

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: *SB 44aa

51st Legislature, 2nd Session, 2014

Tracking Number: .195329.1

Short Title: Use of “High School Equivalency Credential”

Sponsor(s): Senator Gay G. Kernan

Analyst: Travis Dulany

Date: February 14, 2014

FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AS AMENDED

The Senate Public Affairs Committee amendment reinserts Section 3 of the original bill and renumbers the succeeding sections accordingly.

The Senate Education Committee amendments:

- strike Sections 1 through 10; and
- insert Section 1. Temporary Provision – Statutory References – to require that references in law to:
 - “general education diploma,” “general equivalency diploma,” “general education development certificate,” “certificate of general equivalency,” “graduate equivalent diploma,” “GED certificate,” “high school equivalency diploma,” “certificate of equivalency,” and “equivalency diploma,” be references to a *high school equivalency credential*;
 - “high school diploma or equivalent” be references to a *high school diploma or high school equivalency credential*;
 - “high school equivalency education” be references to a *high school equivalency credential education*; and
 - “general educational development test” be references to a *high school equivalency credential test*; and
- add an emergency clause.

Original Bill Summary:

SB 44 amends several sections of current law to replace the terms “General Education Diploma,” “General Equivalency Diploma,” “General Educational Development Certificate,” and “GED Certificate,” with the term “High School Equivalency Diploma.”

Fiscal Impact:

SB 44 does not contain an appropriation.

Substantive Issues:

According to the American Council on Education (ACE):

- “GED” is a registered trademark of ACE and may not be used or reproduced without written permission from the organization; and
- the test is administered by GED Testing Service, LLC, under a license from ACE.

While the acronym “GED” refers specifically to a series of tests owned by ACE and administered by GED Testing Service, a commonplace assumption is that “GED” describes all high school equivalency tests. As noted by New York State Education Commissioner John King, “GED is synonymous with ‘alternative assessment for adult learners.’”

This has led the Legislative Education Study Committee (LESC) to endorse legislation to remove references associated with the GED from statute.

Although GED Testing Service is responsible for developing and administering the tests, it is not responsible for determining high school completion or equivalency. Participants who successfully pass the battery of GED exams receive a GED credential, but it is up to the administering jurisdiction – the state, correctional institution, military facility, or Veterans Affairs hospital – to determine the name of the credential. According to a 2012 US Census Bureau report, 63 percent of jurisdictions award a “diploma,” while 31 percent award a “certificate,” and 6.0 percent award something else.

Legislation similar to SB 44 was passed unanimously by the Legislature during the 2013 legislative session; however, that bill was pocket vetoed. The language in that bill replaced terms associated with the GED with the term “high school equivalency *diploma*” (emphasis added). An analysis from the Public Education Department (PED) from the 2013 legislative session reported that some conflicts with federal law may exist if the word “diploma” is used. During the 2013 interim, LESL staff were able to coordinate with PED staff in order to find a term that is more acceptable to the department, hence the use of “high school equivalency *credential*” in SB 44.

Background:

During the 2012 and 2013 interims, the LESL heard testimony from a number of adult educators, adult learners, and other stakeholders regarding:

- the 2014 series of the GED; and
- alternatives to the GED.

2014 Series of the GED

The development of the 2014 series of the GED test began in March 2011, when ACE and Pearson PLC issued a press release announcing a joint company – GED Testing Service, LLC. The company, which is based in Washington, D.C. with additional offices in Minneapolis, Minnesota, is governed by a board of directors composed of four executives from ACE and four executives from Pearson PLC. In this 2011 news release, ACE stated that the GED test, under the newly formed company, would be redesigned to include three primary components:

- a new, more rigorous GED test aligned with Common Core State Standards (CCSS) designed to ensure career- and college-readiness;
- a national test preparation program featuring an expanding array of innovative and personalized learning resources; and,
- a transition network that connects GED test-takers to career and postsecondary educational opportunities.

According to GED Testing Service, the reasons behind developing a new GED assessment included:

- changes to the educational landscape and workforce that require a new kind of GED test;
- a need to ensure that the GED test credential remains meaningful for adult learners, employers, and postsecondary institutions; and
- the workforce demanding more skill, including familiarity with technology.

According to GED Testing Service, the following changes to the GED test took effect in the 2014 series:

- *Computer-based Testing:*
 - the new GED is available only on computers;
 - an internet connection is not necessary at the time the person is taking the test; however, an internet connection will be required in order for the test to be graded;
 - once the student has completed the test (and an internet connection has been established), the tests are encrypted for security and submitted for scoring;
 - testing centers need to become “Pearson VUE Authorized Test Centers” in order to offer the computer-based test (further discussed below); and
 - test-takers will need to know “basic” computer, keyboarding, and typing skills and have a familiarity with computer software tasks such as scrolling, using graphic user interfaces, and exhibiting windows.
- *Content Areas:*
 - the new GED is said to be aligned with the CCSS, as well as other college- and career-readiness standards of states that have not adopted CCSS (such as Texas and Virginia);
 - the test is intended to provide “an indicator of readiness to enter workforce training programs or postsecondary education,” and “actionable information about a candidate’s academic strengths and weaknesses”;
 - the test is said to be evidence-based, norm-referenced, designed to measure deep understanding of core skills needed for a variety of pathways, and based on “empirical” performance of a nationally representative sample of graduating high school seniors; and
 - the new question types on the 2014 GED test are intended to measure critical cognitive skills, that, according to GED Testing Service, are not possible on a paper-based test.

- *Cost:*
 - the base price of the new GED test is \$120/test-taker;
 - testing centers will be compensated approximately \$38/test-taker; and
 - in 2012, GED Testing Service representatives informed LESC staff that states and testing centers may either add additional administrative fees on top of the \$120/test-taker base price or subsidize it through state funds.

- *Registration:*
 - test-takers register for the new GED test through GED Testing Service, either online or by a toll-free telephone number; and
 - because the registration will be via internet or telephone, a credit, debit, or prepaid card is necessary to sign up for the new GED test.

Notwithstanding the positive changes that GED Testing Service reported, adult educators and other stakeholders expressed concerns with the new GED test to the LESC throughout the 2012 and 2013 interims, noting the:

- **increased cost:** for some testing centers, the cost of the GED increased from \$35 to \$120 for the entire battery of tests;
- **ability to bypass adult education centers:** with the ability to sign up for the GED through a website, some adult education administrators reported that students may be able to sign up, pay for, and take the new GED test without first receiving preparation from an adult education center, which may lead to greater failure rates; and
- **requirements to take the test on a computer:** although they reported that they recognize the importance of learning to use technology, several adult educators testified to the LESC that only providing the GED test in a computer-based format will have a negative impact on some test-takers, especially elderly adult learners whose circumstances prevented them from accessing computers for much of their lives.

According to correspondence from PED officials to adult education administrators dated January 17, 2014, there are currently 15 testing centers that administer the computer-based 2014 series of the GED test, with an additional 20 testing centers with targeted opening dates in February; one testing center has a targeted opening date in April. This compares to the roster of 29 testing centers listed on the PED website that administered the previous version of the GED test.

The Higher Education Department (HED) reports that “some New Mexico GED testing centers have decided not to administer the 2014 GED test largely due to the cost of technology necessary for Pearson VUE testing center certification.” HED further notes that SB 44 opens New Mexico to the possibility of providing state-approved alternatives for those seeking a high school equivalency credential, while retaining the GED test as one of the available options, or, alternatively, SB 44 provides the opportunity to issue a request for proposals to select a single vendor for high school equivalency tests in New Mexico, which is something many other states have done, according to HED.

Alternatives to the GED

At least two companies – Educational Testing Service (ETS) and CTB/McGraw-Hill – have announced similar high school equivalency tests in the last year, as noted during the LESC meeting in July 2013 in which LESC staff and representatives from the following entities presented:

- HED;
- PED;
- New Mexico State University-Grants Adult Basic Education program;
- GED Testing Service, LLC;
- ETS; and
- CTB/McGraw-Hill Education.

At the meeting, ETS discussed plans to release the High School Equivalency Test, or HiSET, in January 2014. The test is reported to be offered in a computer-based and pencil-and-paper format and will cost \$50 per test-taker, which includes the ability to retake the test twice within 12 months at no additional cost. Additionally, the HiSET from ETS will include the following subject areas, similar to those on the GED:

- language arts reading;
- language arts writing;
- mathematics;
- science; and
- social studies.

ETS also reports that these subject areas will be aligned with the CCSS.

Furthermore CTB/McGraw-Hill announced plans to release the Test Assessing Secondary Completion (TASC) in January 2014. The TASC is reported to be aligned with the CCSS, and includes:

- multiple-choice items, at least in the first two to three years after which the company reports that it will offer “enhanced items”;
- an extended writing prompt for writing assessments;
- gridded-response items in mathematics; and
- stimulus-based science and social studies multiple choice questions.

HED staff discussed the need to change statutory language in order to allow for options when considering which test to use for high school equivalency. HED staff stated that the department intended to issue a request for information (RFI) in order to learn about additional options for adult learners to demonstrate high school equivalency. The response period for the RFI closed in August 2013 with GED Testing Service, LLC; ETS; and CTB/McGraw-Hill Education providing submissions.

GED History

According to GED Testing Service, LLC:

- the GED test was first developed in 1942 and was primarily administered to US Armed Service Members whose military service interrupted their ability to complete high school;
- the original series of the GED tests reflected the needs of the industrial era;
- at the time in which the test was developed, 37 percent of the test-takers indicated plans to seek additional education at the postsecondary level;
- the original series English test focused on correctness and effectiveness of expression, while the other portions – social studies, science, and literature – relied on the interpretation of reading material;
- the test was revised in 1978, and the changes were characterized by a:
 - shift in emphasis from science and social studies reading materials to a separate reading test; and
 - transition away from a recall of facts toward application of conceptual knowledge and evaluation of presented information;
- the third series of the GED test, released in 1988, was based on the following recommendations from a panel of professionals and experts:
 - the addition of a direct writing sample;
 - increased emphasis on critical thinking and problem-solving skills;
 - increased reflection on the diverse roles adults play in society;
 - greater emphasis on understanding the sources of societal change; and
 - an increase in contextual settings relevant to adults; and
- in the 1988 series, the reason candidates took the test shifted, with over 65 percent saying they were taking the test in order to enroll in a postsecondary institution; and
- the fourth series, released in 2002, which was based on content standards at the national and jurisdictional level, expired December 31, 2013.

Committee Referrals:

SCC/SEC/SPAC/HEC

Related Bills:

*SB 150 *Lottery Scholarship Solvency*
HB 130a *Services to Students Seeking GEDs*
HB 145 *Lottery Scholarship Changes*
*HB 263a *Lottery Scholarship Changes*
HB 281a *Adult Basic Education Programs*