

Staff Confidentiality Agreement

The Public Education Department (PED) is mandated by state and federal laws to develop and administer standardized assessments that provide valid measures of student achievement to guide instruction and evaluate school and district performance in improving academic achievement. During administration of these assessments, certain local educational agency (LEA) staff members must handle standardized test materials in the course of their work. The PED and school districts must implement stringent procedures to ensure that standardized tests are handled, stored, prepared for, and administered in a uniform and secure manner. A violation of test security requirements will result in an investigation by an LEA and the PED that could ultimately invalidate test results and may have severe consequences for the LEA.

State rule at 6.10.7.13 NMAC authorizes the PED to take the following corrective actions for a violation of test security, pending the results of an investigation:

- A) Direct the district or a named individual to cease and desist from engaging in a particular testing irregularity or the administration of further standardized tests during the current school year;
- B) Confiscate any standardized test material that jeopardizes the security of the standardized test;
- C) Recommend any further action it deems reasonable and necessary to maintain test security;
- D) Invalidate the standardized test results and inform the district that a specific standardized test must be replaced with a re-administered similar or alternative form, or any affected student will not receive scores on portions of all of a standardized assessment;
- E) Refer the matter for possible suspension or revocation of a person's educator or administrator licensure or other PED licensure pursuant to procedures set forth in the PED's suspension/revocation rule;
- F) Refer the matter to the accreditation team for appropriate action;
- G) Take any other action authorized by state or federal law or regulation;
- H) Modify school and district accountability determinations.

I acknowledge that standardized state assessment materials constitute and contain confidential, proprietary, and trade secret information that is not subject to disclosure under New Mexico law.

I agree not to record, store, keep, or copy in any format any materials and information pertaining to the contents of standardized state assessments that are handled during the course of my work, including test items, item answers, methodologies, and all ancillary and related materials, including revisions and other derivative works and materials.

I agree not to disclose or otherwise divulge to anyone outside the context of the work I perform for the PED any information pertaining to the contents of standardized state assessments including all aforementioned contents.

Name (please print):	
Signature:	
Date:	