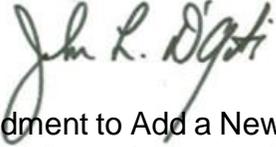




THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

**TO:** The Honorable the Members of the Board of Regents

**FROM:** John L. D'Agati 

**SUBJECT:** Proposed Amendment to Add a New Section 80-5.23 to the Regulations of the Commissioner of Education to Establish a Residency Certificate for Students Enrolled in a Classroom Academy Residency Pilot Program

**DATE:** June 1, 2017 

**AUTHORIZATION(S):** 

#### **SUMMARY**

#### **Issue for Decision (Consent Agenda)**

Should the Board of Regents add a new Section 80-5.23 of the Commissioner's Regulations to establish a residency certificate for students enrolled in a Classroom Academy Residency Pilot Program?

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

Review of Policy.

#### **Proposed Handling**

The proposed amendment is submitted to the Full Board for adoption as an emergency measure at the June 2017 Regents meeting (Attachment A is a copy of the proposed amendment and Attachment B is a Statement of the Facts and Circumstances Justifying the Emergency Adoption).

#### **Procedural History**

A Notice of Proposed Rule Making was published in the State Register on April 19, 2017. Supporting materials for the proposed amendment are available upon request from the Secretary to the Board of Regents.

## **Background Information**

In 2016, the Cambridge, Hudson Falls and Washington-Warren-Saratoga-Hamilton-Essex County BOCES consortia applied for and received a National Education Association Greater Public Schools grant. With this grant, the district, as a part of a rural school district consortia (Cambridge, Hudson Falls and Washington-Warren-Saratoga-Hamilton-Essex County BOCES) will partner with the teacher preparation program at the State University of New York College at Plattsburgh (Plattsburgh) - Queensbury Campus to establish a teacher residency and professional development initiative.

Candidates in the Classroom Academy Residency Pilot Program will be able to participate in a two-year full time internship in the partnering school district during their program at Plattsburgh. While enrolled in the residency program, student candidates will be eligible to receive a time-limited Residency Certificate that will allow them to teach in the partnering district. At the same time, candidates will be partnered with a teacher mentor from the partnering district who will provide instructional support.

## **Proposed Regulation**

The goals of this project focus on immersing teacher candidates in a clinically rich teacher preparation program and enhancing a P-20 partnership. In addition, a goal of the program is to create sustainability by allowing the candidates enrolled in the program to be paid by the school district/BOCES. To accomplish this, the resident must hold a teaching certificate under Education Law §3009 or be a substitute teacher under 80-5.4 of the Commissioner's Regulations. The candidates would not qualify for an internship certificate under 80-5.9 because an applicant is required to have completed at least one half of the semester hour requirement for their program. The Department proposes creating a time-limited Residency Certificate to allow candidates to be certified while enrolled in the program, thus allowing the school district/BOCES to pay their salary.

This time-limited certificate will be valid for up to three years while the candidate is enrolled in and completes the program, and upon successful completion, up to one year of the candidate's residency experience may be credited towards the teaching experience required for the candidate's professional certificate.

To qualify for the Residency Certificate, a candidate must be enrolled in the Classroom Academy Residency Pilot Program, a pilot of a registered and approved teacher education program and must apply to the Department. In addition, the application must include an assurance from the partnering school district that the teacher candidate resident has an employment commitment for the length of the residency program and that the district has provided a plan for mentoring and instructional support to the residency candidate that is acceptable to the Department.

## **Related Regents Items**

<http://www.regents.nysed.gov/common/regents/files/417hed2.pdf>

### **Recommendation**

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

VOTED: That section 80-5.23 of the Regulations of the Commissioner of Education be amended, effective June 13, 2017, as an emergency action to preserve the general welfare, by allowing teacher candidates enrolled in the Classroom Academy Residency Pilot Program for the 2017-2018 school year to receive a residency certificate to allow them to be certified while enrolled in the program, thus allowing the school district/BOCES to pay their salary.

### **Timetable for Implementation**

If adopted by the Board of Regents at its June 2017 meeting, the proposed amendment will become effective as an emergency measure on June 13, 2017. Following the 45-day public comment period required under the State Administrative Procedure Act, it is anticipated that the proposed amendment will be adopted by the Board of Regents as a permanent rule at its July 2017 meeting. If adopted at the July 2017 meeting, the proposed amendment will become effective on August 2, 2017.

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 207, 305, 3001, 3003, 3004 and 3009 of the Education Law.

Section 80-5.23 of the Regulations of the Commissioner of Education shall be added to read as follows:

§ 80-5.23 Residency certificate.

(a) A student who is enrolled in the Classroom Academy Residency Pilot Program, a pilot of a registered and approved teacher education program, may, upon submission of an application with a recommendation by the partnering institution of higher education and a recommendation by the partnering school district, receive a residency certificate under this section.

(b) This certificate shall only be issued to candidates enrolled in a Classroom Academy Residency Pilot Program, as approved by the Department, and who receive an assurance from the partnering school district that the resident has an employment commitment for the length of the residency program and a plan for providing mentoring and instructional support to the residency candidate that is acceptable to the Department.

(c) (1) The certificate shall be valid for no more than three years from its effective date; provided however, the certificate shall have an earlier expiration date if one of the following conditions occurs: the resident successfully completes the residency program, as determined by the partnering institution of higher education; or the resident exits the program, as determined by the partnering higher education institution;

(2) The certificate shall not be renewable.

(3) For individuals called to active duty in the Armed Forces, the validity period of the residency certificate may be extended for the time of active service and an

additional 12 months from the end of such service, provided that the holder is a student in a registered or approved graduate program of teacher education.

(d) Upon successful completion of the residency program, as determined by the partnering higher education institution and partnering school district, up to one year of the residency experience may be credited toward the experience required for the student's professional teaching certificate; provided that such experience meets the requirements set forth in section 80-3.4 of the Commissioner's regulations.

STATEMENT OF FACTS AND CIRCUMSTANCES WHICH NECESSITATE  
EMERGENCY ACTION

The proposed amendment creates a time-limited Residency Certificate to allow candidates enrolled in the program to be certified while enrolled in the program, thus allowing the school district/BOCES to pay their salary.

This time-limited certificate will be valid for up to three years while the candidate is enrolled in and completes the program, and upon successful completion, up to one year of the candidate's residency experience may be credited towards the teaching experience required for the candidate's professional certificate.

To qualify for the Residency Certificate, a candidate must be enrolled in the Classroom Academy Residency Pilot Program, a pilot of a registered and approved teacher education program and must apply to the Department. In addition, the application must include an assurance from the partnering school district that the teacher candidate resident has an employment commitment for the length of the residency program and that the district has provided a plan for mentoring and instructional support to the residency candidate that is acceptable to the Department.

Since the Board of Regents meets at fixed intervals, the earliest the proposed rule can be presented for regular (non-emergency) adoption, after expiration of the required 45-day public comment period provided for in State Administrative Procedure Act (SAPA) section 202(4-a), is the July 2017 Regents meeting. Furthermore, pursuant to SAPA section 203(1), the earliest effective date of the proposed rule, if adopted at the July meeting would be August 2, 2017, the date a Notice of Adoption would be published in the State Register. Emergency action is therefore needed at the June 2017 meeting in order to ensure that teacher candidates enrolled in the Classroom

Academy Residency Pilot Program for the 2017-2018 school year can receive a residency certificate to allow to be certified while enrolled in the program, thus allowing the school district/BOCES to pay their salary.