
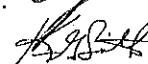




THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

TO: P-12 Education/Adult Career and Continuing Education Services (ACCES) Joint Committee

FROM: John B. King, Jr. 
Kevin G. Smith 

SUBJECT: General Educational Development (GED) Testing Program -- Budget and Policy Considerations

DATE: January 28, 2011

STRATEGIC GOAL: Goals 1 and 2

AUTHORIZATION(S):

SUMMARY

Issues for Decision

Does the Board of Regents want to establish a requirement for a student's demonstration of General Educational Development (GED) test readiness via the Official Practice Test (OPT) or other Department approved instruments?

Does the Board of Regents want to recommend to the Governor and the Legislature that Section 317 of the Education Law that bans a fee for admission to the General Educational Development (GED) Test be rescinded? Revoking this section would provide the Regents with the authority to promulgate regulations that would impose a reasonable fee on test takers that would help support and sustain access to GED Test administration throughout New York.

Reasons for Consideration

Passing the GED is the primary method to achieve the Regents High School Equivalency Diploma. Therefore, the Department will develop and pursue strategies to enhance capacity to provide test preparation, increase opportunities for students to demonstrate test readiness prior to GED test administration, and to require evidence of test readiness.

State funding for the operation of the GED Testing Office and the statewide administration of the GED Test has been cut drastically over the past three years from \$3.9 million in 2007-08 to \$2.4 million in 2010-11. To continue to support the administration of the GED test throughout the State, the Department will need the additional funds (\$700,000) that the Regents have requested as a budget priority.

Rescission of Section 317 of the Education Law will permit the implementation of a fee to address short and long-term funding issues for GED Test administration. A reasonable and properly implemented per student testing fee as imposed by 46 other states, could address a funding shortfall. Only New York, Maine, Arkansas and West Virginia do not include some type of student fee for administration of the GED Test.

Proposed Handling

This item will come before the Regents P-12 Education / ACCES Joint Committee at its February 2011 meeting.

Background Information

The Department is the sole administrator of the GED Test in New York State as recognized by the American Council on Education (ACE) and the GED Testing Service (GEDTS). GED testing is administered, managed, and overseen by the Adult Education Programs and Policy (AEPP) Office's GED Testing Unit within ACCES.

The most significant factor in determining student success on the GED Test is preparation. Throughout New York, approximately 67% of our GED Test takers sit for the test with no reported preparation or demonstrated test readiness. Their overall pass rate is just 44%. Students with reported preparation programs or test readiness determinations (such as proficient OPT scores) comprise only about 33% of our annual test takers. This group, however, has a pass rate of over 66%, which is still not high enough. See Attachment A for GED test takers and test preparation.

The New York State GED Testing program is funded through State General Funds. However, during the current State fiscal year, DOB provided one-time approval to spend up to \$650,000 from the revenue account and up to \$1 million for the Education Assessment Account, in addition to the \$2.4 million State allocation.

Costs to oversee and administer the GED Test fall into three major categories: ACE contract and materials, staffing and direct customer services,

and reimbursements to test sites for each test administered. See Attachment B for a description of each of these cost categories.

The Department's \$20 per test taker reimbursement to the testing sites may need to be suspended again, as it was last summer, if the Regents Budget Priority Request of \$700,000 is not approved and if any amounts remaining from this year's one-time approval to spend up to an additional \$1.65 million from the revenue and the Education Assessment accounts are not re-appropriated. If we suspend or otherwise reduce reimbursements, we could expect a reduction in GED testing opportunities for all test takers in New York State.

Rescinding Section 317 of the Education Law would allow the Department to propose Commissioner's Regulations permitting approved test centers to charge individual test takers a fee for being administered the GED test and to eliminate the current \$20 per test taker reimbursement to test sites.

GED Preparation and Demonstration of Test Readiness – Impact on Student Success

The Department also needs to develop viable strategies to promote test readiness and to require that GED test candidates demonstrate test readiness as a condition for taking the GED Test. For example, approximately 18 states now require the OPT as a prerequisite for GED Test Administration. Rescinding Section 317 of the Education Law may also provide the Board with a greater opportunity to promulgate regulations that would promote more test preparation opportunities and student readiness indicators as a precondition for GED test candidates.

In New York, only those students enrolled in Adult Education funded GED preparation programs must have taken the OPT and scored at an acceptable level to be officially referred to a GED testing site. While administration of the OPT is not a prerequisite for GED testing, the Department includes administration of the OPT as a component for all State and federally funded GED preparation programs to promote student readiness for the GED Test and greater accountability from funded programs. Alternative High School Equivalency Preparation (AHSEP) and High School Equivalency Preparation (HSEP) students must be teacher recommended to be eligible to sit for the GED test. Many AHSEP and HSEP use the OPT test to determine student readiness for success on the GED Test. Walk-in students (those not from a funded prep program or from an AHSEP or HSEP) to the GED Test are currently not required to demonstrate any test preparation or test readiness.

The OPT is recognized by ACE as the official pre-test to be used by students and preparation programs in helping GED testing candidates properly prepare for the GED Test. The GED Test and the OPT are closely aligned. For example, the OPT is formatted similar in time and structure to the GED Test so

that students can become more familiar with the actual GED test by taking this particular pre-test. The OPT is graded on a similar grading scale as used for the GED Test and actually includes secure GED items to align the test as close as possible to the GED Test. In addition, national and New York State data carefully correlate OPT scores to GED Test scores and OPT has established itself as a valid and reliable predictor of student success on the GED Test.

To better inform further discussions of test preparation and test readiness, the Department plans to issue a Request for Information (RFI) to gather information about potential test preparation and readiness screening products, in particular, on-line or electronic delivery strategies to allow for the needed capacity for our many walk-in GED Test takers. Currently, 2/3 of all test takers in New York are walk-ins. That information will afford the Board the opportunity to consider policies that will provide for greater accountability for student outcomes and an enhanced GED testing policy that will ensure greater success and student readiness for all who take the GED Test. Information from this RFI will allow staff to draft regulatory options for the Regents to consider in regards to requiring preparation and/or OPT administration as a prerequisite for GED testing. Costs, capacity, and availability will be carefully weighed in presenting viable regulatory options to the Regents.

Staff will develop various regulatory options for the Board to review. One possible option would be to require that all students, including adult students, demonstrate readiness to take the examination, as AHSEP students currently must do. Unless section 317 is repealed, this would have to be done at no cost to the student, since the statute prohibits the charging of a fee. See attachment C for a draft regulation.

History of New York's Statutory Ban on Imposing a Testing Fee

In an effort to better support New York State's GED Testing program which had been under funded for many years, the Department instituted a candidate testing fee of \$25 on September 1, 1991. At that time, candidates would send their GED Test applications along with the \$25 testing fee to the GED Testing Office in Albany for processing. The GED Testing Office would process the testing fees and schedule the candidates to take the GED Test; however, over the years, the scheduling component has become the responsibility of the local testing centers, not SED. This fee had been set forth under Section 100.7(c) of the Commissioner's Regulations.

Although the candidate testing fees initially created additional financial support for the GED testing program, the collection of the fees also resulted in significant logistical challenges (e.g. fee waivers for certain test candidates, invoices from third parties who would pay the fees for the candidate, holding candidate records until fees were paid, the need for dedicated Department staff to support a fee collection unit, etc). As a result of these difficulties, on July 1,

1994, the New York State Legislature and the Executive enacted Section 317 of New York State Education Law which states: "*Notwithstanding any provision of law, no fee shall be established for admission to the general education development exam.*"

This statute has prohibited the Department and other entities from charging a fee to GED Test candidates in New York State. This provision also bans a fee to support the administration of any readiness requirements as a prerequisite for GED Testing. As a result, the Department has faced ongoing challenges to sustain the GED Testing Office, support the ACE Contracts, and fund the actual administration of the GED Test across New York.

Testing Fees and Practices in Other States

Data from the 2009 Annual Statistical Report (ASR) released by GEDTS indicates that candidate fees charged by states vary a great deal. Some states charge a state fee only, other states allow for the charge of a local fee only and some do both. Some states charge an initial testing fee and an additional fee for retesting depending on the number of subtests the candidate needs to retake. The amounts of the fees vary significantly, ranging from \$25 to \$380.

Only four states (New York, Maine, Arkansas, and West Virginia) do not impose or allow for the imposition of a testing fee. However, three of these four states require that GED test candidates pass the OPT as a pre-requisite for taking the GED Test. **New York State is the only state that does not charge a testing fee or require a demonstration of test readiness as a pre-condition for GED Test administration.**

See Attachment D for the state-by-state comparison data.

Most of the larger states and jurisdictions delegate the responsibility of fee collection to their local testing centers. For example, Texas, California and Florida all allow for fees to be collected at the local level from GED Test candidates.

Texas

Texas is similar to New York in terms of testing volume. It allows each testing center to determine the amount (range is \$80 - \$150) of the candidate fee. From these testing fees, the testing centers must pay for the following:

- ACE annual testing fee of \$175.
- Fees of between \$9 and \$12 for each individual tested paid to the scoring site at the University of Texas.
- A \$10 per person fee paid to ACE.

- All testing booklets and materials.

In New York State, these types of costs are currently a State responsibility.

California

Test candidates in the state of California are charged an average of \$180 to take the GED Test. This \$180 fee gets collected at the local level by the testing centers. Actual fees are determined by the county and the testing center and vary throughout the state. The test fee is used by the testing center to pay the following costs:

- \$20 fee to the California State office, of which \$10.00 is paid to ACE.
- \$15 per correction of demographic data on answer sheets. The student, not the test center, is required to pay for the correction of any mistakes that a student may have made in entering demographic data on an answer sheet.

Florida

Test candidates in the state of Florida are charged a maximum of \$70 to take the GED Test. This maximum amount was determined by the Florida State Board of Education; most testing centers in Florida charge the maximum amount.

The test fee is used by the testing center to pay the following costs:

- \$28 per tester is paid to the Florida State office for scoring. Retesting fees of \$8 for the writing subtest and \$7 for each the four other subtests are paid to the State Office.
- ACE annual testing fee of \$175.

The Florida State Office uses the scoring site fees to purchase and distribute testing materials from ACE.

Recommendations

VOTED: The Board of Regents shall direct Department staff to develop a plan to establish a requirement for a student's demonstration of GED test readiness via the OPT or other Department approved instruments for discussion at the June 2011 meeting of this P-12 Education / ACCES Joint Committee. Any plan will include promotion of access and multiple pathways to GED preparation opportunities that will result in enhanced student success and an improved GED statewide pass rate. Any plan will address the need to build capacity for readiness screening that does not currently exist.

VOTED: The Board of Regents shall submit a recommendation to the Governor and the Legislature advocating for the revocation of Section 317 of the Education Law, thus permitting the Board to promulgate regulations imposing a fair and equitable fee on GED test candidates that will help ensure the viability of New York's GED Testing program for the students and adults who need this credential as a pathway to higher education, post-secondary training, and the workforce.

Timetable for Implementation

Department staff will immediately begin planning for establishing a requirement for a student's demonstration of GED test readiness for the GED test, with that plan to be presented to the P-12 Education / ACCES Joint Committee as directed.

The Department will immediately submit a recommendation to the Governor and the Legislature for the revocation of Section 317 of the Education Law. At the same time, Department staff will draft regulations for consideration by the Board upon the revocation of Section 317 of the Education Law by the Executive and Legislature.

Number of GED Test Takers and Pass Rate

		<u>Number Tested</u>	<u>Pass Rate</u>
2009	Statewide	55,589	53%
	NYC	29,452	43%
	ROS	26,137	63%
2008	Statewide	58,144	58%
	NYC	31,331	49.7%
	ROS	26,813	67%
2007	Statewide	53,925	57%
	NYC	27,019	49%
	ROS	26,906	66%

Pass Rates for GED Test Takers Prep Programs vs. Non-Prep

		<u>Statewide</u>	<u>NYC</u>	<u>ROS</u>
2009	Prep	66%	60%	70%
	Non-Prep	44%	36%	54%
	Overall	53%	43%	63%
2008	Prep	70%	65%	73%
	Non-Prep	50%	42%	61%
	Overall	58%	50%	67%
2007	Prep	67%	60%	73%
	Non-Prep	49%	42%	60%
	Overall	57%	49%	66%

ATTACHMENT B

Costs to Oversee and Administer the GED Test

- 1. ACE Contract and Materials** - The Department maintains a required statewide contract with ACE which owns the GED Test, provides test materials and scoring information, charges per site and per student test fees, and has other mandatory requirements for the administration of the GED Test. The total cost for this category is about \$1.1 million per year depending on the specific number of tests administered and the corresponding test materials needed.
- 2. Staffing and Direct Customer Services** - The Department scores the GED for all test takers, maintains records, provides customer services, issues diplomas and transcripts, and conducts training for test centers and their staff. The total annual cost for this area is approximately \$1.0 million - \$1.2 million.
- 3. Reimbursement of Test Sites for Each Test Administered** - The Department also supports test administration centers by reimbursing each testing site \$20 for each GED test it administers to students. Testing sites that administer tests to students who require testing accommodations are reimbursed additional amounts; however, centers are provided allocation caps through the contract process and are not be reimbursed above their respective caps. Through the \$20 reimbursement allocation, testing centers offset some of their test administration expenses including space rental and staff, including examiners, proctors and clerks. Most of the testing centers under these contacts have reported to the GED Testing Office that the \$20 per student reimbursement is insufficient to effectively cover their costs in administering the GED Test. These reimbursement contracts total approximately \$1.1 million annually.

ATTACHMENT C

AMENDMENT OF THE REGULATIONS OF THE COMMISSIONER OF
EDUCATION

Pursuant to Education Law sections 101, 207, 305, 308, 309 and 3204

1. Paragraph (1) of subdivision (a) of section 200.7 of the Regulations of the Commissioner of Education is amended, effective, to read as follows:

(1) Each candidate shall have lived within the State of New York for at least one month prior to the examination shall have demonstrated readiness as indicated by assessments approved by the commissioner, and:

(i) shall be nineteen years of age or over; or

(ii) shall be at least seventeen years of age, and:

(a) shall not have attended a regular, full-time high school program of instruction within the preceding twelve months; or

(b) shall be a member of a high school which has graduated; or

(c) shall be a resident of a narcotic addiction control center, or an adjudicated youth under the direction of a prison, jail, detention center, Office of Children and Family Services facility, parole or probation officer, or other correction facility, or a patient in a hospital in the State of New York, and the head of such institution certifies that the high school equivalency diploma constitutes an essential element of the rehabilitational program; or

(iii) shall be enrolled in an alternative high school equivalency preparation program in accordance with subdivision (h) of this section.

2009 GED STATISTICAL REPORT

Jurisdiction	Official Testing Centers (N)	Target Population of Adults Without a High School Diploma	Must pass OPT to test	Tested in 2009	Completed Test Battery in 2009	Passed in 2009	OPT Scores	Pass Rate (%)	Testing Fee (Battery)	Re-Testing Fee	OPT Fee
Iowa	42	289,280	YES	6,351	4,067	3,990	450/2250	98.1	VARIES	\$5	\$0
Kansas	25	272,595	YES	3,413	3,374	3,102	450/2500	91.9	\$68	\$68	\$25
Delaware	6	100,940	YES	902	898	821	470/2250	91.4	\$75	\$25	\$35
Wyoming	28	43,570	YES-IF UNDER	1,965	1,661	1,455	450/2500	90.9	\$50 - \$75	\$12	\$0
Alaska	20	51,665	NO	2,725	1,732	1,507		87	\$25	\$5	\$0
Maine	78	136,170	YES	4,269	2,936	25,393	410/2250	86.5	\$0	\$0	\$0
North Carolina	74	1,297,505	YES	28,859	17,021	14,494	480/2500	85.2	\$7.50	\$0	\$0
Idaho	8	139,725	NO	5,809	4,240	3,606		85	\$85	\$15	\$10 to \$15
Oregon	46	389,020	NO	15,366	11,083	9,274		83.7	\$25 - \$140	\$15	
North Dakota	18	70,005	NO	1,695	1,164	967		83.1	\$25-\$150	\$25-\$150	
Arkansas	62	470,030	YES	8,646	8,594	7,117	410/2500	82.8	\$0	\$0	\$0
New Hampshire	19	114,330	VARIES	2,647	2,129	1,745	410/2550	82	\$65	\$15	VARIES
Minnesota	59	423,115	VARIES	10,256	7,274	5,961	VARIES	81.9	\$50-\$120	\$10-\$20	\$0
Colorado	54	435,120	NO	16,643	12,211	9,993		81.8	\$80-\$100	\$15-\$20	\$45
South Dakota	15	81,935	YES	1,975	1,406	1,146	500/2500	81.5	\$95	\$15	
Nebraska	34	163,380	NO	4,088	2,711	2,208		81.4	0-\$75	\$10	
Vermont	12	59,580	NO	1,406	795	646		81.3	\$75	\$15	
Utah	22	185,575	YES-IF	7,253	7,007	5,675	VARIES	81	\$70	\$15-\$20	VARIES
Washington	55	569,705	NO	24,510	15,007	11,980		79.8	\$75	\$15	
Wisconsin	80	571,110	NO	18,136	10,028	7,925		79	VARIES	VARIES	
Kentucky	42	750,890	YES	11,201	11,056	8,666	410/2250	78.4	\$50	\$15-\$25	\$0
Rhode Island	9	163,870	YES	2,689	1,769	1,353	450-2250	78.5	\$55		
Ohio	99	1,397,220	NO	21,876	21,698	16,486		76	\$40	\$10	
Montana	22	84,510	NO	3,503	2,853	2,155		75.5	\$55	\$7-\$14	
Hawaii	13	131,295	NO	1,995	1,887	1,419		75.2	\$75	\$15	
Missouri	27	756,515	NO	13,508	13,447	10,001		74.4	\$40	\$40	
West Virginia	74	329,530	YES	6,111	6,039	4,493	410	74.4	\$0	\$0	\$0
Indiana	71	786,020	YES-IF	14,953	14,861	10,905	410/2500	73.4	\$60	\$12	\$0
Tennessee	38	988,235	YES	15,647	15,388	10,985	NO MINIMUM	71.4	\$50-\$75	\$10-\$15	\$0
Arizona	41	730,845	VARIES	18,912	17,025	12,045	VARIES	70.8	\$65 - \$90	\$10-\$15	
Oklahoma	55	482,350	NO	95,403	9,407	6,592		70.1	\$45-\$80	\$5-\$25	
Michigan	118	1,182,970	NO	21,754	15,862	11,095		69.9	\$30 - \$380	\$10-\$50	
Louisiana	43	786,880	YES-IF UNDER	11,818	11,453	7,961	410/2250	69.5	\$50	\$35	\$0
California	190	5,500,200	NO	58,136	48,315	33,535		69.4	\$150	\$25	
Florida	82	2,441,300	NO	49,546	47,127	32,683		69.4	\$70	\$14-\$16	
US Pass Rate			YES-IF					69.4			
South Carolina	6	681,590	YES-IF	10,063	9,945	6,863	440 /2200	69	\$80	\$16	NA
Nevada	20	296,905	YES-IF	7,009	6,890	4,735	410/2250	68.7	\$60	\$0	\$10
New Mexico	28	272,275	VARIES	9,017	7,656	5,206	500/2500	68	\$35 - \$100		
Virginia	82	942,620	NO	24,186	21,249	14,454		68	\$45	\$7	
Texas	148	3,571,240	NO	54,547	48,361	32,423		67	\$41-\$150	\$5-\$30	
Georgia	47	1,283,830	NO	33,467	28,197	18,615		66	\$95	\$19	
Pennsylvania	119	1,604,370	NO	25,344	22,441	14,536		64.8	VARIES	VARIES	
Massachusetts	32	695,875	NO	13,328	11,889	7,688		64.7	\$65	\$15	
Connecticut	23	395,380	NO	5,548	4,832	3,028		62.7	\$13	\$13	
New Jersey	32	1,089,940	NO	13,550	13,162	8,212		62.4	\$50	\$10	
Maryland	20	617,715	NO	8,942	8,407	5,053		60.1	\$45	\$45	
Illinois	75	1,659,750	NO	30,162	27,066	16,024		59.2	\$50	\$10-\$15	
Alabama	53	797,910	NO	15,269	1,529	8,713		57.3	\$50	\$10	
Mississippi	37	537,920	NO	15,140	13,898	7,760		55.8	\$40	\$12	
New York	310	2,851,185	NO	53,063	51,724	27,815		53.8	\$0	\$0	
District of Columbia	1	93,635	YES	1,071	902	483	410/2250	53.5	\$50	\$10	
US Totals		39,769,125									