



BUREAU CHIEF
Office of State Assessment

January 2023

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

FROM: Clara DeSorbo *Clara DeSorbo*

SUBJECT: Administration of the January 2023 Regents Examinations

This memorandum provides essential information about the administration of the January 2023 examinations. In addition, all persons coordinating the administration of the January 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 is the current list of regional centers (DET 571), a memorandum regarding the content of each January examination (DET 563), and the schedule for the January 2023 examination period (DET 504).

For the January 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, January 24–27.**

RESCHEDULING EXAMINATIONS DUE TO INCLEMENT WEATHER

Schools are sometimes affected by snow and ice storms that require them to be closed. Student safety is our first priority during any instance in which schools or districts have to close because of safety concerns. If inclement weather causes closure, Statewide examinations may be rescheduled for another day as described below.

Upon reopening, each superintendent or principal of a public, charter, independent or religious school in a district or school affected by closure must send to the Department via [e-mail](#) a description of the date(s) on which schools are closed due to inclement weather, which January 2023 Regents Examinations had to be rescheduled, the date(s) and time(s) when the district or school will administer the test(s), and a comprehensive plan to ensure the security of examinations and scoring materials during this period. Public schools should also notify their BOCES District Superintendent of their plan.

In developing such a plan, the following rules must be **strictly observed**:

- All examinations should be administered as close as possible to the original administration date/time, but no later than Friday, January 27 for those examinations originally scheduled to be administered between Tuesday, January 24 and Thursday, January 26 and no later than Monday, January 30 for those examinations originally scheduled to be administered on Friday, January 27.
- Under no circumstances may any examination be administered prior to its original administration date/time.
- Although scoring materials will be available according to the statewide posted examination schedule, the school may not access or distribute these materials until after the examination has been administered in the school.
- All Regents Examination booklets and scoring materials must be kept secure until 8:00 a.m. on Wednesday, February 1, 2023.

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 that 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

Test booklets for the January 2023 Regents Examination period will be shipped so as to arrive at schools (or approved storage locations) between 8:00 a.m. and 5:00 p.m. on January 19, 20, and/or 23. See below for further information.

In early January, a shipment of the Earth Science performance test materials and Regents diplomas will be delivered to schools in cardboard cartons and/or padded mailers. 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 edition reference tables** for Physical Setting/Earth Science, Physical Setting/Chemistry, and Physical Setting/Physics, **and the translated editions of the reference tables** for Physical Setting/Earth Science. The [reference tables](#) can be found on the Department's website. Note that the Department provides schools with the braille and large-type editions of the reference tables.
2. The **essay booklets** for the Regents Examination in English Language Arts and Global History and Geography II. 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](#). These materials can be found on the Department's website.
2. [Information Booklets for Scoring Regents Examinations](#). These materials can be found on the Department's website.
3. [Scoring Keys and Rating Guides](#) for all nonrestricted Regents Examinations. These materials 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 date. Note that schools will receive printed scoring materials for the restricted Regents Examination in Physical Setting/Physics in the shipment of secure materials.

The shipment containing secure materials for the January examinations will be delivered in locked Regents boxes to arrive at schools, or approved storage locations, between 8:00 a.m. and 5:00 p.m. on January 19, 20, and/or 23. **Please be sure that someone is available in your school, or approved storage location, during those hours to accept the examination shipment.** Should any problems occur in connection with the delivery of examination materials, please call OSA immediately.

All packages containing secure examination materials for your school will be shipped via FedEx and will be delivered between 8:00 a.m. and 5:00 p.m. on one or more of the dates indicated above.

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 to the principal and should arrive no later than two days before the arrival of the locked Regents Boxes. Please call the Test Distribution Unit at 518-474-5914 if padlock keys have not been received by 12:00 noon on the expected date.

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:

- *English editions of Regents Examinations (except for the restricted Examination in Physical Setting/Physics).* Each sealed package contains 25 booklets.
- *Spanish editions of the Regents Examinations in Algebra I, Living Environment, Physical Setting/Earth Science, and Global History and Geography II.* Each sealed package contains 25 booklets.
- *Braille and large-type editions and translations (other than Spanish) of Regents Examinations.* The exact quantity requested will be shipped to the school.
- *Restricted editions of the Regents Examination in Physical Setting/Physics.* Each test booklet is numbered and sealed in a separate envelope. Exact quantities requested are shipped to the school.

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

EMERGENCY SUPPLIES OF EXAMINATION MATERIALS

A list of regional centers accompanies this memorandum. If the shipment for your school does not include all the materials needed, additional materials may be obtained from a nearby regional center.

Supplies of all examination materials other than braille, large-type, and alternative language editions of all examinations will be available at regional centers.

Contact your regional center as soon as you realize that you need additional materials. Do not wait until the day of the examination. If your school requires an emergency supply of materials that are not ordinarily available at the regional centers or more than 10 booklets of an examination that is ordinarily available at the regional center, please send a fax to OSA.

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 11:00 a.m. Scoring materials will not be released by regional centers until after the Uniform Statewide Admission Deadline, which is 10:00 a.m. for morning examinations and 2:00 p.m. for afternoon examinations. Subject to these limitations, materials may be picked up at regional centers between 8:00 a.m. and 3:00 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 boxes must immediately be placed in the 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 this office immediately to make arrangements for storage of the boxes in an alternative approved location.

The Regents box keys and the combination or key to the safe or vault must be maintained under strict security protocols in order to preclude access to 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 in order 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 that 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 10:00 a.m. for morning examinations and 2:00 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 information about the storage and security 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** (received 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](#).

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 teachers currently instructing students in the coursework associated with a particular Regents Examination may **not** score those students' answer papers 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 may **not** score that student's answer paper for this examination.
- An English teacher who is a student's homeroom teacher but is not the student's current year 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 a 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 examples 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 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 Department does not provide printed scoring materials for any examinations except those for the restricted Regents Examination in Physical Setting/Physics. Schools must print sufficient copies of the nonrestricted 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 following list provides information regarding the scoring materials that will be available for each examination type:

- *Regents Examinations.* The same scoring materials are provided to score the regular English editions, the alternative language editions, and the braille editions for all Regents Examinations, except for the restricted braille editions of Living Environment, Physical Setting/Earth Science, and Physical Setting/Physics. Separate scoring materials are provided for the braille editions of Living Environment, Physical Setting/Earth Science, and Physical Setting/Physics.
- *Regents Examination in Living Environment.* Two scoring keys are provided—one for the English and alternative language editions, and the second key for the restricted braille edition.
- *Regents Examination in Physical Setting/Earth Science.* Two scoring keys are provided—one for the English and alternative language editions, and the second key for the restricted braille edition.
- *Regents Examination in Physical Setting/Physics.* Two scoring keys are provided—one for the English edition, and the second key for the restricted braille edition.

PROCEDURES FOR STUDENTS RETAKING THE REGENTS EXAMINATION IN EARTH SCIENCE

All students taking the January 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 January 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 [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 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, or 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, January 2023 Administration](#).

TESTING ACCOMMODATIONS

Students with Disabilities

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 to 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 in to a list of examinees before that student is permitted to leave the testing room. When they are 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, answer papers 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 February 6, 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 principals requesting examinations will receive notice concerning Department review by the end of the January 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 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 your [evaluation](#) of any examination (except restricted editions) on the Department's website.

CONTACT INFORMATION

For questions regarding the requesting, storing, and administering of the Regents Examinations call the Operations Group at 518-474-8220 or via [e-mail](mailto:examrequest@nysed.gov) at examrequest@nysed.gov.

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

Fax supplemental requests for 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.