

Consequences

Consequences of violating testing procedures vary based on the severity of the offense and affect three different areas:

1. The institution (district, school)
2. The educator
3. The student

Letter of Warning (Affects Institution)

If a violation has been verified that did not result in a substantial probability that the security, accuracy, or validity of the test results has been jeopardized, then the Office of Student Assessment may issue a letter of warning to the school district superintendent to be placed in the district and/or school file. Multiple and/or repeated minor violations that indicate the district and/or school has not corrected issues addressed in previous letters of warning or that the district and/or school has continued to be in noncompliance with the numbered issues listed in Requirements (Section IV) may result in a recommendation for a citation to be placed on the accreditation record. (See B below.) In the case of improper student behavior supported by the data forensics company and not disproved in the district reports, the district will be asked to request the invalidation of the suspect scores. If the improper student behavior is determined to be isolated to an individual student's or to individual students' behavior and not supported or condoned by the district, the district will not receive a letter of warning. The district will be asked in an official letter by the Office of Student Assessment to put measures in place to address and prevent the possibility of such improper behavior being repeated. However, multiple administrations resulting in suspect scores may result in further investigation by the Office of Student Assessment that may lead to further consequences. (*Appendix F, Section VI, A*)
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Citation Placed on the Accreditation Record with No Immediate Action to Downgrade the Accreditation Status (Affects Institution)

1. Multiple Letters of Warning - Multiple and/or repeated violations as outlined in A above may result in a recommendation for a citation to be placed on the district's Accreditation Record Summary. The Office of Accreditation will note the citation of noncompliance on the district's accreditation record and notify the superintendent of this action. No immediate action to downgrade the district accreditation status will be recommended. This citation will remain on record until the district has successfully completed the next scheduled administration of the same test for which the irregularity was originally verified. The Office of Student Assessment may recommend to the Commission on School Accreditation that the school's annual performance classification include the label School in Violation of Test Security. (*Appendix F, Section VI, B1*)
2. Substantial Probability That the Security, Accuracy, or Validity of the Test Results Has Been Jeopardized - If a verified violation has resulted in a substantial probability that the security, accuracy, or validity of the test results has been jeopardized, the Office of Student Assessment will issue written notification to the district superintendent. The Office of Student Assessment will note the violation on the School and/or District Assessment Record and notify the Office of Accreditation. The Office of Accreditation will note the citation of noncompliance on the district's accreditation record and notify the superintendent of this action. No immediate action to downgrade the district accreditation status will be recommended. This citation will remain on record until the district has successfully completed the next scheduled administration of the same test for which the irregularity was originally verified. For example, if the citation is issued for the December paper/pencil Subject Area Administration of the U. S. History Test, the next scheduled administration for the same test will be the December paper/pencil Subject Area administration the following year. The Office of Student Assessment may submit a recommendation to the Commission on School Accreditation that the school's annual performance classification include the label School in Violation of Test Security. (*Appendix F, Section VI, B2*)

Citation Placed on the Accreditation Record that May Result in Immediate Action to Downgrade the Accreditation Status (Affects Institution)

If it is determined that a violation of a testing requirement jeopardizes the security and integrity of the test(s) or the accuracy of test results, the Office of Student Assessment will issue written notification of the violation to the superintendent of the school district and to the Office of Accreditation.

The Office of Accreditation will note the citation of noncompliance on the district's Accreditation Record Summary and notify the superintendent of this action. The citation of noncompliance will be presented to the Commission on School Accreditation for appropriate action. This citation will remain on record until the district has successfully completed the next scheduled administration of the same test for which the irregularity was originally verified. For example, if the citation is issued for the Mississippi Department of Education Office of Student Assessment

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December paper/pencil Subject Area Administration of the U. S. History Test, the next scheduled administration for the same test will be the December paper/pencil Subject Area administration the following year. The Office of Student Assessment may recommend to the Commission on School Accreditation that the school's annual performance classification include the label School in Violation of Test Security. (*Appendix F, Section VI, C*)

Invalidation of Scores (Affects Institution and student)

1. Student Retest and Score Invalidation Procedure - In the case of findings that reveal misconduct at the district or school level, the State Superintendent of Education may order the local school district to have students retake the examination(s) at the district's expense for all areas in question. Should the local district choose not to have students re-examined to establish validity, the State Superintendent of Education will have the authority to have affected scores invalidated. At such time, the local district will be notified.

A school will not receive a school performance classification if the test data have been invalidated, and the school performance classification will be noted as Test Data Invalidated. (See Accreditation Policy 3.3.) In the case that the Office of Student Assessment has requested the district superintendent ask for the invalidation of a student's (or students') suspect scores based upon the analyses by the data forensics company and the refusal to do so by the district superintendent, the State Superintendent will have the authority to have suspect score(s) invalidated. At such time, the local district will be notified. (*Appendix F, Section VI, D1*)

2. Individual Irregularity Procedure - If there is evidence of a nature that confirms one or more individual testing irregularities on the Subject Area Tests or other tests that have high stakes consequences for individual student(s) resulting in the student or students not being able to graduate in the current school year, the individual(s) in question shall be notified in writing of the irregularity by the district superintendent and given an opportunity to provide an explanation and evidence that the questioned score(s) is/are consistent with other test scores or other academic performance. If retesting of individuals on the test is required and the retesting yields scores that would deny students a diploma or affect promotion/retention decisions after all retesting opportunities have been exhausted, affected individuals will be given an opportunity to appeal to the State Board of Education the decision to invalidate their original scores on the test. No hearing will be granted to any student who has not completed all other requirements for graduation or promotion and exhausted all retake opportunities. (*Appendix F, Section VI, D2*)

Report to Division of Educator Misconduct (Affects educator)

Violations of testing procedures by an educator can result in a mandated report being made to the Division of Educator Misconduct. These violations of the *Mississippi Educator Code of Ethics* Standard 9 (Maintenance of Confidentiality) affect the validity of mandatory uniform test results as provided in Section 37-16-4 (1). The result can be a loss of licensure.