2024 NAPLAN

Guidelines for Managing Test Incidents in Schools

Contents

1. INTRODUCTION

1.1.1. Participation in NAPLAN is a condition of the Australian Education Act 2013 (Cth) and applies to all schools in receipt of Commonwealth funding. Participation in NAPLAN encompasses all activities associated with NAPLAN, including maintaining test integrity. Maintaining test integrity includes investigating and reporting test incidents as directed.

1.1.2. NAPLAN test administration must be in accordance with the *NAPLAN national protocols for test administration* and the *NAPLAN national protocols for test administration – alternative format (paper),* known collectively as the *protocols*. This is to ensure consistent and meaningful results and support the integrity of NAPLAN tests. The protocols are available at the [NAP website,](#) or via the Test Administration Authority (TAA).

1.1.3. These guidelines identify certain basic principles to ensure investigations maintain test integrity and are managed in a transparent and consistent manner. This will enable schools to respond decisively to allegations of breaches, including those that might be unfounded, yet have the potential to call into question the integrity of schools or individuals.

1.1.4. There are three stages in the management of test incidents in schools. These are: assessment and notification; investigation and decision-making; and action and closure (refer to sections 4 - 6 below for details).

1.1.5. Breaches of the protocols focus on the role and responsibilities of those administering the tests where their acts, omissions or errors result in cheating, breaches of test security or breaches of other protocols. Breaches may be deliberate or accidental.

1.1.6. Technical issues associated with NAPLAN are not considered test incidents for the purposes of these guidelines, unless they result in a breach of the protocols.

1.1.7. Information gathered about the nature of breaches of the protocols and responses to them are used to revise and improve the protocols and ensure accountability.

1.1.8. These guidelines do not prescribe a one-size-fits-all approach to reporting, investigating and managing possible breaches of the protocols. They provide direction for aligning responses while recognising:

- different roles and responsibilities of educators, schools, school boards, system authorities and public education authorities
- public interest in NAPLAN and a need for confidence in its administration
- ACARA's continued interest in delivering the best possible program for national assessment.

2. ROLES AND RESPONSIBILITIES

2.1.1. ACARA is responsible for the central management of NAPLAN as well as for taking high-level action in response to substantiated test incidents that may impact on the validity of a test or national test results. ACARA is responsible for producing the NAPLAN test incidents report that is released at the same time as the NAPLAN National Report.

2.1.2. Within each jurisdiction, the TAA is responsible for overall administration of the NAPLAN tests. In some jurisdictions, the TAA may also have a responsibility for taking action in response to alleged test incidents.

2.1.3. Each school principal is responsible for the administration of the test in their school and is a key participant in reporting any investigation of an alleged breach in that school.

2.1.4. These guidelines use the term 'responsible entity'; that is an entity that has an authority in relation to a school or school system to receive and assess initial reports of possible breaches of the protocols.

2.1.5. The specific identity of the responsible entity for any individual school depends on the school governance arrangements and any existing agreements within jurisdictions that identify and allocate the responsibility for this. Responsible entities may include principals, school boards, test administration authorities, relevant system authorities, specialist employee performance unit or other delegated organisations.

2.1.6. The following table describes the management of the various stages of test incident management:

Stages of incident management	Details
Stage 1 – Assessment and notification	Reports of alleged test incidents may be received directly by a school, other responsible entity or forwarded to a school via its TAA.
Stage 2 – Investigation and decision making	Investigations are to be undertaken by the responsible entity in accordance with these guidelines.
Stage 3 – Action and closure	The responsible entity makes findings based on its investigations and determines and implements appropriate actions.

Note: TAAs are responsible for recording and reporting test incidents to ACARA.

3. TEST INCIDENTS

3.1. Definition of test incidents

3.1.1. Test incidents are, for the purposes of public reporting, breaches of the protocols. Some issues may arise that fall outside the scope of the current protocols but still lead to adverse program outcomes. These incidents should be managed by TAAs in line with the *NAPLAN service resilience framework and playbook*.

3.1.2. All test incidents need to be reported, as soon as possible, to the relevant responsible entity for assessment.

3.1.3. Technical issues and difficulties with the online platform are not test incidents. The recording and reporting of IT-related issues will be undertaken through a separate process managed by ACARA, in consultation with TAAs and in line with the *NAPLAN service resilience framework and playbook*.

3.2. Test incident categories

3.2.1. Test incidents refer to breaches of the protocols, including the code of conduct, and are categorised as follows:

- **Cheating (C):** A breach of the protocols amounting to cheating occurs when there is an intent to gain an unfair advantage or improperly influence test results; this category does not include instances of student cheating (refer to point 3.2.2 below).
- **Security (S)**: A breach of the protocols affecting test security occurs when early knowledge of test content is obtained, which has the potential to compromise the integrity of the test results. Test materials are not to be shown or made accessible to anyone who does not have authority to see them or to access them. Breaches of test security committed with intent to gain an unfair advantage are considered cheating.
- **General (G)**: General breaches of the protocols include all other mal-administrative practices that are not in accordance with the agreed protocols, but that do not amount to cheating or affect test security.

3.2.2. Acts of student academic misconduct during the tests such as cheating are to be dealt with through schools' existing procedures, unless these acts involve a breach of the protocols, such as breaching test material security.

3.2.3. Whether a test incident amounts to cheating is a question of whether there was an intent on the part of the person responsible for the breach to affect the test result or obtain an unfair advantage (whether on behalf of a student, a cohort of students, or a school). The question of intent, where relevant, must be determined during any subsequent investigation.
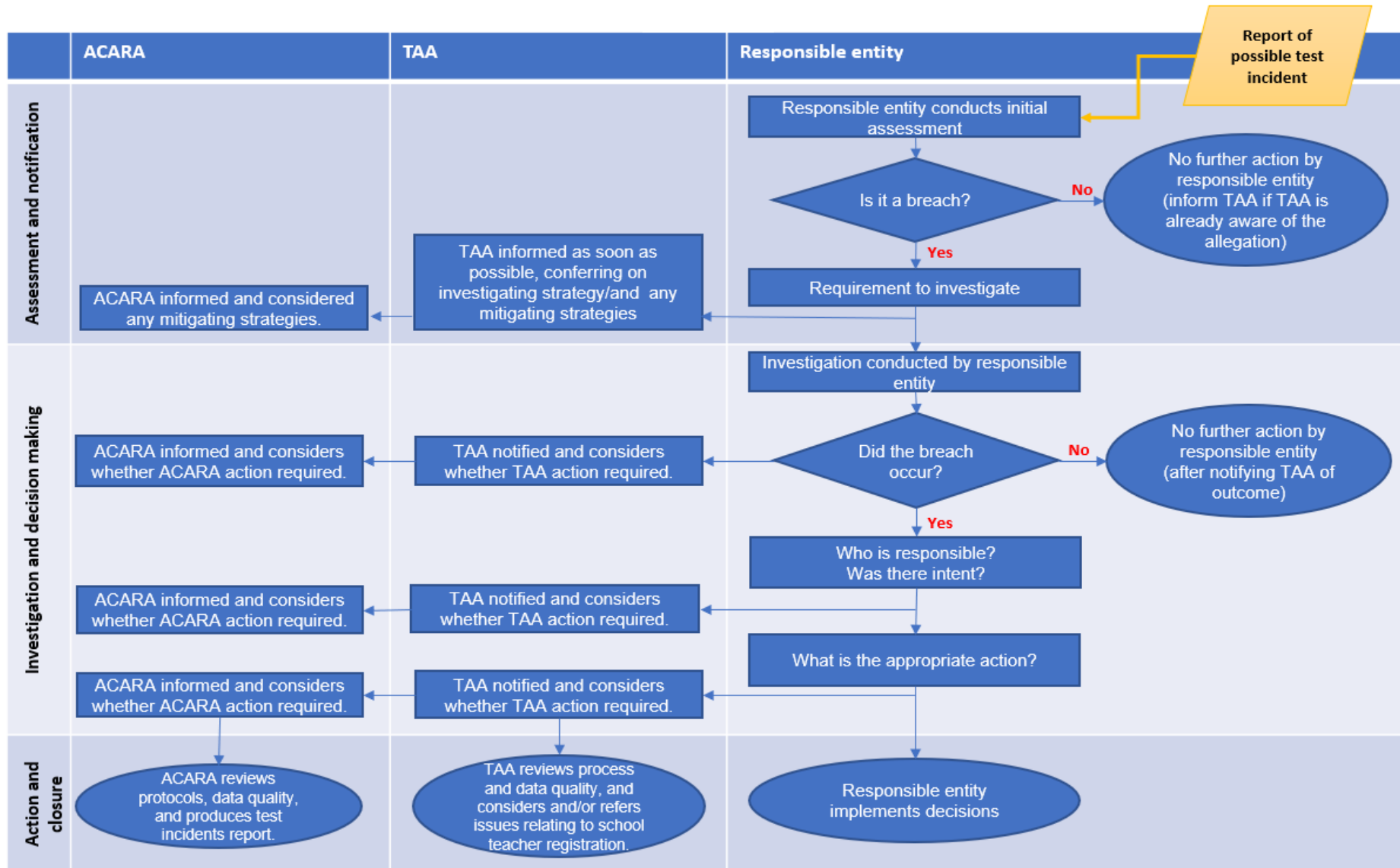
3.3. Principles for managing test incidents

3.3.1. The following principles have been identified by stakeholders as appropriate to guide the reporting, investigation and management of test incidents in schools:

- different roles and responsibilities of those involved in NAPLAN must be recognised and respected
- alleged breaches of the nationally agreed test administration protocols must be investigated to maintain test integrity and public credibility
- investigations must be carried out in accordance with these guidelines by the appropriate jurisdictional authorities
- once an investigation has concluded, appropriate action must be taken and be seen to be taken in accordance with local procedures to ensure public credibility
- effective communication between those involved in NAPLAN (schools, TAAs, ACARA, system authorities, etc.) underpins successful management and investigation of test incidents in schools

KEY STAGES: MANAGING TEST INCIDENTS IN SCHOOLS

The following flowchart provides an overview for managing test incidents. Sections 4 – 6 explain the process in more detail.

ACARA	TAA	Responsible entity	
Assessment and notification		Report of possible test incident	
		Responsible entity conducts initial assessment	
		Is it a breach? → **No** → No further action by responsible entity (inform TAA if TAA is already aware of the allegation)	
ACARA informed and considered any mitigating strategies.	TAA informed as soon as possible, conferring on investigating strategy/and any mitigating strategies	**Yes** ↓ Requirement to investigate	
Investigation and decision making		Investigation conducted by responsible entity	
ACARA informed and considers whether ACARA action required.	TAA notified and considers whether TAA action required.	Did the breach occur? → **No** → No further action by responsible entity (after notifying TAA of outcome)	
ACARA informed and considers whether ACARA action required.	TAA notified and considers whether TAA action required.	**Yes** ↓ Who is responsible? Was there intent?	
ACARA informed and considers whether ACARA action required.	TAA notified and considers whether TAA action required.	What is the appropriate action?	
Action and closure ACARA reviews protocols, data quality, and produces test incidents report.	TAA reviews process and data quality, and considers and/or refers issues relating to school teacher registration.	Responsible entity implements decisions	

4. STAGE 1: ASSESSMENT AND NOTIFICATION

4.1. Key Steps

4.1.1. A primary agent in the assessment process is often the school principal who is supported by good faith communication with and between a range of other agents, such as teachers, system authorities, test administration authorities and ACARA. Depending on the school system, someone other than the principal may be designated to assess initial reports.

4.1.2. Where the principal is the subject of the allegation, another agent should be designated to assess initial reports.

4.1.3. In general, comprehensive and prompt notification to the TAA of alleged test incidents is needed to maintain test integrity and to enable timely implementation of any additional management strategies that may apply.

4.1.4. The principal or other responsible entity undertakes a preliminary assessment of the report to confirm whether it has face validity (that is, if the incident occurred as alleged, it would constitute a breach of the protocols).

4.1.5. Where the responsible entity is satisfied that the report does not have face validity (that is, what happened was not a breach of the protocols), no further action is required.

4.1.6. Allegations that could constitute a breach of protocols and could be proven must be immediately notified to the TAA (if the TAA is not yet involved) as alleged test incidents that will be investigated in line with section 10 of the protocols.

4.1.7. The responsible entity must also inform the TAA about who will conduct the investigation to determine what happened and who was responsible. The investigation will be undertaken in accordance with relevant procedures.

4.1.8. The TAA will notify ACARA of the allegation and the investigation, and inform the relevant system authority if this has not already been done.

4.1.9. If the allegation raises questions about the validity of a test or test result, then the TAA or ACARA, or both, may seek further advice about the incident to determine whether additional action needs to be taken.

4.2. Guidance on assessment and notification

4.2.1. Test administration authorities may establish different arrangements to receive and manage allegations, depending on the source of an allegation, the original recipient of an allegation and the nature of an allegation. Further, allegations that arise and are originally received at a school level must be documented by the school and the information forwarded to the relevant TAA as soon as possible for assessment.

4.2.2. Possible sources of allegations include students participating in the tests, parents, school staff and members of the general community. Allegations of test incidents may initially be brought to the attention of individuals/bodies such as:

- principals, teachers or other school staff
- the relevant TAA
- the relevant department or system authority
- ACARA
- local members of parliament or relevant ministers
- the media.

4.2.3. The responsible entity should exercise caution before determining that a report of a test incident should NOT be investigated. Any decision not to investigate a reported test incident should be documented by the responsible entity.

4.2.4. If in doubt, the school, or responsible entity, is encouraged to confer with the TAA to confirm whether a report warrants investigation and notification to the TAA. Advice might also be sought from the school board, the system authority or colleagues.

4.2.5. Where the school or responsible entity is satisfied that a report does not have face validity the TAA is informed of the outcome and no further action is required. This includes any allegation that is:

- trivial or lacks sense (that is, it does not disclose a breach) and has no reasonable chance of being proven
- made only to cause annoyance and has no reasonable chance of being proven
- unable to be substantiated, for example, a concern raised about an individual's behaviour when the person named was demonstrably incapable of being involved in the alleged breach.

If any doubt exists, incidents should be treated as genuine and investigated.

4.2.6. Once notified of an alleged breach, the school or responsible entity must inform the TAA. They should include details of the breach, any evidence they have collected, and inform the TAA if assistance is required; for example, if a test booklet or test attempt needs to be reviewed. The approach adopted will depend on the school involved, the nature of the alleged breach and whether it raises issues concerning the behaviour of individuals, including possible dishonest or inappropriate conduct by school personnel. If the school principal is the subject of the allegation, then another appropriate authority must assume responsibility for the investigation.

4.2.7. Prompt official notification of an alleged breach and reporting on the conduct of an investigation maximises the potential of activating an appropriate back-up plan during the testing period and supports the school's reputation for transparency and good practice. If ACARA becomes aware of an alleged breach and it appears that action may be required to ensure data quality and/or test integrity, then ACARA may seek further information about the alleged incident via the TAA.

4.2.8. If a report is made of an incident that does not appear to breach the protocols but that may have broader implications for NAPLAN, it is recommended that the matter be discussed with the TAA so that the issue can be considered and, if necessary, addressed at a policy level.

5. STAGE 2: INVESTIGATION AND DECISION-MAKING

5.1. Key Steps

5.1.1. Investigations are to be undertaken by the appropriate responsible entity and in accordance with local procedures.

5.1.2. If a breach is found, an appropriate range of evidence should be sought and considered to determine the facts of an allegation. Once this evidence has been considered, the TAA will allocate responsibility and decide whether student(s) data have been compromised as a result of the breach.

5.1.3. The TAA and the responsible entity need to agree on appropriate arrangements for information to be exchanged concerning ongoing investigations, subject to such information exchange not prejudicing the investigation. This is to meet national reporting requirements.

5.1.4. The TAA notifies ACARA of updates on a regular basis as agreed.

5.2. Guidance on investigation and decision-making

5.2.1. It is important to recognise that the report of a possible test incident may give rise not only to an investigation of whether there has been a breach of the protocols (investigation of breached protocols), but also to an investigation into misconduct by any person allegedly responsible for the breach. A protocol's breach investigation may overlay a misconduct investigation.

5.2.2. Where the relevant conduct could amount to a breach of the employer's conduct requirements, it is recommended that the assessment and investigation process be carried out according to the employer's misconduct procedures. The findings of the investigation should be made on both the issue of employee misconduct and the issue of breach of the protocols.

5.2.3. Where it is proven that there was no breach of the employer's conduct requirements, the findings on the investigation should be made on the issue of breach of the protocols only.

5.2.4. In either situation, the responsible entity should adhere to the principles of procedural fairness (see section 5.3). Adherence to these principles ensures that the investigation meets accepted standards of fairness; however, where the employer's misconduct procedures apply, there may be additional requirements imposed on the responsible entity.

5.2.5. It is expected that the responsible entity uses existing rules and procedures and has experience in evidence collection. In addition to statements from people involved, it may also be necessary to request expert support from the TAA in the form of analysis of, e.g. script booklets or an online test attempt.

5.2.6. The responsible entity should call upon all appropriate resources to determine the following:

- whether the alleged breach has been substantiated to the satisfaction of the responsible entity
- who was responsible and whether there was intent to gain unfair advantage (that is, to cheat).

5.2.7. At the same time as the responsible entity is conducting the investigation, depending on the nature of the breach alleged and its possible consequences, ACARA and the TAA may consider action to address concerns relating to data quality and/or test validity.

5.2.8. During the investigation, the responsible entity needs to consider what information it needs to provide to the TAA to support its decision-making with respect to:

- whether data have been compromised as a result of the breach, and
- what evidence is available to indicate that the test results accurately reflect the work of the affected student(s).

5.3. Guidance on the principles of procedural fairness

5.3.1. Any individual who may be adversely affected by findings of the investigation is to be informed of the case against them and allowed a reasonable opportunity to be heard before the findings are made.

5.3.2. Decisions are to be made based on the evidence.

5.3.3. Decision-making is to be impartial (free from perceived or actual bias on the part of the decision-maker).

5.3.4. There should be no actual or perceived conflict of interest between the investigator or decision-maker and any person subject to the investigation.

6. STAGE 3: ACTION AND CLOSURE

6.1. Key steps

6.1.1. The responsible entity makes findings based on its investigations and determines and implements appropriate actions within its sphere of responsibility.

6.1.2. The responsible entity keeps the relevant TAA informed as to the findings of an investigation into an alleged test incident.

6.1.3. The TAA informs ACARA as to the findings of an investigation.

6.1.4. The TAA and ACARA also consider and implement actions within their respective spheres of responsibility to address the findings of an investigation.

6.2. Guidance on action and closure

6.2.1. The responsible entities findings determine appropriate action(s) to be implemented at a school or system level. These may include: no action; a review of internal procedures or processes; retraining or other support to a staff member; or punitive action.

6.2.2. The responsible entity is to advise the relevant TAA as to its findings and proposed courses of action as soon as possible.

6.2.3. The TAA forwards the relevant advice from the responsible entity to ACARA on the agreed basis and may liaise with ACARA to support consistent media and messaging.

6.2.4. The TAA and ACARA consider and implement actions within their respective spheres of responsibility to address the findings of an investigation. This could extend to withholding student or school results, or referring matters to teacher or school registration bodies for consideration.

6.2.5. Test incidents information is published in accordance with the requirements of the Education Ministers Meeting.

6.2.6. Test incidents information is used to review the effectiveness of the protocols and ACARA's communication strategies, as well as to improve risk management and the overall delivery of NAPLAN.

7. GUIDANCE ON INFORMATION TO BE REPORTED

7.1.1. Information to be reported on alleged test incidents is shown in the table below:

Tracking	A	Ref #	
	B	Jurisdiction	
	C	Sector	
Assessment and notification	D	Date of breach	
	E	Proposed breach	Cheating (C), Security (S), General (G).
	F	NPTA clause/s breached	Cite from sections 3-10 in preference to code of conduct where possible.
	G	Description of allegation	Provide detailed information about what happened for ACARA's information: who, what, where, why, when, how etc
	H	Description of person making the allegation	Eg. Concerned citizen, school parent, school staff, school principal, unknown, other: (must provide details).
	I	Description of estimated scope of incident	Preliminary assessment of scope of the impact - the number of students/classes/schools/states potentially affected. For example: X students X classes X year levels X schools
Investigation and decision making	J	Nature of investigating entity	Eg. School Board, System authority, Government, other: (must provide details).
	K	Evidence considered	Provide details of evidence considered in the investigation, for example: teacher's statements, reports from school, conversations/emails with school, platform data, student writing scripts, images on social media and so on.
	L	Investigation determination	**Substantiated:** A matter is substantiated if, as a result of the investigation, the investigating authority is satisfied that a breach of the protocol/s did occur. **Unsubstantiated:** A matter is unsubstantiated if, as a result of the investigation, the investigating authority is satisfied that a breach of the protocol/s did not occur. **Under investigation:** If an investigating authority is unable to say whether the breach is substantiated or unsubstantiated, e.g. if it is awaiting results in order to confirm a breach, the matter is still under investigation. Note: Some test incidents may remain under investigation after the closing date for registers. While these are not recorded publicly, ACARA requests TAAs to provide this information following the release of the NAPLAN test incidents report.
	M	Substantiation of responsibility	Who was responsible for the breach? eg Test administrator, support person, scribe, NAPLAN coordinator, Principal, TAA, ACARA, contractor, other: (must provide details).
	N	Substantiation of nature of breach	Confirm whether there was intent to gain advantage.
	O	Confirmation of scope/ impact of breach	Confirm how many students/ classes/ schools directly affected. X students X classes X year levels X schools
Action and closure (school level)	P	Actions taken at school level as a result of investigation	Confirm action taken, for example: registration action, training, improved processes, disciplinary action, other: (must provide details).

	Q	**Was adequate info provided to TAA to determine data integrity?**	Confirm whether school provided info on data and whether data are affected and consequently withheld. If data was provided by the school, this should be included in the comments.
	R	**Status**	Confirm whether case is open (any aspect still subject to change) or closed (no further updates anticipated).
Action and closure (TAA level)	S	**Actions taken at TAA level as a result of investigation**	Confirm action taken, for example: registration action, training, improved processes, disciplinary action, other: (must provide details).
	T	**Data integrity outcome**	Confirm whether any data are affected and consequently withheld, for example data not compromised, no evidence that data were compromised, data compromised and withheld or other: (must provide details).
	U	**Status**	Confirm whether case is open (any aspect still subject to change) or closed (no further updates anticipated).