



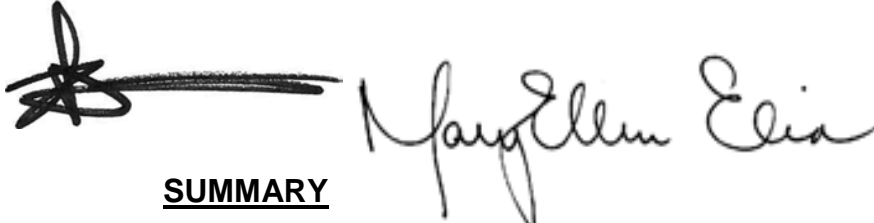
TO: Higher Education Committee

FROM: John L. D'Agati 

SUBJECT: Proposed Amendment to Section 80-1.5 of the Regulations of the Commissioner of Education Relating to the Reinstatement of the Educational Technology Specialist Content Specialty Test Safety Net for Candidates Seeking Education Technology Specialist Certification

DATE: June 7, 2018

AUTHORIZATION(S):


SUMMARY

Issue for Decision

Should the Board of Regents adopt the proposed amendment to Section 80-1.5 of the Regulations of the Commissioner of Education relating to the reinstatement of the Educational Technology Specialist Content Specialty Test safety net for candidates seeking certification as education technology specialists?

Reason(s) for Consideration

Review of Policy.

Proposed Handling

The proposed amendment is submitted to the Higher Education Committee for recommendation and to the Full Board for emergency adoption at the June 2018 Board of Regents meeting (Attachments A and B are a copy of the proposed amendment and the Statement of Facts and Circumstances Justifying the Emergency Adoption, respectively).

Procedural History

A Notice of Proposed Rule Making will be published in the State Register on June 27, 2018. Supporting materials for the proposed amendment are available upon request from the Secretary to the Board of Regents.

Background Information

There was a safety net in place for the Educational Technology Specialist content specialty test (CST) that allowed candidates to take either the redeveloped CST or the predecessor CST. Pursuant to Section 80-1.5(c)(2)(ii), that safety net expired on June 30, 2017, and candidates have been required to take only the redeveloped exam.

Upon a review of the redeveloped Educational Technology Specialist CST, there has been a significant decrease in the pass rate. This is a low incidence test and now that the Department has gathered more data on how candidates are performing on the test, the Department believes it needs to review the examination to determine if adjustments are needed. In the interim, the Department recommends that a safety net be made available to candidates seeking this certification while the Department works with the field to make any necessary changes.

Proposed Amendment

Candidates seeking certification as educational technology specialists may take advantage of the safety net through June 30, 2019. For the safety net, such candidates may take and pass either the predecessor content specialty test or the redeveloped content specialty test.

Related Regents Items

Not applicable.

Recommendation

VOTED: That Section 80-1.5 of the Regulations of the Commissioner of Education be adopted as an emergency action, effective July 1, 2018, to ensure that the safety net becomes effective immediately, so candidates can be held harmless during the Department's review of the Educational Technology Specialist content specialty test and while any necessary revisions are made to such examination.

Timetable for Implementation

If adopted at the June 2018 Regents meeting, the proposed amendment will be adopted as an emergency action, effective July 1, 2018. Following the 60-day public comment period required under the State Administrative Procedure Act, it is anticipated that the proposed amendment will be presented to the Board of Regents for adoption at its September 2018 meeting. If adopted at the September 2018 meeting, the proposed amendment will become effective on October 3, 2018.

Attachment A

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

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

Paragraph (2) of subdivision (c) of section 80-1.5 of the Regulations of the Commissioner of Education shall be amended to read as follows:

(2) Content specialty test.

(i) Except as otherwise provided in subparagraphs (ii), (iii), and (iv) of this paragraph, a candidate who takes and fails to achieve a satisfactory level of performance on any of the revised content specialty examinations from May 1, 2015 through October 17, 2016, may, in lieu of retaking such revised content specialty examination:

(a) . . .

(b) . . .

(ii) . . .

(iii) For revised content specialty tests that [become] became operational on or after October 18, 2016 or for the revised Educational Technology Specialist content specialty test, a candidate may take and receive a satisfactory passing score on either the revised content specialty test or the predecessor content specialty test until June 30, 2019.

(iv) . . .

STATEMENT OF FACTS AND CIRCUMSTANCES JUSTIFYING THE EMERGENCY
ACTION

The Department is proposing a safety net for candidates seeking certification as Educational Technology Specialists until June 30, 2019 while the Department reviews the pass rates for the examination to determine if revisions are needed to the redeveloped test. The safety net will hold candidates harmless and allow them to take and pass either the predecessor or the redeveloped content specialty test while the Department conducts this review process.

Because the Board of Regents meets at scheduled intervals, the earliest the proposed amendment could be presented for regular (non-emergency) adoption, after publication in the State Register and expiration of the 60-day public comment period provided for in the State Administrative Procedure Act (SAPA) Sections 202(1) and (5), is the September 2018 Regents meeting. Furthermore, pursuant to SAPA Section 203(1), the earliest effective date of the proposed amendment, if adopted at the September Regents meeting, is October 3, 2018, the date a Notice of Adoption would be published in the State Register. However, because the previous safety net has expired, emergency action is necessary now for the preservation of the general welfare in order to ensure that the reinstated safety net becomes effective immediately so candidates can be held harmless during the Department's review of the Educational Technology Specialist content specialty test and while any necessary revisions are made to such examination.