answer papers for the Examinations in English Language Arts, Global History and Geography, United States History and Government, Living Environment, Physical Setting/Chemistry, Physical Setting/Earth Science, and Physical Setting/Physics. For the Regents Examinations in English and social studies, a third teacher must score all essays when the scores of the first and second raters differ by more than one credit. All raters must follow the procedures described in the appropriate [Information Booklet](#) available on the Department's website.

At least three teachers must rate the answer papers for the Regents Examinations in mathematics. Raters must follow the procedures described in the appropriate [Information Booklet](#) available on the Department's website.

When scoring student responses to multiple-choice questions on any Regents Examination, teachers must follow the directions provided by the Department or by the school's RIC or scanning center. For Regents Examinations, raters must follow the procedures specified in the appropriate rating guide for recording the credits awarded for responses to open-ended questions. The names and initials of raters must be clearly written in the designated areas.

**Schools are not permitted to rescore any of the open-ended questions on any Regents Examination after each question has been rated the required number of times as specified in the rating guide, regardless of the final examination score. Schools are required to ensure that the raw scores have been added correctly and that the resulting scale score has been determined accurately.**

### **Machine Scoring of Regents Examinations**

Before answer sheets are machine scored, several samples must be both machine scored and hand scored to ensure the accuracy of the machine-scoring process. All discrepancies must be rectified before student answer sheets are machine scored. When the machine scoring is completed, a sample of the answer sheets must be rescored manually, in order to verify the accuracy of the machine-scoring process.

### **Finality of Examination Scores**

When the teacher scoring committee completes the scoring process, test scores must be considered final and must be entered in students' permanent records. In addition, each rater must sign the *Examination Scoring Certificate*, to attest that he or she fully and faithfully observed the rules and regulations for scoring the examinations. The principal must also sign this certificate, to attest that the rules and regulations for scoring were fully and faithfully observed.

Principals and other administrative staff in a school or district do not have the authority to set aside the scores arrived at by the teacher scoring committee and rescore student examination papers or to change any scores assigned through the procedures described in this manual and in the scoring materials provided by the Department. Any principal or administrator found to have done so, except in the circumstances described below, will be in violation of Department policy regarding the scoring of State examinations. Teachers and administrators who violate Department policy with respect to scoring State examinations may be subject to disciplinary action in accordance with Sections 3020 and 3020-a of Education Law or to action against their certification pursuant to Part 83 of the Regulations of the Commissioner of Education.

On rare occasions, an administrator may learn that an error occurred in the calculation of a final score for a student or in recording students' scores in their permanent records. For example, the final score may have been based on an incorrect summing of the student's raw scores for parts of the test or from a



misreading of the conversion chart. When such errors involve the final scores on any Regents Examination of no more than 5 percent of the school's test takers for that examination or five students, whichever is greater, and when such errors are detected within four months of the test date, the superintendent of a public school district or the chief administrative officer of a religious, independent, or charter school may arrange for the corrected score to be recorded in the student's permanent record. However, in all such instances, the superintendent or chief administrative officer must advise OSA in writing by fax (518-474-1989) or by [e-mail](#) that the student's score has been corrected. The written notification to the Department must be signed by the superintendent or chief administrative officer and must include the initials or student identification numbers (at the discretion of the principal) of the students whose scores have been corrected, the name of the examination, the students' original and corrected scores, and a brief explanation of the nature of the scoring error that was corrected.

If an administrator has substantial reason to believe that the teacher scoring committee has failed to accurately score more than 5 percent or five student answer papers, whichever is greater, on any examination, or when errors are detected more than four months after the test date, the administrator must first obtain permission in writing from OSA before arranging for or permitting a rescoring of student papers. The written request to OSA must come from the superintendent of a public school district or the chief administrative officer of a religious, independent, or charter school and must include the examination title, date of administration, and number of students whose papers would be subject to such rescoring. This request must also include a statement explaining why the administrator believes that the teacher scoring committee failed to score appropriately and, thus, why he or she believes that rescoring the examination papers is necessary. As part of this submission, the school administrator must make clear his or her understanding that such extraordinary re-rating may be carried out only by a full committee of teachers constituted in accordance with the scoring guidelines presented above and fully utilizing the scoring materials for this test provided by the Department.

In those cases in which the examinations were scored by a BOCES, the written notification for correcting a student's score or the request for permission to rescore a student's paper must come from the District Superintendent of the BOCES that had the responsibility for overseeing the scoring of the examinations.

The Department sometimes finds it necessary to notify schools of a revision to the scoring key and rating guide for an examination. Should this occur after the scoring committee has completed its work, the principal is authorized to have appropriate members of the scoring committee review students' responses only to the specific question(s) referenced in the notification and to adjust students' final examination scores when appropriate. Only in such circumstances is the school not required to notify or obtain approval from the Department to correct students' final examination scores.

## **Passing Scores**

*Regents Examinations.* Subject to certain exceptions, the passing score on Regents Examinations is 65. Information regarding passing scores, options for earning a diploma, and challenging for credit can be found at the websites listed in the chart on the following page.

Topic	Website
<a href="#">Chart of Diploma Requirements</a>	<a href="http://www.p12.nysed.gov/part100/pages/diprequire.pdf">http://www.p12.nysed.gov/part100/pages/diprequire.pdf</a>
<a href="#">Multiple Pathways to Graduation</a>	<a href="http://www.nysed.gov/curriculum-instruction/multiple-pathways/">http://www.nysed.gov/curriculum-instruction/multiple-pathways/</a>
<a href="#">Appeal to Graduate with a Lower Score on a Regents Examination</a>	<a href="http://www.nysed.gov/common/nysed/files/curriculum-instruction/memo/appeal-graduate-lower-score-regents-exam-memo-april-2017.pdf">http://www.nysed.gov/common/nysed/files/curriculum-instruction/memo/appeal-graduate-lower-score-regents-exam-memo-april-2017.pdf</a>
<a href="#">Safety Net for Students with Disabilities to Graduate with a Local High School Diploma</a>	<a href="http://www.p12.nysed.gov/specialed/publications/safetynet-compensatoryoption.pdf">http://www.p12.nysed.gov/specialed/publications/safetynet-compensatoryoption.pdf</a>
<a href="#">Challenging for Credit</a>	<a href="http://www.p12.nysed.gov/part100/pages/1005.html">http://www.p12.nysed.gov/part100/pages/1005.html</a>

## Recording Examination Scores

Schools must maintain complete and accurate permanent records. Each time that a student takes a State examination at the scheduled time under proper supervision, the name of the examination, the date of administration, and the score must be entered in the student's permanent record, unless the score has been canceled because of fraud or misadministration.

No examination score may be entered as a Regents Examination score unless it has been obtained on a Regents Examination. Scores earned on Department-approved [alternative examinations](#) must *not* be recorded in the permanent record as Regents Examination scores. If a student fails to take a Regents Examination, no score may be recorded in the student's permanent record.

If a student who has failed an examination retakes the examination and achieves a passing score, the school is required to record only the higher score on the student's transcript. All scores must be recorded in the permanent record. If a student retakes a State examination, the student's option to have only the higher score reported on the transcript should be honored. These decisions should be made in consultation with the student, and the student's choice of score for official transcript purposes should be respected whenever possible.

## Individual Student Results

At the school's earliest opportunity after tests have been scored, schools are expected to provide results to each student's parent/guardian.

## Retention of Answer Papers

All of the papers not requested for Department review must be retained in the school files for at least one year. Any or all of these papers may be called for review during this period.

## Required Academic Intervention Services

[Section 100.2\(ee\) of the Regulations of the Commissioner of Education](#) requires that students who fail any of the core State examinations required for high school graduation shall be provided with the appropriate academic intervention services to enable them to pass the test by the time they are otherwise qualified to graduate. Charter schools are exempt from this provision. Providing academic intervention services is not mandated for religious and independent schools.

Academic intervention services are intended to assist students who are at risk of not achieving the State learning standards in English language arts, mathematics, social studies and/or science, or who are at risk of not gaining the knowledge and skills needed to meet or exceed designated performance levels on State assessments. Academic intervention services shall be made available to students with disabilities on the same basis as non-disabled students, provided that these services are in accordance with the



student's IEP. The regulations also require that the parent or guardian of each such student shall be notified in writing, by the principal, of the academic intervention services to be provided to the student, the reason that the student needs such services, and the consequences of not achieving expected performance levels. Such notification must be provided in the language best understood by the parent or guardian.

In the fall of 2010, the Board of Regents amended the regulations regarding academic intervention services (Section 100.2(ee)), to allow school districts to replace, in whole or in part, academic intervention services with Response to Intervention (RtI). A school district that chooses to do so must file an Assurance Form with the Department that indicates the buildings, grades, and subject that RtI will be used in place of academic intervention services. School districts must also agree to adhere to the [requirements](#) in Section 100.2(ii), which defines the RtI process.

## SECTION FOUR

### RETURNING TEST MATERIALS TO THE DEPARTMENT

#### Teacher Evaluation Forms

One of the main sources for improving State examinations is the evaluations provided by the teachers who administer them. The content and test development specialists who prepare the examinations review these evaluations before preparing each new edition. To facilitate the process, online evaluation forms for teachers are provided during and after each examination period. These online teacher [evaluation forms](#) may be accessed on the Department's website. Specific instructions for teachers to follow in order to submit their evaluations of tests via the online process are included in the teacher directions and in the scoring materials. By following these procedures, all teachers who administer examinations may have the opportunity to comment on the content of examinations and the materials and procedures for administering them.

#### Examination Scoring Certificate

Each rater must sign the *Examination Scoring Certificate*, attesting that he or she fully and faithfully observed the rules and regulations for scoring the examinations. The principal or scoring leader must also sign this certificate to attest that the rules and regulations for scoring were fully and faithfully observed. The *Examination Scoring Certificate* is shipped to schools in a locked Regents box with the secure examination materials. Schools must make enough copies to allow all scorers and scoring leaders to print and sign their names. The completed certificate(s), originals or copies, must be returned in the Regents box after each examination period. A photocopy should be retained in school files for one year.

#### Deputy and Proctor Certificate

Each deputy and proctor must certify, by individually signing this certificate, that the rules and regulations for administering Regents Examinations were fully and faithfully observed. The *Deputy and Proctor Certificate* is shipped to schools in a locked Regents box with the secure examination materials. Schools must make enough copies to allow all deputies and proctors to print and sign their names. The original completed certificate(s) must be returned after each examination period in the Regents box. A photocopy should be retained in school files for one year.

#### Examination Storage Certificate

After each examination period, the principal must certify, by signing the *Examination Storage Certificate*, that the procedures for ensuring the security of Regents Examinations were fully and faithfully observed. The *Examination Storage Certificate* is shipped to schools in a locked Regents box with the secure examination materials. The original completed certificate must be returned after each examination period in the Regents box. A photocopy should be retained in school files for one year. If any unusual situations occurred during an examination period concerning the security of examinations, a full report of the situation must be submitted along with the *Examination Storage Certificate*. (See *Reporting Testing Misconduct and Irregularities to the Department* on page 17 in Section Two of this manual.)

#### Materials Returned to the Department in Regents Boxes

The following materials must be returned in the Regents boxes:

1. *Examination Scoring Certificate*
2. *Deputy and Proctor Certificate*
3. *Examination Storage Certificate*
4. All copies, used and unused, of restricted test booklets and answer booklets/answer sheets (Include all Part 2 test booklets, where applicable), and all scoring materials for restricted tests

5. All copies of braille examination materials
6. Padlock keys (Insert padlock keys into the special envelope provided, before placing them in the Regents box.)
7. Any Regents Examination answer papers indicated by the Department Review Request form, unless this form specifies an alternate address to which these answer papers must be shipped

If possible, pack all materials being returned to the Department in one Regents box. Return all Regents boxes as soon as possible after the examination period. Each school must pay for the return shipment of its Regents boxes; the boxes may not be returned collect. The boxes may be returned by United Parcel Service (UPS) or any other carrier. Regardless of the carrier chosen, the school must call the carrier, make the necessary arrangements, and pay for the return shipment. If the Regents boxes for a school are returned collect, the Department will refuse to accept the delivery.

## SECTION FIVE

### REVIEW OF EXAMINATION PAPERS

#### Local Review

Except when a State examination has been administered in restricted form, students, and the parents of students, who have taken Regents Examinations have the right to review the students' answer papers after the papers have been scored and the students' grades recorded in their permanent records. Answer papers should be reviewed in the presence of the principal, or his or her designee, to ensure that the answer papers are not changed as they are being reviewed. Schools may provide copies of answer papers to students and their parents, on request. If a student's answer paper has been sent to the Department, the principal should contact OSA and the paper will be returned to the school.

Occasionally, a student or student's parent may question the accuracy of the local rating of an answer paper. When this occurs and cannot be resolved at the school or district level, the superintendent of a public school district or the chief administrative officer of a religious, independent, or charter school may arrange for the paper to be reviewed, for advisory purposes, by teachers from a neighboring school or district, as obtaining feedback from neighboring teachers should help to quickly resolve any question about the accuracy of the score. If the superintendent or chief administrative officer makes a determination to correct the student's score based on the feedback received, he or she must provide written notification to the Department. (See *Finality of Examination Scores* on page 24 in Section Three of this manual.)

Only when, in the superintendent's or chief administrative officer's judgment, such additional review has failed to resolve the rating of the answer paper, the superintendent or chief administrative officer of the district or school where scoring took place may send the answer paper to OSA for further review. When Department content specialists' time permits, the answer paper will be re-rated, for advisory purposes, and returned to the school, showing both the local rating and the Department rating. Answer papers will be re-rated by the Department only at the request of a superintendent of a public school district or chief administrative officer of a religious, independent, or charter school, and may take up to two months to complete from the date of submission.

#### Department Review of State Examinations

The purpose of the Department review is to ensure that all schools are following the same procedures and applying the same standards when rating Regents Examinations. Selected principals requesting Regents Examinations will receive notice concerning Department review at the conclusion of each Regents Examination period. This notice will indicate each subject for which the student answer papers must be submitted via traceable mail to the Department.

Following each administration, a random sampling procedure is used, so that the subjects selected will vary from school to school and from year to year. The principal of each school is sent a "Notice of Review" for each subject for which answer papers must be promptly returned to the Department, unless the notice specifies an alternate address to which the papers must be shipped. If the examination requires the use of scannable answer sheets, submit them to the Department after they have been scanned by the RIC or large-city scanning center. The procedures below should be followed when returning answer papers:

1. Package papers for each subject separately.
2. Complete a "Notice of Review" form for each subject and attach it to the package of answer papers for that subject.
3. Do **not** submit papers for review for any subject other than those indicated on the form.

When the answer papers from a school are received by the Department, a sample of the papers submitted for each examination is selected for Department review. Experienced classroom teachers, under the supervision of Department staff, review these papers. The Department re-rating may confirm

the local scoring of all questions on an examination or, at times, may focus on the scoring of specific types of questions such as multiple choice or essays.

After the Department rating is completed, all answer papers submitted are returned to the schools, along with a Department review report. These papers must be retained in school files for at least one year. The Department review report shows the mean of the total raw score for parts of the test as scored by the school and by Department raters for the sampling of the school's papers that were reviewed. It also shows the frequency and degree of discrepancy between the school scores and Department scores for parts of the test, for the total constructed-response score, and for the scale score. In addition, the report may show the mean total constructed-response scores and the mean scale scores for the sampling of the school's papers that were reviewed.

The principal is expected to carefully review the report with the appropriate staff and to implement appropriate changes in school procedures for rating future examination administrations, including the training of raters, if there were significant discrepancies between the school scores and the Department scores.

When an examination whose answer papers have an excessive number of rating discrepancies is next administered in a school, the school may again be required to submit answer papers for Department review, to determine whether or not the school's modified rating procedures have reduced the number of rating discrepancies. If the discrepancy rate is still excessive, the school may be required to adopt other corrective procedures, such as scoring its answer papers for an examination subject with a consortium of teachers from other schools or districts.

When a pattern of discrepancies is identified that leads to a Department determination of suspected or corroborated fraud, such as score tampering; or disregard of the required scoring procedures, rubrics, rating guides, or scoring keys, the school or district in question may be required to submit original answer papers to the Department or other authority (e.g., BOCES or District Superintendent) while arrangements are made for third party scoring.

Principals or teachers with any questions about rating standards or procedures followed by the Department reviewers may direct such questions to OSA.

## SECTION SIX

### AWARDING OF CREDIT AND ISSUANCE OF REGENTS DIPLOMAS

#### **Awarding of Credit for Courses of Study**

A course of study involves class attendance, homework assignments, quizzes, tests, and other instructional activities. In many instances, it also involves the taking of a State examination at the end of the course. When deciding whether a student who is enrolled in a course of study has satisfactorily completed the course and is entitled to credit for said course, the teacher should evaluate the student's performance on all of these activities. In accordance with Section 100.5(a)(5)(v) of the [Regulations of the Commissioner of Education](#), passing the Regents Examination in a subject shall not be construed as having earned a unit of credit in that subject unless the student also passes the course as offered in a registered high school or meets the requirements for credit by examination. (See section below, *Students Not Enrolled in Courses of Study*.)

#### **Students Not Enrolled in Courses of Study**

In accordance with Section 100.5(d)(1) of the [Regulations of the Commissioner of Education](#), a student may earn up to a maximum of 6½ units of credit without completing the units of study requirement. In order to earn credit by examination, the student must satisfy each of the criteria listed below:

1. Based on the student's academic performance, the superintendent of a school district or the chief administrative officer of a religious, independent, or charter school, or his or her designee, must determine that the student will benefit academically by exercising this alternative.
2. The student must pass an oral examination or successfully complete a special project to demonstrate proficiency, as determined by the principal, in the subject area.
3. The student must achieve a score of at least 85 on the applicable Regents Examination.
4. The student must attend school, or have received substantially equivalent instruction elsewhere, in accordance with Section 3204(2) of the Education Law, until the age of sixteen, pursuant to Sections 3204 and 3205 of the Education Law.

#### **Issuance of Regents Diplomas by Schools**

A [Regents diploma](#) may be awarded in recognition of a student's passing with a score of 65 or higher on the Regents Examinations specified by the Board of Regents. Eligibility for the Regents diploma endorsement will be determined by the principal on the basis of the student's record. The following is a sample Regents endorsement:

Diploma issued with the endorsement of the  
BOARD OF REGENTS  
on the basis of successful completion of  
Regents Examinations

Most companies that print high school diplomas provide seals indicating Regents endorsement that may be affixed to the diplomas of eligible students. Schools may issue, if they prefer, a separate Regents-endorsed diploma. Regents diploma blanks are furnished by the Department to registered high schools that request them as part of their online examination request for January or June Regents Examinations.



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**Regents Examinations**