

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, 305, 3001, 3004 and 3009.

1. Subdivisions (d) and (e) of Section 30-1.2 of the Rules of the Board of Regents shall be renumbered as subdivisions (e) and (f) and the renumbered subdivision (e) shall be amended to read as follows:

(e) Except as otherwise provided in subdivisions (b) [and], (c) and (d) of this section, each board of education or board of cooperative educational services shall on and after the effective date of this Subpart make probationary appointments and appointments on tenure in accordance with the provisions of this Subpart.

2. A new subdivision (d) shall be added to section 30-1.2 of the Rules of the Board of Regents to read as follows:

(d) The provisions of this Subpart shall apply to a professional educator employed by a school district or board of cooperative educational services to devote a substantial portion of his or her time to the provision of instruction in computer science, on or after August 1, 1975, as follows:

(1) A professional educator employed by a school district or board of cooperative educational services on September 1, 2022 who was previously appointed by the board to tenure or a probationary period in a tenure area identified in this Subpart shall either:

(i) continue to receive credit toward tenure and/or accrue tenure and seniority rights in his or her previous tenure area from the initial date of his or her assignment and continue to receive tenure and/or seniority rights in his or her previous tenure area while assigned to devote a substantial portion of his or her time to the provision of instruction in computer science; or

(ii) if the professional educator provides knowing consent to the school district or board of cooperative educational services to change his or her tenure area pursuant to section 30-1.9 of this Subpart by September 1, 2022, he or she may receive credit toward tenure and/or accrue tenure and seniority rights in the special subject tenure area of computer science, established in section 30-1.8 of this Subpart, from the date of his or her initial assignment to a position where he or she devoted a substantial portion of his or her time to the provision of instruction in computer science and he or she shall continue to receive tenure and seniority rights in that tenure area while assigned to a position where he or she devotes a substantial portion of his or her time to the provision of computer science instruction appropriate for such tenure area.

(2) Any school district or board of cooperative educational services that appoints or assigns a professional educator on or after September 1, 2022 to devote a substantial portion of his or her time to the provision of computer science instruction shall make probationary appointments and appointments on tenure in accordance with section 30-1.8(e) of this Subpart.

(3) Any board of cooperative educational services that appoints a professional educator on or after September 1, 2022 to devote a substantial portion of his or her time to computer science instruction as a result of a board of cooperative educational services taking over a program formerly operated by a school district or a county vocational education and extension board pursuant to section 3014-a of the Education Law, shall credit the professional educator with tenure and seniority rights in the special subject tenure area for computer science instruction established in section 30-1.8(e) of this Subpart from the initial date of his or her assignment to the performance of computer science instruction in the school district or county vocational education and extension board and shall continue to credit the professional educator with tenure

and/or seniority rights in such tenure area while he or she is assigned to devote a substantial portion of his or her time to the performance of computer science instruction in such tenure area at the board of cooperative educational services.

(4) Any board of education that appoints a professional educator on or after September 1, 2022 to devote a substantial portion of his or her time to computer science instruction as a result of a school district taking over a program formerly operated by a board of cooperative educational services pursuant to section 3014-b of the Education Law, where the professional educator is serving in a computer science instruction tenure area pursuant to section 30-1.9(b) of this Subpart, shall credit the professional educator with tenure and seniority rights in a tenure area for which he or she holds the proper certification as described in section 30-1.9(b) of this Subpart, from the initial date of his or her assignment to the performance of computer science instruction in the board of cooperative educational services and shall continue to credit such professional educator with tenure and/or seniority rights in such tenure area while he or she is assigned to devote a substantial portion of his or her time to the performance of computer science instruction provided that he or she holds the proper certification for such tenure area.

3. Paragraphs (14) through (16) of subdivision (a) of section 30-1.8 of the Rules of the Board of Regents shall be amended to read as follows:

(14) speech—remedial; [and]

(15) English as a second language[.]; and

(16) Computer science.

4. Subdivision (d) in section 30-1.9 of the Rules of the Board of Regents, is amended to read as follows:

(d) If a professional educator possesses certification appropriate to more than a single tenure area and the board of education or board of cooperative educational services proposes at the time of initial appointment to assign such individual in such a manner that he will devote a substantial portion of his time during each of the school years constituting the probationary period in more than one of the tenure areas established by this Subpart, the board shall in its resolution of appointment designate such tenure area and shall thereafter separately confer or deny tenure to such individual in the manner prescribed by statute in each designated tenure area, except that individuals accruing tenure and/or seniority rights in their previous tenure area for the performance of duties in instructional support services or computer science as provided for in [section] sections 30-1.2(c)(1)(i) and (d)(1)(i) of this Subpart as applicable, shall only accrue tenure and/or seniority rights in their previous tenure area and not in one of the instructional support services tenure areas or the computer science tenure area [prescribed] described in section 30-1.8(a) and (e) of this Subpart as applicable.

5. Subparagraph (v) of paragraph (3) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education shall be amended to read as follows:

(v) Programs leading to initial certificates valid for teaching a special subject (all grades).

(a) Content core. [In] Except as provided in paragraph (1) of this subdivision, in addition to meeting the general requirements for the content core prescribed in clause (2)(ii)(b) of this subdivision, the content core shall be a major or its equivalent in the subject area of the certificate that provides a knowledge base for assisting students in meeting the State learning standards for students, as applicable to one of the following subjects and prescribed in Part 100 of this Title: dance, family and consumer sciences,

health education, music, physical education, technology education, theatre, or visual arts.

(1) For certificates in computer science (all grades), in addition to meeting the general requirements for the content core prescribed in clause (2)(ii)(b) of this subdivision and until such time as the Department adopts State learning standards for computer science in Part 100 of this Title, the content core shall be at least a total of 12 semester hours that provides a knowledge base for assisting students in understanding the following concepts

(i) Algorithms and programming;

(ii) Computing systems;

(iii) Data and analysis;

(iv) Impacts of computing; and

(v) Networks and the internet.

6. Subparagraphs (xxvi) through (xlvi) of paragraph (1) of subdivision (e) of section 80-3.2 of the Regulations of the Commissioner of Education shall be renumbered subparagraphs (xxvii) through (xlvi) of section 80-3.2 of the Regulations of the Commissioner of Education and a new subdivision (xxvi) shall be added to read as follows:

(xxvi) Computer science, all grades.

7. Subdivision (b) of section 80-3.3 of the Regulations of the Commissioner of Education shall be amended to read as follows:

(b) Requirements for initial certificates in all titles in classroom teaching service, except in a specific career and technical subject within the field of agriculture, business and marketing, family and consumer sciences, health, a technical area or a trade

(grades 7 through 12). The candidate shall meet the requirements in each of the following paragraphs:

(1) . . .

(2) Examination. The candidate shall meet the examination requirement by meeting the requirements in one of the following subparagraphs:

(i)

(a) Except as otherwise provided in this section, for candidates applying for certification on or after May 1, 2014 or candidates who applied for certification on or before April 30, 2014 but did not meet all the requirements for an initial certificate on or before April 30, 2014, such candidates shall submit evidence of having achieved a satisfactory level of performance on the New York State Teacher Certification Examination teacher performance assessment, the educating all students test, and the content specialty test(s) in the area of the certificate, when available, except that a candidate seeking an initial certificate in the title of Speech and Language Disabilities (all grades) shall not be required to achieve a satisfactory level of performance on the content specialty test or the teacher performance assessment and a candidate seeking an initial certificate in the title of Educational Technology Specialist (all grades) shall not be required to achieve a satisfactory level of performance on the teacher performance assessment.

(b) . . .

(ii) . . .

8. A new subdivision (d) shall be added to section 80-3.3 of the Regulations of the Commissioner of Education to read as follows:

(d) Requirements for an initial certificate in computer science for candidates who hold a bachelor's degree or higher and have satisfactory industry experience in the field.

(1) The requirements of this paragraph are only applicable to candidates who possess a bachelor's degree or higher, and at least three years of documented and satisfactory occupational work experience in computer science, or a related area, as determined by the department. The candidate shall meet the requirements in each of the following subparagraphs:

(i) Education. The candidate shall meet the education requirement through satisfactory completion of a bachelor's degree or higher from a regionally accredited higher education institution or an equivalently approved higher education institution as determined by the department.

(ii) Pedagogy coursework. The candidate shall complete 18 semester hours of coursework that includes study in each of the following subjects:

(a) human development and learning, including but not limited to the impact of culture, heritage, socioeconomic level and factors in the home, school and community that may affect a student's readiness to learn;

(b) teaching students with disabilities and special health-care needs to develop the skills necessary to provide specially designed instruction to students with disabilities to participate and progress in the general education curriculum, three semester hours;

(c) teaching literacy skills, three semester hours;

(d) curriculum, instruction, and assessment, including instructional technology;

and

(e) foundations of education (historical, philosophical, sociological and/or legal).

(ii) Experience. The candidate shall have at least three years of documented and satisfactory occupational work experience in computer science, or a related area, as determined by the department;

(iii) Examination. The candidate shall pass the New York State Teacher Certification Examination Educating all Students test, the content specialty test when available, and the teacher performance assessment, when available in the computer science area.

9. A new section 80-3.14 of the Regulations of the Commissioner of Education shall be added to read as follows:

§80-3.14 Statement of continued eligibility for teachers of computer science.

(i) Upon application, any person holding a valid certificate in the classroom teaching service and employed within the five years immediately preceding September 1, 2022, as a teacher of computer science courses in a New York State public school or board of cooperative educational services or any other school where teacher certification is required, may be issued a statement of continued eligibility so that such person may continue to teach computer science courses in the employing school district, school or board of cooperative educational services. The statement of continued eligibility shall be valid for ten years from the date the statement of continued eligibility is issued and the candidate shall not be required to hold a computer science certificate as prescribed in section 80-3.2 of this Title, provided such person holds a permanent or professional certificate in another certification area in the classroom teaching service.

(ii) A statement of continued eligibility shall only be valid for service in the school district, board of cooperative educational services, or other school that employed such individual when the statement of continued eligibility was issued.

(iii) Applications for the statement of continued eligibility must be filed with the department on or before September 1, 2022.



10. Paragraph (1) of subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education shall be amended to read as follows:

(1) A candidate seeking to fulfill the education requirement for an initial certificate through individual evaluation of education requirements shall meet the general requirements prescribed in paragraph (2) of this subdivision, and the additional requirements, if any, prescribed in paragraph (3) of this subdivision for the certificate title for which application is made. The following initial certificates have no additional requirements prescribed in paragraph (3) of this subdivision: dance (all grades), health education (all grades), music (all grades), physical education (all grades), theater (all grades), visual arts (all grades), educational technology specialist (all grades), agriculture (all grades), family and consumer sciences (all grades), business and marketing (all grades), [and] technology education (all grades) and computer science (all grades).

11. Subparagraph (iv) of paragraph (2) of subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education shall be amended to read as follows:

(iv) Content core. The candidate shall complete 30 semester hours of coursework in the subject area of the certificate title, which may include no more than six of the 30 semester hours in a cognate, meaning a related field as determined by the department; provided, however that a candidate seeking an initial certificate in computer science shall only be required to complete 12 semester hours of coursework in the subject area of the certificate title.