

## AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 2017, 215, 3001, 3003 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, effective September 12, 2017, to be 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) Teacher performance assessment. A candidate who takes and fails to achieve a satisfactory level of performance on the teacher performance assessment (after completing and submitting for scoring the teacher performance assessment), may, in lieu of retaking the teacher performance assessment:

(i) receive a satisfactory score on the written assessment of teaching skills after receipt of his/her score on the teacher performance assessment and prior to [either the date a new passing score for the edTPA is approved by the commissioner after a recommendation is made by a new standard setting panel or] June 30, 2018[, whichever is earlier]; or

(ii) pass the written assessment of teaching skills on or before April 30, 2014 (before the new certification examination requirements became effective), provided the candidate has taken and failed the teacher performance assessment prior to [either the date a new passing score for the edTPA is approved by the commissioner after a recommendation is made by a new standard setting panel or] June 30, 2018[, whichever is earlier].

2. Subdivision (d) of section 80-1.5 of the Regulations of the Commissioner of Education shall be amended, effective September 12, 2017, to be 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] two points below the new passing score set by the standard setting panel, as determined by the Commissioner;

(ii) . . .

(iii) . . .

(iv) . . .

(3) ...