

## 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. Section 80-5.23 of the Regulations of the Commissioner of Education is amended to read as follows:

80-5.23 Endorsement of certificates and recognition of comparable out-of-state school counselor education programs for service as a school counselor.

(a) [School counselor.] Endorsement of certificates for service as a school counselor.

(1) The commissioner may endorse the certificate of other state(s) or territory/territories of the United States or the District of Columbia for service as a school counselor, provided that the candidate meets the following requirements:

[(1)] (i) The candidate shall hold a valid certificate of other state(s) or territory/territories of the United States or the District of Columbia that is comparable to the initial or professional certificate as a school counselor.

[(2)] (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 of this Part relating to citizenship,] section 80-1.4 of this Part relating to study in child abuse identification and reporting, and school violence prevention and intervention; section 80-1.13 of this Part relating to study in harassment, bullying and discrimination prevention and intervention[ and school violence prevention and intervention]; and section 80-1.11 of this Part relating to a criminal history record check.

[(3)] (iii) The candidate shall hold a master's degree or higher from a higher education institution that is accredited by an institutional accrediting agency recognized for this purpose by the United States Department of Education or an equivalently approved higher education institution as determined by the department, or have equivalent educational preparation as determined by the commissioner. Candidates shall have achieved a 3.0 cumulative grade point average, or its equivalent, in the program leading to the degree.

[(4)] (iv) The candidate shall [either:

(i) have completed a comparable program from an institution of higher education that is accredited by an institutional accrediting agency recognized for this purpose by the United States Department of Education or a higher education institution that the commissioner deems substantially equivalent, provided that such program leads to initial certification as a school counselor, or similar school counselor certification, in the jurisdiction in which the higher education institution is located; or

(ii)] have at least three years of satisfactory experience in a public school (grades K-12) in other state(s) or territory/territories of the United States or the District of Columbia in a position that would have required the equivalent of initial or professional certification as a school counselor for employment in New York State and while under a certificate issued by such other state authorizing such service; or the candidate shall have equivalent experience as determined by the commissioner.

[(5) Examination requirement. Any candidate applying for professional certification as a school counselor through endorsement of a certificate of another state or territory pursuant to the provisions of this section on or after February 2, 2023, shall

achieve a satisfactory level of performance on the New York State school counselor examination or other equivalent examination as approved by the Commissioner, if available.]

(2) Such candidate who meets the endorsement requirements in paragraph (1) of this subdivision shall be issued an initial certificate in the school counselor certificate title pursuant to the requirements of this Part.

(b) Recognition of comparable out-of-state school counselor education programs for service as a school counselor.

(1) The commissioner may issue an initial certificate to a candidate who completes a comparable school counselor education program at an institution of higher education that is accredited by an institutional accrediting agency recognized for this purpose by the United States Department of 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, provided that such program leads to initial certification as a school counselor, or a similar certificate title and type, in the jurisdiction in which 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 80-1.4 of this Part relating to study in child abuse identification and reporting, and school violence prevention and intervention; section 80-1.13 of this Part relating to study in harassment, bullying and discrimination prevention and intervention; and section 80-1.11 of this Part relating to a criminal history record check.

(ii) Degree. The candidate shall hold a master's degree or higher from a higher education institution that is accredited by an institutional accrediting agency recognized for this purpose by the United States Department of Education or an equivalently approved higher education institution as determined by the department, or have equivalent educational preparation as determined by the commissioner. Candidates shall have achieved a 3.0 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, when available.

(2) Such candidate who meets the requirements for recognition of an out-of-state school counselor education program in paragraph (1) of this subdivision shall be issued an initial certificate in the school counselor title pursuant to the requirements of this Part.