



October 27, 2017

The Honorable Lamar Alexander
Chairman
Committee on Health, Education, Labor
and Pensions
United States Senate
428 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Virginia Foxx
Chairwoman
Committee on Education and the Workforce
United States House of Representatives
2176 Rayburn House Office Building
Washington, DC 20515

The Honorable Patty Murray
Ranking Member
Committee on Health, Education, Labor
and Pensions
United States Senate
632 Hart Senate Office Building
Washington, DC 20510

The Honorable Bobby Scott
Ranking Member
Committee on Education and the Workforce
United States House of Representatives
2101 Rayburn House Office Building
Washington, DC 20515

Re: Test Security Reform for Online Programs in the Higher Education Act (HEA)

Dear Chairman Alexander, Chairwoman Foxx, Ranking Member Murray, and Ranking Member Scott:

I am writing on behalf of the National College Testing Association (NCTA) to encourage the Senate Committee on Health, Education, Labor and Pensions and the House Committee on Education and the Workforce to reform current provisions in the Higher Education Act (HEA) that do not adequately address test security in online education. Higher education systems hold a civic and moral imperative to treat the protection of identity as carefully as industry leaders do in banking and healthcare. Not only does identity management protect against identity theft and safeguard intellectual property, it also preserves the reputations of colleges and universities and maintains the integrity of our education system and the degrees that we grant. This has never been truer than now, as we see an increasing popularity in online programs as well as online services for students in a traditional brick and mortar setting.

The NCTA is a network of over 2300 testing professionals in colleges, universities, testing companies and policy-making agencies. Since our inception we have practiced and promoted test security within our universities in order to ensure that tests are fairly administered and reflect the performance of the intended student. Our members play a critical role within the testing industry in terms of creating, managing and administering tests employed in higher education. Even as technology has progressed and the opportunities for examinees to steal test content or misrepresent themselves as other test takers have expanded, the need to ensure the safeguarding of all test content has not waived. We advocate that the standards presented currently in the law do not adequately safeguard against test fraud, including professional, organized cheating activities.

While we are encouraged by some changes put into place by Congress, specifically by attempting to address concerns of student identity fraud in online distance education programs in the Higher Education Opportunity Act (HEOA) of 2008, we believe there are still places where current legislation falls short. Current law requires accrediting agencies to ensure that institutions of higher education offering online distance education programs verify that a student who enrolls in the course is the same student who participates in and completes the course. Subsequent U.S. Department of Education regulations clarify this requirement stating that institutions must use one of the following methods to verify the identity of a student who participates in an online distance education course: (1) secure log-in and passcode; (2) proctored examinations; or (3) new or other technologies and practices that are effective in verifying student identity.

We believe that the current application of the Department of Education regulations fails to meet the goals in HEOA to ensure a school verifies that students are who they say they are, specifically when completing online assessments. In particular, we are concerned about the inclusion of “secure log-in and passcode” as an acceptable identity verification approach. Having a passcode is an important component of strong security measures; however, the fact that log-ins and passcodes can easily be shared or even sold among individuals prohibits assurance of adequately verifying a person’s identity alone.

Therefore, we request that Congress update the student authentication provisions in HEA to ensure the Department of Education establishes security standards for verifying student identity while taking online tests. Innovation makes it difficult for Congress to prescribe what specific technologies colleges and universities should use to ascertain and protect a person’s identity. As such, Congress should provide flexibility to colleges and universities on what identity management technologies and policies they can use, including two-factor and multi-factor authentication tools or systems. These authentication tools or systems are a best practice in many industries, and there are a variety of ways institutions of higher education can implement these practices to improve test security without incurring significant additional costs. In fact, many colleges and universities already use these authentication practices.

Updating security standards around online test security will ensure that Congress maintains the intentions of HEOA. As the 115th Congress considers reauthorizing HEOA, we strongly encourage thoughtful attention to this matter. If this matter is left unaddressed, Congress may unintentionally protect for years to come higher education programs and systems that are susceptible to fraudulent activity and may fail to ensure the integrity of online tests, negatively impacting completion indicators such as certificates, diplomas, or degrees, and thus on the integrity of the workforce.

The NCTA is available to discuss this matter further, specifically as it pertains to industry best practices in testing, if so desired. Contact information has been listed below for your convenience.

We thank you for considering our request.

Sincerely,

Duane Goupell
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NCTA President-elect
(630) 942-3202