

Part 5 What should educators do when they feel pressured to use inappropriate practices or they are aware of such practices being conducted in their school?

Sometimes, unfortunately, test-preparation practices are used by educators that do not meet the criteria related to academic ethics, score meaning & use, and educational value. In other situations, teachers are being encouraged to use such inappropriate practices. If you were in this position, what would you do? What *should* you do?

In order to work through some of the issues related to this type of situation, let's consider a real-life example—one that was shared when teachers were interviewed in 2006. This is what Zach told us:

Zach: We have teachers that have copies of previous *ITBS* test booklets. They make copies of the tests and use them as practice tests. I think ... this is morally incorrect. I just think it gives teachers a bad name; I don't think it's proving anything as far as what the teachers have actually taught, what the students actually know. Our principal, however, isn't concerned. He doesn't care. He says "I will adhere to ethics when I feel NCLB is ethical."

So, should I say something to someone about this? I mean ... I don't want to get anyone into trouble.... I don't want to get into trouble. What should I do?

What *should* Zach do? The easiest thing, perhaps, would be for Zach to do nothing. After all, this practice is not impacting him directly. In addition, if the scores go up it will make his school look good and, furthermore, going over his principal's head to report this practice to the superintendent is not an action easily taken.

On the other hand, what if Zach's concern is legitimate? What if this practice is a violation of academic ethics? Does he have an *ethical* or *legal* responsibility to report the practice?

According to the Iowa Department of Education and the Iowa Board of Educational Examiners, the answer to this question is a resounding YES. All licensed educators have both an ethical and legal obligation to report test preparation or testing practices that contribute to invalid scores. Although an educator's "fear of retaliation" associated with reporting these types of practices might be real, this fear is not a sound defense for an educator who fails to report testing practices known to be unethical. (Employees are protected against retaliatory actions by employers, by the Iowa Civil Rights Law, Iowa Code Chapter 216.) By reporting such practices, not only are educators taking a professional stand, but they are also putting the interests of students first.

So, what *should* Zach do? It appears as if the academic ethics criterion has been violated by actions of educators in Zach's school. Thus, Zach has both a professional and legal responsibility to report the incident—but, to whom? In situations such as this, it would be

extremely helpful if his district had a policy and/or procedures that could be used to provide guidance on how to handle the situation. The allegations are serious and potentially very damaging to the educators involved as well as to the school, thus great care needs to be taken when investigating the severity of the actions and documenting the evidence.

The guidance provided by Iowa Testing Programs on the development of district policy regarding test use, test preparation, and test security as it relates to the *Iowa Tests* (Iowa Testing Programs, August 2005) was developed, in part, to assist in situations such as this. In addition to district policy, it would also be helpful if specific guidance were available in the form of written procedures. Although it is beyond the scope of this module to delineate the specific procedures that should be followed, which is a district-level decision, the following suggestions are offered. Specifically, the procedures should include answers to the following sets of questions:

1) Who within the district should be notified first of the situation?

- What are the appropriate channels for communication?
- In which situations should the suspicions be reported directly to the Iowa Board of Educational Examiners, and by whom?

2) Upon notification, what type of investigation needs to be made and by whom?

At a minimum, the evidence to be collected should include the following:

- What specifically was done?
- If “previous” forms of the *ITBS/ITED* were used, which ones? Are they “live” forms?
- Which teachers were involved?
- Which classroom(s), grade level(s), and specific students were impacted?
- Which specific tests were impacted (e.g., math, science)?
- How likely is it that the test scores are or will be higher than they should be?

This information is needed to establish the usefulness of the test scores but also to establish facts when consequences are considered.

3) Which agencies should be notified, under what conditions, and by whom?

Anytime that it is believed that something was done related to the *ITBS* or *ITED* that shouldn't have been done—notify Iowa Testing Programs (ITP). ITP personnel can assist you with interpreting the likely impact of the actions taken, and provide advice on steps that should be taken associated with the resulting test scores.

Anytime that it is believed that the resulting scores might no longer be accurate, the Iowa Board of Educational Examiners and the Iowa Department of Education (specifically, the Title I consultant) must be notified.

4) What types of documentation should be made and by whom?

If it is likely that some of the test scores are not accurate, the scores should be flagged. That is, they should be marked or annotated to indicate that the scores were obtained under compromised conditions and, as such, the scores are no longer accurate. This documentation should accompany all reports containing the inaccurate scores so that future users of this information are aware of the inaccuracies.

Time for reflection and/or interaction:

Does your district have a policy or procedures related to test preparation that provides sufficient guidance? If not, what might you do to encourage the development and adoption of such guidance?