

## AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 207, 210, 212, 305, 3001, 3004 and 3006 of the Education Law.

Section 80-1.6 of the Regulations of the Commissioner of Education is amended, effective March 30, 2011, as follows:

Section 80-1.6 Extensions of time validity of certificates.

(a) Subject to the limitation provided in subdivision [(d)] (e) of this section, the time validity of an expired provisional, initial or transitional certificate may be extended for a period not to exceed two years from the expiration date of such certificate, except as provided in subdivisions (b) and (c) and (d) of this section, upon application by the holder of a teaching certificate:

(1) . . .

(2) . . .

(3) . . .

(4) . . .

(5) [for a candidate who is not a citizen of the United States, who has applied for citizenship and whose application for citizenship has not been acted upon by the United States Immigration and Naturalization Service;]

(b) . . .

(c) . . .

(d) The commissioner may extend the time validity of an expired provisional, or initial certificate beyond the extensions provided for in subdivisions (a) and (c) of this section, in increments of one additional year for a candidate who has applied for citizenship or permanent residency, and whose application for citizenship or permanent residency has not been acted upon by the U.S. Citizenship and Immigration Services

(USCIS) until the USCIS acts upon such application. Such candidates must provide documentation satisfactory to the Department that they meet these requirements, and that they have completed all academic, testing and experience requirements for Permanent or Professional certification.

(e) The commissioner will only extend the time validity of an expired provisional certificate under this section if the holder of such provisional certificate submits evidence of having achieved a satisfactory level of performance on the New York State Teacher Certification Examination content specialty test(s) in the area of the certificate, when a content specialty test(s) is required.