

Protocol for Reporting and Investigating Alleged Assessment Breaches

Any complaint alleging cheating or a security breach, testing administration breach, an intellectual property right infringement (see #9 for full definitions of each of these terms), or any breach that undermines the integrity and/or inhibits the effectiveness of Indiana's assessments, including, but not limited to, ISTEP+, IREAD-3, ISTAR, and End of Course Assessments shall be immediately reported to the Indiana Department of Education ("Department").

1. The complaint shall be submitted via the completion of the "Testing Concerns and Security Violations Report" form located in Appendix D of the Indiana Assessment Program Manual. This form is located on the Office of Student Assessment's website (<http://www.doe.in.gov/assessment>).
2. All complaints must be submitted to the Department's Office of Student Assessment by fax, email, or mail:
 - (a) Fax Number (317) 233-2196;
 - (b) Email Address: INassessments@doe.in.gov; or
 - (c) Mailing Address:
Indiana Department of Education
Office of Student Assessment
115 W. Washington Street,
South Tower, Suite 600
Indianapolis, IN 46204
3. Upon receipt of a complaint, the Department will log the complaint, and if the complainant's contact information has been provided, send written confirmation of the Department's receipt of the complaint to the complainant.
4. After logging the complaint, the Department will review the complaint to determine next steps. Depending on the results of this review, the Department may:
 - (a) Contact the complainant to request clarification or additional information;
 - (b) Contact the complainant to explain that based on the information provided, it does not appear a cheating, integrity breach, security breach, testing administration breach, or intellectual property right infringement occurred;
 - (c) Determine that the complaint does not provide sufficient information to investigate the complaint; or
 - (d) Determine a formal investigation is warranted.

5. If the Department determines that a formal investigation is warranted, the Department will provide notice of the allegations to the affected Superintendent (if the school(s) involved is a public school), Authorizer (if the school(s) involved is a charter school), or School Leader (if the school involved is a Choice school or accredited nonpublic school) as well as a written request that the School Corporation/Authorizer/Choice or Accredited Nonpublic School Leader (the "*School entity*") conduct an internal investigation.

However, in the event that the allegations involve the following, the Department has the discretion to identify a third party agency/entity to conduct the investigation:

- 1) the Superintendent, central office staff, an entire school, or multiple schools in a public school corporation;

or

- 2) an entire school or the Superintendent/principal or administrators at a Choice school or accredited nonpublic school.

(a) The investigation must:

- (i) Be completed within ten (10) business days of the Department's request that an internal investigation be conducted (unless the Department has provided an alternate deadline);
- (ii) Be kept confidential in order to maintain the authenticity and integrity of the investigative process; and
- (iii) Include the completion and/or collection of any and all documents requested by the Department.

(b) The Department may also request that the investigation include interview(s) with the following:

- (i) The individual who filed the complaint ("complainant");
- (ii) The individual(s) against whom the allegation(s) is/are filed;
- (iii) Any other individual(s) who may have been involved or that the *School entity* believes may have knowledge that will assist with the investigation.

All interviews shall be documented, and the *School entity* shall provide the Department with copies of said documentation, including any and all notes, recordings, and/or transcripts.

6. The *School entity* must submit an Investigation Report to the Department within ten (10) business days of the Department's request for an investigation. The investigation report should include all of the documents requested by the Department as well as the *School entity's* determination of whether misconduct occurred, did not occur, or whether the allegations could not be substantiated. The *School entity's* determination, however, shall not be binding on the Department or any action that the Department may take.
7. The Department will review the Investigation Report and contact the *School entity* if additional clarification is needed. The Department may also request additional documents or interviews.

8. If the Department determines that a violation occurred, the Department may take the following actions:

- (a) Invalidate the test scores of student(s), school(s), corporation(s), and/or state;
- (b) Retrain administrator(s) and/or other school personnel at the school's cost;
- (c) Prohibit administrator(s) and/or other personnel from handling Indiana Assessment System secure materials;
- (d) Suspend or revoke any license issued or granted by the Department to any school personnel who has committed a breach;
- (e) Report any suspected criminal offense to the proper authorities;
- (f) Take other corrective action.

9. Any of the following issues are considered "Test Security" concerns as defined in 511 IAC 5-5-2:

- (a) "Integrity breach" means any action that undermines the integrity and/or inhibits the effectiveness of the ISTEP from achieving the purposes set forth in IC 20-32-5-1. An integrity breach includes, but is not limited to, any security breach, testing irregularity, testing administration breach, and violation of the code of ethical practices and procedures.
- (b) "Intellectual property right" means any applicable copyright or trademark that may be contained in test and test preparation materials.
- (c) "Security breach" means the failure to observe/follow the documented procedures established to protect, maintain, and implement the testing process, such as the code of ethical practices and procedures, testing security and integrity agreement, and procedures prescribed in the testing manuals by any person administering or assisting with the administration of a systematic assessment.
- (d) "Testing administration breach" means the failure to follow the documented test administration procedures that could alter the results or testing environment of the assessment for one (1) or more students, including, but not limited to, timing an untimed test and not implementing required accommodations.

NOTE: Any "Testing Irregularity" that is not a testing security concern should be reported by using the Testing Irregularity Report form found in Appendix D of the Indiana Assessment Program Manual. "Testing irregularity" is defined under the administrative regulation to mean "any unexpected event that significantly disrupts the testing environment of two (2) or more students, including, but not limited to, the sounding of the fire alarm or a power outage."