

## AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to Education Law sections 101, 207, 210, 215, 305, 3001, 3004 and 3009.

1. A new section 80-3.15 shall be added to the Regulations of the Commissioner of Education to read as follows:

§80-3.15 Statement of continued eligibility for teachers of students with disabilities who teach a special class in grades 7-12.

(a) Upon application, a person who meets the requirements of this section and is employed in a public school or other school for which teacher certification is required to teach a special class, as defined in section 200.1(uu) of this Title, may be issued a statement of continued eligibility pursuant to which such person may teach one or more of the following subject areas in a special class without a teaching certificate in these areas as is required under this Part: biology, chemistry, earth science, English Language Arts, mathematics, physics, and social studies; provided that such person holds a valid initial or professional certificate in the classroom teaching service in students with disabilities generalist (grades 7-12) and meets the requirements of this section for each subject area for which the person is seeking a statement of continued eligibility.

(b) A statement of continued eligibility must be obtained for each subject area the teacher seeks to teach without certification in the special class.

(c) The statement of continued eligibility shall be valid for service in any district and shall be continuously valid provided that the person holds a valid initial or

professional certificate in students with disabilities generalist (grades 7-12) and is teaching in a special class, as defined in section 200.1(uu) of this Title.

(d) Applications for the statement of continued eligibility shall be submitted to the Department, on a form prescribed by the Commissioner, on or before July 1, 2019 and candidates must meet the requirements in the following subparagraph to be issued a statement of continued eligibility for each subject area in which the statement of continued eligibility is sought prior to July 1, 2019:

(1) As part of the application, the candidate shall submit satisfactory evidence of at least three years of satisfactory full-time teaching experience prior to July 1, 2019, during which time the candidate met the qualifications to be considered highly qualified for a core academic subject for purposes of the No Child Left Behind Act (NCLB) under the former 34 C.F.R. 200.56 through passing the high objective uniform State standard of evaluation rubric (HOUSSE) to demonstrate subject matter competency in grades 7-12 in the subject area in which the statement of continued eligibility sought. The candidate shall submit, as part of the application, the completed HOUSSE rubric from the district(s) for each year of experience for each subject area that the candidate seeks a statement of continued eligibility.

2. A new subdivision (t) shall be added to Section 80-4.3 of the Regulations of the Commissioner of Education to read as follows:

(t) Requirements for the issuance of a limited extension to teach a specific subject in a special class in grades 7-12.

(1) Purpose. The purpose of limited extensions issued under this subdivision is to authorize a teacher who holds a valid initial or professional certificate in the classroom teaching service in students with disabilities generalist (grades 7-12) to teach one of the following subject areas in a special class as defined in section 200.1(uu) of this Title: biology, chemistry, earth science, English Language Arts, mathematics, physics, and social studies.

(2) Limitations. A limited extension in a specific subject area issued under this subdivision shall be valid for five years from its effective date and may be renewed once for an additional five years if the candidate has completed at least three semester hours of coursework in the subject area of the limited extension sought prior to the expiration date of the first issuance of the limited extension. Candidates may apply for multiple limited extension(s) in different subject area(s).

(3) Requirements for a limited extension. A limited extension may be issued to a candidate in a specific subject area provided that the candidate holds a valid initial or professional certificate in the classroom teaching service in students with disabilities generalist (grades 7-12) and meets the requirements in one of the following subparagraphs:

(i) The candidate shall submit evidence of having at least two years of satisfactory full-time teaching experience in a public school, State-supported or State-operated school, or private schools established under 853 of the Laws of 1976 prior to July 1, 2019 during which time the candidate met the qualifications to be considered highly qualified for a core academic subject for purposes of the No Child Left Behind Act under the former 34 C.F.R. 200.56 through passing the high, objective, uniform State

standard of evaluation rubric (HOUSSE) to demonstrate subject matter competency in grades 7-12 in the subject area for which the limited extension was sought. The candidate shall submit, as part of the application, the completed HOUSSE rubric from the district(s) for each year of experience for each subject area that the candidate seeks a limited extension.

(ii) Submit evidence of having achieved a satisfactory level of performance on the New York State Teacher Certification Examination content specialty test in the subject area in which the limited extension is sought.

(iii) Receive a satisfactory passing score on an industry accepted examination that demonstrates mastery in the subject area for which the limited extension is sought or in a closely related area that is approved by the department through a request for qualifications process.

(iv) Complete at least nine semester hours of coursework in the subject area in which the limited extension is sought.

(v) Provide satisfactory evidence of completion of at least 45 hours of acceptable continuing teacher and leader education focused in the subject area in which the limited extension is sought and provide satisfactory evidence of either (a) or (b):

(a) at least two years of satisfactory teaching experience in grades 7-12 in the subject area in which the limited extension is sought or in a closely related subject area acceptable to the department; or

(b) an employment and support commitment from a public school district or a State-supported or State-operated school or private school established under 853 of the Laws of 1976 for the teacher to be employed in a special class as defined in section

200.1(uu) for the period of the limited extension that shall include a plan from the school or school district for mentoring and appropriate instructional support from a teacher in the school or school district who holds a professional or permanent certificate and is certified in the subject area in which the limited extension is sought. Mentoring shall include regular, ongoing collaboration between the teachers and types of mentoring activities may include, but are not limited to, modeling instruction, observing instruction, instructional co-planning, peer coaching, and team coaching.