



TO: Higher Education Committee
FROM: John L. D'Agati 
SUBJECT: Proposed Amendments to §52.21 and 80-5.22 of the Regulations of the Commissioner of Education Relating to the Transitional G and Pre-Professional Certificates
DATE: March 1, 2018

AUTHORIZATION(S): 

SUMMARY

Issue for Decision

Should the Board of Regents adopt proposed amendments to §52.21 and 80-5.22 of the Regulations of the Commissioner of Education relating to the Transitional G and Pre-Professional certificates?

Reason(s) for Consideration

Review of Policy.

Proposed Handling

The proposed amendments are submitted to the Higher Education Committee for adoption at its March 2018 Board of Regents meeting (Attachment A is a copy of the proposed amendment).

Procedural History

A Notice of Proposed Rule Making was published in the State Register on November 29, 2017. Supporting materials for the proposed amendments are available upon request from the Secretary to the Board of Regents.

Following the 60-day public comment period, the Department received several comments on the proposed amendments. An Assessment of Public Comment is included as Attachment B.

Background Information

Transitional G Teaching Certificate

A Transitional G teaching certificate is a certificate issued to career changers and others holding a graduate or higher degree in science, technology, engineering or mathematics (STEM) who have had at least two years of acceptable postsecondary teaching experience and who possess an employment and support commitment from a school district. Currently, this certificate is only applicable in the science, technology, engineering or mathematics (STEM) fields.

Proposed Amendment

The proposed amendment to §80-5.22 eliminates the requirement that a candidate pursuing a Transitional G certificate have a degree and acceptable postsecondary teaching experience only in a science, technology, engineering, or mathematics field and expands the option of pursuing a Transitional G certificate to postsecondary faculty with degrees and acceptable postsecondary teaching experience in any area for which there is a certificate title. It is anticipated that this proposed amendment will attract qualified professionals with acceptable postsecondary teaching experience in all certificate areas for which there is a need for a temporary certificate while they complete requirements for an initial certificate. The proposed amendment also clarifies that the two years of acceptable postsecondary teaching experience required to obtain a Transitional G certificate must have been completed within 10 years immediately preceding the application for the Transitional G certificate.

Pre-Professional Teaching Assistant Certificate

A pre-professional teaching assistant certificate is issued to an individual enrolled in a New York State teacher education program, authorizing the certificate holder to provide direct instructional services to students under the general supervision of a New York State certified teacher. This certificate is valid for five years and may lead to an initial teaching certificate or a renewal of the pre-professional teaching assistant certificate. Currently, if a pre-professional teaching assistant certificate holder completes the requirements for the initial certificate, he/she must complete a student teaching or practica experience as a part of a registered teacher preparation program, which is required by §52.21 of the Regulations of the Commissioner of Education.

Proposed Amendment

The proposed amendment to §52.21 enables those who hold a pre-professional teaching assistant certificate to complete the student teaching or practica experience required in §52.21 of the Commissioner's Regulations while employed under the pre-professional teaching assistant certificate, provided that the institution ensures that the

candidate receives the same and/or similar student teaching experience as prescribed in §52.21 of the Commissioner's Regulations at the location of the candidate's employment. This change is to accommodate candidates who are employed under a pre-professional teaching assistant certificate in a school district or BOCES while completing the student teaching component of their educator preparation program. Through this proposed change, the Department encourages cooperation between institutions of higher education and school districts/BOCES to ensure candidates receive their full student teaching experience while remaining employed under the pre-professional teaching assistant certificate.

Related Regents Items

[November 2017](http://www.regents.nysed.gov/common/regents/files/1117hed2.pdf) (<http://www.regents.nysed.gov/common/regents/files/1117hed2.pdf>)

Recommendation

Department staff recommends that the Board of Regents take the following action:

VOTED: That item (iii) of subclause (2) of clause (c) of subparagraph (ii) of paragraph (2) of subdivision (b) of §52.21 and §80-5.22 of the Regulations of the Commissioner of Education be amended, as submitted.

Timetable for Implementation

If adopted at the March 2018 meeting, the proposed amendment will become effective on March 28, 2018.

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to Education Law sections 207, 205, 3001, 3004 and 3006 of the Education Law.

1. Section 80-5.22 of the Regulations of the Commissioner of Education shall be amended as follows:

§80-5.22 Transitional G certificate for career changers and others holding a graduate or higher degree [in science, technology, engineering or mathematics] in any area for which there is a certificate title and with at least two years of acceptable post-secondary teaching experience in any area for which there is a certificate title or in a closely related subject area acceptable to the department.

(a) General requirements.

(1) . . .

(2) Limitations. The transitional G shall authorize a candidate to teach only in a school district for which a commitment for employment has been made. The candidate shall meet the requirements in each of the following paragraphs.

(i) Education. A candidate shall hold a graduate degree in the area of a certificate title [in science, technology, engineering or mathematics] from a regionally or nationally accredited institution of higher education, a higher education institution that the commissioner deems substantially equivalent, or from an institution authorized by the Board of Regents to confer degrees. A candidate shall complete study in the means for identifying and reporting suspected child abuse and maltreatment, which shall include at least two clock hours of coursework or training in the identification and reporting of

suspected child abuse or maltreatment in accordance with the requirements of section 3004 of the Education Law. In addition, the candidate shall complete 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 provider approved or deemed approved by the department pursuant to Subpart 57-2 of this Title. A candidate who applies for the certificate on or after December 31, 2013, shall also complete at least six clock hours, of which at least three hours must be conducted through face-to-face instruction, of coursework or training in harassment, bullying and discrimination prevention and intervention, as required by section 14 of the Education Law.

(ii) Post-secondary teaching experience. The candidate shall submit evidence of at least two years of satisfactory teaching experience at the post-secondary level in the certificate area to be taught or in a closely related subject area acceptable to the department; provided, however, that such experience must have been completed within 10 years immediately preceding the application for a Transitional G certificate.

(iii) . . .

2. Item (iii) of subclause (2) of clause (c) of subparagraph (ii) of paragraph (2) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education shall be amended to read as follows:

(iii) Upon written application by the institution, the commissioner may grant a time-limited approval for an alternate model for field experiences and college-supervised student teaching or practica, provided that the institution demonstrates the success of such model or has an adequate plan for demonstrating that the model will be successful. In the case of alternate models that include college-supervised student

teaching conducted when a candidate is employed by a school district or BOCES under a pre-professional teaching assistant certificate pursuant to Part 80 of this Title, the institution and employing school district or BOCES will provide candidate(s) holding such certificate with the same and/or similar student teaching experience as required under this section while employed at the school district or BOCES. No approval from the commissioner is required for such alternate models nor shall they be time limited.

ASSESSMENT OF PUBLIC COMMENT

Since publication of Emergency Adoption and Proposed Rule Making in the State Register on November 29, 2017, the State Education Department (SED) received several comments:

1. COMMENT:

Several commenters raised a concern about the proposed amendment to the Regulations related to the Transitional G teaching certificate and the proposed addition of the language requiring that the post-secondary teaching experience must have been completed within the 10 years immediately preceding the application for the certificate. The concern is that there was no rationale for the 10-year limit, and that this will eliminate qualified former professors from the certificate pool during a time of STEM teacher shortages in the State.

DEPARTMENT RESPONSE:

The rationale supporting the addition of the 10-year limit to the regulation is that the Department must still ensure that the individual applying for a Transitional G certificate has the teaching skills necessary to walk into a classroom without any additional pedagogical coursework that would normally be required by anyone else pursuing a teaching certificate.

2. COMMENT:

One commenter was in support of the regulation change. However, this commenter raised a concern that Teaching Assistants (TA's) currently have to quit their full time jobs as TA's because this time doesn't count as "teaching hours" when looking

to get an initial certificate. Rather, they must take per diem substitute jobs because those hours do count. The commenter asks that the Department address this situation.

DEPARTMENT RESPONSE:

No response is necessary to the extent that the comment is supportive. In response to the concern raised by the commenter that is unrelated to the proposed amendment, the Regulations clearly specify that the duties of a teaching assistant are not the same as a teacher. Further, when using the 40 days in lieu of a formal student teaching experience, an individual is expected to be performing the duties of a teacher for 40 consecutive days with the same group of students.

3. COMMENT:

One commenter raised a concern that the proposed amendment related to the pre-professional certificate “rushes” people through teacher training, does not help, and creates more damage.

DEPARTMENT RESPONSE:

In response to this concern, the proposed amendment to Section 52.21 enables those who hold a preprofessional teaching assistant certificate to complete the student teaching or practica experience required in Section 52.21 of the Commissioner’s Regulations while employed under the pre-professional teaching assistant certificate, provided that the institution ensures that the candidate receives the same and/or similar student teaching experience as prescribed in Section 52.21 of the Commissioner’s Regulations at the location of the candidate’s employment. This change is to accommodate candidates who are employed under a pre-professional teaching assistant certificate in a school district or BOCES while completing the student teaching component of their educator preparation program. The intent of the Department is not to

rush experience, rather to provide more flexibility in the existing regulations to those who may need it.

4. COMMENT:

A couple of commenters raised several concerns about the amendments to the Transitional G certificate and ask for several revisions. First, the commenters ask that the Department count adjunct teaching experience and teaching during a Ph. D. or post-doctoral fellowship in situations where the individual is the lead or co-lead instructor and responsible for a class towards the two years of satisfactory postsecondary teaching experience. The commenters also ask that the Department accept a range of “common titles” including professor, instructor, lecturer, teaching fellow, and adjunct professor to count as well. Next, the commenters request that the Department count two or more college courses per semester as “full-time” teaching for purposes of qualifying for the Transitional G certificate. Lastly, the commenters ask that the Department allow candidates with a range of degree titles within a discipline to obtain a Transitional G certificate for the certificate area to be taught. For example, a candidate with a Ph.D. in neuroscience could be able to obtain a Transitional G certificate in biology.

DEPARTMENT RESPONSE:

Experience gained by an individual who is employed as a professor at a college/university is acceptable, which would include an adjunct professor. Experience obtained by individuals who are teaching during a Ph. D. or post-doctoral fellowship in situations where the individual is the lead or co-lead instructor and responsible for a class may be acceptable if the college/university provides sufficient evidence to the

Department that the experience is the same as or similar to that of a professor at the college/university.

In response to the commenters' request for the Department to accept a range of titles, it is not the title that the Department is reviewing, but rather the duties of the experience to ensure that the individual is recognized by the college/university as a professor or recognized faculty member employed to teach at the college/university. To meet the two years of satisfactory teaching experience under the proposed amendment, the experience must include at least one course for at least two semesters per year for two years (e.g., one course in the Fall semester and one in the Spring semester in the 2016-2017 academic year and one course in the Fall semester and one course in the Spring semester in the 2018-2019 academic year).

In response to the last comment, the proposed amendment requires that the degree be in the area or a closely related area as the certificate area sought, which allows for a range of degrees. The Department would need to review the coursework to determine if the degree is in a closely related area.