



**TO:** Higher Education Committee

**FROM:** William P. Murphy *William P. Murphy*

**SUBJECT:** Proposed Amendment of Section 52.21 of the Regulations of the Commissioner of Education Relating to the Admission Requirements for Graduate-level Teacher and Educational Leadership Programs

**DATE:** March 3, 2022

**AUTHORIZATION(S):** *Don McG* *Beth M*

### **SUMMARY**

#### **Issue for Discussion**

Should the Board of Regents adopt the proposed amendment of section 52.21 of the Regulations of the Commissioner of Education relating to the admission requirements for graduate-level teacher and educational leadership programs?

#### **Reason(s) for Consideration**

Required by State statute.

#### **Proposed Handling**

The proposed amendment is submitted to the Higher Education Committee for discussion at its March 2022 meeting. A copy of proposed amendment is attached (Attachment A).

#### **Procedural History**

A Notice of Proposed Rule Making will be published in the State Register on March 30, 2022, for a 60-day public comment period. Supporting materials are available upon request from the Secretary to the Board of Regents.

## **Background Information**

The proposed amendment is necessary to align the Commissioner's regulations with recent changes to section 210-a of the Education Law regarding admission requirements for graduate-level teacher and educational leader programs.

Chapter 620 of the Laws of 2021 removed the statutory requirement for a minimum score on the graduate record examination or a substantially equivalent admission examination, as determined by an institution of higher education, for admission to a graduate-level teacher or educational leadership program. Additionally, Chapter 626 of the Laws of 2021 increased the percentage of an incoming class that may be exempted from the required selection criteria for admission to a graduate-level teacher or educational leadership program from fifteen percent to fifty percent.

Therefore, the Department proposes to amend section 52.21 of the Commissioner's regulations to make conforming revisions consistent with these statutory changes.

## **Related Regents Items**

Not applicable.

## **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 the July 2022 meeting. If adopted at the July meeting, the proposed amendment will become effective on July 27, 2022.

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 101, 207, 210, 210-a, 210-b, 305, 3001, 3004, 3006, and 3009 of the Education Law and Chapters 620 and 626 of the Laws of 2021.

Clause (l) of subparagraph (i) of paragraph (2) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education is amended to read as follows:

(l) Minimum Selection Criteria by Graduate-Level Teacher and Educational Leadership Programs Commencing Instruction on or after July 1, 2016.

(1) Institutions with registered graduate level teacher and educational leadership programs shall adopt rigorous selection criteria geared to predicting a candidate's academic success in its program. These rigorous selection criteria shall include, but not be limited to, [a minimum score on the graduate record examination or a substantially equivalent admission examination, as determined by the institution, and] achievement of a cumulative grade point average of 3.0, or its equivalent, in the candidate's undergraduate program[; provided, however, that such graduate record examination or substantially equivalent admission examination requirement shall in no case apply to currently certified teachers or educational leaders who already hold a graduate degree.]

(2) Each program may exempt [no more than 15] up to 50 percent of any incoming class of students from such selection criteria described in this subclause based on such student's demonstration of potential to positively contribute to the teaching and/or educational leadership professions, as applicable. A program shall report to the Department the number of students admitted pursuant to such exemption and the selection criteria used for such exemptions.