

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 207, 305, 3001, 3004, 3006, 3007 and 3009 of the Education Law.

1. Paragraph (39) of subdivision (b) of section 80-1.1 of the Regulations of the Commissioner of Education shall be amended, effective July 9, 2014, to read as follows:

(39) Teacher means the holder of a valid teacher's certificate issued by the Commissioner of Education [or a valid regional credential].

2. Section 80-1.4 of the Regulations of the Commissioner of Education shall be amended, effective July 9, 2014 to read as follows:

Section 80-1.4 Required study in child abuse identification and reporting, and school violence prevention and intervention.

All candidates for a certificate or license valid for administrative or supervisory service, classroom teaching service or school service shall have completed at least two clock hours of coursework or training regarding the identification and reporting of suspected child abuse or maltreatment in accordance with the requirements of sections 3003(4) and 3004 of the Education Law. In addition, all candidates for a certificate or license valid for administrative or supervisory service, classroom teaching service or school service, who apply for a certificate or license on or after February 2, 2001, shall have completed at least two clock hours of coursework or training in school violence prevention and intervention, as required by section 3004 of the Education Law, which is provided by a registered program leading to certification pursuant to section 52.21 of this Title or other approved provider pursuant to Subpart 57-2 of this Title. [An individual making application for a provisional or an initial certificate pursuant to section 3030 of

the Education Law and/or section 80-2.2(e) of this Part shall satisfy the requirements of this section upon application for the permanent or professional certificate.]

3. Paragraph (2) of subdivision (a) of section 80-2.9 of the Regulations of the Commissioner of Education is repealed and paragraphs (3) through (6) are renumbered as paragraphs (2) through (5) of subdivision (a) of section 80-2.9 of the Regulations of the Commissioner of Education, effective July 9, 2014.

4. Paragraph (3) of subdivision (d) of section 80-3.2 of the Regulations of the Commissioner of Education is amended, effective July 9, 2014, to read as follows:

(3) The certificate, license or credential forms for supplemental school personnel, teaching in nonregistered evening schools [, regional credential,] and internship certificate shall be those prescribed in Subpart 80-5 of this Part.

5. Paragraph (3) of subdivision (e) of section 80-3.2 of the Regulations of the Commissioner of Education is amended, effective July 9, 2014, to read as follows:

(3) The certificate, license or credential titles for supplemental school personnel, teachers of adult, community and continuing education, [regional credential,] and internship certificate shall be those prescribed in Subpart 80-5 of this Part.

6. Paragraph (1) of subdivision (b) of section 80-3.3 of the Regulations of the Commissioner of Education is repealed and a new paragraph (1) is added to subdivision (b) of section 80-3.3 of the Regulations of the Commissioner of Education, effective July 9, 2014, to read as follows:

(1) Education. The candidate shall meet the education requirement by holding a baccalaureate degree from a regionally accredited institution of higher education or a higher education institution that the commissioner deems substantially equivalent or

from an institution authorized by the Regents to confer degrees and whose programs are registered by the department, and shall satisfactorily complete a program registered pursuant to section 52.21 of this Title, which leads to the certificate sought, or its equivalent.

7. Subparagraph (i) of paragraph (1) of subdivision (c) of section 80-3.3 of the Regulations of the Commissioner of Education is repealed and a new subparagraph (i) of paragraph (1) of subdivision (c) of section 80-3.3 of the Regulations of the Commissioner of Education is added, effective July 9, 2014, to read as follows:

(i) Education. The candidate shall meet the education requirement by satisfactorily completing an associate degree program registered pursuant to section 52.21(b)(3)(xiii) of this Title as leading to an initial certificate under option A, or its equivalent.

8. Subparagraph (i) of paragraph (2) of subdivision (c) of section 80-3.3 of the Regulations of the Commissioner of Education is repealed and a new subparagraph (i) of paragraph (2) of subdivision (c) of section 80-3.3 of the Regulations of the Commissioner of Education is added, effective July 9, 2014, to read as follows:

(i) Education. The candidate shall meet the education requirement by satisfactorily completing a program registered pursuant to section 52.21(b)(3)(xiii) of this Title as leading to an initial certificate under option B, or its equivalent.

9. Subclause (2) of clause (a) of subparagraph (ii) of paragraph (1) of subdivision (a) of section 80-3.10 of the Regulations of the Commissioner of Education is repealed and subclause (3) is renumbered as subclause (2) of clause (a) of

subparagraph (ii) of paragraph (1) of subdivision (a) of section 80-3.10 of the Regulations of the Commissioner of Education, effective July 9, 2014.

10. Section 80-5.8 of the Regulations of the Commissioner of Education is repealed and a new section 80-5.8 is added, effective July 9, 2014, to read as follows:

Section 80-5.8 Endorsement of certificates for service as a teacher in the classroom teaching service and recognition of substantially equivalent out-of-state teacher education programs for service as a teacher in the classroom teaching service in New York State.

(a) Endorsement of certificates for service as a teacher in the classroom teaching service.

(1) The commissioner may endorse the certificate or an equivalent authorization to practice from another state or territory of the United States or the District of Columbia for service as a teacher in the classroom teaching service, provided that the candidate meets the following requirements:

(i) The candidate shall hold a valid certificate or equivalent authorization to practice from another state or territory of the United States or the District of Columbia that is equivalent to the title and type of the certificate sought.

(ii) The candidate shall meet the general requirements for certificates prescribed in Subpart 80-1 of this Part, including but not limited to the requirements of section 80-1.3 relating to citizenship, section 80-1.4 relating to study in child abuse identification and reporting, and school violence prevention and intervention; section 80-1.13 relating to coursework or training in harassment, bullying and discrimination prevention and intervention; and section 80-1.1 relating to a criminal history check.

(iii) The candidate shall either:

(a) have completed a teacher education program from a regionally accredited institution of higher education or a higher education institution that the commissioner deems substantially equivalent, provided that such program leads to an initial certificate, or a similar certificate title and type, in the jurisdiction in which the higher education institution is located; or

(b) have at least three years of satisfactory experience in a public school (grades birth-12) in another state or territory of the United States or the District of Columbia in a position that would have required the equivalent of an initial or professional certificate in the certificate title sought as a teacher in the classroom teaching service for employment in New York State and while under a certificate issued by such other state authorizing such service, such experience must have been completed within 5 years immediately preceding the application for endorsement of the out-of-state certificate; or the candidate shall have equivalent experience as determined by the commissioner.

(iv) Degree. The candidate shall hold a baccalaureate or higher degree from a regionally accredited institution or a higher education institution that the commissioner deems substantially equivalent. Candidates shall have achieved a 2.5 cumulative grade point average, or its equivalent, in the program leading to the degree.

(v) Examination. The candidate shall meet the examination requirements for the title and type of certificate sought in this State.

(2) Such candidate who meets the endorsement requirements in paragraph (1) of this subdivision shall be issued an initial certificate as a teacher in the classroom teaching service pursuant to the requirements of this Part.

(3) If a candidate meets all of the requirements for endorsement set forth in paragraph (1) of this subdivision, except the teacher performance assessment, if required for the certificate type and title sought, the candidate shall be issued a one-year nonrenewable conditional initial certificate, provided that the candidate meets the requirements of section 80-5.17 of this Subpart.

(b) Recognition of substantially equivalent teacher education programs for service as a teacher in the classroom teaching service.

(1) The Commissioner may recognize and issue an initial certificate to an out-of-state candidate who completes a teacher education program at a regionally accredited institution of higher education or a higher education institution that the commissioner deems substantially equivalent from another state or territory of the United States or the District of Columbia that leads to certification in the title and type of certificate sought in the jurisdiction where the higher education institution is located if the candidate also meets the following requirements:

(i) General Requirements. The candidate shall meet the general requirements for certificates prescribed in Subpart 80-1 of this Part, including but not limited to the requirements of section 80-1.3 relating to citizenship, section 80-1.4 relating to study in child abuse identification and reporting, and school violence prevention and intervention; section 80-1.13 relating to coursework or training in harassment, bullying and discrimination prevention and intervention; and section 80-1.1 relating to a criminal history check.

(ii) Degree. The candidate holds a baccalaureate or higher degree from a regionally accredited institution or a higher education institution that the commissioner

deems substantially equivalent. Candidates shall have achieved a 2.5 cumulative grade point average, or its equivalent, in the program leading to the degree.

(iii) Examination. The candidate shall receive a satisfactory passing score on all examinations required for the title and type of certificate sought in this State.

(2) A candidate who meets the requirements for recognition of an out-of-state teacher education program in paragraph (1) of this subdivision shall be issued an initial certificate as a teacher in the classroom teaching service pursuant to the requirements of this Part.

11. Section 80-5.11 of the Regulations of the Commissioner of Education is amended, effective July 9, 2014, to read as follows:

Section 80-5.11. Certificate of qualification.

The commissioner shall not issue certificates of qualification with issuance dates on or after September 2, 1998. Holders of certificates of qualification with issuance dates prior to September 2, 1998 may retain the certificate as evidence that the holder is eligible for a provisional certificate. At the commencement of regular employment in any public school in the State, during the period of validity of the certificate of qualification, the holder shall deliver such certificate to the chief school officer of the district offering employment, who shall forward such certificate to the commissioner for the issuance of a provisional certificate. The certificate of qualification is evidence that the holder is eligible for employment as a substitute teacher. Permanent certification will be issued upon completion of the requirements for permanent certification in effect at the time of issuance of the certificate of qualification [or regional certificate].

12. Section 80-5.17 of the Regulations of the Commissioner of Education is repealed a new section 80-5.17 of the Regulations of the Commissioner of Education shall be amended, effective July 9, 2014, to read as follows:

Section 80-5.17 Conditional initial certificate.

(a) Conditional initial certificate in the classroom teaching service.

(1) For out-of-state candidates applying for initial certification on or before May 1, 2017 in a certificate title in the classroom teaching service for which this Part requires completion of a teacher performance assessment, the commissioner may issue to a candidate who has received a satisfactory passing score on all other required examination requirements, as required for the title and type of certificate sought in this State, a one-year nonrenewable conditional initial certificate, notwithstanding that the candidate has not received a satisfactory passing score on the teacher performance assessment, and deem that all other requirements for the initial certificate in the certificate title sought have been met, provided that the candidate holds a valid regular teacher's certificate or an authorization to practice that the commissioner deems equivalent in the same or an equivalent title by another state or territory of the United States and otherwise meets the requirements for endorsement as set forth in subdivision (a) of section 80-5.8 of this Title, except the teacher performance assessment, if required, and the candidate has not already taken and received an unsatisfactory score on the teacher performance assessment.

(b) Conditional initial certificate in the title school building leader. The commissioner may issue a two-year nonrenewable conditional initial certificate in the

title school building leader to a candidate who applies for the certificate after September 1, 2006 and meets the following requirements:

(1) . . .

(2) the candidate holds a valid regular certificate or an authorization to practice that the commissioner deems equivalent in an equivalent title to the title school building leader issued by [a state which has contracted with the State of New York pursuant to section 3030 of the Education Law, the interstate agreement on qualifications of educational personnel, or] another state or country provided that the commissioner determines that the certificate issued by the other state or country evidences knowledge, skills and abilities comparable to those required for certification in New York State.

(c) . . .