






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

TO: Higher Education Committee

FROM: John L. D'Agati 

SUBJECT: Proposed Amendment to Section 80-1.5 of the Regulations of the Commissioner of Education Relating to the Establishment of a Multiple Measures Review Process for the edTPA

DATE: March 2, 2017

AUTHORIZATION(S):  

SUMMARY

Issue for Discussion

Should the Board of Regents amend Section 80-1.5 of the Commissioner's Regulations relating to the establishment of a multiple measures review process for the edTPA?

Reason(s) for Consideration

Review of Policy.

Proposed Handling

The proposed amendment is submitted to the Higher Education Committee for discussion at its March 2017 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 March 29, 2017. 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.

The edTPA, a subject-specific multi-measure performance assessment, is comprised of three tasks: (i) planning instruction and examination; (ii) instructing and engaging students in learning; and (iii) assessing student learning. It was developed by Stanford University in partnership with the American Association of Colleges for Teacher Education (AACTE).

Commencing in May 2014, a safety net for the edTPA was established—candidates who do not pass the edTPA can take and pass the Assessment of Teaching Skills – Written (ATS-W). The Board of Regents also established an edTPA Task Force which included representatives from CUNY, SUNY, clcu, the Teacher Education Advisory Group, the United University Professions, the Professional Staff Congress and P-12. The edTPA safety net (along with the other safety nets for the teacher certification exams) was extended until June 30, 2017 at the April 2016 Board of Regents meeting.

The edTPA Task Force was reconvened by request of the members of the Board of Regents in January 2016. Beginning in May 2016, the Task Force began to review the edTPA, as well as other teacher certification exams. Conversations were led by co-chairs, Dr. David Cantaffa (Assistant Provost for Educator Preparation, SUNY) and Dr. Jamie Dangler (Vice President for Academics, UUP). This work was also informed by the gathering of information across the State of New York by the Higher Education Committee chairs, Regents Cashin and Collins. Several other members of the NYS Board of Regents and the NYS Commissioner of Education participated in public forums over the past year to discuss the teacher certification exams.

Recommendations from the edTPA Task Force:

At the January 2017 Board of Regents meeting, the co-chairs of the edTPA Task Force presented their recommendations. The recommendations encompassed the edTPA as well as the other certification exams. Please see the Related Regents Items section for links to the report of the Task Force including a chart outlining the recommendations from the Task Force.

- (1) The first recommendation was for the Department to establish a standard setting committee to determine if the passing score for the edTPA should be reset and gradually phased in over several years. The Department is working with SCALE and the testing vendor to establish a timeline for implementation and convene a standard setting committee. Our goal is for the Commissioner to implement a new cut score in the fall of 2017, after a recommendation from the standard setting panel.
- (2) As a part of the first recommendation, the Task Force has asked the Department to implement a multiple measures review process in cases where there is compelling evidence that the candidate is ready to teach but did not achieve a

passing score on the edTPA. In order to request a multiple measures review, the candidate must score within one standard deviation of the passing score as established by the standard setting committee, and must demonstrate that they have the knowledge, skills, and abilities to become a teacher of record. A regulatory change is necessary to implement this process, and is recommended to the Board. Such multiple measures would include:

- Recommendation(s) from college/university faculty who have been responsible for program-level assessment of a teacher candidate's clinical practice.
- Recommendations from the teacher candidate's cooperating teacher(s).
- GPA - **must** have a GPA of 3.0 or higher in their program area, or the substantial equivalent as determined by the Commissioner.
- Have achieved a passing score on the other New York State Teacher Certification Exams (e.g., Educating All Students exam, Content Specialty Tests).
- Recommendations from faculty and cooperating teachers or other qualified individuals, as determined by the Department, that the teacher has the minimum knowledge, skills and abilities in pedagogy to enter the classroom.

A panel consisting of two P-12 teachers, two principals, two superintendents, two higher education faculty, and one NYSED staff member will review any waiver applications submitted to the Department on a periodic basis, as needed.

- (3) The Task Force requested that the Department work with SCALE and the testing vendor to release the qualifications of scorers through an annual report of de-identified individual level information, such as institution/organization affiliation, subject area and grade area, years of experience as an educator, baseline demographics, and length of time as an edTPA scorer. The Department will work with SCALE and the testing vendor to determine what level of scorer information can be released in an annual report.
- (4) The Task Force has asked the Department to work with the field, SCALE, and the testing vendor to develop and implement a process to review specific edTPA handbooks. The process would entail a review of the claims brought forth by education professionals in a specific certification area, with possible outcomes of this process as follows:
 - i. NYSED and representatives of the certification area will work with SCALE to substantively revise the applicable edTPA handbook.
 - ii. If handbook revision is not feasible for the certification area under evaluation, the Commissioner of Education may approve an alternative performance assessment for this certification area.

No regulatory change is needed to develop and implement this process, and the Department has already started having conversations with SCALE and the testing vendor to establish this review process.

- (5) The Task Force has asked the Department to convene a clinical practice work group to review the length and requirements of student teaching. The Department will invite members of P-12 and higher education to be a part of this work group. Ultimately, the work group will make recommendations to the Board of Regents to amend the current requirements. At that time, a regulation change would be needed.
- (6) The Task force recommends increasing the voucher program. While no regulation change is needed, this is a part of the Regents budget request.
- (7) The Task Force recommends that the Department work with the testing vendor to review the Educating All Students (EAS) exam. The review will focus on the constructed response items and will potentially result in revising a portion of the assessment so that it assesses both the candidate's ability to serve a diverse student body and assess the potential teacher's literacy skills.
- (8) Last, the Task Force has recommended that the Department eliminate the requirement that students must take and pass the Academic Literacy Skills Test (ALST) to become certified. As discussed in #7 (above), the Department will review the EAS assessment and potentially revise as needed to assess the potential teacher's literacy skills. The Department will present, separately, an emergency regulation at the March Board meeting to accomplish this.

Proposed Amendment

The Department recommends an amendment to Section 80-1.5 of the Regulations of the Commissioner of Education to make available, for those candidates who take the edTPA after a new passing score has been established and implemented, access to the "multiple-measures review process" if they fail to receive a passing score on the edTPA but fall within one standard deviation (as determined by the standard setting committee) below the new passing score, provided they meet additional requirements outlined in the regulations. Most important, to be eligible for this process, candidates must: (1) fall within one standard deviation below the new passing score, (2) have a minimum GPA of 3.0, and (3) must pass all other exams (or available safety nets) required for the teaching certificate they are seeking. Recommendations from faculty and cooperating teachers, as well as evidence of extenuating circumstances will be considered by the panel in addition to evidence of having met these requirements. See Attachment C for a copy of the proposed amendment. Until such time as this new edTPA passing score is established and the multiple measures review process is implemented, the edTPA safety net will remain in effect.

Related Regents Items

<https://www.regents.nysed.gov/common/regents/files/416hea2.pdf>
<https://www.regents.nysed.gov/common/regents/files/1016hea2.pdf>
<https://www.regents.nysed.gov/common/regents/files/117hed2.pdf>

Recommendation

Not applicable.

Timetable for Implementation

Following the 45-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 July 2017 meeting. If adopted at the July 2017 meeting, the proposed amendment will become effective on August 2, 2017.

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 207, 215, 3001, 3003, 3004 and 3009 of the Education Law.

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

(d) Multiple Measures Review Process for the edTPA.

(1) A candidate may apply for a waiver of the edTPA requirement on or after the effective date of this section through a multiple-measures review process. Provided however, that this process will only apply if and when a new standard setting panel has been convened and makes a recommendation to the Commissioner for a new passing score for the edTPA and such score has been approved by the Commissioner for use with the edTPA, and the candidate meets the requirements set forth in paragraph (2) of this subdivision.

(2) To be eligible for a waiver of the requirement for the edTPA through the multiple-measures review process, a candidate shall:

(i) receive a score within one standard deviation below the new passing score set by the standard setting panel, as determined by the Commissioner;

(2) have a cumulative grade point average of a 3.0 in his/her program area or its equivalent, as determined by the Commissioner;

(3) receive a satisfactory passing score on all other examinations (or available safety nets) required for the teaching certificate sought; and

(4) provide recommendations from faculty and cooperating teachers or other qualified individuals, as determined by the Department, that the teacher has the

minimum knowledge, skills and abilities in pedagogy to enter the classroom.

(3) The Department will convene a multiple measures review panel to review waiver applications submitted pursuant to this section. Such panel shall be comprised of two P-12 teachers, two principals, two superintendents, two higher education faculty and one staff member from the Department. The decision of the majority of the members shall determine whether a candidate will receive a waiver under this subdivision and such decision shall be final.