

## AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 207 and 3004-a of the Education Law.

1. Subdivision (a) of section 86.1 of the Regulations of the Commissioner of Education is amended to read as follows:

(a) Eligible teacher shall mean a teacher who:

(1) is currently teaching in a public school in New York State;

(2) holds tenure;

(3) is a graduate of an accredited college or university;

(4) holds a valid New York State teaching certificate or a valid teaching license issued pursuant to law or regulation by the superintendent of schools of the city school district of Buffalo or by the chancellor of the city school district of the City of New York;  
and

(5) [was accepted as a certificate candidate by the National Board for Professional Teaching Standards on or after April 1, 1999, or] has made application to the national board for acceptance as a certificate candidate[ on or after September 1, 1999; and

(6) has not previously received funding pursuant to Education Law, section 3004-a, the Albert Shanker National Board for Professional Teaching Standards Certification Grant Program].

2. Section 86.2 of the Regulations of the Commissioner of Education is amended to read as follows:

### **Section 86.2. Application**

Eligible teachers seeking a grant pursuant to Education Law, section 3004-a and this Part shall submit an application in a form provided by the commissioner. Such application shall include [the following:

(a)] documentation that the applicant is an eligible teacher, which may include a written statement signed by an officer of the sponsoring school district verifying that the applicant is employed as a tenured teacher by such sponsoring district[; and

(b) documentation that the applicant has properly submitted a completed application for national board certification to the National Board for Professional Teaching Standards between April 1, 1999 and June 30, 2000, inclusive, and that such applicant meets the national board's eligibility criteria].

3. Section 86.3 of the Regulations of the Commissioner of Education is amended to read as follows:

Applications for grant awards received by the department from eligible teachers shall be evaluated and processed by the department in the following manner:

[(a) An eligible teacher who, between April 1, 1999 and November 30, 1999, inclusive, submits a properly completed application to the department and a properly completed application for national board certification to the National Board for Professional Teaching Standards, shall be awarded a grant pursuant to Education Law, section 3004-a and this Part, to the extent that funds are available, in the order in which his or her application is received by the department. If an eligible teacher's application to the national board is made prior to such teacher's application to the department, as indicated by postmark or other proof of delivery, the department shall consider such

earlier date as the date of receipt by the department for evaluation and approval purposes.

(b) An eligible teacher who, between December 1, 1999 and June 30, 2000, inclusive, submits a properly completed application to the department and a properly completed application for national board certification to the National Board for Professional Teaching Standards, shall be a candidate to receive a grant award pursuant to Education Law, section 3004-a and this Part. If the number of candidates does not exceed the availability of funds, all such candidates shall be awarded a grant pursuant to Education Law, section 3004-a and this Part. If the number of candidates exceeds the availability of funds, the department shall conduct a lottery of all such candidates on July 1, 2000. All candidates selected by such lottery shall be awarded a grant pursuant to Education Law, section 3004-a and this Part to the extent that funds are available.]

[(c)] (a) An eligible teacher who [, on or after July 1, 2000,] submits a properly completed application to the department during the application period and a properly completed application for national board certification to the National Board for Professional Teaching Standards, may be eligible to receive a grant award pursuant to Education Law, section 3004-a and this Part, to the extent that funds are available, in the order in which the application is received by the department. [subject to the following procedures:

(1) An eligible teacher who, between July 1st and November 30th, inclusive, submits a properly completed application to the department and a properly completed application for national board certification to the National Board for Professional

Teaching Standards, shall be awarded a grant pursuant to Education Law, section 3004-a and this Part, to the extent that funds are available, in the order in which his or her application is received by the department.

(2) An eligible teacher who, between December 1st and June 30th of the next succeeding year, inclusive, submits a properly completed application to the department and a properly completed application for national board certification to the National Board for Professional Teaching Standards, shall be a candidate to receive a grant award pursuant to Education Law, section 3004-a and this Part. The department shall conduct a lottery of all such candidates on July 1st of the next succeeding year. All candidates selected by such lottery shall be awarded a grant pursuant to Education Law, section 3004-a and this Part to the extent that funds are available.]

(b) An eligible teacher may apply to receive grant award funds to cover costs associated with the following types of applications:

(1) an initial application to the National Board for Professional Teaching Standards for national board certification;

(2) a one-time retake of the application process to obtain national board certification; or

(3) to pursue a Maintenance of Certification.

(c) In the event there is insufficient funding to cover all eligible applicants, the order of priority for administering funds will be as follows:

(1) first time applicants;

(2) applicants who retake one or more components for the first time;

(3) applicants who pursue Maintenance of Certification.

4. Subdivision (b) of section 86.4 of the Regulations of the Commissioner of Education is amended to read as follows:

(b) From such \$2,500 grant, each eligible teacher's sponsoring school district [shall] may be eligible to receive a direct reimbursement from the department in an amount up to \$500 to cover the cost of supportive services, which may include the cost of hiring a substitute teacher for up to three days or the duration of such eligible teacher's approved leave, whichever is less. To qualify for such reimbursement, a sponsoring school district must submit an affirmation of support and a statement of expenditures, in a form prescribed by the commissioner.