
**Thomas P. DiNapoli
COMPTROLLER**



Audit Objective.....	2
Audit Results - Summary.....	2
Background.....	3
Audit Findings and Recommendations	4
Storage of Examination Materials	4
<i>Recommendations.....</i>	10
Shipments of Examination Materials	10
<i>Recommendations.....</i>	11
Monitoring by SED	12
<i>Recommendations.....</i>	12
Audit Scope and Methodology.....	12
Authority	14
Reporting Requirements.....	14
Contributors to the Report	14
Exhibit A	15
Appendix A - Audit Response.....	19

**OFFICE OF THE
NEW YORK STATE COMPTROLLER**

**DIVISION OF STATE
GOVERNMENT ACCOUNTABILITY**

**STATE EDUCATION
DEPARTMENT**

**SECURITY OVER REGENTS
EXAMINATIONS**

Report 2006-S-104

AUDIT OBJECTIVE

Our objective was to determine whether adequate security is maintained over Regents examinations from the time the examination materials are received by the schools until the day the examinations are given.

AUDIT RESULTS - SUMMARY

Regents examinations are statewide tests for high school students in particular subject areas. The examinations are developed by the State Education Department (SED) and administered by participating high schools. To preserve the integrity of the examination process, each individual examination is given on the same day, at the same time, by each participating high school. In addition, the schools are required by SED to follow certain security-related procedures in their handling of the examination materials (e.g., test booklets and answer keys).

These materials are printed by SED and shipped to the schools shortly before the examinations are scheduled to be given. The materials are shipped in sealed, labeled packages inside of locked Regents boxes. The schools are supposed to inventory the packages upon receipt, place the packages back into the boxes, and store the locked boxes in an approved safe or vault until the day of the examination. Under no circumstances are any of the sealed packages to be opened before the day of the examination. The sealed packages are to be opened only on the day of the examination and only shortly before the examination is to be administered.

To determine whether the schools were complying with these requirements, we

selected a representative sample of 235 schools administering exams during the January 2007 Regents examination period (January 23 through January 26, 2007). We found that 41 of the 235 schools (17 percent) were not fully complying with the requirements for the storage and unsealing of the examination materials. For example, 16 schools were storing their examination materials in unapproved locations, some of which were clearly not secure (such as a principal's office), and 11 schools had opened sealed packages of examination materials before the allowed time (in most instances, one or more days before the examinations were scheduled). As a result of these inappropriate actions, the risk of security breaches was increased at these 41 schools.

At many of the non-compliant schools, school officials were not aware of the security requirements. We recommend SED develop and provide security awareness training for the schools. In addition, SED sometimes visits selected schools during Regents examination periods to determine whether their examination materials are adequately secured. Although, such visits help to strengthen security practices at the schools, we found the visits are not made regularly and relatively few schools are visited. For example, only 57 of the 235 schools in our sample had been visited since 1992. We recommend SED increase the number of these visits.

This report, dated June 5, 2007, is available on our website at: <http://www.osc.state.ny.us>. Add or update your mailing list address by contacting us at: (518) 474-3271 or
Office of the State Comptroller
Division of State Government Accountability
110 State Street, 11th Floor
Albany, NY 12236

BACKGROUND

Regents examinations are statewide tests that are given each year in particular subject areas, such as English, history, mathematics, science, and various foreign languages. They are intended to assist colleges in making admission decisions and to provide a measure of accountability over school effectiveness and adherence to the State's prescribed curricula. In addition, certain Regents examinations must be taken before high school students are allowed to graduate. Regents examinations have been given in New York State since 1878. The examinations are developed by the State Education Department (SED) and administered by participating high schools.

The questions used in Regents examinations are developed by SED's Office for Standards, Assessment and Reporting. The individual examinations, the corresponding answer keys, and the teacher dictation copies of the examinations are printed by SED's Print Shop. The examination materials are then distributed by contractors to the participating high schools. Generally, each individual examination is to be given on the same day, at the same time, by each participating high school.

Most of the examinations are given in June, when about 3 million tests are shipped to more than 2,000 schools. However, some of the examinations are also given in August and January (more than one million tests were shipped to schools in January 2007). Local school administrators are responsible for maintaining security over the examination materials once they have been delivered. The local administrators are also responsible for grading the tests and posting the results to the students' permanent records.

Outside New York City, most schools receive a single shipment of examination materials in each examination period. The shipment usually arrives about three days before the first test is scheduled. In New York City, schools receive daily shipments of examination materials. Each day, the schools receive the tests for the following day and the answer keys for that day's tests. Daily shipments are also sent to some schools outside New York City.

All examination materials are shipped in sealed packages inside of locked Regents boxes. At the schools, the packages are to be stored inside these boxes, and the boxes are to be stored in an approved safe or vault to preclude access by students or other unauthorized persons. School officials are required to inventory the packages, which are labeled for content and quantity, as soon after receipt as practical, but the packages are not to be opened until the day of the test, and not before a certain time on that day. SED has designated 75 strategically located regional distribution centers to ensure that extra examination materials are available to schools in case of emergency. The regional centers are staffed by local school officials.

If a school does not have an approved safe or vault, it must make arrangements to store its examination materials in a nearby school's approved safe or vault. Schools agreeing to store examination materials for other schools are considered "host schools." Host schools must not open the locked Regents boxes of "guest schools." Rather, officials from the guest schools should open the boxes and inventory the materials. The materials must then remain in storage at the host schools until the day of the examination.

After an examination is given the examination materials no longer need to be kept secure, unless the examination is classified by SED as

“restricted.” Since questions in restricted examinations may be re-used in future examinations, the individual tests, the teacher dictation copies, and the answer keys must be collected and returned to SED. Our audit did not address the additional security requirements for restricted examinations.

The most recent known breach of Regents examination security occurred in June 2005 at Jericho High School, which is located on Long Island. In this breach, an assistant principal opened the answer keys to the Global History exam before the day of the exam and shared the answers with his son, who was scheduled to take the exam at another school.

AUDIT FINDINGS AND RECOMMENDATIONS

Storage of Examination Materials

According to SED requirements, once the examination materials have been delivered to a school, they must be stored in an approved safe or vault until the day of the examination. Moreover, the materials must be kept inside their Regents boxes while they are in the safe or vault, and the boxes themselves must be kept locked. These stringent security requirements are intended to ensure that the integrity of the examinations is preserved.

To determine whether local school administrators were complying with these storage requirements, we selected a sample of 235 schools and visited their Regents examination storage locations either during, or just prior to, the January 2007 Regents examination period (January 23 through January 26, 2007). Our sample was selected from the 1,554 public, private and charter schools listed in SED records as participating in Regents examinations in January 2007. To make our judgmental sample representative,

we selected schools from all regions in the State; schools that were administering both a relatively large and a relatively small number of examinations; a number of host and guest schools; a mixture of city, rural and suburban schools; and a mixture of public, private and charter schools. Our sample contained a total of 179 public schools, 51 private schools, and 5 charter schools. The schools are listed in Exhibit A.

We found that 36 of the 235 schools (15 percent) did not fully comply with SED’s storage requirements for Regents examination materials, as follows:

- 13 schools were storing examination materials in unapproved locations, some of which were clearly not secure. In addition, while all 13 schools were keeping the materials inside Regents boxes, as required, one of the schools was not keeping the boxes locked.
- 14 schools were not keeping their examination materials inside Regents boxes. While all 14 schools were storing the materials inside an approved safe or vault, they were not providing the full measure of security required by SED.
- 6 schools were storing their examination materials in an approved safe or vault, and keeping the materials inside Regents boxes, but were not keeping the Regents boxes locked. As a result, they were not providing the full measure of security required by SED.
- 3 guest schools were removing their examination materials from their approved host schools before the day of the examination and storing the

materials in an unapproved location for as long as four days.

As a result of this non-compliance with SED's storage requirements, the risk of security breaches was increased at these 36 schools. As is described later in the section of this report entitled *Opening of Sealed Packages*, 6 of these 36 schools also opened sealed packages of examination materials before the allowed time and, as a result, further compromised the security over their Regents examinations. Details about our findings at the 36 schools follow.

Storage Locations Not Approved by SED

SED's School Administrator's Manual, 2001 Edition, contains specific guidelines for the storage of examination materials at the schools. The Manual states that "the principal of each school requesting examinations is responsible for making the necessary arrangements for safeguarding the materials shipped to the school." Specifically, the principal must certify that the locked Regents box(s) containing the examination materials are stored in a safe or walk-in vault that has been approved by SED.

To be approved by SED, a safe or walk-in vault must meet the following specifications:

- Safes must meet or exceed the burglary resistance performance standards

incorporated in Underwriters Laboratories (UL) classification TRTL-30, and must have all of the following: a steel door at least one and one-half inches thick; steel walls at least one inch thick; a minimum weight of 750 pounds; a built-in combination lock; and enough space inside to contain the Regents box(s) for the school's typical examination period.

- Walk-in vaults must have all the following: a poured concrete floor; walls of reinforced concrete or reinforced cement block, sealed to a poured concrete floor below and a structural floor or roof deck above; a metal door in a metal frame with inside or welded-pin hinges; no windows or access panels; and a built-in dead latching combination or key lock that allows exiting at all times.

The principals for all of the schools in our sample storing examination materials certified that locked Regents box(s) containing the examination materials were stored in a safe or walk-in vault that had been approved by SED. However, when we visited the schools, we found that 13 schools were storing their examination materials in locations that had not been approved by SED. SED had approved storage locations at all 13 of the schools, but the schools were storing their examination materials in other locations.

The 13 non-compliant schools are listed in the following table:

School	Type	County
Archbishop Stepinac High School	Private	Westchester
Bishop Timon High School	Private	Erie
Brooklyn International High School	Public	Brooklyn
Laurens Central School	Public	Otsego
Notre Dame School (Manhattan)	Private	Manhattan
Renaissance Charter School	Charter	Queens
Saranac Lake High School	Public	Franklin
Sacred Heart High School	Private	Westchester
Solomon Schechter School	Private	Nassau
St. Michael Academy	Private	Manhattan
South Bronx Preparatory High School	Public	Bronx
Urban Assembly School of Law & Justice	Public	Brooklyn
Whitesville Central School	Public	Allegany

At some of the schools, the storage locations had obvious security weaknesses and were clearly not secure. For example, at Solomon Schechter High School in Glen Cove, the boxes containing the examination materials were being stored in plain sight in the assistant principal's office both during school hours and at night. Officials at Solomon Schechter High School told us they were not aware they were supposed to store the examination materials in a safe or vault, and had been keeping them in the assistant principal's office for years.

Similarly, at Saranac Lake High School, the boxes containing the examination materials were being stored in plain sight in the principal's office, because there was not enough room in the safe to store the materials. At Bishop Timon High School in Buffalo and Archbishop Stepinac High School in Westchester County, the boxes containing the examination materials were being stored in vaults that were not secure because, contrary to SED's specifications, both vaults contained

windows that were plainly visible from the outside of the building.

We immediately notified SED about the lack of adequate security at these four schools, and SED immediately contacted the schools and instructed school officials to move the examination materials to secure locations at other schools. All four schools have lost their storage privileges for at least one year, during which time they must arrange for their examination materials to be stored at host schools.

At the other nine schools, the examination materials were being stored in safes or vaults, but the safes or vaults (which had not been approved by SED) failed to meet SED's specifications (e.g., some of the vaults had wooden doors or walls made of sheetrock). We informed SED officials about the security weaknesses at these nine schools. SED officials told us they plan to review this information and determine whether the schools should be allowed to retain their storage privileges. We recommend SED

make these determinations before the June 2007 Regents examination period.

We note that all 13 schools were keeping their examination materials inside Regents boxes, as required, but one of the schools (Saranac Lake High School) was not keeping the boxes locked. In addition, as is described in more detail later in this report, we found that two of the schools (Archbishop Stepinac High School and Saranac Lake High School) opened sealed packages of examination materials before the allowed time and, as a result, further compromised the security over their Regents examinations. We recommend SED develop and provide security awareness training for schools administering Regents examinations to ensure the schools are familiar with their security requirements.

Examination Materials Not Stored in Regents Boxes

The School Administrator's Manual states that "...all secure examination materials for each examination must be stored in the locked Regents box in a safe or vault until the morning of the day of the test." However, 14 of the schools in our sample were not keeping their examination materials inside Regents boxes; rather, they took the sealed packages out of the Regents boxes and stored the packages in an approved safe or vault. As a result, they did not provide the full measure of security required by SED. The 14 non-compliant schools are listed in the following table:

School	Type	County
Andover High School	Public	Allegany
Brookfield HS	Public	Madison
Carmel High School	Public	Putnam
East Hampton School	Public	Suffolk
Genesee Valley at Angelica	Public	Allegany
Herbert H. Lehman HS	Public	Bronx
Mayfield High School	Public	Fulton
New Paltz High School	Public	Ulster
Patchogue-Medford	Public	Suffolk
Potsdam High School	Public	St. Lawrence
Scio Central School	Public	Allegany
Southside High School	Public	Chemung
Wells Central School	Public	Hamilton
White Plains HS	Public	Westchester

Officials from one of these schools (East Hampton High School) told us their storage location was not large enough to hold the Regents boxes, and that was why they took the examination materials out of the boxes. However, the School Administrator's Manual states that the location must be large enough "to contain the Regents box(s) for the school's typical examination period." In addition, as is described in more detail later in this report, two of these schools (Herbert H. Lehman High School and White Plains High School) opened their sealed packages of examination materials before the allowed time and thus further compromised the security over their Regents examinations.

Regents Boxes Not Locked

The School Administrator's Manual states that the examination materials must be stored in locked Regents boxes. However, seven of the schools in our sample were not complying with this requirement. Six of the schools were storing their examination materials in an approved safe or vault, and were keeping the materials inside Regents boxes. However, they were not keeping the Regents boxes locked. As was previously noted, the seventh

school (Saranac Lake High School) was storing its examination materials in an unapproved location (the principal's office). This school was storing its materials in Regents boxes, but the boxes were not locked. The seven non-compliant schools are listed in the following table.

School	Type	County
Bayside High School	Public	Queens
Curtis High School	Public	Staten Island
Franklin Central School	Public	Delaware
Mamaroneck HS	Public	Westchester
Newark Senior High School	Public	Wayne
NYC Lab H. S. for Collaborative Studies	Public	Manhattan
Saranac Lake HS	Public	Franklin

As is described in more detail later in this report, we also found that three of these schools (Curtis High School, Mamaroneck High School, and Saranac Lake High School) opened sealed packages of examination materials before the allowed time, and thus further compromised the security over their Regents examinations.

Examination Materials Removed Too Soon From Host Schools

The School Administrator's Manual states that guest schools may not remove their examination materials from host schools before the day of the examination. Our sample included a total of 19 guest schools, and we found that two of these schools did not comply with this requirement. In addition, when we were at one of the host schools in our sample, we happened to observe an official from its guest school removing examination materials before the day of the examination. The three non-compliant schools are listed in the following table.

School	Type	County
Archbishop Walsh HS	Private	Cattaraugus
Finger Lakes Christian School	Private	Seneca
Vanderheyden Hall*	Private	Rensselaer

* Vanderheyden Hall was not included in our sample. However, its host school, Averill Park Central School, was included in our sample. Since SED security requirements were violated at the host school, we are including the violation in our sample results.

Two of these schools (Archbishop Walsh High School and Vanderheyden Hall) removed all their examination materials for the week from the host school on Monday, January 22, 2007. The third school (Finger Lakes Christian School) removed all its examination materials from the host school on Tuesday, January 23, 2007. Once the examination materials were removed from the host schools, they were stored in unapproved locations for as long as four days. As a result, during these intervals, the security over these Regents examinations was compromised.

Opening of Sealed Packages

The School Administrator's Manual states that the sealed packages of examination materials should be inventoried by school officials as soon after receipt as practical, but under no conditions are the packages to be opened before the day of the examination. In addition, if an examination is scheduled for the afternoon, the sealed packages for that examination should not be opened until shortly before the examination is scheduled to be given.

We found that 11 of the schools in our sample did not comply with these requirements, and had opened some or all of their materials before the allowed time (in most instances,

the schools opened the materials one or more days before the examinations were scheduled). Three schools opened all their materials early, seven schools opened their tests early and one school opened its answer keys early. By opening the sealed tests and/or answer keys before the allowed time, the officials at these schools compromised the integrity of their Regents examinations. In

addition, as was previously noted, six of these schools also failed to comply with one or more of the SED's storage requirements for the examination materials.

The 11 non-compliant schools are listed in the following table (the six not complying with other storage-related requirements are bolded):

School	Type	County	Materials Opened
Archbishop Stepinac High School	Private	Westchester	Tests
Auburn High School	Public	Cayuga	Tests/Answers
Curtis High School	Public	Staten Island	Tests
Hempstead High School	Public	Nassau	Tests/Answers
Herbert H. Lehman High School	Public	Bronx	Tests
John S. Burke Catholic High School	Private	Orange	Tests
Lockport High School	Public	Niagara	Tests/Answers
Mamaroneck High School	Public	Westchester	Tests
Saranac Lake High School	Public	Franklin	Tests
Thomas R. Proctor High School	Public	Oneida	Answers
White Plains High School	Public	Westchester	Tests

At some of the schools, the officials said they were not aware they were not supposed to open the materials before the day of the examination. At other schools, the officials said they were aware of the prescribed procedures, but were concerned that they might not have received the proper numbers of tests and/or answer keys. They therefore opened the packages to confirm that they had everything they needed. We note that strategically located regional distribution centers have been provided by SED to address such contingencies.

One of the schools (Lockport High School) was serving as a host school for another school in its district. Lockport High School ordered examination materials for both itself and the other school. When the materials were delivered, school officials opened all the materials, separated their materials from the other school's materials, and sent the other school its materials. At Lockport High School, the opened materials were stored inside locked Regents boxes in an approved vault. At the other school (Charlotte Cross School), the opened materials were stored inside locked Regents boxes in a safe that had not been approved by SED.

We immediately informed SED officials about this unauthorized situation, and they stated that it was unacceptable. SED immediately made arrangements for the examination materials to be removed from Charlotte Cross School and stored in an approved secure location at another nearby school. SED officials stated that Lockport High School has lost its storage privileges for at least one year, and Charlotte Cross School will be required to order its own examination materials in the future.

Recommendations

1. Develop and provide security awareness training for schools administering Regents examinations to ensure that the schools are familiar with their security requirements.
2. Determine whether the schools using unapproved safes or vaults should be allowed to retain their storage privileges, and complete the determinations in time to make any necessary alternative storage arrangements for the June 2007 Regents examination period.
3. Remind school officials that sealed packages of examination materials must not be opened until the allowed time, and sanction schools, as appropriate, for violations of this requirement.

Shipments of Examination Materials

To request examination materials from SED, the schools must complete a request form and submit the form to SED by a certain date. SED then prints the materials that have been requested, packs up each school's order, and prepares the shipments for delivery. Each school's shipment contains a packing slip of the materials sent.

According to the School Administrator's Manual, if a school wants to review an examination it is not administering, it should request the examination in a separate letter to SED. It should not use the regular request form for such examinations. However, four of the schools in our sample did not comply with this requirement, as they used the regular request form to order examinations

for review purposes only. The four non-compliant schools are listed in the following table.

School	Type	County
Academy of St. Joseph High School	Private	Suffolk
Franklin High School	Public	Delaware
Goshen High School	Public	Orange
Sherburne-Earlville High School	Public	Chenango

We note that SED routinely posts unrestricted Regents examinations to its Internet website after the examinations are held. Accordingly, school officials who are interested in reviewing the examinations can print out the materials for themselves without having to worry about security precautions. We also note that, if schools do send a separate letter requesting examinations for review purposes only, the examination materials can be sent to the schools after the examinations are held, when security either is no longer an issue (for unrestricted examinations) or is less of an issue (for restricted examinations). We recommend SED remind school officials that examinations wanted for review purposes only should not be requested through the regular ordering process.

The School Administrator's Manual also states that school officials should inventory the sealed packages of examination materials as soon after receipt as practical. We found that 24 of the schools in our sample did not comply with this requirement, as they did not inventory the sealed packages of examination materials when the shipments were delivered. Instead, they waited as long as three days to perform the inventory. As a result, the schools were increasing the risk they would not have all the materials they needed on the day of the examination. While additional materials can

be obtained from SED's regional distribution centers, it would be prudent for schools to avoid the need for such last-minute arrangements whenever possible.

Also, if the packages are not inventoried when they are delivered, excess packages are less likely to be identified in a timely manner. If excess packages are not accounted for when the shipment is received, they could be stolen without detection and used to compromise the examination's security. We note that 14 of the schools in our sample received excess examination materials from SED. In most cases, the excess consisted of one additional package of 25 exams. Schools are not required to notify SED if they receive excess materials. We recommend schools be required to notify SED in such instances, and be reminded that the excess materials should be maintained as securely as the materials that are needed.

We further note that at none of the 235 schools we visited were shipments of examination materials either incomplete or late. All the schools received what they ordered, and the orders were delivered on time. This performance by SED and its delivery contractors is noteworthy.

Recommendations

4. Remind school officials that examinations needed for review purposes only should not be requested through the regular ordering process.
5. Remind school officials of the inventory requirements for sealed packages of examination materials.
6. Request that schools notify SED when they receive unordered or excess examination materials, and remind such

Recommendations (cont'd)

schools that the excess materials should be maintained as securely as the materials that are needed.

Monitoring by SED

The School Administrator's Manual states that SED "will make random unannounced visits to some schools after the examinations have been delivered to verify that the tests are being properly stored and that the packages containing examination booklets, teacher dictation copies, and scoring keys are not opened until the day that each examination is to be administered." We found that SED does make such visits, but the visits are not made regularly and relatively few schools are visited. For example, SED's records indicated that, as of January 2007, only 57 of the schools in our sample had been visited since 1992. SED officials told us that, due to a lack of staffing, they did not visit any schools during the June 2006 Regents examination period. As a result of this limited inspection coverage, SED has less assurance schools are, in fact, complying with the security requirements.

SED has a database of approved storage locations for examination materials. However, the database is incomplete, as it contains information about safes or vaults at only 574 locations (during the June examination period, examination materials are typically sent to more than 2,000 schools). We also found during our visits to the schools that much of the information in the database is out-of-date. In some instances, the information was out-of-date because an inspection had not been performed for several years; in other instances, the database was not updated when an inspection was performed. As a

result of this incomplete and inaccurate storage information, SED is less able to identify appropriate alternative storage facilities for (1) schools that lack such facilities (guest schools) and (2) schools whose storage privileges have been suspended because of security violations. During our visits, we noted that, in a number of instances, storage facilities that were last inspected in the early 1980s are no longer equipped to secure the volume of examinations currently administered. As a result, the materials at those schools are not properly stored. In the absence of inspections, SED must rely on school officials to notify SED when their storage facilities no longer meet SED's requirements. However, school officials are not always doing this. We recommend SED increase its inspection coverage and periodically survey schools that have not recently been inspected to determine whether their storage facilities still meet SED's requirements.

Recommendations

7. Develop and implement a formal program for conducting regular site visits to schools to verify their compliance with SED's requirements for storing Regents examination materials.
8. Update the Regents examination storage facility database to reflect the most current inspection information available.
9. Periodically survey schools that have not recently been inspected to determine whether their storage facilities still meet SED's requirements.

AUDIT SCOPE AND METHODOLOGY

We audited the actions taken by local schools and SED in maintaining security

over Regents examinations and corresponding answer keys from the time the material is received by the schools until the day the examinations are given. Our audit covered the period April 1, 2006 through February 1, 2007.

We interviewed SED officials and observed SED facilities to gain an understanding of the procedures that are followed during SED's printing and storage of the examination materials before their distribution to the schools, and during the actual distribution process. However, we did not audit SED's compliance with these procedures or its controls over these processes. We also interviewed SED officials and reviewed SED guidelines to identify (1) the procedures that should be followed by the schools in securing the examination materials upon delivery and (2) the procedures that should be followed by SED in monitoring the school's compliance with these security requirements. In addition, we reviewed SED's database of approved storage locations for examination materials and its records documenting its unannounced visits to schools during Regents examinations periods.

We selected a judgmental sample of 235 schools and visited their Regents examination storage location either during, or just prior to, the January 2007 Regents examination period of January 23 through January 26, 2007. The purpose of our visits was to determine whether the schools had (1) stored the examination materials inside locked Regents boxes in an appropriate safe or vault, (2) not opened the sealed packages before the scheduled examination dates, (3) inventoried the sealed packages upon delivery, and (4) received only the numbers and kinds of examinations needed. Our sample was selected from the 1,554 public, private and charter schools listed in SED

records as participating in the January 2007 Regents examinations.

To make our sample representative, we selected schools from all regions in the State; schools that were administering both a relatively large and a relatively small number of examinations; a number of host and guest schools; a mixture of city, rural and suburban schools; and a mixture of public, private and charter schools. Our sample contained a total of 179 public schools, 51 private schools, and 5 charter schools. The schools are listed in Exhibit A.

During our visits to the schools, we interviewed school officials responsible for the security of the examinations. At each school, we observed where and how the examinations were stored, and compared this location to the location approved by SED. We also performed a physical inventory of the examinations on hand and compared our inventory to SED's record of the number of items shipped to the school. We conducted our performance audit in accordance with generally accepted government auditing standards.

In addition to being the State Auditor, the Comptroller performs certain other constitutionally and statutorily mandated duties as the chief fiscal officer of New York State, several of which are performed by the Office of Operations. These include operating the State's accounting system; preparing the State's financial statements; and approving State contracts, refunds, and other payments. In addition, the Comptroller appoints members to certain boards, commissions and public authorities, some of whom have minority voting rights. These duties may be considered management functions for purposes of evaluating organizational independence under generally accepted government

auditing standards. In our opinion, these management functions do not affect our ability to conduct independent audits of program performance.

AUTHORITY

The audit was performed pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution and Article II, Section 8 of the State Finance Law.

REPORTING REQUIREMENTS

We provided draft copies of this report to SED and the 41 schools that had storage-related deficiencies for review and comment. (We directed school officials to provide their comments, if any, to SED for SED officials to consider in preparing their response to the draft report.) We considered SED's comments in preparing this report. SED officials agreed with the nine recommendations made in the report and indicated specific actions they will take to implement them. A complete copy of SED's response is included in this report as Appendix A.

Within 90 days of the final release of this report, as required by Section 170 of the Executive Law, the Commissioner of the State Education Department shall report to the Governor, the State Comptroller, and the leaders of the Legislature and fiscal committees, advising what steps were taken to implement the recommendations contained herein, and where recommendations were not implemented, the reasons therefor.

CONTRIBUTORS TO THE REPORT

Major contributors to this report include Brian Mason, Bill Clynes, Erika Akers, Holly Thornton, Rebecca Tuczynski, Constance Walker and Dana Newhouse.

Exhibit A

Schools Tested by Auditors
January 22, 2007 through January 26, 2007

Albany County (5)	
Bethlehem Central School	Public
Bishop Maginn High School	Private
Guilderland Central School	Public
Ravena-Coeymans-Selkirk School	Public
Shaker High School	Public
Allegany County (5)	
Andover Central School	Public
Genesee Valley School at Angelica	Public
Scio Central School	Public
Wellsville Central School	Public
Whitesville Central School	Public
Broome County (6)	
Binghamton City School	Public
Johnson City Central School	Public
Maine-Endwell Central School	Public
Seton Catholic Central HS	Private
Vestal Central School	Public
Whitney Point High School	Public
Cattaraugus County (5)	
Allegany Limestone Central School	Public
Archbishop Walsh High School	Private
Cattaraugus Residential Center	Private
Hinsdale Central School	Public
Olean City School	Public
Cayuga County (2)	
Auburn City School	Public
Union Springs Central School	Public
Chemung County (4)	
Elmira Christian Academy	Private
Notre Dame High School	Private
Southside High School	Public
Thomas A. Edison High School	Public
Chenango County (2)	
Norwich City School	Public
Sherburne-Earlville H. S.	Public

Clinton County (4)	
Ausable Valley Central School	Public
Peru Central School	Public
Plattsburgh City School	Public
Seton Catholic Central HS	Private
Columbia County (6)	
Acad-Christian Leadership	Private
Brookwood Center	Private
Chatham Central School	Public
Hudson City School	Public
Ichabod Crane High School	Public
Taconic Hills Central School	Public
Cortland County (1)	
Cortland City School	Public
Delaware County (3)	
Charles Loring Brace Residential	Private
Franklin Central School	Public
Sidney Central School	Public
Dutchess County (7)	
Arlington Central School	Public
Dover Union Free School	Public
Pine Plains Central School	Public
Poughkeepsie City School	Public
Red Hook Central School	Public
Rhinebeck Central School	Public
Roy C. Ketchum High School	Public
Erie County (12)	
Amherst Central School	Public
Bishop Timon High School	Private
Buffalo Acad-Sacred Heart	Private
Cheektowaga Central School	Public
Cheektowaga-Sloan School	Public
East Aurora Union Free School	Public
Hamburg Central School	Public
Kenmore-Tonawanda School	Public
Mount Mercy Academy	Private

St. Josephs Collegiate Institute	Private
Western NY Maritime Charter Sch	Charter
Williamsville Central School	Public
Essex County (3)	
Keene Central School	Public
Lake Placid Central School	Public
Schroon Lake Central School	Public
Franklin County (1)	
Saranac Lake Central School	Public
Fulton County (4)	
Broadalbin-Perth Central School	Public
Johnstown City School	Public
Mayfield Central School	Public
Tryon Girls Center	Private
Greene County (3)	
Cairo-Durham Central School	Public
Catskill Central School	Public
Coxsackie-Athens Central School	Public
Hamilton County (1)	
Wells Central School	Public
Herkimer County (3)	
Dolgeville Central School	Public
Ilion Central School	Public
Little Falls City School	Public
Jefferson County (4)	
Belleville Henderson School	Public
Carthage Central School	Public
Immaculate Heart Central HS	Private
Watertown City School	Public
Lewis County (1)	
Lowville Academy & Central Sch	Public
Livingston County (2)	
Geneseo Central School	Public
Livonia Central School	Public
Madison County (3)	
Brookfield Central School	Public
Holy Cross Academy	Private
Oneida City School	Public
Monroe County (7)	
Bishop Kearney High School	Private
Industry School	Private
Olympia High School	Public
St. Josephs Villa of Rochester	Private
Thomas High School	Public

Webster Christian School	Private
Webster Schroeder High School	Public
Montgomery County (3)	
Amsterdam City School	Public
Canajoharie Central School	Public
Fonda-Fultonville School	Public
Nassau County (9)	
Bethpage Union Free School	Public
Farmingdale Union Free School	Public
Hempstead Union Free School	Public
Holy Trinity Diocesan H. S.	Private
Massapequa Union Free School	Public
Oyster Bay-East Norwich School	Public
Roslyn Union Free School	Public
Solomon Schechter School	Private
West Hempstead School	Public
Niagara County (3)	
Lockport High School	Public
Niagara Catholic Jr Sr HS	Private
Niagara Falls City School	Public
New York City – Bronx (7)	
Bronx Preparatory Charter School	Charter
Herbert H Lehman High School	Public
Hostos Lincoln Academy	Public
J Levin HS Media & Communic	Public
Mott Haven Village Prep H. S.	Public
Preston High School	Private
South Bronx Preparatory H. S.	Public
New York City – Brooklyn (4)	
Brooklyn International HS	Public
Brooklyn Technical HS	Public
The School for Legal Studies	Public
Urban Assembly Sch-Law & Justice	Public
New York City – Manhattan (8)	
John V. Lindsay Wildcat Academy CS	Charter
LaSalle Academy	Private
Mesivta Tifereth Jerusalem	Private
Notre Dame School	Private
NYC Lab High School	Public
St. Michael Academy	Private
St. Vincent Ferrer High School	Private
Wadleigh Secondary School	Public
New York City – Queens (10)	
August Martin High School	Public

Bayside High School	Public
Benjamin Cardozo High School	Public
Long Island City High School	Public
Queens HS Tching Lib Arts & Sci	Public
Renaissance Charter School	Charter
Stella Maris High School	Private
St. Agnes Academic High School	Private
The Summit School	Private
William C. Bryant High School	Public
New York City – Staten Island (4)	
Curtis High School	Public
Monsignor Farrell High School	Private
Port Richmond High School	Public
St. Joseph by the Sea High School	Private
New York City – Central (3)	
Bedford Stuyvesant Preparatory HS	Public
Brownsville Diploma Plus H. S.	Public
West Side High School	Public
Oneida County (7)	
New York Mills School	Public
Notre Dame Jr Sr High School	Private
Rome Catholic Jr Sr High School	Private
Rome Free Academy	Public
Sauquoit Valley School	Public
Thomas R. Proctor High School	Public
Westmoreland Central School	Public
Onondaga County (7)	
Blessed Virgin Mary-Mother of God Acad	Private
Corcoran High School	Public
Fayetteville-Manlius Central School	Public
George Fowler High School	Public
Jamesville-Dewitt Central School	Public
Nottingham High School	Public
Syracuse Acad of Science Charter Sch	Charter
Ontario County (2)	
Canandaigua Academy	Public
Honeoye Central School	Public
Orange County (6)	
Goshen Central School	Public
Heritage Jr High School	Public
John S. Burke Catholic H. S.	Private
Middletown City School	Public
Monroe-Woodbury Central School	Public
Washingtonville Central School	Public

Oswego County (3)	
Gray Bodley High School	Public
Oswego City School	Public
Paul V. Moore High School	Public
Otsego County (3)	
Cooperstown Central School	Public
Laurens Central School	Public
Oneonta City School	Public
Putnam County (2)	
Carmel Central School	Public
Mahopac Central School	Public
Rensselaer County (7)	
Averill Park Central School	Public
Catholic Central High School	Private
Columbia High School	Public
Hoosic Valley Central School	Public
Hoosick Falls Central School	Public
Rensselaer City School	Public
Troy City School	Public
Rockland County (3)	
Albertus Magnus High School	Private
Clarkstown North Sr H. S.	Public
Ramapo High School	Public
Saratoga County (5)	
Corinth Central School	Public
Saratoga Central Catholic HS	Private
Saratoga Springs High School	Public
Shenendehowa Central School	Public
Waterford-Halfmoon School	Public
Schenectady County (4)	
Niskayuna Central School	Public
Notre Dame-Bishop Gibbons HS	Private
Schenectady High School	Public
Scotia-Glenville Central School	Public
Schoharie County (2)	
Cobleskill-Richmondville School	Public
Middleburgh Central School	Public
Seneca County (3)	
Finger Lakes Christian School	Private
Mynderse Academy	Public
Waterloo Central School	Public
St. Lawrence County (4)	
HC Williams Sr High School	Public
Norwood High School	Public

Potsdam Central School	Public
St. Lawrence Central H. S.	Public
Suffolk County (7)	
Academy of St. Joseph H. S.	Private
Brentwood High School	Public
Central Islip Union Free School	Public
East Hampton School	Public
Patchogue-Medford School	Public
Port Jefferson School	Public
Southampton Union Free School	Public
Sullivan County (3)	
Glory to God Christian H. S.	Private
Liberty High School	Public
Monticello Central School	Public
Tompkins County (1)	
Ithaca Sr High School	Public
Ulster County (3)	
Kingston Sr High School	Public
New Paltz Central School	Public
Saugerties Central School	Public

Warren County (3)	
Glens Falls City School	Public
Johnsburg Central School	Public
Queensbury Union Free School	Public
Washington County (3)	
Cambridge Central School	Public
Granville Central School	Public
Hudson Falls Central School	Public
Wayne County (2)	
Lyons Sr High School	Public
Newark Senior High School	Public
Westchester County (10)	
Academy Our Lady Good Counsel HS	Private
Archbishop Stepinac HS	Private
Fox Lane High School	Public
John Jay Sr High School	Public
Mamaroneck High School	Public
Maria Regina High School	Public
Roosevelt High School	Public
Sacred Heart High School	Private
Westchester Hebrew H. S.	Private
White Plains High School	Public

APPENDIX A - AUDITEE RESPONSE



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY,
NY 12234

DEPUTY COMMISSIONER FOR OPERATIONS
AND MANAGEMENT SERVICES
Tel. (518) 474-2547
Fax (518) 473-2827
E-mail: tsavo@mail.nysesd.gov

April 20, 2007

Mr. Steven E. Sossei
Audit Director
Office of the State Comptroller
Bureau of State Audit
110 State Street – 11th Floor
Albany, NY 12236

Dear Mr. Sossei:

The following is the New York State Education Department's (SED) response to the draft audit report (2006-S-104) of the State Education Department, entitled "Security Over Regents Examinations."

Following are the Department's responses to each of the audit report's recommendations:

Recommendation 1 **Develop and provide security awareness training for schools administering Regents examinations to ensure that the schools are familiar with their security requirements.**

We agree with this recommendation. The Department will expand its communications with schools that are eligible to administer secondary-level examinations so they will have access to all security requirements and policy guidance through frequent postings on our website and at least once prior to each examination period in print via direct mail. Additionally, schools actually requesting the secondary-level examinations will receive these security briefings by e-mail as well.

Recommendation 2 **Determine whether the eight schools using unapproved safes or vaults should be allowed to retain their storage privileges, and complete the determinations in time to make any necessary alternative storage arrangements for the June 2007 Regents examination period.**

We agree with this recommendation. While the text of this report does not make clear to the Department which eight schools are specifically encompassed in this recommendation, the Department has rescinded examination storage approvals from approximately twenty schools, thus far, as a consequence of the January 2007 OSC audit's findings. Failure to properly use approved safes or vaults is foremost among the security infractions that have resulted in that sanction.

Recommendation 3 **Remind school officials that sealed packages of examination materials must not be opened until the allowed time, and sanction schools, as appropriate, for violations of this requirement.**

We agree with this recommendation. This will be an integral part of the ongoing informational and training campaign outlined on our above response to Recommendation 1.

Recommendation 4 **Remind school officials that examinations needed for review purposes only should not be requested through the regular ordering process.**

We agree with this recommendation. This too will be covered in the ongoing informational and training campaign outlined on our above response to Recommendation 1.

Recommendation 5 **Remind school officials of the inventory requirements for sealed packages of examination materials.**

We agree with this recommendation. This will be emphasized in the ongoing informational and training campaign outlined on our above response to Recommendation 1.

Recommendation 6 **Request that schools notify SED when they receive unordered or excess examination materials, and remind such schools that the excess materials should be maintained as securely as the materials that are needed.**

We agree with this recommendation. Following several initial, introductory alerts to schools as we approach the next several administration periods for the secondary-level examinations, this requirement will be incorporated into the ongoing informational and training campaign outlined on our above response to Recommendation 1.

Recommendation 7 **Develop and implement a formal program for conducting regular site visits to schools to verify their compliance with SED's requirements for storing Regents examination materials.**

We agree with this recommendation. In order to accomplish this goal, the Department will consider using multiple units within the Department that routinely send staff out to the field to visit schools to assist, on a spot-check basis, in updating the record of visual inspections of examination storage facilities in schools statewide, whether proposed or in use.

Recommendation 8

Update the Regents examination storage facility database to reflect the most current inspection information available.

We agree with this recommendation. The Department will continue to update the examination storage database to reflect the most current information available from inspection outcomes.

Recommendation 9

Periodically survey schools that have not recently been inspected to determine whether their storage facilities still meet SED's requirements.

We agree with this recommendation. In order to "pre-screen" for planned inspections in various regions of the State, the Department will require school officials to identify, when applicable, what storage facilities they have and where in their buildings these safes and vaults are located.

If you have any questions regarding this response, please contact Steven Katz, Director of State Assessment, at (518) 474-5902.

Sincerely,



Theresa E. Savo

c: Commissioner Mills
Johanna Duncan-Poitier
Jean Stevens
David Abrams
Steven E. Katz
George Webb
Thomas J. Schoeck
James Conway
John Delaney