



**TO:** Higher Education Committee

**FROM:** John L. D'Agati 

**SUBJECT:** Proposed Amendment to §80-1.5 of the Regulations of the Commissioner of Education Relating to Safety Nets for Teacher Certification Examinations

**DATE:** January 11, 2018

**AUTHORIZATION(S):**  

### SUMMARY

#### **Issue for Discussion**

Should the Board of Regents amend §80-1.5 of the Regulations of the Commissioner of Education Relating to Safety Nets for Teacher Certification Examinations?

#### **Reason(s) for Consideration**

Review of Policy.

#### **Proposed Handling**

The proposed amendment is submitted to the Higher Education Committee for discussion at its January 2018 Board of Regents meeting (Attachment A is a copy of the proposed amendment).

#### **Procedural History**

A Notice of Proposed Rule Making will be published in the State Register on February 7, 2018. Supporting materials for the proposed amendment are available upon request from the Secretary to the Board of Regents.

## **Background Information**

New and revised certification exams were released to the field in May 2014, including the edTPA, Educating All Students (EAS) exam, and revised Content Specialty Tests (CSTs). Safety Nets for all certification exams were originally approved by the Board of Regents and implemented in May 2015, and were set to expire on June 30, 2016. When using one or more Safety Nets, candidates were given an additional year, until June 30, 2017, to complete all additional certification requirements. In April 2016, the Board approved an extension of all Safety Nets until June 30, 2017, with an additional year, until June 30, 2018, to complete all other certification requirements.

Since April 2016, the Safety Net deadlines were extended again for the CSTs, the edTPA, and Part Two (mathematics) of the Multi-Subject grades 7-12 CST (MST 7-12). In October 2016, the CST Safety Nets were amended to allow candidates a choice to take either the predecessor CST or the revised CST until June 30, 2019 for CSTs that became operational after October 2016. In March 2017, the edTPA and Part Two (mathematics) MST 7-12 Safety Nets were extended until June 30, 2018, and the EAS exam Safety Net was extended until such time that a revised EAS exam becomes operational. However, the requirement for candidates who use one or more Safety Nets to complete all other certification requirements until June 30, 2018 has not changed.

## **Proposed Amendment**

At this time, the Commissioner's Regulations require candidates to complete all other certification requirements on or before June 30, 2018 to be eligible to use one of the safety nets for the teacher certification examinations. The Department is proposing to eliminate this requirement for candidates who use one or more safety nets. Candidates must continue to take advantage of safety nets before their applicable expiration date(s), as outlined in §80-1.5 of the Commissioner's Regulations; however, they do not have to complete all additional requirements for certification by June 30, 2018. Currently, the June 30, 2018 deadline would require candidates to complete the additional certification requirements prior to the expiration dates for the safety nets for the EAS and the CST. The proposed amendment provides candidates with flexibility to complete all additional certification requirements at their own pace while still being required to meet the expiration date for the safety nets.

In addition, the Department is proposing to extend the Safety Net for Part Two (mathematics) of the MST 7-12 until such time that the revised Part II mathematics portion of the exam becomes operational. This revised portion of the MST 7-12 is under development by a panel of experts formed by the Department from the P-12 and higher education communities, and is tentatively scheduled to be released operationally in fall 2018.

## **Related Regents Items**

### [January 2016 Regents Item](#)

<http://www.regents.nysed.gov/common/regents/files/116hea3.pdf>

### [October 2016 Regents Item](#)

<http://www.regents.nysed.gov/common/regents/files/1016hea2.pdf>

### [March 2017 Regents Item](#)

<https://www.regents.nysed.gov/common/regents/files/317hea1revised.pdf>

### [March 2017 Regents IItem](#)

<https://www.regents.nysed.gov/common/regents/files/317hed1.pdf>

## **Timetable for Implementation**

Following the 60-day public comment period required under the State Administrative Procedure Act, it is anticipated that the proposed amendment will be adopted by the Board of Regents at its May 2018 meeting. If adopted at the May 2018 meeting, the proposed amendment will become effective as a permanent rule on May 23, 2018.

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 207, 305, 3001, 3003, 3004 and 3009 of the Education Law.

1. Subdivision (c) of Section 80-1.5 of the Regulations of the Commissioner of Education shall be amended to read as follows:

(c) Except as otherwise prescribed in this subdivision, notwithstanding any applicable provisions of Subparts 80-1, 80-3, 80-4 and 80-5 of this Part or any other provision of rule or regulation to the contrary, a candidate who applies for and meets all the requirements for a certificate [on or before June 30, 2018], except that such candidate does not achieve a satisfactory level of performance on one or more of the new certification examinations the teacher performance assessment or the revised content specialty examination(s), as prescribed by the commissioner, that is/are required for the certificate title sought, may instead use one or more of the following safety net options, in lieu of taking, retaking one or more of such new and/or revised certification examinations:

(1) . . .

(2) . . .

(i) . . .

(ii) . . .

(iii) . .

(iv) A candidate who takes and fails to achieve a satisfactory level of performance on part two of the new multi-subject: secondary teachers grade 7 - grade 12 content specialty test, if required for the certificate area sought and he/she received

a satisfactory level of performance on parts one and three of such test on or after September 1, 2014 [through June 30, 2018] until the date a revised part two is operational, may, in lieu of retaking part two of such examination:

(a) present the department with sufficient evidence of satisfactory completion of the mathematics tutorial approved by the department [prior to June 30, 2018] until the date a revised part two is operational; and

(b) submit an attestation on or before [June 30, 2018] the date a revised part two is operational, on a form prescribed by the commissioner, attesting that the candidate has:

(1) . . .

(2) . . .