

# Procedures for Investigating Testing Irregularities and Questioned Test Scores

More than 3,000 colleges, universities, and scholarship agencies use scores on the ACT® test to make decisions about admission, scholarship awards, and course placement.

Because these institutions rely on ACT to protect and maintain the integrity of test score data, as to the examinees themselves, ACT takes very seriously its responsibility to report valid test scores that accurately reflect the examinee's educational achievement and independent work. As one means of helping to maintain the integrity of test scores, ACT has developed policies and procedures to protect the security of each administration of the test and to fairly handle testing irregularities – situations in which test security may have been violated or compromised.

Test security is essential to ensure that examinees have an equal opportunity to demonstrate their academic achievement and skills and that examinees do their own work. Copying from or giving assistance to another person, impersonating someone else (surrogate testing), obtaining a copy of a test in advance, and taking unauthorized extended time to complete a test are examples of testing irregularities.

The ACT student website, [www.actstudent.org](http://www.actstudent.org), explains ACT's policies regarding testing irregularities and cancellation of test scores. These policies are also available in *Registering by Mail for the ACT Test*, the booklet used by examinees registering on paper. When registering to take the ACT—whether online or by using the registration booklet—the examinee agrees to abide by all of ACT's rules and requirements for individuals taking the ACT, including those concerning test score cancellation and binding arbitration. The following excerpt is from the 2015–2016 registration agreement:

***ACT reserves the right to cancel test scores when there is reason to believe the scores are invalid.***

*Some types of testing irregularities—such as unusual similarities in the answers of examinees at the same test center, evidence that you may have falsified your identity or impersonated someone else, evidence of possible advance access to test content, or other indicators the test scores may not accurately reflect your level of educational achievement—may result in a review of your scores (an “Individual Score Review”). If there is reason to believe the scores are invalid, ACT may cancel those scores.*

*If ACT decides to conduct an Individual Score Review, it makes reasonable efforts to notify you if your score is*

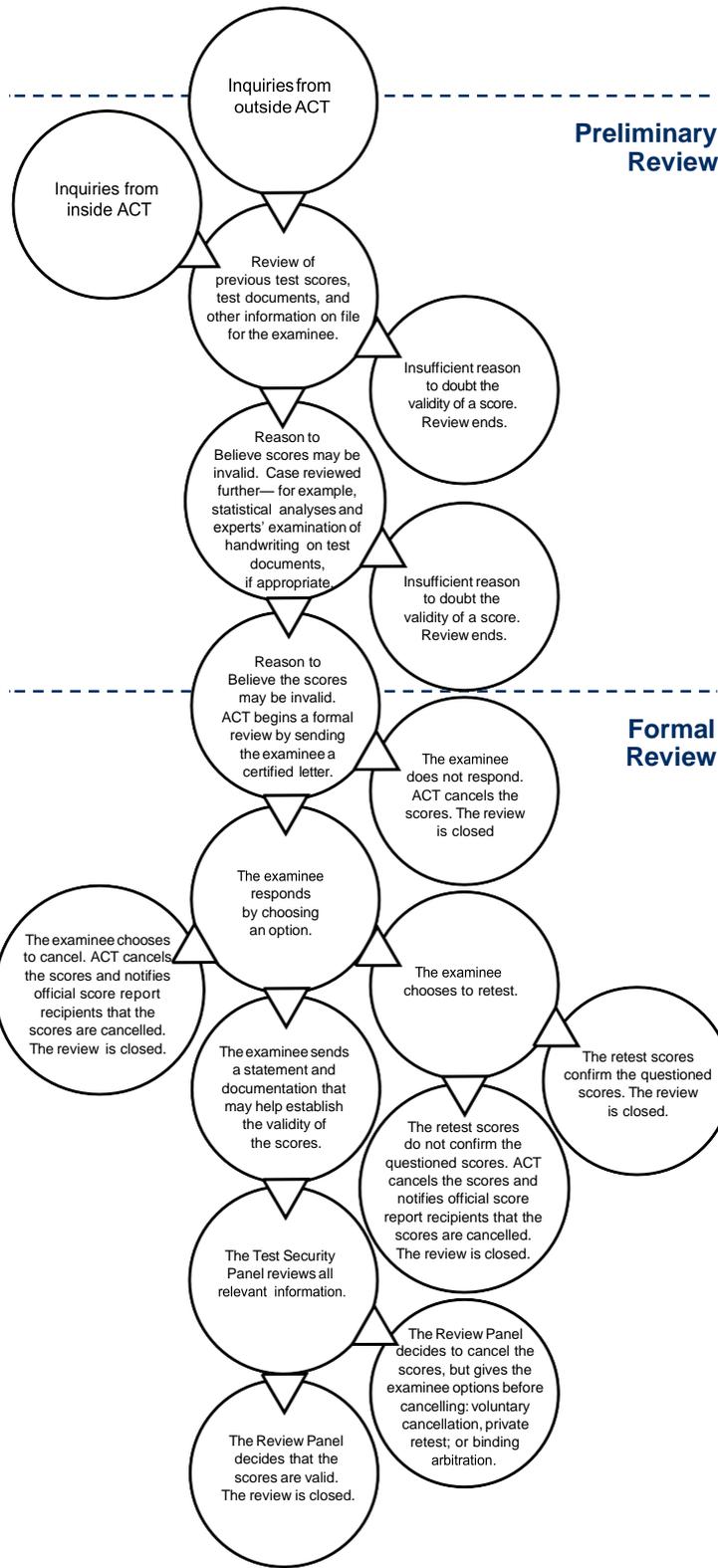
*under review. The notice includes information about why ACT has started the Individual Score Review and options available for resolving it. More information regarding the Individual Score Review process will be provided to you if ACT opens an Individual Score Review regarding your score.*

*For Individual Score Reviews, the final and exclusive remedy available for you to appeal or otherwise challenge a decision by ACT to cancel your test score is binding arbitration through written submissions to the American Arbitration Association (AAA)... Most of the filing fee will be paid by ACT, but you will pay a portion of the fee, as permitted by the AAA's Consumer Arbitration Rules... If you arbitrate a decision by ACT to cancel your test scores, you must pay a nonrefundable filing fee of \$200 to the AAA... as your share of the filing fee. This fee is payable in full when a claim is filed, but will be reimbursed by ACT if you prevail in arbitration and your scores are not cancelled. The only issue for arbitration will be whether ACT acted reasonably and in good faith in deciding to cancel the scores. Proof of misconduct is not required to cancel scores.*

This brochure supplements the registration agreement. Its purpose is to explain to examinees ACT's test security policies and procedures relating Individual Score Reviews.

**Separate procedures apply to group irregularities and violations of test administration procedures.** ACT reserves the right to modify or supplement these procedures and to adopt other appropriate procedures as required by a given testing irregularity.

**Figure 1**  
**Steps in the Review of Test Scores**



## Identification and Review of Testing Irregularities

ACT does not engage in random reviews of test scores. Rather, in every case, some specific situation or instigating factor leads to the Individual Score Review.

**Sources external to ACT:** ACT frequently receives requests for the verification of test scores from persons outside ACT. For example, a school counselor or a college admissions officer who has received a score report from an examinee may contact ACT because the examinee’s record of academic performance seems inconsistent with his or her test scores, or because the test scores from a prior test date are substantially lower than the current scores. ACT treats all such requests as confidential.

**Sources within ACT:** ACT staff may observe irregularities in the scoring patterns of an examinee or in the answers of examinees at the same test center, or ACT may receive a report from a test coordinator who suspected copying or observed other misconduct during a test administration.

Individual Score Reviews are handled the same way regardless of the source or situation that initiates the review. ACT will first review information on file related to an examinee’s scores and any other available information. If there is no reason to believe that the scores are invalid, the review will be terminated without the need to involve the examinee. Figure 1 shows the steps in the preliminary review of test scores.

If further scrutiny of the scores is warranted—for example, if there are unusual similarities in the answers of examinees at the same test center—Test Security staff may conduct additional statistical analyses that provide further information about the extent to which the examinees’ answers are alike. In other cases, an examinee’s test materials may be referred to a forensic document examiner for a handwriting analysis that may produce evidence that someone other than the examinee wrote the test documents. If appropriate, Test Security staff may also contact test center personnel to discuss the test administration in question.

If, after careful consideration of all the relevant information, ACT still has reason to believe a score may be invalid, ACT will send the examinee a certified letter stating the reasons for concern and asking for the examinee’s assistance in answering questions about their scores. Figure 1 shows the steps in the formal review of test scores.

## Confidentiality

ACT is committed to ensuring the integrity of the test score data it reports while at the same time being sensitive to the rights of examinees.

*ACT's general policy is that only the examinee is advised of a pending Individual Score Review.*

Correspondence with the examinee and all information obtained in an Individual Score Review are confidential. Unless an examinee provides written authorization, ACT does not release any individually identifiable information about an examinee or an Individual Score Review to anyone except the examinee, or if the examinee is a minor, to a parent or guardian. ACT encourages an examinee whose scores are reviewed to seek advice and counsel from parents, teachers, school counselors, and other trusted individuals, but whether an examinee does so remains his or her decision.

ACT does not inform institutions that have previously received official score reports that the scores are under review. ACT does not communicate with third parties about a score review unless either the examinee authorizes ACT to do so, or ACT receives a request for verification of the scores from an official score report. When ACT receives a request for verification, ACT will inform official score report recipients that the scores are verified as valid or that they are invalid and have been cancelled.

In fairness to the examinees whose test scores may ultimately be confirmed as valid, *ACT does not withhold or delay the reporting of scores pending the completion of an Individual Score Review.* If an examinee requests that a report be sent while the scores are under review, the report will be sent. If an examinee's scores are ultimately cancelled, ACT will notify all official score report recipients that the scores have been cancelled.

*It is ACT's general policy to treat information about the reason for cancelling scores as confidential.* If the scores under review are cancelled at the conclusion of the Individual Score Review process, ACT will notify any institutions that received official score reports that they have been cancelled, but generally does not inform them of the reason for the cancellation. The cancellation letter notes that ACT cancels scores for a variety of reasons, including examinee illness, mistiming of a test, or disturbances or irregularities at the test center.

ACT may make exceptions to the policies outlined in this Confidentiality section where ACT is required by law to disclose such information or where disclosure is otherwise warranted under unusual circumstances. For example, if disclosure of information pertaining to an Individual Score Review would be helpful to ACT in an investigation, or in its efforts to maintain the security of the ACT and the integrity of scores, ACT may disclose such information. In addition, examinees may consent to the disclosure of information related to their Individual Score Review.

## Alternatives Available in an Individual Score Review

The certified letter ACT sends to examinees whose scores are reviewed offers the following options:

1. **Cancel the questioned test scores.** At the examinee's request, ACT will cancel the questioned scores. ACT will notify any institutions that received official score reports that the scores have been cancelled but generally does not give a reason for the cancellation unless the examinee has authorized ACT to do so. If the cancelled scores were not reported to any institutions, no further action will be taken.
2. **Retest to confirm the questioned test scores.** At the examinee's request and at ACT's expense, Test Security staff will arrange a private retest at a location acceptable to ACT. The retest will be administered under secure conditions by a test coordinator who has not been informed of the reason for the retest. Additional identification procedures apply to examinees whose scores are being reviewed for possible surrogate testing.

If an examinee retests and achieves a Composite score no more than three points lower than the questioned Composite score and there are no testing irregularities, both the questioned and the retest scores will remain in ACT's records, and the Individual Score Review will be closed. If the Composite score achieved on the retest is more than three points lower than the Composite score in question, the questioned scores will be cancelled and removed from ACT's records, and any institutions that previously received official reports of the scores from ACT will be informed that the scores have been cancelled. ACT generally does not give a reason for the cancellation. If the cancelled scores were not reported to any institutions, no further action will be taken.

Additional policies and procedures, including how to set up the retest, will be provided with the initial letter to the examinee.

3. **Provide a statement and supporting documentation that may help establish the validity of the questioned test scores.** An examinee who chooses this option may submit a school transcript, a statement in their own words supporting the validity of their questioned scores, and any other supporting documentation to the Test Security Review Panel.

The ACT Test Security Review Panel, an impartial group of professional staff who make decisions about challenged test scores, reviews the information provided by an examinee who chooses to provide a statement and supporting documentation. The Review Panel studies the examinee's statement and submissions, the academic preparation in the subject areas measured by the ACT, the consistency of the questioned scores with the results of any other college

admissions tests the examinee has taken, the results of ACT's preliminary review, and other relevant information. The Review Panel decides based on the totality of the evidence whether it is reasonable to conclude that the questioned scores are valid. In a letter, ACT will notify the examinee of the Review Panel's decision. If the Review Panel decided to cancel the questioned scores, this letter will also explain that the examinee has the right to appeal that decision to an independent third party through binding arbitration.

ACT's arbitrations are generally conducted by the American Arbitration Association (AAA) in accordance with its Consumer Arbitration Rules. The AAA is a public service, not-for-profit organization dedicated to helping resolve disputes. ACT is not related to or affiliated with the AAA in any way. The arbitrations are conducted through written submissions unless the arbitrator decides that a hearing is necessary. The only issue for arbitration will be whether ACT acted reasonably and in good faith in deciding to cancel the scores. Proof of misconduct is not required to cancel scores. Most of the filing fee for arbitration will be paid by ACT, but the examinee will pay a portion of the fee, as permitted by the AAA's rules. If an examinee arbitrates a decision by ACT to cancel his or her test scores, the examinee must pay a nonrefundable filing fee of \$200 to the AAA as the examinee's share of the filing fee. This fee is payable in full when a claim is filed, but will be reimbursed by ACT if the examinee prevails in arbitration and his or her scores are not cancelled. ACT will pay a \$1,500 filing fee and a \$750 arbitrator compensation fee. Apart from the above-described fees, ACT and the examinee will pay their own expenses, fees, and costs.

These options are set forth in the certified letter ACT sends the examinee as notice of the Individual Score Review. ACT asks the examinee to respond by the due date stated in the letter and states that the test scores will be cancelled if the examinee does not respond.

## Fairness

ACT encourages examinees' participation in resolving concerns about their ACT scores. Throughout the score review process, every attempt is made to address examinees' questions and concerns about test scores as promptly as possible. ACT's procedures for private retesting, voluntary cancellation, submitting information to the Review Panel, and arbitration of cancellation decisions give examinees an opportunity to participate in the score review process and resolve doubts about questioned scores while maintaining the integrity of the ACT.



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