

AMENDMENT TO THE RULES OF THE BOARD OF REGENTS AND THE
REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to Education Law sections 101, 207, 210, 215 and 305.

1. Subclause (2) clause (c) of subparagraph (iv) of paragraph (2) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education is amended, to read as follows:

(2) Programs shall be continuously accredited by either:

(i) an acceptable professional education accrediting association, meaning an organization [which is determined by the department to have equivalent standards to the standards set forth in this Part] that is approved by the department and is recognized by the United States Department of Education or the Council for Higher Education Accreditation; or

(ii) [the Regents, pursuant to a Regents accreditation process.] a professional education accrediting association acceptable to the Department that is seeking recognition from the Council for Higher Education Accreditation or the United States Department of Education. To pursue this option and have its programs be considered continuously accredited under this subclause, the institution shall provide the Department with satisfactory evidence, on a form prescribed by the Commissioner, that it intends to apply for accreditation with a professional education accrediting association that is seeking recognition from the Council for Higher Education Accreditation or the United States Department of Education, prior to the expiration date of its current accreditation period. The institution will then have five years from the date of such notification to successfully complete the accreditation process. If at any time during the

accreditation process, the association determines that the institution's program or programs cannot be accredited by such association and/or that the institution has not diligently pursued an application for accreditation, then the institution's program or programs shall not be considered continuously accredited for purposes of this subclause.

2. Subclause (3) clause (c) of subparagraph (iv) of paragraph (2) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education is repealed.

3. Clause (b) of subparagraph (iii) of paragraph (6) of subdivision (c) of section 52.21 of the Regulations of the Commissioner of Education is amended, to read as follows:

(b) Programs shall be accredited by either:

(1) a professional education accrediting association [determined by the department to have equivalent standards to the standards set forth in this Part] that is approved by the Department and is recognized by the United States Department of Education or the Council for Higher Education Accreditation; or

(2) [the Regents pursuant to the Regents accreditation process] a professional education accrediting association acceptable to the Department that is seeking recognition from the Council for Higher Education Accreditation or the United States Department of Education. To pursue this option and have its programs be considered continuously accredited under this clause, the institution shall provide the Department with satisfactory evidence, on a form prescribed by the Commissioner, that it intends to apply for accreditation with a professional education accrediting association that is seeking recognition from the Council for Higher Education Accreditation or the United

States Department of Education, prior to the expiration date of its current accreditation period. The institution will then have five years from the date of such notification to successfully complete the accreditation process. If at any time during the accreditation process, the association determines that the institution's program or programs cannot be accredited by such association and/or that the institution has not diligently pursued an application for accreditation, then the institution's program or programs shall not be considered continuously accredited for purposes of this clause.

4. Paragraph (5) of subdivision (d) of section 52.21 of the Regulations of the Commissioner of Education is amended, to read as follows:

(5) Accreditation. School counseling programs registered for the first time on or after September 1, 2020 leading to initial and/or professional certification under this subdivision shall be accredited by an acceptable professional education accrediting association, meaning an organization that is approved by the Department and is recognized by the United States Department of Education or the Council for Higher Education Accreditation [which is determined by the department to have equivalent standards to the State's registration standards], within seven years of the date of their initial registration, and shall be continuously accredited thereafter by an acceptable professional education accrediting association.

5. Subpart 4-2 of the Rules of the Board of Regents is repealed.

