

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 101, 207, 208, 305, 308, 3001, 3004 and 3009 of the Education Law.

1. Subdivision (d) of section 30-1.2 of the Rules of the Board of Regents shall be amended 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, [2023] 2024 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, [2023] 2024. 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, [2023] 2024 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, [2023] 2024 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. 11 (4) Any board of education that appoints a professional educator on or after September 1, [2023] 2024 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.