

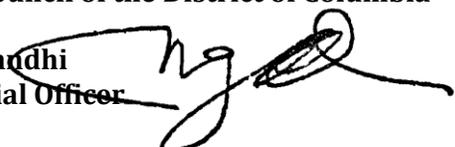
Government of the District of Columbia
Office of the Chief Financial Officer



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi
Chief Financial Officer 

DATE: May 22, 2013

SUBJECT: Fiscal Impact Statement - Bill 20-109 "Testing Integrity Act of 2013"

REFERENCE: Committee Print as provided to the Office of Revenue Analysis on May 7, 2013

Conclusion

Funds are sufficient in the Mayor's FY 2013 supplemental budget, and the Mayor's proposed FY 2014 through FY 2017 budget and financial plan to implement the bill.

Background

The bill amends¹ the roles and responsibilities for the administration of District-wide school testing,² by charging the Office of the State Superintendent of Education (OSSE) with ensuring the integrity and security of District-wide examinations and imposing responsibilities on Local Education Agencies (LEA's).³ Many of the requirements in the bill reflect existing policies, but the bill codifies them with additional requirements and enforcement mechanisms.

The bill requires OSSE to:

¹ D.C. Official Code § 38.2601.01.

² A state-wide examination means "any examination or assessment administered by OSSE." D.C. Bill 20-109 Comm. Print. at § 2(e).

³ Local Education Agency" or "LEA" means "a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary schools or secondary schools in a city, county, township, school district, or other political subdivision of a State, or for a combination of school districts or counties that is recognized in a State as an administrative agency for its public elementary schools or secondary schools, or any other public institution or agency having administrative control and direction of a public elementary school or secondary school." Comm. Print. at § 2(c).

- 1) Establish standards for testing procedures to which LEAs and education institutions⁴ will adhere and incorporate into their testing security plans⁵;
- 2) Establish standards for testing security plans, approve the plans submitted by each education institution, and maintain a copy on file;
- 3) Monitor District-wide assessment administration (based on standards established by OSSE) in randomly selected educational institutions one week before and throughout the administration of a District-wide test;
- 4) Establish standards for and provide training on testing integrity policies to authorized personnel;⁶
- 5) Establish standards for investigation of alleged testing integrity violations;
- 6) Sanction individuals and institutions that knowingly and willfully violate testing integrity policies.⁷

LEAs and education institutions are required⁸ to:

- 1) Maintain an inventory of testing materials in their possession, and keep them secure;
- 2) Permit only authorized personnel to have access to materials;
- 3) Require that authorized personnel sign a Test Integrity and Security Agreement ("Agreement")⁹ and identify a testing integrity monitor¹⁰;
- 4) Submit a testing security plan to OSSE at least 90 days before the administration of a District-wide assessment;
- 5) Maintain written procedures for investigating complaints regarding testing integrity, including a statement that retaliation is not permitted against any employee, parent or student within an LEA or education institution who reports or participates in an investigation of testing integrity failures;
- 6) Maintain evidence that authorized personnel are trained in testing and security protocols developed by OSSE and have signed the Agreement;
- 7) Report any irregularities to OSSE;
- 8) Obtain a signed affidavit from the testing integrity monitor within 2 days after a District-wide assessment, confirming that the LEA has met testing integrity standards for that particular examination.

If OSSE determines¹¹ that an LEA or non-public school violated applicable standards of testing integrity, it may¹² invalidate the test scores, fine the institution not more than \$10,000 per violation,

⁴ "Educational institution" means "a school in the District of Columbia Public Schools system, a public charter school, an independent school, a private school, a parochial school, a private instructor or a non-public school that receives public educational funds from the District of Columbia." Comm. Print. at § 2(b).

⁵ Comm. Print. at § 3(b)(3) outlines minimum requirements for a testing security plan, including procedures for secure storage of testing materials and a list of authorized personnel responsible for administration of state-wide assessments.

⁶ Authorized personnel include individuals working for an LEA or education institution and identified in a testing security plan.

⁷ The bill requires a minimum license revocation of at least one year for individuals willfully involved in violating testing integrity policies.

⁸ Comm. Print at § 4.

⁹ The agreement requires personnel to acknowledge that if they knowingly and willingly violate test security requirements they could be subject to criminal liability, and loss of a certification or license.

¹⁰ Individual responsible for test integrity and security of a state-wide assessment throughout an entire LEA or educational institution.

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FIS: Bill 20-109 "Testing Integrity Act of 2013" Committee Print as provided to the Office of Revenue Analysis on May 7, 2013.

or require the institution to pay expenses incurred by OSSE. If OSSE determines that an individual knowingly and willfully violated the standards, it may suspend or revoke teaching or administrative credentials of the individual, require the individual pay expenses incurred by OSSE, or assess a fine of \$1,000 for each violation.

Financial Plan Impact

Funds are sufficient in the Mayor's FY 2013 supplemental budget, and the Mayor's proposed FY 2014 through FY 2017 budget and financial plan to implement the bill. Because most of the requirements are currently being met under the current testing protocols, no additional resources are required for OSSE or LEAs. The new enforcement elements - including requiring signed affidavits and testing plans - are not expected to require additional resources to execute.

¹¹ OSSE must consider certain factors when determining sanctions including seriousness, extent of individual or institutional involvement, how and when a violation was reported, etc.

¹² Comm. Print at § 6.