



# Policy Advisor

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## TOPICS: I. TEST SECURITY PROCEDURES II. EDUCATION OF HOMELESS STUDENTS

### I. TEST SECURITY PROCEDURES

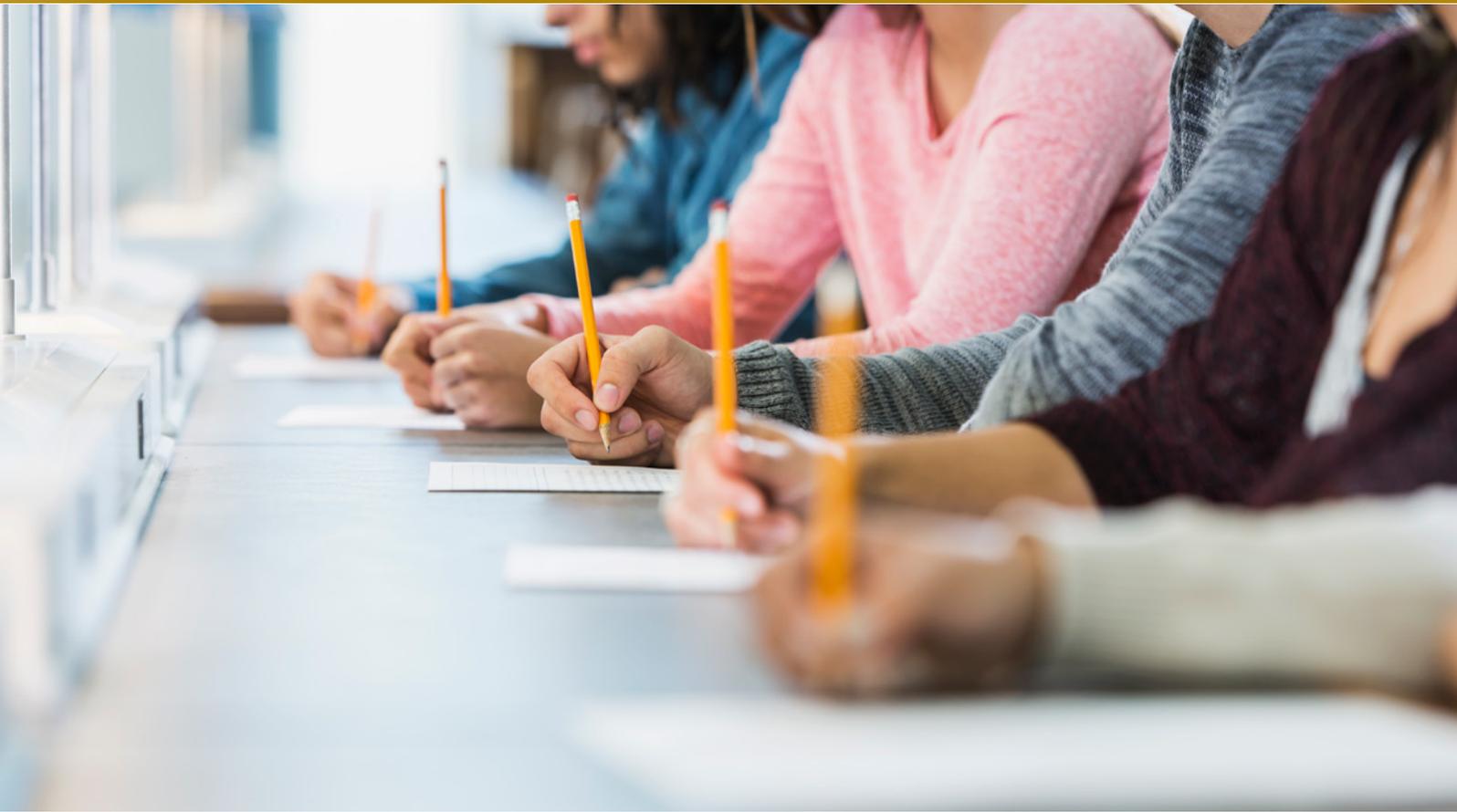
It is springtime and in Indiana public schools it is the time of year for accountability testing. While there is a new test this year, ILEARN instead of ISTEP+, there is always the concern of testing security measures being in place to ensure the integrity of the tests and scores of the students. Per Indiana law and regulations, it is the duty, authority, and responsibility of the Indiana Department of Education (IDOE) to develop the assessment system including providing procedures for the administration of all the tests required in the assessment system. An important part of the administration of the tests is the security and integrity of the tests and related test materials. The IDOE has developed and distributed excellent materials addressing the administration and security of the assessment tests and their related materials. The most comprehensive document is the 2018-2019 Indiana Assessment Policies, Administration, and Security Manual (test security manual). This manual covers all aspects of the assessment system and is a good resource for school board members to review and to better understand the assessment system.

Given the assessment system and testing itself generally affects the entire school corporation, the question becomes what is the school board's role in the administration and test security components of the assessment system? The test security manual addresses the school board's role to some extent in its section on test security. This section addresses measures to secure the

tests and testing procedures and to address the integrity of the testing process at individual schools or testing locations. One part in particular addresses the topic of a local test security policy. It states every "school corporation ... that administers tests under the Indiana Assessment System MUST have a locally developed written test security policy." This subsection goes on to list three general areas that should be addressed in the policy but goes on to state the policy must also include sixteen various procedures relating to training of staff, security of the test materials, accessibility of test materials by staff members, reporting testing irregularities or integrity breaches, and investigating such reports and breaches.

The provision from the test security manual quoted above has been interpreted by school administrators and some state agencies to mean the school board is required to adopt such a policy. There is no state or federal law or regulation requiring a school board to adopt a test security policy. The Office of Student Assessment within the IDOE takes the position the school board does not have to adopt a test security policy but is a local decision to do so. The Office of Student Assessment understands the confusion of the provision in its test security manual and in its future publications will make this position clear as the test security manual is reviewed and updated every year.

While a board does not have to adopt a test security policy, it is a good idea to consider adopting such a policy. In a test



security policy, a school board does not have to address the sixteen procedural items listed in the test security manual as these items are procedural in nature. Rather a test security policy can address the general areas needed to be addressed in the test security procedures and assign certain administrators to develop the necessary procedures. The test security manual lists three areas the policy should include; these three areas are:

1. **Delivery of the secured test materials to the school buildings;** such delivery should be less than one week before the test administration;
2. **Access to secured test materials.** Teachers and other school staff members are not allowed access to these secured materials except for the Examiner's Manual more than 4 hours in advance of test administration; and
3. **School corporation's plan for ensuring the security of assessment materials during the testing session itself and storage of all secured assessment materials before, during, and after testing;** all test materials should be stored at a central location under lock and key.

A school board adopted test security policy should address only these three areas and provide for the school administration

to develop the test security procedures as set out in the IDOE test security manual. The test security manual may be found at the following website: <https://www.doe.in.gov/sites/default/files/assessment/2018-19-program-manual-7-18-18-final.pdf>. The relevant section in the test security manual regarding test security policy and procedures is Section 9, Part D.

Pursuant to its regulations, the IDOE has developed other materials addressing testing administration, test security, reports of testing irregularities or security breaches, and investigations of reported or known irregularities or breaches. These materials are written for the corporation test coordinators and school test coordinators and provide more details of the administration and security measures to be carried out by the local test coordinators and school administrators. The materials include a Code of Ethical Practices and Procedures, which addresses the professional practices to be carried out within the assessment system at the local level. This code may be found at the following website: <https://www.doe.in.gov/assessment/indiana-assessment-policies>.

## II. EDUCATION OF HOMELESS STUDENTS

The Every Student Succeeds Act (ESSA) amended the McKinney-Vento Homeless Assistance Act. The McKinney-Vento

Act (the term commonly used to reference the law) addresses the issue of homelessness in the United States and the law was originally passed in 1987. Specific provisions of the McKinney-Vento Act addressing the education of homeless students were added by the No Children Left Behind Act; these provisions require schools to allow homeless students to remain in their school of origin and to provide transportation to homeless students to the school of origin or to the school where the homeless students choose to enroll. The McKinney-Vento Act requires a local school corporation to appoint a McKinney-Vento homeless liaison to aid homeless students and their family in carrying out their rights under the Act and provides a definition of a homeless student. The Act requires local school corporations to adopt policies and procedures relating to the education rights of homeless students. The ESSA amendments to the McKinney-Vento Act address the definition of homeless students and the duties and responsibilities of the school corporation's homeless liaison. These amendments require some changes to be made to the homeless students policy school boards are required to adopt under the McKinney-Vento Act.

ESSA amended the definition of a homeless student to exclude a child or youth who is awaiting foster care. These children and youth are no longer considered homeless under the McKinney-Vento Act and thus are not subject to its provisions. ESSA contains separate provisions addressing the issues of educating foster care children including those who are awaiting placement in foster care. This provision of a homeless student definition should be removed from your homeless students policy if the definition of a homeless student is included in your policy. Also included in the definition of a homeless student is “an unaccompanied youth” which is defined as a child or youth who is not in the physical custody of a parent or guardian; this provision should be included in the definition of a homeless student in the policy.

ESSA also expanded the definition of the “school of origin” of a homeless student to include a preschool attended by the



homeless student and “the designed receiving school at the next grade level” when the homeless student “completes the final grade level served by the school of origin.” Preschool is not defined in the ESSA amendment but may include special education preschools that are funded by a local school corporation, Head Start programs receiving federal funds, or preschool programs funded by the local school corporation Title I grants. The receiving school is the school a student is required to attend after finishing the school of origin. An example would be the

homeless student is attending an elementary school that is grade K through 5th grade, and is required to attend a specific grade 6 through 8 middle school. This middle school is considered a school of origin when the homeless student completes grade 5 at the elementary school under the new ESSA definition. The new definition of school or origin may be included in the homeless students policy, but it is not necessary to do so. It needs to be kept in mind when a school corporation is addressing the educational rights of a homeless student.

ESSA also clarified the responsibility of school corporations with respect to providing transportation for homeless students to their school of origin or to the school the homeless students have chosen to attend that is not their school of origin. The school corporation of the school of origin and the school corporation of the school the homeless school is attending are required to agree on the division of responsibilities and costs of transporting the homeless student. If no agreement is reached between the two school corporations, then both school corporations are equally responsible for the transportation and the cost of transportation of the homeless student. ISBA has amended its homeless students policy to conform to the changes made by the ESSA amendments and has previously distributed the amended policy to its members.

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*If you have any questions or would like a copy of any document referred to in this article, please contact Julie M. Slavens, Staff Attorney, by phone: 317/639-0330 ext. 111 or by e-mail: [jslavens@isba-ind.org](mailto:jslavens@isba-ind.org).*