




TO: The Honorable the Members of the Board of Regents

FROM: Kevin G. Smith 

SUBJECT: Proposed amendment of section 100.7 of the Regulations of the Commissioner, relating to the transition to the new High School Equivalency Test

DATE: February 3, 2014

AUTHORIZATION(S):



SUMMARY

Issue for Decision (Consent Agenda)

Should the Board of Regents adopt the proposed amendment of section 100.7 of the Regulations of the Commissioner of Education to permit, for a limited time, acceptance of partial passing scores on up to four sub-tests of the current GED[®] examination for the corresponding sub-test on the new state High School Equivalency (HSE) examination, the Test Assessing Secondary Completion (TASC)?

Reason(s) for Consideration

Review of policy.

Proposed Handling

The proposed amendment will be presented to the Full Board for action at the February Regents meeting.

Procedural History

The proposed amendment was discussed at the Regents ACCES Committee meeting in September 2013, and revised and adopted as an emergency rule at the December 2013 Regents meeting. A Notice of Proposed Rule Making was published in the State Register on October 9, 2013 and a Notice of Emergency Adoption and Revised Rule Making was published on December 31, 2013. A copy of the proposed

amendment is attached. Supporting materials are available upon request from the Secretary to the Board of Regents.

Background Information

In response to the announcement by GED Testing Services (GEDTS) that, beginning in 2014, the GED[®] test would be fully aligned to Common Core State Standards, solely offered on the computer, and cost \$120 per test (more than twice the current expense to New York State), the Board of Regents, in September 2012, authorized SED to issue a Request for Proposal (RFP) to ensure that the State offer a High School Equivalency test that is more affordable and accessible.

In March 2013, the Commissioner announced that the winning bid was submitted by CTB/McGraw Hill for a new assessment called Test Assessing Secondary Completion (TASC).

TASC will be similar to the present GED[®] examination and consist of the same five subtest sections that comprise the current GED[®] test: Language Arts-Reading, Language Arts-Writing, Mathematics, Science, and Social Studies. However, the TASC will be a more rigorous exam aligned to the Common Core State Standards.

As part of our overall transition plan, SED was active in alerting the public to the changes to the GED[®] examination and notifying those students who passed subtests but not the entire GED[®] examination that they had until December 31, 2013 to finish taking the GED[®] exam or they would have to retake the entire new exam. Since January 2012, SED notified students who failed the GED[®] exam of the December 2013 deadline. In October 2012, letters were sent to over 4,800 NYC residents who had passed at least three of the five GED[®] subtests within the previous three years. In November 2012, a similar letter was mailed to 2,700 “near passers” in the rest of the State. SED staff also worked with the Fund for Public Advocacy, New York City Department of Education and the Literacy Assistance Center on a citywide campaign directed at encouraging 17-24 year old disconnected youth to complete the GED[®] examination before 2014. The campaign fielded approximately 7,000 calls, placed over 1,500 individuals in prep programs, and expected about 1,000 of these individuals to pass the GED[®] test before December 31.

As expected, there was a surge in the number of people taking the GED[®] examination. We estimate approximately 79,000 tests were administered in 2013, a 48% increase in GED[®] examination administrations from the previous year.

The surge resulted in a number of test centers in New York City filling all their seats for exam dates. In anticipation of this surge, NYC DOE was provided additional funding in the city budget to provide additional test dates in 2013. Consequently, NYC DOE scheduled new examination dates (including Sundays) providing over 6,000 additional seats. Test centers operated by CUNY also scheduled additional exam dates providing over 3,000 additional seats.

With the close-out of the GED[®] test, many adults and out-of-school youth who had taken the GED[®] test but had not successfully passed all sections, have been

registered to re-take the current GED® test before it ended on December 31, 2013. While some successfully completed the test, others did not, and face the prospect of losing their successful GED® subtest scores and having to pass all five sub-tests of the TASC in order to achieve their High School Equivalency diploma.

Consequently, at the September Regents ACCES committee meeting, the committee approved that Regulation 100.7 be amended to allow a passing score on one or more sub-tests of the 2002 GED® exam to be accepted as a passing score for the corresponding sub-test on the TASC for a two year period beginning in January, 2014.

Accepting passing GED® sub-test scores for the new TASC test

The Board of Regents has been in the forefront of supporting the historic transition from the full reliance on the GED® examination to the creation of a competitive market of assessment products and options to inform bestowal of the New York State High School Equivalency diploma. SED's strategy has been to maintain full cost subsidy, to introduce computer-based testing and to phase-in Common Core rigor as test takers have the opportunity to learn and demonstrate these new skills.

The effort to communicate with and accommodate retesting of those individuals known to have taken the 2002 edition* of the GED® exam (administered in calendar years 2002 through 2013) has been successful. The anticipated surge in test takers was significant and continued through the end of 2013. SED has worked closely with all involved to assure that test takers are aware of the changes, are receiving the guidance and instructional support needed to make informed decisions and can access the GED® exam before the end of the year. We have monitored the availability of test seats at our 269 approved test centers and collaborated with test centers in the New York Metropolitan area, where demand is heaviest, to expand the capacity including significant financial support from New York City Department of Education (DoE). Nonetheless, it is unlikely that we have reached everyone impacted by these changes.

As the Board of Regents is aware, out-of-school youth and adults have a limited time and opportunity to earn a HSE diploma to support their post-secondary and employment goals. Unfortunately the systems supporting these individuals lack the capacity and resources to effect CCSS level curriculum and instruction at a pace needed to support full and final transition from the GED® exam to the TASC even with a phased-in approach to increased rigor.

To better assure a seamless transition to the new exam, we recommend that the Board of Regent's allow, for a limited time, a passing score on up to four sub-tests of the 2002 GED® exam to be accepted as a passing score for the corresponding sub-test(s) on the TASC. Specifically, passing sub-test scores earned by taking the 2002 edition of the GED® exam would be accepted as a passing score on the corresponding sub-tests of the TASC from 2014 through 2015.

Upon further review by the Department, the proposed amendment has been revised to clarify that the passing scores on no more than four sub-tests of the 2002

* The Spanish version of the GED® exam was not administered until 2003.

GED[®] exam may be accepted as passing scores for the corresponding sub-tests of TASC. Currently, in order to receive a High School Equivalency Diploma through the GED[®] test, a candidate must pass all five sub-tests and also achieve a cumulative score of 2250 on the sub-tests. Since a sub-test passing score is currently set at a score of at least 410, it is possible for a candidate to pass all five sub-tests and still not achieve a 2250 cumulative score ($410 \times 5 = 2050$). However, the proposed amendment as currently drafted establishes no limits on the number of sub-test scores that may be used and therefore would allow all five sub-test scores on the old GED[®] test to be accepted as a passing score on the sub-tests of the new TASC test. This could have the unintended effect of allowing a candidate who would not pass the GED[®] exam under current requirements to assert the right to substitute passing scores on all five sub-tests. Therefore, the proposed amendment has been revised to clarify that the passing scores on no more than four-sub tests may be accepted.

Recommendation

Staff recommends that the Regents take the following action:

VOTED: that paragraph (2) of subdivision (a) of section 100.7 of the Regulations of the Commissioner of Education be amended, as submitted, effective February 26, 2014.

Timetable for Implementation

The emergency rule was adopted at the December 2013 Regents meeting, effective January 1, 2014. If adopted at the February 2014 Regents meeting, the permanent rule will become effective on February 26, 2014.

Attachments

AMENDMENT OF THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to Education Law sections 101, 207, 208, 209, 305, 308, 3204 and 3205

Paragraph (2) of subdivision (a) of section 100.7 of the Regulations of the Commissioner of Education is amended, effective February 26, 2014, as follows:

(2)(i) In order to receive a high school equivalency diploma, candidates shall:

[(i)] (a) take [the] a general comprehensive examination prescribed for the program, in English, and achieve a standing designated as satisfactory by the Commissioner of Education; or

[(ii)] (b) take [the] a general comprehensive examination prescribed for the program in a language other than English and for those taking the examination on or after July 1, 1986, an English language proficiency examination designed by the commissioner, and achieve a standing designated as satisfactory by the commissioner in each examination, except that candidates who achieve a satisfactory standing only on [the] a general comprehensive examination may receive a high school equivalency diploma that bears an inscription indicating the language in which the general comprehensive examination was taken, and may exchange such diploma for a diploma not containing such inscription upon achievement of a satisfactory standing on the designated English language proficiency examination; or

[(iii)] (c) provide satisfactory evidence that they have successfully completed 24 semester hours or the equivalent as a recognized candidate for a college-level degree or certificate at an approved institution. Beginning with applications made on or after September 1, 2000 and before September 30, 2004, the 24 semester hours shall be distributed as follows: six semester hours or the equivalent in English language arts including writing, speaking and reading (literature); six semester hours or the equivalent

in mathematics; three semester hours or the equivalent in natural sciences; three semester hours or the equivalent in social sciences; three semester hours or the equivalent in humanities; and three semester hours or the equivalent in career and technical education and/or foreign languages. Beginning with applications made on or after September 30, 2004, the 24 semester hours shall be distributed as follows: six semester hours or the equivalent in English language arts including writing, speaking and reading (literature); three semester hours or the equivalent in mathematics; three semester hours or the equivalent in natural sciences; three semester hours or the equivalent in social sciences; three semester hours or the equivalent in humanities; and six semester hours or the equivalent in any other courses within the registered degree or certificate program.

(ii) Notwithstanding the provisions of clauses (a) and (b) of subparagraph (i) of this paragraph and subdivision (d) of this section, a passing score or scores on at least one but not more than four of the sub-tests of such examination or examinations taken in calendar years 2002 through 2013 for the English version of the exam and 2003 through 2013 for the Spanish version of the examination may be accepted as a passing score on the corresponding sub-test or sub-tests of any general comprehensive examination prescribed for the program and administered on or after January 1, 2014 and before January 1, 2016.