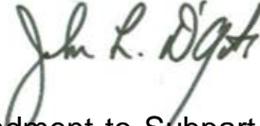




TO: Higher Education Committee

FROM: John L. D'Agati 

SUBJECT: Proposed Amendment to Subpart 4-2 of the Rules of the Board of Regents and §52.21 of the Regulations of the Commissioner of Education Relating to the Continuous Accreditation Requirement for Educator Preparation Providers

DATE: January 11, 2018

AUTHORIZATION(S):  

SUMMARY

Issue for Discussion

Should the Board of Regents adopt the proposed amendment to Subpart 4-2 of the Rules of the Board of Regents and §52.21 of the Regulations of the Commissioner of Education relating to the Continuous Accreditation Requirement for Educator Preparation Providers?

Reason(s) for Consideration

Review of Policy.

Proposed Handling

This item will come before the Higher Education Committee for discussion at the January 2018 Board of Regents meeting. A copy of the proposed amendment is attached.

Procedural History

A Notice of Proposed Rule Making will be published in the State Register on January 25, 2018. Supporting materials are available upon request from the Secretary to the Board of Regents.

Background Information

Currently, §52.21 of the Regulations of the Commissioner of Education requires all institutions of higher education with registered educator preparation programs (e.g., teacher, educational leader) to be accredited by an acceptable professional education accrediting association.

When this regulation was first adopted by the Board of Regents and implemented in 1999, there were two options for the accreditation of educator preparation programs that were recognized by the United States Department of Education (USDE) or the Council for Higher Education Accreditation (CHEA): National Council for the Accreditation of Teacher Education (NCATE) and Teacher Education Accreditation Council (TEAC). In addition, a process for accreditation was developed by the Board of Regents and implemented in 2002 - the Regents Accreditation of Teacher Education (RATE). RATE was discontinued by the Board in September 2010 due to budget and staffing shortages.

In 2013, NCATE and TEAC consolidated to form the Council for the Accreditation of Educator Preparation (CAEP), leaving a single national accreditor for educator preparation providers. CAEP is recognized by CHEA. Since the creation of CAEP, many NYS educator preparation providers (EPPs) have expressed a desire to have more than a single accreditation option.

At this time, the Department is aware of an organization that is in the process of seeking CHEA approval to become a recognized accreditor of EPPs. This organization is working with higher education faculty and state education agencies from multiple states on the development of its standards, processes, and policies for accreditation so that it can apply to be an accreditor recognized by CHEA. The Department would like to ensure that EPPs have the opportunity to explore alternative accreditation options if and when they become available. However, EPPs have raised concerns that, given the typical timeframe for a professional education accrediting association to achieve recognition by USDE or CHEA, they could be unable to pursue accreditation with this new accrediting association and simultaneously meet the Department's requirement of continuous accreditation or initial accreditation.

Proposed Amendment

The proposed amendment will allow institutions that are currently accredited by NCATE, TEAC, or CAEP to apply for accreditation through an accrediting association that is seeking recognition from the CHEA or USDE, but has not yet achieved recognition status, and still meet the "continuous accreditation requirement" set forth in §52.21 of the Commissioner's Regulations for teacher and educational leader preparation, and school counselor programs. Institutions that choose to seek accreditation through an accrediting association seeking USDE or CHEA recognition will be required to notify the Department prior to the expiration of their current accreditation period to demonstrate their commitment to pursuing accreditation through an accrediting association that has not attained CHEA or USDE recognition.

In addition, institutions must complete the accreditation process with the accrediting association seeking CHEA or USDE recognition within five years of the date of notification to the Department to ensure that all of their registered educator preparation programs meet the accreditation requirement. In the event that an accrediting association seeking CHEA or USDE recognition is denied such recognition, institutions that can document that they were actually in the process of pursuing accreditation with such association would be held harmless and the Department would work with the institution on a timeline for earning accreditation through CAEP.

The proposed amendment also makes technical amendments to eliminate all [references to RATE in §52.21 of the Commissioner's Regulations and repeals Subpart 4-2](#) of the Rules of the Board of Regents which describes the RATE process since this function was eliminated in September 2010.

Related Regents Items

[August 2010 Regents Item](#)

<http://www.regents.nysed.gov/common/regents/files/documents/meetings/2010Meetings/September2010/0910hea2.pdf>

[November 2013 Regents Item](#)

<http://www.regents.nysed.gov/common/regents/files/113brca8.pdf>

[December 2016 Regents Item](#)

<http://www.regents.nysed.gov/common/regents/files/1216hed1.pdf>

[December 2017 Regents Item](#)

<https://www.regents.nysed.gov/common/regents/files/1217hed1.pdf>

Recommendation

Not applicable.

Timetable for Implementation

Following the 60-day public comment period required under the State Administrative Procedure Act, it is anticipated that the proposed amendment will be presented to the Board of Regents for adoption at its May 2018 meeting and would become effective as a permanent rule on May 23, 2018.

AMENDMENT TO THE RULES OF THE BOARD OF REGENTS AND THE
REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to Education Law sections 101, 207, 21, 215 and 305.

1. Subclause (2) clause (c) of subparagraph (iv) of paragraph (2) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education is amended, to read as follows:

(2) Programs shall be continuously accredited by either:

(i) an acceptable professional education accrediting association, meaning an organization [which is determined by the department to have equivalent standards to the standards set forth in this Part] that is approved by the department and is recognized by the United States Department of Education or the Council for Higher Education Accreditation; or

(ii) [the Regents, pursuant to a Regents accreditation process.] a professional education accrediting association acceptable to the Department that is seeking recognition from the Council for Higher Education Accreditation or the United States Department of Education. To pursue this option and have its programs be considered continuously accredited under this subclause, the institution shall provide the Department with satisfactory evidence, on a form prescribed by the Commissioner, that it intends to apply for accreditation with a professional education accrediting association that is seeking recognition from the Council for Higher Education Accreditation or the United States Department of Education, prior to the expiration date of its current accreditation period. The institution will then have five years from the date of such notification to successfully complete the accreditation process. If at any time during the

accreditation process, the association determines that the institution's program or programs cannot be accredited by such association and/or that the institution has not diligently pursued an application for accreditation, then the institution's program or programs shall not be considered continuously accredited for purposes of this subclause.

2. Subclause (3) clause (c) of subparagraph (iv) of paragraph (2) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education is repealed.

3. Clause (b) of subparagraph (iii) of paragraph (6) of subdivision (c) of section 52.21 of the Regulations of the Commissioner of Education is amended, to read as follows:

(b) Programs shall be accredited by either:

(1) a professional education accrediting association [determined by the department to have equivalent standards to the standards set forth in this Part] that is approved by the Department and is recognized by the United States Department of Education or the Council for Higher Education Accreditation; or

(2) [the Regents pursuant to the Regents accreditation process] a professional education accrediting association acceptable to the Department that is seeking recognition from the Council for Higher Education Accreditation or the United States Department of Education. To pursue this option and have its programs be considered continuously accredited under this clause, the institution shall provide the Department with satisfactory evidence, on a form prescribed by the Commissioner, that it intends to apply for accreditation with a professional education accrediting association that is seeking recognition from the Council for Higher Education Accreditation or the United States Department of Education, prior to the expiration date of its current accreditation

period. The institution will then have five years from the date of such notification to successfully complete the accreditation process. If at any time during the accreditation process, the association determines that the institution's program or programs cannot be accredited by such association and/or that the institution has not diligently pursued an application for accreditation, then the institution's program or programs shall not be considered continuously accredited for purposes of this clause.

4. Paragraph (5) of subdivision (d) of section 52.21 of the Regulations of the Commissioner of Education is amended, to read as follows:

(5) Accreditation. School counseling programs registered for the first time on or after September 1, 2020 leading to initial and/or professional certification under this subdivision shall be accredited by an acceptable professional education accrediting association, meaning an organization that is approved by the Department and is recognized by the United States Department of Education or the Council for Higher Education Accreditation [which is determined by the department to have equivalent standards to the State's registration standards], within seven years of the date of their initial registration, and shall be continuously accredited thereafter by an acceptable professional education accrediting association.

5. Subpart 4-2 of the Rules of the Board of Regents is repealed.