



**TO:** Higher Education Committee  
P-12 Education Committee

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**SUBJECT:** Proposed Amendments to Sections 52.21 and 80-3.7 of the Regulations of the Commissioner of Education Related to Requiring Study in Language Acquisition and Literacy Development of English Language Learners in Certain Teacher Preparation Programs and in the Individual Evaluation Pathway to Certification for Certain Certificate Titles

**DATE:** March 28, 2019

**AUTHORIZATION(S):**

### SUMMARY

#### Issue for Discussion

Should the Board of Regents amend Sections 52.21 and 80-3.7 of Regulations of the Commissioner of Education related to requiring study in language acquisition and literacy development of English language learners in certain teacher preparation programs and in the individual evaluation pathway to certification for certain certificate titles?

#### Reason(s) for Consideration

Review of policy.

#### Proposed Handling

The proposed amendments are submitted to a joint meeting of the Higher Education Committee and P-12 Education Committee for discussion at the April 2019 Board of Regents meeting (Attachment A is a copy of the proposed amendments).

## **Procedural History**

A Notice of Proposed Rule Making will be published in the State Register on April 24, 2019. Supporting materials for the proposed amendment are available upon request from the Secretary to the Board of Regents.

## **Background Information**

At its September 2014 meeting, the Board of Regents made extensive amendments to Part 154 of the Commissioner's Regulations to better serve the State's expanding English Language Learner (ELL) population. The changes included mandatory professional development for current teachers on pedagogical methodologies for ELLs. The need for teachers to engage in this type of professional development is growing in importance given that the ELL population in New York State has continually increased by 10.7 percent over the past five years and 17.7 percent over the past 10 years.

As stated in the Department's Blueprint for English Language Learner Success, all teachers are teachers of ELLs and need to develop instruction accordingly to serve them. Furthermore, considering the new State frameworks for setting ELLs' outcomes, goals and accountability metrics under the federal Every Student Succeeds Act (ESSA) and the fact that ELLs' acquisition of English language proficiency and academic achievement are factors in school improvement determinations, it is even more critical to ensure that newly certified teachers enter the workforce fully prepared to serve our ELL population.

Section 52.21 of the Commissioner's Regulations currently requires teacher preparation programs in certain subject areas to provide study in language acquisition and literacy development by native English speakers and students who are ELLs. Specifically, programs must require at least six semester hours of such study for teachers of early childhood education, childhood education, middle childhood education, and adolescence education; teachers of students with disabilities, students who are deaf or hard-of-hearing, students who are blind or visually impaired, and students with speech and language disabilities; teachers of English to speakers of other languages; and library media specialists.

The coursework requirements for the individual evaluation pathway for certification are based on the educational study requirements for New York State approved teacher preparation programs. As a result, the individual evaluation pathway requires candidates to complete six semester hours in teaching literacy skills for the certificate titles in the subject areas listed above. However, both teacher preparation programs and the individual evaluation pathway to certification do not currently require study specifically in the language acquisition and literacy development of ELLs.

## **Proposed Amendment**

To further enhance our schools' ability serve our State's surging ELL population, the Department is proposing to amend §52.21 of the Commissioner's Regulations to require teacher preparation programs in certain subject areas to provide at least three semester hours of study in language acquisition and literacy development of ELLs and at

least three semester hours of study in language acquisition and literacy development of all students. The total required semester hours on language acquisition and literacy development would remain the same at six semester hours in §52.21. However, this revision ensures that at least three of the currently required six semester hours in language acquisition and literacy development are dedicated to the language acquisition and literacy development of ELLs.

A three-semester hour course in language acquisition and literacy development of ELLs would address topics such as ELL instructional needs, co-teaching strategies, and integrating language and content instruction for ELLs. The Office of Bilingual Education and World Languages [provides educator resources on its website](#) for Multilingual Learners/English Language Learners (MLLs/ELLs), including tools and best practices that could be used by teacher preparation programs in the development of their course.

Furthermore, the New York State Next Generation P-12 Learning Standards for English Language Arts and Mathematics demand the ongoing preparation of prospective educators who enter the workforce able to provide rigorous instruction to foster the advanced literacy skills of ELLs. The Department has released a [series of briefs on advanced literacy](#) to aid educators in implementing the Next Generation Learning Standards.

The teacher preparation programs affected by this revision prepare teachers of early childhood education, childhood education, middle childhood education, and adolescence education; teachers of students with disabilities, students who are deaf or hard-of-hearing, students who are blind or visually impaired, and students with speech and language disabilities; teachers of English to speakers of other languages; and library media specialists. The revision would apply to these registered programs with candidates who first enroll in the fall 2022 semester and thereafter. Therefore, the first cohort of candidates in a traditional four-year program that will complete a three-semester hour course in language acquisition and literacy development of ELLs will graduate in spring 2026. This timeline provides teacher preparation programs with sufficient time to make revisions, if needed, to align their program requirements with the proposed amendment.

Since the coursework requirements for the individual evaluation pathway for certification are based on the educational study requirements for New York State approved teacher preparation programs, the Department is also proposing to change the pathway requirements for the certificate titles in the subject areas listed above from six semester hours in teaching literacy skills to three semester hours of study in language acquisition and literacy development of ELLs and three semester hours of teaching literacy skills. This revision would be effective for candidates who apply through individual evaluation pathway for certification after September 1, 2026 to match the implementation timeline for the proposed revisions in the teacher preparation programs.

## **Related Regents Items**

June 2014: <http://www.regents.nysed.gov/common/regents/files/614p12d2.pdf>

September 2014: <http://www.regents.nysed.gov/common/regents/files/914p12d7.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 September 2019 meeting. If adopted at the September 2019 meeting, the proposed amendment will become effective on September 25, 2019.

AMENDMENT OF THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 101, 207, 208, 315, 305, 2117, 2854(1)(b), 3001, 3004, 3009 and 3204 of the Education Law.

1. Item (iv) of subclause (1) 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, a new item (v) shall be added to subclause (1), and the former items (v) through (xiii) of subclause (1) of clause (c) of subparagraph (ii) of paragraph (2) of subdivision (b) of section 52.21 of the Regulations of the Commissioner shall be numbered (vi) through (xiv) as follows:

(iv) prior to September 1, 2022, language acquisition and literacy development by native English speakers and students who are English language learners—and skill in developing the listening, speaking, reading, and writing skills of all students, including at least six semester hours of such study for teachers of early childhood education, childhood education, middle childhood education, and adolescence education; teachers of students with disabilities, students who are deaf or hard-of-hearing, students who are blind or visually impaired, and students with speech and language disabilities; teachers of English to speakers of other languages; and library media specialists. This six semester hour requirement may be waived upon a showing of good cause satisfactory to the commissioner, including but not limited to a showing that the program provides adequate instruction in language acquisition and literacy development through other means;

(v) on or after September 1, 2022, language acquisition and literacy development by native English speakers and students who are English language learners—and skill

in developing the listening, speaking, reading, and writing skills of all students, including at least three semester hours of study in language acquisition and literacy development of English language learners and at least three semester hours of study in language acquisition and literacy development for all students for teachers of early childhood education, childhood education, middle childhood education, and adolescence education; teachers of students with disabilities, students who are deaf or hard-of-hearing, students who are blind or visually impaired, and students with speech and language disabilities; teachers of English to speakers of other languages; and library media specialists. These three semester hour requirements may be waived upon a showing of good cause satisfactory to the commissioner, including but not limited to a showing that the program provides adequate instruction in language acquisition and literacy development through other means.

2. Clause (b) of subparagraph (i) of paragraph (3) of subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education shall be amended and a new clause (c) shall be added to subparagraph (i) as follows:

(b) Pedagogical core. Within the pedagogical core prescribed in subparagraph (2)(v) of this subdivision, [the candidate shall] candidates who apply on or before September 1, 2026 must complete six semester hours of coursework that is appropriate to the student developmental level of the certificate title. The candidate shall also complete three additional semester hours in teaching literacy skills.

(c) Pedagogical core. Within the pedagogical core prescribed in subparagraph (2)(v) of this subdivision, candidates who apply after September 1, 2026, must complete six semester hours of coursework that is appropriate to the student developmental level of the certificate sought. The candidate shall also complete three

additional semester hours in language acquisition and literacy development of English language learners.

3. Clause (b) of subparagraph (ii) of paragraph (3) of subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education shall be amended, a new clause (c) shall be added to subparagraph (ii), and the former item (c) of subparagraph (ii) of paragraph (3) of subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education shall be numbered (d) as follows:

(b) Pedagogical core. Within the pedagogical core prescribed in subparagraph (2)(v) of this subdivision, [the candidate shall] candidates who apply on or before September 1, 2026 must complete six semester hours of coursework that is appropriate to the student developmental level of the certificate title. The candidate shall also complete three additional semester hours in teaching literacy skills.

(c) Pedagogical core. Within the pedagogical core prescribed in subparagraph (2)(v) of this subdivision, candidates who apply after September 1, 2026, must complete six semester hours of coursework that is appropriate to the student developmental level of the certificate sought. The candidate shall also complete three additional semester hours in language acquisition and literacy development of English language learners.

4. Clause (b) of subparagraph (iii) of paragraph (3) of subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education shall be amended and a new clause (c) shall be added to subparagraph (iii) as follows:

(b) Pedagogical core. Within the pedagogical core prescribed in subparagraph (2)(v) of this subdivision, [the candidate shall] candidates who apply on or before September 1, 2026 must complete a total of six semester hours of coursework

that includes study in methods of second-language teaching at the elementary and secondary levels. The candidate shall also complete three additional semester hours in teaching literacy skills.

(c) Pedagogical core. Within the pedagogical core prescribed in subparagraph (2)(v) of this subdivision, candidates who apply after September 1, 2026, must complete a total of six semester hours of coursework that includes study in methods of second-language teaching at the elementary and secondary levels. The candidate shall also complete three additional semester hours in language acquisition and literacy development of English language learners.

5. Clause (b) of subparagraph (v) of paragraph (3) of subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education shall be amended, a new clause (c) shall be added to subparagraph (v), and the former clause (c) of subparagraph (v) of paragraph (3) of subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education shall be renumbered clause (d) as follows:

(b) Pedagogical core. Within the pedagogical core prescribed in subparagraph (2)(v) of this subdivision, [the candidate shall] candidates who apply on or before September 1, 2026 must complete six semester hours of coursework appropriate to the student developmental level of the certificate. In addition to such prescribed pedagogical core, the candidate shall complete three semester hours in teaching literacy skills and 12 semester hours of coursework that includes study in each of the following subjects:

- (1) . . .
- (2) . . .
- (3) . . .

(c) Pedagogical core. Within the pedagogical core prescribed in subparagraph (2)(v) of this subdivision, candidates who apply after September 1, 2026, must complete six semester hours of coursework appropriate to the student developmental level of the certificate sought. In addition to such prescribed pedagogical core, the candidate shall complete three semester hours in language acquisition and literacy development of English language learners and 12 semester hours of coursework that includes study in each of the following subjects:

(1) foundations of special education;

(2) assessment, diagnosis, and evaluation of students with disabilities including collaboration with caregivers and others, to promote academic achievement and independence; and

(3) curriculum, instruction and managing learning environments for students with disabilities, including instructional and assistive technology.

6. Clause (b) of subparagraph (vi) of paragraph (3) of subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education shall be amended, a new clause (c) shall be added to subparagraph (vi), and the former clause (c) of subparagraph (vi) of paragraph (3) of subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education shall be renumbered clause (d) as follows:

(b) Pedagogical core. Within the pedagogical core prescribed in subparagraph (2)(v) of this subdivision, [the candidate shall] candidates who apply on or before September 1, 2026 must complete six semester hours of coursework appropriate to the developmental level of the certificate. In addition to such prescribed pedagogical

core, the candidate shall complete three semester hours in teaching literacy skills and 12 semester hours of coursework that includes study in each of the following subjects:

(c) Pedagogical core. Within the pedagogical core prescribed in subparagraph (2)(v) of this subdivision, candidates who apply after September 1, 2026, must complete six semester hours of coursework appropriate to the student developmental level of the certificate sought. In addition to such prescribed pedagogical core, the candidate shall complete three semester hours in language acquisition and literacy development of English language learners and 12 semester hours of coursework that includes study in each of the following subjects:

7. Clause (b) of subparagraph (viii) of paragraph (3) of subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education shall be amended, a new clause (c) shall be added to subparagraph (viii), and the former clause (c) of subparagraph (viii) of paragraph (3) of subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education shall be numbered clause (d) as follows:

(b) Pedagogical core. Within the pedagogical core prescribed in subparagraph (2)(v) of this subdivision, [the candidate shall] candidates who apply on or before September 1, 2026 must complete six semester hours of coursework appropriate to the student developmental level of the certificate sought. In addition to such prescribed pedagogical core, the candidate shall complete three semester hours in teaching literacy skills and 12 semester hours of coursework that includes study in each of the following subjects:

(c) Pedagogical core. Within the pedagogical core prescribed in subparagraph (2)(v) of this subdivision, candidates who apply after September 1, 2026, must complete six semester hours of coursework appropriate to the student

developmental level of the certificate sought. In addition to such prescribed pedagogical core, the candidate shall complete three semester hours in language acquisition and literacy development of English language learners and 12 semester hours of coursework that includes study in each of the following subjects:

8. Clause (b) of subparagraph (ix) of paragraph (3) of subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education shall be amended, a new clause (c) shall be added to subparagraph (ix), and the former clause (c) of subparagraph (ix) of paragraph (3) of subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education shall be numbered clause (d) as follows:

(b) Pedagogical core. In addition to the pedagogical core prescribed in subparagraph (2)(v) of this subdivision, [the candidate shall] candidates who apply on or before September 1, 2026 must complete three semester hours in teaching literacy skills language acquisition and literacy development of English language learners and 12 semester hours of coursework that includes study in each of the following subjects:

(c) Pedagogical core. Within the pedagogical core prescribed in subparagraph (2)(v) of this subdivision, candidates who apply after September 1, 2026, must complete three semester hours in language acquisition and literacy development of English language learners and 12 semester hours of coursework that includes study in each of the following subjects:

9. Clause (b) of subparagraph (x) of paragraph (3) of subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education shall be amended, a new clause (c) shall be added to subparagraph (x), and the former clause (c) of subparagraph (x) of paragraph (3) of subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education shall be numbered clause (d) as follows:

(b) Pedagogical core. In addition to the pedagogical core prescribed in subparagraph (2)(v) of this subdivision, [the candidate shall] candidates who apply on or before September 1, 2026 must complete three semester hours in teaching literacy skills language acquisition and literacy development of English language learners and 12 semester hours of coursework that includes study in each of the following subjects:

(c) Pedagogical core. Within the pedagogical core prescribed in subparagraph (2)(v) of this subdivision, candidates who apply after September 1, 2026, must complete three semester hours in language acquisition and literacy development of English language learners and 12 semester hours of coursework that includes study in each of the following subjects:

10. Subclause (1) of clause (b) of subparagraph (xi) of paragraph (3) of subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education shall be amended and a new subclause (2) shall be added to subparagraph (iii) as follows:

(1) In addition to the pedagogical core coursework prescribed in clause (2)(v)(a) of this subdivision, [the candidate shall] candidates who apply on or before September 1, 2026 must complete three semester hours in teaching literacy skills and six semester hours that includes study in each of the following subjects:

(2) In addition to the pedagogical core coursework prescribed in clause (2)(v)(a) of this subdivision, candidates who apply after September 1, 2026, must complete three semester hours in language acquisition and literacy development of English language learners and six semester hours that includes study in each of the following subjects:

11. Item (iv) of subclause (1) of clause (b) of subparagraph (xii) of paragraph (3) of subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education shall be amended, a new item (v) shall be added to subclause (1), and the former item (v) of subclause (1) of clause (b) of subparagraph (xii) of paragraph (3) of subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education shall be renumbered item (vi) as follows:

(iv) for candidates who apply on or before September 1, 2024, increasing the literacy skills of all students, six semester hours; [and]

(v) candidates who apply after September 1, 2026, increasing the literacy skills of all students, three semester hours, and language acquisition and literacy development of English language learners, three semester hours, and;