



BUREAU CHIEF
Office of State Assessment

August 2023

TO: Principals of Public and Religious Schools
Leaders of Charter and Independent Schools

FROM: Clara DeSorbo *Clara DeSorbo*

SUBJECT: Administration of the August 2023 Regents Examinations

This memorandum provides essential information about the administration of the August 2023 examinations. In addition, all persons coordinating the administration of the August 2023 examinations should be familiar with the [School Administrator's Manual](#). This publication is available on the Department's [website](#). Important telephone and fax numbers for the Office of State Assessment (OSA) are listed on the last page of this memorandum. Accompanying this memorandum are the current list of regional centers, a memorandum regarding the content of each August examination, and the schedule for the August 2023 examination period.

For the August 2023 administration, each scoring key and rating guide posted on the Department's website will be password-protected. **Principals and/or their designees will need to access the Online Examination Request System to obtain the passwords required for the scoring materials each day that Regents Examinations are being administered (August 16 and 17).**

SAFEGUARDING THE INTEGRITY OF THE TEST MATERIALS

Out of consideration for those students who are completing their examinations over multiple days as an approved testing accommodation, educators are not permitted to discuss test questions or other specific test content with others online via e-mail or LISTSERV, or through any other electronic means prior to or during the test administration and for seven calendar days after the original date of administration.

Everyone's cooperation with this rule helps to preserve the integrity of the assessments taken by these students over multiple school days so they can complete the examinations at a pace appropriate for them. Avoiding public discussion of specific test content over electronic media affords those students an equal opportunity to demonstrate what they know and are able to do. We believe that nearly all students who are testing with this accommodation will have completed their examinations by these dates. Please note that this instruction does not limit educators' ability or permission to discuss test questions among themselves, with their students who have fully completed the test, or with others during an in-person discussion, or to share with the Department any concern they have regarding any of the specific test content.

SHIPMENT OF EXAMINATION MATERIALS

For **single-shipment** storage locations, Regents boxes will be delivered on **Wednesday, August 9, Thursday, August 10, or Friday, August 11.**

For **daily-delivery** storage locations, Regents boxes will be delivered on **Thursday, August 10, Friday, August 11, or Monday, August 14** for examinations scheduled for Wednesday, August 16. The examinations scheduled for Thursday, August 17 will be delivered on **Friday, August 11, Monday, August 14 or Tuesday, August 15.** In all cases, delivery can be expected between 8:00 a.m. and 5:00 p.m.

The locked Regents boxes containing the August 2023 Regents Examinations will be delivered to your school or approved storage location by FedEx. At the top of the shipping label are the principal's name, school phone number, school name, and school address of the school to which the shipment is being sent. If you are a host school serving as the approved storage location for a neighboring school, the guest school's name will appear at the bottom of the shipping label. The guest school is the school that requested the examinations in that locked box. Personnel from the guest school will have the keys to open their locked boxes.

A shipment of the Earth Science performance test materials will be delivered to the schools that requested them in cardboard cartons and/or padded mailers on Thursday, July 27, Friday, July 28, or Monday, July 31. The Department does not provide printed copies of the following nonsecure materials, which will be available on the Department's website. Schools must print sufficient copies to adequately supply each student. These nonsecure materials include:

1. **Regular editions of the reference tables** for Physical Setting/Earth Science and Physical Setting/Chemistry and the **Spanish editions of the reference tables** for the Physical Setting/Earth Science. The [reference tables](#) can be found on the Department's website. **Note:** The Department will provide schools with the braille and large-type editions of the reference tables.
2. The **essay booklets** for the Regents Examinations in English Language Arts, Global History and Geography II, and United States History and Government (Framework). All [essay booklets](#) can be found on the Department's website.

The following materials must be printed by the school and supplied to all school personnel involved in the administration and scoring of Regents Examinations:

1. [Directions for Administering Regents Examinations](#) can be found on the Department's website.
2. [Information Booklets for Scoring Regents Examinations](#) can be found on the Department's website.
3. [Scoring Keys and Rating Guides](#) for all nonrestricted Regents Examinations will be made available on the Department's website at approximately 11:00 a.m. for morning examinations and at approximately 3:00 p.m. for afternoon examinations on the scheduled administration dates. **Note:** Schools will receive printed scoring materials for the restricted braille editions of the Regents Examinations in Physical Setting/Earth Science and Living Environment.

Shipments of August examinations to each school (and/or Department-approved storage location) will occur on **August 9, 10, or 11 for single-shipment schools** and on **August 10 through August 15 for daily-delivery schools**. Single-shipment schools will receive one delivery with examinations for both days, whereas daily-delivery schools will receive one delivery for each day for which examinations were requested. The shipments of the locked Regents boxes containing these materials will be delivered to schools or approved storage locations between 8:00 a.m. and 5:00 p.m. at least one day before the date that the examinations are scheduled to be administered. The printed scoring materials for restricted examinations will be delivered with their corresponding examinations. **Please be sure that someone in your school or approved storage location is available to accept the examination shipments** on these dates during those hours. Should any problems occur with the delivery of examination materials, please call OSA immediately.

The locked Regents boxes will be secured with either two locks and a plastic crimp or one lock and two plastic crimps. Padlock keys will be mailed in one or more envelopes to the principal and should arrive before the locked Regents boxes. If padlock keys for each day of the examination period have not been received by noon on Tuesday, August 8, call the Test Distribution Unit at 518-474-5914.

CHECKING THE EXAMINATION SHIPMENT

Enclosed in each delivery is a shipping notice listing the materials included. As soon as you receive the Regents box(es), use the shipping notice and your confirmation notice to inventory the materials received. **Under no circumstances may the sealed packages of secure examination materials be opened during this inventory.** The number of test booklets contained in each of the sealed packages is indicated below:

- *All Regents Examinations, including Spanish editions:* Each sealed package will contain 25 booklets.
- *Braille and large-type editions of all Regents Examinations:* The exact quantity requested will be shipped to the school.

If your inventory shows that the shipment is missing examination materials, contains excess examination materials, or that it contains examination materials that your school did not request, please notify OSA immediately via fax, telephone, or [e-mail](#). It is the principal's responsibility to maintain these excess materials under the same strict security protocols as the examinations that your school will be administering, as outlined under "Safeguarding Examination Materials."

EMERGENCY SUPPLIES OF EXAMINATION MATERIALS

A list of regional centers accompanies this memorandum. If a shipment for your school does not include all of the materials needed, contact a nearby regional center immediately with the exact number of test booklets that your school needs. This will ensure that a sufficient supply of examination materials will be available.

Emergency supplies of English editions will be available at all regional centers. Only regional centers in New York City may have Spanish editions of Regents Examinations. Translated editions are **not** ordinarily available at regional centers outside of New York City. Braille and large-type editions are **not** ordinarily available at any regional centers. If your school requires an emergency supply of materials that are **not** ordinarily available at the regional centers or more than ten booklets of an examination that is ordinarily available at the regional center, please send a fax to OSA for instructions on how to proceed.

Examination materials are available at the regional centers only on the day of the examination. Secure materials for morning examinations will be released in the morning; secure materials for afternoon examinations will not be released until after 10:30 a.m. Subject to these limitations, materials may be picked up at regional centers between 7:30 a.m. and 2:00 p.m.

In order to obtain examination materials at a regional center, an individual must present a letter of authorization written on school letterhead and signed by the principal. The letter must identify the person picking up the materials and list the specific materials requested. Anyone obtaining examination materials must provide identification with a photograph and countersign the authorization letter before the examination materials will be released.

School personnel are forbidden to make or authorize photocopies of secure State examination booklets without the express written prior approval of OSA. Such approval will be considered only when it is not feasible for the school to obtain the secure examination materials from a regional center.

SAFEGUARDING EXAMINATION MATERIALS

The principal of each school requesting examinations must make the necessary arrangements to safeguard the materials requested for the school. Upon delivery, the locked Regents box(es) must immediately be placed in a Department-approved safe or vault at the storage location designated by the school. Examination materials may be removed from locked Regents boxes only for inventory and for administration of the examinations on the scheduled date.

If the locked Regents boxes containing a school's shipment of secure examination materials are found to be too large for the approved storage location, the principal who requested the examinations must contact OSA immediately to make arrangements for the storage of the boxes in an alternate approved location.

The Regents box keys and the combination or key to the safe or vault must be maintained under strict security protocols to preclude access to the examinations by students and other unauthorized persons.

When the safe or vault where the Regents boxes are stored is unlocked, it must be kept under continuous supervision by school personnel. Additionally, the locked Regents boxes must be visually checked daily by the person in charge of the administration of the examinations to ensure that they have not been tampered with and that their contents remain secure.

The sealed packages containing examination booklets and teacher dictation copies must not be opened until the day each examination is scheduled to be administered, and no earlier than is necessary for distribution to proctors.

Scoring key packages must be kept secure and may not be opened until after the Uniform Statewide Admission Deadline of 9:15 a.m. for morning examinations and 1:15 p.m. for afternoon examinations. The principal must notify the Department via fax if any packages of secure examination materials were not sealed properly when received. For more information about the security and storage of examination materials, please refer to Section Two of the [School Administrator's Manual](#).

Proctors may not use cell phones or other electronic devices to duplicate test materials and should keep their own communications devices put away during testing, using them **only** in emergency situations. Test booklets cannot be opened and read prior to the distribution of tests to students.

Following the examination period, in addition to other materials, the principal must sign and return to the Department the completed **Examination Scoring Certificate, Deputy and Proctor Certificate, and Examination Storage Certificate** (all included in the shipment of secure materials). For a complete list of items to be returned, refer to the *Checklist for Return of Examination Materials in Regents Boxes* (DET 536) or to Section Four of the [School Administrator's Manual](#).

ADMISSION OF STUDENTS TO EXAMINATIONS

Students who have not completed the appropriate course(s) may not be admitted to State examinations. Students must provide written authorization from their home school district superintendent to take an examination to earn "credit by examination." In all cases, nonresident students and any others not enrolled in the summer school program may be admitted to State examinations only at the written request of the home school principal. Public school districts may not charge resident students a fee for admission to the August examinations. Nonresident students may be charged a reasonable fee to cover administration and scoring costs.

STUDENT IDENTIFICATION AND RECORDKEEPING

Plans should be made before the administration of the examinations to verify the identity of each student entering the examination room, especially those not enrolled in the summer school program. Accurate attendance records must be kept for each examination. The school must have attendance records that can be used to verify the presence or absence of any student for any of the August examinations.

STUDENT USE OF COMMUNICATIONS DEVICES

All students are prohibited from bringing cell phones and certain other personal electronic devices into a classroom or other location where a State test is being administered. Test proctors and school officials shall retain the right to collect and hold any prohibited electronic devices prior to the start of the test administration. Admission to the test shall be denied to any student who is in possession of a cell phone or other prohibited electronic device and refuses to relinquish it. For more information, see Student Use of Communications Devices in the [School Administrator's Manual](#).

ADMINISTERING AND SCORING EXAMINATIONS

Teachers are **not** permitted to score their own students' answer papers. This means that a teacher who was the student's 2022–23 school year teacher or is the student's 2023 summer school teacher in the coursework associated with a particular Regents Examination may **not** score the student's answer paper for that examination. This prohibition includes special education and Academic Intervention Services (AIS) teachers. The following examples are intended to offer guidance to school administrators who will be making determinations as to a teacher's eligibility to score specific students' examination papers.

- A teacher providing AIS to a student in preparation for the Regents Examination in Global History and Geography II may **not** score that student's answer paper for this examination.

- An English teacher who was a student's homeroom teacher but was not the student's school year or summer school English teacher may score that student's answer paper for the Regents Examination in English Language Arts.
- A mathematics teacher who taught a student algebra the year before but is not currently instructing the student in the coursework in geometry may score the student's answer paper for the Regents Examination in Geometry.

The principal is responsible for making the final determination as to whether or not a teacher may score specific students' examination papers based on this scoring policy. A principal may establish rules that are more prohibitive than the illustrations above suggest.

The general administration procedures for secondary-level examinations are provided in the [School Administrator's Manual](#). Specific [directions](#) for administering regular and restricted examinations are available on the Department's website. These materials must be distributed to teachers before the examination date in order to give them time to become familiar with the instructions.

The [scoring keys and rating guides](#) will be made available on the Department's website. Posting time for the scoring materials for the August Regents Examinations will be approximately 11:00 a.m. for morning examinations and approximately 3:00 p.m. for afternoon examinations.

Schools must print sufficient copies of the Regents scoring materials to supply one to each rater.

All scoring keys and rating guides posted on the Department's website will be password-protected (see page 1).

The same scoring materials are provided to score the regular English editions, Spanish editions, and nonrestricted braille editions of all Regents Examinations. Separate scoring materials are provided for restricted braille editions of Living Environment and Physical Setting/Earth Science.

SCORING RESTRICTED EXAMINATIONS

The administration procedures for restricted examinations (the braille editions of Living Environment and Physical Setting/Earth Science) are different from those for nonrestricted examinations. General information about the administration of restricted examinations is provided in the [School Administrator's Manual](#). These materials must be distributed to teachers before the examination date in order to give them time to become familiar with the instructions. Each person who will administer or score the restricted editions must be thoroughly familiar with the procedures detailed in both publications.

The scoring keys provided for the braille editions of the Regents examinations in Living Environment and Physical Setting/Earth Science are different from the scoring keys provided for the regular editions of these examinations.

PROCEDURES FOR STUDENTS RETAKING THE REGENTS EXAMINATION IN PHYSICAL SETTING/EARTH SCIENCE

All students taking the August 2023 Regents Examination in Physical Setting/Earth Science must take the performance test, even if they have taken it in conjunction with a prior administration of the written examination. Only the performance test score earned by the student in the weeks immediately preceding the August 2023 written examination may be used to determine the student's final examination score for this Regents Examination.

Consequently, all schools planning to administer the Regents Examination in Physical Setting/Earth Science must make arrangements for all students who will be taking the written examination to take the performance test as well. The performance test must be administered during the last two weeks of the Earth Science course and no later than the day before the written examination. This requirement applies both to students enrolled in the course of study and to students who plan only to retake the examination. All schools administering this examination must notify students of the date and time to appear for the performance test.

REPORTING TESTING MISCONDUCT AND IRREGULARITIES TO THE DEPARTMENT

The principal is responsible for all aspects of the school's administration of State examinations and must take appropriate measures both to prevent, as much as possible, and to investigate all irregularities associated with the administration and scoring of these examinations.

Reporting Student Testing Misconduct and Irregularities

The principal must report the following misconduct by students and testing irregularities in writing on school letterhead to OSA via fax or by [e-mail](#):

- All student infractions of the Department's policy prohibiting the possession or use of cell phones and other communications devices during State examinations.
- All confirmed cases of students having committed fraud on State examinations.
- All interruptions of testing sessions, including those caused by power outages or fire alarms.
- All instances in which a State examination is administered without Department authorization at a time outside of the published Statewide schedule.
- All instances in which a school does not conform to the Uniform Statewide Admission Deadline in administering a State examination.
- All instances in which scorers do not rate State examinations in accordance with the scoring materials provided by the Department.
- All cases in which student answer papers are lost prior to the recording of the scores in students' permanent records.

Mandatory Reporting of Testing Improprieties by Adults

The Department's Test Security Unit (TSU) handles all reports of testing improprieties by adults involved in the administration and scoring of State assessments. Each school district, BOCES, religious, independent, and charter school employee is required to report to the Department any known incident of testing misconduct by a certified educator, as well as any known testing misconduct by a noncertified individual involved in the handling, administration, or scoring of State assessments that may reasonably be considered to be in violation of Section 225 of the Education Law. Reports should be made via the TSU website by submitting the [Incident Report Form](#) located on the main page under "Report Educator Test Fraud."

A school district or BOCES may not take adverse action, including dismissal and any disciplinary or other adverse action, against an employee who files a mandatory report of testing misconduct because the employee filed a report. Any certified employee who takes such unwarranted adverse action against another employee may face disciplinary action by the Department.

More complete information on strategies for avoiding the occurrences listed above and for addressing them should they occur may be found in the [School Administrator's Manual](#) and in the [Directions for Administering Regents Examinations, June and August 2023 Administrations](#).

TESTING ACCOMMODATIONS

Students with Disabilities

Summer school principals must ensure that students with disabilities are provided the testing accommodations specified in their Individualized Education Programs (IEPs) or Section 504 Accommodation Plans (504 Plans) when they take State examinations. Under certain conditions, special examination arrangements may be made for general education students taking State examinations. The guidelines to be followed in such circumstances are provided in Section Two of the [School Administrator's Manual](#).

English Language Learners (ELLs) and Former ELLs

For detailed information on testing accommodations available for ELLs and Former ELLs, refer to Section Two of the [School Administrator's Manual](#).

[Additional guidance](#) on the identification of Former ELLs is available on the Department's website.

HANDLING OF STUDENTS' COMPLETED EXAMINATION MATERIALS

When a student has completed a State examination, the student's answer materials should be collected and confirmed, or "checked in," by a proctor and logged into a list of examinees before that student is permitted to leave the testing room. Hand-scored answer papers for all State examinations must remain in the custody of teachers or administrators in the school building or regional scoring site until the rating process is complete and scores are recorded on the students' permanent records. When answer papers are scored in cooperation with another school, they may be transported to the cooperating school for such scoring. It remains the principal's responsibility to ensure the security and integrity of such papers while they are out of the building. Answer papers that are sent to a scanning center for scoring may be stored either at the scanning location or in the schools where the examinations were administered, as long as storage conditions are maintained that will not limit the principal's access to an individual student's answer papers. As an additional precaution, all scrap paper should be retained until all examination scores have been recorded.

If a student's answer paper is lost, the principal or superintendent must conduct an inquiry and file a written report with OSA. This report must include (1) a description of the loss or disappearance, including a list of all students whose papers are missing; (2) the examination title and administration date; (3) the likely cause of the loss or disappearance; and (4) what steps will be taken to prevent a similar occurrence in the future.

MATERIALS RETURNED IN THE REGENTS BOX

The materials that must be returned to the Department in the Regents boxes are listed in Section Four of the [School Administrator's Manual](#) and on the checklist provided to schools in the shipment of secure test materials. Please combine all materials to be returned to the Department in one Regents box when possible.

[Return](#) all Regents boxes no later than August 23, 2023. Please check all storage locations for any boxes remaining from previous examination periods and return those boxes as well. Each school must pay for the return shipment of its own Regents boxes; the boxes may not be returned collect. The boxes may be returned by FedEx or any other carrier. Regardless of the carrier, the school must call the carrier, make the necessary arrangements, and pay for the return shipment. If the Regents boxes for a school are returned collect, the Department will refuse delivery.

DEPARTMENT REVIEW

Selected summer school principals requesting examinations will receive notice concerning Department review by the end of the August Regents Examination period. This notice will indicate each subject for which answer papers must be submitted in the Regents box to the Department. All answer papers not requested must remain on file in the school for one year, with the exception of restricted edition examinations. The latter must be returned to the Department. Schools that have been asked to submit answer papers for Regents Examinations should produce and retain, in the school, photocopies of all answer papers prior to submitting them to the Department.

ONLINE SUBMISSION OF TEACHER EVALUATIONS OF EXAMINATIONS

Suggestions and feedback from teachers are an important contribution to the test development process. The Department provides an online evaluation form for State assessments where teachers may respond to several specific questions and may make suggestions. Complete and submit the [evaluation](#) of any examination (except restricted editions) on the Department's website.

REPORTING AND RECORDING TEST SCORES

Summer schools must record the names and test scores of all students tested and then send the scores for each student to the student's home school. Information about recording test scores on the permanent record is provided in Section Three of the [School Administrator's Manual](#).

CONTACT INFORMATION

For questions regarding the requesting, storing, and administering of the Regents Examinations, contact the Operations Group at 518-474-8220 or via e-mail at examrequest@nysed.gov.

For other questions regarding State assessments, call OSA's main number at 518-474-5902.

Fax supplemental requests for the Regents Examinations to 518-474-2021.

Other faxes regarding test administration may be sent to 518-474-1989.

OSA can also be reached via [e-mail](mailto:emscassessinfo@nysed.gov) at emscassessinfo@nysed.gov.