



# Virginia Department of Corrections

## Educational Services

### Operating Procedure 601.4

#### *Educational Testing*

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## REVIEW

The Content Owner will review this operating procedure annually and re-write it no later than three years after the effective date.

## COMPLIANCE

This operating procedure applies to all units operated by the Virginia Department of Corrections (DOC). Practices and procedures must comply with applicable State and Federal laws and regulations, American Correctional Association (ACA) standards, Prison Rape Elimination Act (PREA) standards, and DOC directives and operating procedures.

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## DEFINITIONS

**Adult Basic Education (ABE)** - Instructional services provided to individuals with a grade equivalency of 0.0 to 8.9 that provides educational skills necessary to function independently in society including, but not limited to: reading comprehension, writing, and arithmetic computation.

**Adult Secondary Education (ASE)** - Instructional services provided to individuals with a grade equivalency of 9.0 or higher. Successful completion of this level of instruction requires that the individual pass a Virginia Department of Education approved High School Equivalency (HSE) test and results in the awarding of a HSE certificate.

**Applied Studies Diploma** - A Virginia Department of Education diploma option available to students identified as having a disability who complete the requirements of their individualized education programs and meets certain requirements prescribed by the Board of Education pursuant to regulations, but does not meet the requirements for any named diploma.

**Comprehensive Adult Student Assessment Systems (CASAS)** - A competency-based standardized assessment system used by correctional education to assess non-native speakers of English in adult basic ready and listening skills in English.

**English Language Acquisition (ELA)** - An instructional program provided to eligible students who are English language learners. It provides students with instruction in the competence of reading, writing, speaking, and comprehending of the English language; and that leads to attainment of the secondary school diploma or its recognized equivalent. Finally, it leads to preparation for the transition to postsecondary education and training as well as employment.

**English Language Learner (ELL)** - A limited English proficiency individual whose native language is a language other than English.

**High School Equivalency (HSE)** - Recognized alternative to a high school diploma published by a Virginia Department of Education approved HSE publisher.

**Personal Learning Plan (PLP)** - A student directed planning and monitoring tool that customizes instructional services, throughout the student's learning experience, which supports attainment of goals.

**Test of Adult Basic Education (TABE)** - An aligned series of norm-referenced tests that measure a student's achievement level in reading, math, and language arts. The TABE provides a uniform assessment of a student's achievement. Furthermore, it determines a student's eligibility for completion of the ABE Program. In addition, it determines an individual's eligibility for the WorkKeys Assessment for the National Career Readiness Certificate.

**WorkKeys Assessment** - A series of tests designed to determine an individual's readiness level to enter the workforce. Completion of the core series of assessment results in a National Career Readiness Certificate indicating that individual's level of preparation for entry into the workforce.

## PURPOSE

This operating procedure provides guidelines for educational testing of inmates in Department of Corrections (DOC) facilities.

## PROCEDURE

### I. General Testing Guidelines

- A. Correctional education staff who administer any of the following assessments: Test of Adult Basic Education (TABE), Official High School Equivalency (HSE) Practice Tests, HSE Tests, WorkKeys (NCRC), and Comprehensive Adult Student Assessment Systems (CASAS) assessments will adhere to this operating procedure, Attachment 1, *Correctional Education Testing Guidelines and Security Protocol*, and respective publishers test administration procedures.
- B. Administering any of the above referenced tests in a way inconsistent with correctional education guidelines, procedure, or the respective testing manuals or protocols will be considered a procedural deviation and subject to disciplinary action in accordance with Operating Procedure 135.1, *Standards of Conduct*.
- C. The level of test security, standardized administration, and maintenance of materials and records of TABE, HSE Practice Tests, HSE Tests, WorkKeys, and CASAS will be consistent with Attachment 1, *Correctional Education Testing Guidelines and Security Protocols Manual*. Test Administrators will closely observe these prescribed testing procedures for the administration of each respective test.
- D. Only certified correctional education staff can administer assessments in accordance with publisher recommendations and Attachment 1, *Correctional Education Testing Guidelines and Security Protocols Manual*.
  1. Staff will maintain all current and necessary certification(s).
  2. Principals will ensure that all new academic Teachers complete certification training and submit training certificates and rosters to the School Assessment Coordinator within six weeks of hire date.
  3. The School Assessment Coordinator will maintain a list of certified assessors and provide certification training.
- E. The School Assessment Coordinator must approve procedural deviations.
- F. Virginia recognizes English as the official state language; COV §1-511 *English designated the official language of the Commonwealth*, therefore certified correctional education test facilitators will utilize the English test version for all TABE, WorkKeys, and CASAS testing; see Exceptions for HSE Testing under Operating Procedure 601.1, *Educational Administration and Management*.
- G. No person will have access to any standardized test without proper training to administer it and without being affiliated with correctional education.
- H. Certified test facilitators will administer the TABE quarterly to all ABE enrolled students who are below the 8th grade level. For any inmate entering or re-entering the DOC system, TABE scores should be no more than a year old.
- I. Testers may use approved calculators provided by the test facilitator according to each testing instrument's manual as established by each respective test publisher.

### II. Test of Adult Basic Education (TABE)

- A. Only trained correctional education staff can administer the TABE test.
- B. The appropriate level of the initial TABE 11 or 12 (L, E, M, D, or A) to be administered for a new period of incarceration is determined by the Locator TABE score.
  1. The grade level range is valid plus or minus two years.



- a. Example: Student with Level D test results could reflect a grade level range falling from 4.0 to 10.9. This would be a valid range and reliable for determining the students educational functioning

<b>TABE Test Level/Grade Level Range</b>	
<b>Level L (Literacy)</b>	<b>0 – 1.9</b>
<b>Level E (Easy)</b>	<b>2.0 – 3.9</b>
<b>Level M (Medium)</b>	<b>4.0 – 5.9</b>
<b>Level D (Difficult)</b>	<b>6.0 – 8.9</b>
<b>Level A (Advanced)</b>	<b>9.0 – 12.9</b>

level.

- b. Scores that fall outside of the valid range are not reliable and the student should re-test on a more appropriate level.
- c. Once an initial valid TABE score is determined, certified correctional education test facilitators will administer the TABE test sequentially without skipping any level as the student progresses.

<b>NRS Level</b>	<b>Educational Functioning Level</b>	<b>TABE Grade Equivalency</b>
1	ABE Beginning Literacy	0 – 1.9
2	ABE Beginning Basic Education	2 – 3.9
3	ABE Intermediate Low	4 – 5.9
4	ABE Intermediate High	6 – 8.9
5	ASE Low	9 – 10.9
6	ASE High	11- 12.9

2. Certified test administrators will alternate between TABE test forms 11 and 12.
3. Receiving Centers will administer the TABE Locator for classification information and guidance upon the reception of an inmate at their facility.
4. If a Receiving Center is unable to administer the TABE battery to a newly received inmate before the inmate is transferred to general population, then authorized school testing staff at each facility will administer the TABE battery.
5. Since test administrators must administer the L Level TABE on a one-on-one basis, Receiving Centers will not be expected to administer the L Level TABE.
  - a. Receiving Centers must document, in the appropriate “notes” section of VACORIS, that the TABE Locator indicated administration of the L Level TABE.
  - b. It is not sufficient to indicate simply that a student is a “low-level learner”.

### III. TABE Testing Eligibility and Requirements

#### A. Intake TABE Testing

1. Inmates without a verified high school diploma or a verified HSE are required to take the TABE Locator at the Receiving Center or assigned facility within thirty days of intake.
2. Authorized correctional education staff will enter the inmate’s appropriate educational status in VACORIS within five days of testing session.
3. The school Principal or designee should notify the School Assessment Coordinator and update VACORIS if a student does not receive initial intake TABE Testing.
4. If receiving staff cannot verify an inmate’s claim of a high school diploma or HSE before the inmate is scheduled to test, then the inmate is required to take the TABE Locator.
  - a. Correctional education staff should note that verification is pending and provide the proper

documentation of efforts to verify HSE/high school completion in VACORIS.

- b. Correctional education staff will classify inmates with an unverified High School Diploma (HSD) or HSE as ABE “eligible” in VACORIS.
- c. On the date of the receipt of verification of a HSD or HSE, authorized school staff will update VACORIS to reflect “not eligible.”
- d. The school Principal may accept foreign diplomas or foreign language HSEs as means of exemption from ABE on a case-by-case basis as approved by the Assistant Superintendent of Academic Programs or designee.

#### B. Enrolled Students

1. Newly enrolled students who have never taken the TABE will test at the next regularly scheduled session subsequent to administration of the Locator for proper TABE placement.
2. Teachers will base instruction upon other forms of assessment such as teacher-generated assessment tools or the ABE competency checklists to best determine the skill levels of these students until the next regularly scheduled testing session.
3. Correctional education staff will administer the TABE a minimum of once each quarter: January 1-March 31, April 1-June 30, July 1-September 30, and October 1-December 31.
4. TABE scores are valid for one year. When used as a qualifying assessment for the Official HSE Practice Test or HSE testing and one year or more has passed, the student should be retested.

C. Students with a certificate of attendance are not exempt from testing or the ABE Program.

D. English Language Learner (ELL) students are not exempted nor marked “not eligible” from the ABE program.

1. Correctional education staff will screen them at reception using CASAS to determine their eligibility for English Language Acquisition (ELA) and/or ABE programs.

#### E. Exceptions to TABE Testing

1. Inmates with either a verified high school diploma or a verified HSE are exempted from taking the TABE. Authorized correctional education staff will enter their status in VACORIS as “not eligible” for ABE.
2. Students with a verified Virginia Department of Education (VADOE) diploma are not required to be TABE tested at receiving and are not required to participate in the ABE program. Correctional education staff will advise inmates claiming an exemption based on a verified VADOE approved diploma that TABE testing is required not only prior to enrollment in correctional education but also prior to testing for the NCRC.
  - a. If their status is based upon the "inability to progress" exemption, these students are not to be noted in VACORIS as having a HSD.
  - b. Upon their written request, students with a verified VADOE diploma may enroll in the ABE program.
3. Inmates at reception who have taken HSE tests, but have not earned a HSE, will be exempted from testing at reception if they can verify that they have passed at least two HSE tests.
  - a. These inmates are to be evaluated for expedited HSE testing during reception or intake at the facility.
  - b. This only applies to those who have taken the 2014 GED. Inmates who tested under a previous GED test release must retest on all subjects.

#### F. Recidivists

1. If previously incarcerated inmates return to DOC, correctional education staff will not retest them if their educational test data is available and no more than one-year-old.

2. If it can be verified that the inmate has completed high school or the HSE, they are "not eligible" for ABE.
3. Correctional education staff will assess all other returning inmates without educational test data according to the normal testing procedure.

#### IV. Accommodations

- A. There are no provisions for accommodated or alternative assessments at Receiving Centers. Correctional education staff at the respective school, with assistance from the SPED Coordinator, will screen the inmate to determine appropriate accommodations for placement testing with the TABE based on SPED records received or an Americans with Disabilities Act (ADA) request from the inmate.
- B. School staff will submit all accommodations requests on the *Testing Accommodations Request* 601\_F5 and submit to the School Assessment Coordinator for action.
- C. For inmates with a current Individual Education Plan (IEP), the Instructor must ensure the routine daily use and documentation of that use of accommodations as identified in the IEP in the classroom prior to requesting accommodations for a standardized assessment.
- D. Reasonable accommodations are available for educational testing and instruction based on a properly executed ADA request initiated by, or on behalf of, the inmate and documented by a licensed medical professional from within the facility or by an outside licensed medical professional.
  1. Correctional education staff will assist the inmate in identifying resources for accommodated educational testing or assessment and/or for appropriate instruction.
  2. Correctional education staff will place the inmate on the appropriate waiting list based on length of sentence and assessment.
  3. Instructional assessment with ADA accommodations
    - a. The Assistant Superintendent of Academic Programs or designee may waive TABE testing and/or testing on the HSE Practice Test, in such cases where the required accommodation is not available for those respective instruments.
    - b. When the TABE and/or the HSE Practice Test cannot be used to assess ongoing instructional needs, educational gains, or readiness for the HSE then an alternative appropriate assessment(s) should be administered in accordance with the ADA accommodation.
      - i. The student, correctional education staff, and any third-party service provider must agree in writing upon any alternative assessment(s).
      - ii. The student, correctional education staff, and any third-party service provider will include this written agreement part of the initial educational plan. Moreover, they will include it in at least written quarterly updates to the plan.
    - c. The inmate will maintain reasonable progress to remain enrolled. Documentation of the inmate's progress and recommendation of the Instructor will determine the readiness of the inmate to be HSE tested.

#### V. TABE Accommodation Procedures

- A. Requests for TABE testing accommodations will be submitted utilizing the *Testing Accommodations Request* 601\_F5.
- B. The SPED team and School Assessment Coordinator will determine whether the request justifies an accommodated administration of the TABE 11 and 12 and will document, in writing, their decision and accommodation approval.
- C. With the written recommendation, the Instructor will contact the School Assessment Coordinator to schedule accommodated administration of the TABE 11 and 12.
- D. For inmates formally identified for Special Education services and Presumptive 504, under the



*Rehabilitation Act of 1973*, the IEP team at each facility, in consultation with the Special Education (SPED) staff at Central Office, may determine the eligibility of inmates to receive accommodated testing on the TABE on a case-by-case basis.

#### VI. HSE Accommodation Procedures

- A. Requests for HSE testing accommodations will be submitted utilizing the *Testing Accommodations Request* 601\_F5.
  - 1. School staff must complete additional accommodation request forms as required and obtained by respective HSE provider.
  - 2. It is the Teacher's responsibility to secure any signatures required, as indicated on the respective HSE publisher accommodations form, from medical or a Mental Health Clinician at the facility.
  - 3. The SPED team and School Assessment Coordinator team will review the *Testing Accommodation Request* for accuracy and submit the *Testing Accommodations Request* to respective HSE publisher.
- B. Correctional education facilitates the request process for accommodations on the HSE test but does not approve accommodations. Submitting the request for accommodations well in advance of the testing session will give the correctional education certified examiner the ability to prepare for a successful testing session.
- C. Correctional education does not pay for or provide diagnostic testing required to document the disability for inmates not identified as Special Education. The correctional education School Psychologist can review assessment documentation for that disability and complete a summary as the diagnosing professional.
- D. The publisher of the respective HSE assessment administered approves accommodations.
  - 1. Each HSE publisher has an appeal process in place and it decides all appeals.
  - 2. In appealed cases, the decision of the HSE test publisher is final.
- E. Once approved, the School Assessment Coordinator will schedule accommodated administration of the HSE.

#### VII. Refusal to Test

- A. Inmates who refuse to take the TABE, and/or HSE Practice Test, and/or HSE test must sign a *Test Refusal* 601\_F1 which becomes a part of their inmate file.
- B. Correctional education staff will charge inmates refusing educational testing with Offense Code 119b in accordance with Operating Procedure 861.1, *Inmate Discipline*.
- C. The PAR or designee will place inmates convicted of a disciplinary offense for refusing educational testing in Good Time Class Level IV. They are then ineligible to earn good time until they comply with testing requirements.

#### VIII. Test Security Measures

- A. All correctional education staff will follow the test security for all test material and test administration as outlined in Attachment 1, *Correctional Education Testing Guidelines and Security Protocols Manual*.
  - 1. Inmate tutors will not be present in the classroom during TABE administration.
  - 2. Inmate tutors will not have access to any TABE testing materials at any time.
  - 3. Inmate tutors may review student TABE Test Reports after testing when assisting students with proposed learning goals and objectives.
  - 4. All correctional education staff will report all testing irregularities to the School Assessment Coordinator before close of business on the day that they occur.



5. Correctional education staff who do not follow testing instructions issued by the Assistant Superintendent of Academic Programs or do not follow instructions issued by the agency in any operating procedure or directive will be disciplined accordingly on a case-by-case basis.

B. No correctional education staff will use any inmate aides for administering, scoring, and recording the TABE. Correctional education staff will not use inmate aides for administering, scoring, and recording the TABE.

IX. Assessments and Personal Learning Plans (PLP)

A. Teachers will utilize prescriptive reports issued from the candidate's previous test session in developing the student's PLP for that content area.

B. All students will participate in updating their PLP every testing cycle.

C. The Teacher will participate with the student in the development of the PLP and approve the PLP upon completion.

D. The Teacher will only utilize the approved *Personal Learning Plan* 601\_F4.

X. High School Equivalency

A. Certified Examiners will administer Official HSE Tests in accordance with Attachment 1, *Correctional Education Testing Guidelines and Security Protocols Manual*.

B. Persons instructing potential candidates for HSE Tests, e.g., ABE, GED, and other adult secondary education cannot serve as examiners, proctors, or otherwise have access to any HSE testing materials.

C. Correctional education staff who do not follow testing instructions issued by the Assistant Superintendent of Academic Programs or do not follow instructions issued by the agency in any operating procedure or directive will be disciplined accordingly.

D. The ratio of examinees to examiner will not exceed 10-to-1 for DOC. This is the exception to any HSE publisher policies and procedures.

E. The School Principal or designee must submit a list of test candidates along with required documentation as outlined in Attachment 1, *Correctional Education Testing Guidelines and Security Protocols Manual*.

XI. HSE Testing Schedule

A. Official HSE Practice and HSE testing will be offered a minimum of once per quarter at each site.

B. The Principal will refer eligible candidates for Official HSE Practice and HSE testing approved for partial testing.

1. Criteria to test as specified by Attachment 1, *Correctional Education Testing Guidelines and Security Protocol Manual*.

2. All test candidates must be approved by the School Assessment Coordinator or designee. The initial list needs to be approved by the Regional Education Administrator prior to be sent to the School Assessment Coordinator.

XII. WorkKeys/National Career Readiness Certificate (NCRC)

A. Trained correctional education staff will administer the WorkKeys test in accordance with the WorkKeys testing guidelines.

B. Eligibility to participate in the WorkKeys Assessment

1. Within one year of release

2. Minimum of an 8<sup>th</sup> grade equivalency on TABE Math and Reading or has earned a verifiable HSE or has successfully completed one or more college level courses with a grade of C or better; and is within

one year of release.

C. WorkKeys Guidelines - General:

1. The WorkKeys Assessment for the NCRC consists of three tests: Workplace Documents, Applied Math, and Graphic Literacy.
  - a. Trained correctional education staff will administer these tests in a manner consistent with the WorkKeys administration manual.
  - b. Every assessor will possess and utilize an administration manual.
2. Each test requires 55 minutes to administer. Trained correctional education staff will schedule approximately four hours for testing candidates to complete both the demographic information and the testing.
3. All inmates participating in the WorkKeys Assessment will be required to sign an authorization allowing them to become a part of the Virginia database.
  - a. This authorization is located on the answer booklets.
  - b. Failure to sign the authorization statement will render them ineligible to participate in the WorkKeys Assessment.
4. Only testing candidates and trained correctional education staff will be present in the classroom during WorkKeys test administration.
5. Inmate tutors will not have access to any WorkKeys testing materials at any time.
6. Inmate tutors may review the WorkKeys testing profile results received after testing when assisting students with the development of learning and/or career goals.

D. WorkKeys Assessment Tests Security Measures

1. Administration of the WorkKeys Assessment tests will be limited to specific testing sessions, i.e., individual students are not tested in the classroom setting.
2. Trained correctional education staff will conduct testing sessions according to test directions with appropriate supervision, including strict adherence to time requirements, to cohorts of five to ten eligible students as frequently as possible and/or needed.
  - a. No assessor/test administrator will leave the classroom during a WorkKeys test administration nor will any inmate aides assist in the testing procedures.
  - b. Test administrators and correctional education staff will ensure that inmate aides do not have access to the WorkKeys tests or answer keys.
3. Test administrators will keep and secure all answer sheets and WorkKeys tests in a secure location in the site-specific approved secure assessment storage area.
4. Designated school correctional education staff will record WorkKeys results in VACORIS.

E. Completion of WorkKeys Assessment Tests

1. Upon completion of Work Keys Assessment Tests, the certified NCRC assessors will be responsible for collecting the following and forwarding them to the Assistant Superintendent of Academic Programs or designee:
  - a. The original testing surveillance form for the testing session
  - b. Completed answer documents (checked for signed release)
2. Instructional staff in Central Office will check and log materials, then forward them to the Coordinator at the Southside Virginia Community College for scoring and issuance of the NCRCs for eligible inmates.
3. The Coordinator at the Southside Virginia Community College will forward all NCRCs to the Central Office staff will be responsible for forwarding the Certificates to the appropriate institutions.

4. The Central Office staff will maintain a database of correctional education WorkKeys testing for all participating facilities and programs.
5. The Principal, or designee, at each participating site will maintain copies of the surveillance forms and inventory documents.

### XIII. CASAS Testing

- A. Trained correctional education staff will administer the CASAS assessments in accordance with the CASAS testing guidelines.
- B. Receiving Center assessors will conduct the CASAS Test and will record results of the Appraisal and “suggested next test” in VACORIS. CASAS certified staff will conduct *Life and Work Assessments* on a limited basis in selected locations.
- C. Hispanic inmates who can verify completion of *secundaria* in their birth country may choose to pursue a HSE space permitting. CASAS certified staff will assess those entering an ABE/HSE program and ELLs, including students enrolled in an ELA program with CASAS.
- D. The following steps will be taken to ensure the integrity of all CASAS assessments:
  1. Administration of the test will be limited to specific testing sessions, i.e., no individual students or groups will test in a classroom session.
  2. CASAS certified staff will score the tests and maintain the answer keys in the designated, site-specific approved school secure storage area.
  3. School office staff will record test results in VACORIS.
  4. School office staff will keep the CASAS profile sheets in the student's educational record maintained in the school office.

## REFERENCES

COV §1-511, *English designated the official language of the Commonwealth.*

Operating Procedure 135.1, *Standards of Conduct*

Operating Procedure 601.1, *Educational Administration and Management*

Operating Procedure 861.1, *Inmate Discipline*

*Americans with Disabilities Act of 1990*

*Rehabilitation Act of 1973*

## ATTACHMENTS

Attachment 1, *Correctional Education Testing Guidelines and Security Protocol Manual*

## FORM CITATIONS

*Test Refusal* 601\_F1

*Personal Learning Plan* 601\_F4

*Testing Accommodations Request* 601\_F5