



**FROM:** Pesticide Certification and Licensing Program

**SUBJECT:** Procedure for retesting applicants who fail to pass a commercial pesticide applicator certification exam.

---

**Purpose:**

This memo highlights the technical and administrative challenges faced in meeting the requirements set forth within Wis. Admin. Code, ch. ATP 29.26(8) pertaining to the retesting of individuals whom fail a commercial pesticide applicator certification exam.

**Regulations:**

Wis. Admin. Code, ch. ATP 29.26(7) Certification Test. Except as provided under sub. (10), an individual shall demonstrate practical knowledge and competency in each category under sub. (6) by scoring at least 70 percent on a written, closed-book examination which the department administers for that category. The department may arrange with an equivalent agency in another state to administer the department's examination to individuals in that state, for purposes of certification in this state.

Wis. Admin. Code, ch. ATP 29.26(8) Retesting Applicants Who Fail to Pass. An individual who fails an initial examination under sub. (7) may retake the examination not sooner than 24 hours later, on a regularly scheduled examination date. An individual who fails a second or subsequent examination may retake the examination not sooner than 30 days later, on a regularly scheduled examination date. An individual who fails 4 examinations in any category in any 6-month period may not retake the examination for at least 6 months following the date of the last failed examination.

**Scope of Problem – Number of applicators failing more than 4 times**

Relatively few individuals fail four certification exams and continue their attempt to certify. Therefore identifying future state needs for certification exam scheduling, testing and tracking software and processes is more pressing than changing the current "day to day" operational procedures.

During the time frame of 1/1/11 to 4/20/16 there were 34,609 certification exams with a passing score, and 6,535 exams with a failing score. Only 124 individuals failed four or more commercial certification exams within this timeframe, for a total of 573 failed exams. Furthermore, only 41 individuals failed more than 5 exams; and no one failed more than 9 exams. Most individuals retested four times within one year. Individuals with 4 or more failures primarily attempted to certify in categories 3.0 (77 people), 5.0 (29 people), 7.1 (19 people) and 6.0 (17 people); 8 additional commercial categories were also attempted.

The majority only sought certification in one category; 27 individuals failed two category exams, 8 individuals failed three category exams and two people failed four different category exams. Zero private applicators failed more than 4 times; although it should be noted that private applicators do not have a retake waiting period.

### **Current exam scheduling process**

An individual can schedule a test session using a web-based schedule (e.g., portal within the DATCP website), direct contact with the DATCP office (e.g., email/telephone), or with a third-party host that provides a test only location or testing session (e.g., Wisconsin Technical College or UW PAT). Regardless of how one schedules a testing session, the tester must identify if that test session will be their first attempt to certify (i.e., initial certification), or if they are scheduling to retake the exam due to a recent failure. Currently this information is used by the exam proctor to aid them in estimating the number of training manual receipts that will be collected at the time of the exam. Due to the lack of any connection between the Pesticide Applicator Certification database (PACS) and the scheduling software data, there is no efficient method in use for verifying testing eligibility at the time of test scheduling. Lastly, offsite schedulers/proctors do not have access to PACS, and are unable to verify the testing history for individuals scheduled to take an exam.

### **Current process when the same category exams is taken:**

An example of the current retest policy is as follows:

1. First Exam Failure: January 1, 2016 – exam retake allowed after 24 hours (e.g., January 2, 2016).
2. Second Exam (retake) Failure: January 2, 2016 – exam retake allowed 30 days after second exam failure date (e.g., February 2, 2016).
3. Third Test (retake) Failure: February 2, 2016 – exam retake allowed 30 days after third exam failure date (e.g., March 3, 2016).
4. Fourth Test (retake) Failure: March 3, 2016 – exam retake allowed 6 months after fourth exam failure date (September 4, 2016).
5. Fifth Test (retake) Failure: September 4, 2016 – exam retake timeframe resets to 24 hours after fifth exam failure (September, 5 2016), then second failure – 30 day wait, etc.

Sixth Test (retake) discussion:

The program previously operated under a policy where the test failure timeframe (e.g., first failure – 24 hour wait, second failure – 30 day wait, etc.) would “reset” upon the exam renewal cycle. This criteria was intended to address an individual who repeatedly fails the same certification exam within a five-year exam cycle.

Certification exams are developed in conjunction with the training materials published by the University of Wisconsin Extension Services – Pesticide Applicator Training Program (UW-PAT). These training materials are revised once every five-years. Due to the duration of the training material revision cycle, the certification exams are re-written once every five-years.

While this policy did limit exam exposure to individuals who failed four exams, it did not coincide with the requirements within Wis. Admin. Code, ch. ATPC 29.26(8). An applicator who tested on the first day a new exam was released and who failed 4 subsequent exams, potentially had to wait 4 years and nine months for a new exam to be developed prior to taking their fifth retake exam. It is unclear if this time delay was actually imposed on an individual. Per Wis. Admin. Code, ch. ATPC 29.26(8), the exam retake timeframe does not “reset” based upon revision of the certification exam, hence this policy was abandoned in 2012.

In 2012 the program began implementing the code language to allow the sixth or any other subsequent retake exam timeframe to be directly linked to the calendar year, not the exam revision schedule. In response to industry requests, the wait time for individuals failing a fifth retake exam was reset for their sixth exam retake (e.g., first failure – 24 hour wait, second failure – 30 day wait, etc.). Implementing this timeframe reset was primarily by request as, historically, few individuals continue to attempt attaining certification/recertification after four exam failures. The current process (excluding the 2012 requested waivers) is that the 30-day timeframe is imposed after failing a sixth or subsequent retake exam, and that the 6-month wait period occurs after failing four exams within any six month period.

The exam retake timeframes are applied equally to individuals who are certifying as a commercial applicator the first time, and to individuals that are currently certified as commercial applicators who are attempting to certify for a subsequent five-year period. An individual attempting to certify for their second five-year certification period who fails their first exam has been allowed to retest after a 24 hour waiting period.

**Current System Workaround when the same category exams is taken:**

After failing the fifth retake exam within the same category, the current scoring software will not score the exam. Therefore, when the exam scoring process is performed, the scoring software will identify the date of the exam being scored, and compare that date with the last date the exam was scored. If the time between both exam dates is six months (180 days) or less, the software will not score the exam, and will notify the individual scoring the exam of an error in the scoring process. This will continue to occur after a new exam (e.g., re-written exam) is introduced. The reason for this error occurring is due to the software requirements for scoring an exam that were based upon the interpreted timeframes within Wis. Admin. Code, ch. ATPC 29.26(8), at the time the scoring process and programming language had been developed. As explained earlier, there are no provisions within the administrative code that addresses resetting an exam re-take timeframe.

To allow for an exam re-take timeframe, the staff scoring the exam will manually change the date the exam is scored by increasing the date scored so it exceeds the 180-day requirement. Upon scoring the exam, the individual scoring the exam will revise the exam record to reflect the actual date the exam had been scored.

### **Current system for exams taken in more than one category and future outlook**

Many individuals seek certification in more than one category. Over the past five-years approximately 2,600 individuals have certified in more than one commercial certification category. To facilitate this, the department allows individuals to take exams in multiple categories (e.g., Category 3.0 and Category 7.1) in a single test session. In the event that an individual fails one of those exams, the exam retake wait period is administered independently for each exam category that an individual attempts to certify within. This practice conflicts with the provision within Wis. Admin. Code, ch. ATCP 29.26(8) which specifies "...An individual who fails 4 examinations in any category in any 6-month period...". The reason is due to the PACS system defaulting the exam failure timeframe to a single exam category, and not collectively accounting for failures in multiple exam categories.

Presumably, this is due to difficulties in implementing this provision [Wis. Adm. Code, ch. ATCP 29.26(8)], both for the department (e.g., current system workaround and software programming) and the burden placed on individuals who need certification within multiple categories. For instance, exams are scored immediately after completion when they are administered at the Madison test location. At this point, staff could prevent an individual from taking a second or subsequent exam if they fail. However, at a remote test locations where exams are not scored at that location, an exam proctor would not know if the individual will pass or fail. In this instance, the only recourse would be to limit testers to one exam per day as the pass/fail determination cannot be made until the exam answer sheets arrive via U.S. mail at the Madison location for scoring.

Following the code language for multiple category failures will lengthen the time requirements for applicators needing to certify in more than one category. Here are two recent examples.

- Individual 1 – 3/16/15 failed categories 7.1 and 7.3. On 3/20/16 passed categories 7.1 and 7.3. On 4/1/16 failed category 5.0. On 4/15/16 failed category 5.0.
- Individual 2 – 4/15/16 failed categories 1.1, 1.2, 3.0 and 3.1.

The preferred remedy is changing the code language to link retake timeframes to individual categories. Implementing the code as written will be a major change in policy for the program and will require the ability to inform applicators of their test results at all test locations or limiting individuals to one test per day at remote locations and increasing the amount of testing opportunities.