



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:** Amendment of Sections 80-1.1, 80-3.3 and 80-3.7 and addition of Section 80-5.22 of the Commissioner's Regulations to Allow Individuals with Advanced Degrees in Science, Technology, Engineering and Mathematics (STEM) and Related Teaching Experience at the Postsecondary Level to Obtain a Teaching Certificate in Earth Science, Biology, Chemistry, Physics, Mathematics or in a Closely Related Field

**DATE:** October 7, 2011

**AUTHORIZATION(S):**

### **SUMMARY**

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

Should the Board of Regents adopt the proposed amendment to allow individuals with advanced degrees in Science, Technology, Engineering and Mathematics (STEM) and related teaching experience at the postsecondary level to obtain a teaching certificate in Earth Science, Biology, Chemistry, Physics, Mathematics or in a Closely Related Field?

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

Review of policy.

#### **Proposed Handling**

The proposed amendment is submitted to the full Board for adoption as an emergency rule at its October 2011 meeting.

#### **Procedural History**

The proposed amendment was adopted as an emergency action at the February 2011 Regents meeting, effective February 15, 2011, and readopted as an emergency rule at the May, June and July 2011 meetings. A Notice of Proposed Rule Making was

published in the State Register on March 2, 2011. Following the expiration of the 45-day public comment period, a Notice of Revised Rule Making was published in the State Register on June 1, 2011. The 30-day public comment period has ended and the Department has received no public comment on the proposed amendment.

### Background Information

At its February 2011 meeting, the Board of Regents adopted the proposed amendment which provides eligible candidates with advanced degrees in the STEM areas and teaching experience at the postsecondary level with two certification options:

1. The candidate could obtain a Transitional G certificate to teach math or one of the sciences at the secondary level for two years without completing additional coursework in pedagogy. The district would commit to providing mentoring and appropriate professional development in the areas of pedagogy appropriate for the college faculty member based on his/her individualized background and skills during the period that the teacher is employed on a Transitional G certificate. After two years of successful teaching experience with the district on a Transitional G certificate the teacher would be eligible for the initial certificate in that subject area.

**OR**

2. Individuals who meet the other requirements but do not have an offer of employment by a school district would have the option of completing six credits of undergraduate pedagogical core study or four credits of graduate pedagogical study and become eligible for the full initial certificate.

Below is a summary of the major requirements for the Initial certificate and Transitional G certificate through this expedited STEM pathway.

Requirements for the Initial Certificate:

1. Graduate Degree in one of the STEM fields; and
2. Graduate Major in the subject, or closely related subject area, of the certificate sought; and
3. At least two years of satisfactory teaching experience at the postsecondary level in the certificate area to be taught or in a closely related subject area; and
4. Successful completion of the Liberal Arts and Sciences Test, and
5. Either “a” or “b” below:
  - a) at least six credits of undergraduate pedagogical core study or four credits of graduate pedagogical study for the initial certificate in the area of the candidate’s certificate. The pedagogical core study shall include study in the methods of teaching in the certificate area; teaching students with disabilities; curriculum and lesson planning aligned with the New York State Learning Standards;

along with classroom management and teaching at the developmental level of students to be taught.

- b) two years of satisfactory secondary teaching experience in the subject area on a Transitional G certificate.

#### Requirements for the Transitional G Certificate:

1. Graduate Degree in one of the STEM fields; and
2. Graduate Major in the subject, or closely related subject area, of the certificate sought; and
3. At least two years of satisfactory teaching experience at the postsecondary level in the certificate area to be taught or in a closely related subject area; and
4. Successful completion of the Liberal Arts and Sciences Test; and
5. Commitment for employment from a school district or BOCES that will provide Mentoring and 70 hours of Professional Development over a two year period, targeted toward appropriate pedagogical skills.

Following publication of the proposed amendment in the State Register on March 2, 2011, the Department received two comments. In response to these comments, the proposed amendment was revised in three ways:

1. To address the commenter's concerns about teachers using this expedited pathway to immediately teach in the middle school grades, the proposed amendment has been revised to apply only to Grades 7-12 level certificates.

2. The deadline for individual evaluation for candidates pursuing this expedited pathway has been extended beyond February 1, 2012.

3. The Department has also added language to the regulation to require the school district that will employ the candidate seeking a Transitional G certificate, to create and maintain a plan for mentoring and instructional support. This is in addition to the required 70 or more hours of professional development targeted toward pedagogical skills based upon the needs of the certificate holder.

The July emergency rule will expire on November 7, 2011. However, additional time is needed for the Department to explore the possible use of Transfer Fund grant funds under the federal Race To The Top program to encourage STEM faculty to work in high-need schools. Emergency action is necessary to ensure that the emergency rule remains continuously in effect until such time as it can be adopted as a permanent rule.

#### Recommendation

VOTED: That paragraphs (45) through (47) of subdivision (b) of Section 80-1.1 be renumbered to paragraphs (46) through (48) and a new paragraph (45) be added; that subparagraph (i) of paragraph (2) of subdivision (a) of section 80-3.3 be amended; that section 80-3.7 be amended and a new section 80-5.22 is added to the Regulations of the Commissioner of Education, as submitted, effective November 8, 2011, as an

emergency action upon a finding by the Board of Regents that such action is necessary to ensure that the proposed amendment remains continuously in effect until it can be adopted as a permanent rule.

#### Timetable for Implementation

The proposed amendment was adopted as an emergency action at the February 2011 Regents meeting, effective February 15, 2011, and readopted as an emergency rule at the May, June and July 2011 meetings. The July emergency rule will expire on November 7, 2011. If adopted at the October Regents meeting, the proposed amendment will become effective as an emergency rule on November 8, 2011. It is anticipated that the proposed rule will be presented for permanent adoption at a subsequent Regents meeting.

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Sections 207, 305, 3001, 3004 and 3006 of the Education Law.

1. Paragraphs (45) through (47) of subdivision (b) of Section 80-1.1 of the Regulations of the Commissioner of Education should be renumbered (46) through (48) of Section 80-1.1 of the Regulations of the Commissioner of Education, effective November 8, 2011.

2. A new paragraph (45) of subdivision (b) is added to Section 80-1.1 of the Regulations of the Commissioner of Education, effective November 8, 2011, to read as follows:

(45) Transitional G certificate means the first teaching certificate obtained by a candidate who holds an appropriate graduate degree in science, technology, engineering or mathematics and has two years of acceptable experience teaching in a post-secondary institution, that qualifies that individual to teach in the public schools of New York State, subject to the requirements and limitations of this Part, and excluding the provisional certificate, initial certificate, internship certificate, conditional initial certificate, transitional A certificate, transitional B certificate and transitional C certificate.

3. Subparagraph (i) of paragraph (2) of subdivision (b) of section 80-3.3 of the Regulations of the Commissioner of Education is amended, effective November 8, 2011, to read as follows:

(i) [The] (a) Except as otherwise provided in subdivision (b) of this section, the candidate shall submit evidence of having achieved a satisfactory level of performance on the New York State Teacher Certification Examination liberal arts and sciences test, written assessment of teaching skills, and content specialty test(s) in the area of the certificate, except that a candidate seeking an initial certificate in the title of Speech and

Language Disabilities (all grades) shall not be required to achieve a satisfactory level of performance on the content specialty test.

(b) Examination requirement for candidates with a graduate degree in science, technology, engineering or mathematics and two years of post-secondary teaching experience in the area of the certificate sought. Any candidate seeking an initial certificate in earth science, biology, chemistry, physics, mathematics or in a closely related field as determined by the Department in (grades 7-12) and who is seeking an initial certificate through individual evaluation under section 80-3.7(a)(3)(ii)(c) shall not be required to achieve a satisfactory level of performance on the written assessment of teaching skills examination or the content specialty test.

4. Section 80-3.7 of the Regulations of the Commissioner of Education is amended, effective November 8, 2011, to read as follows:

This section prescribes requirements for meeting the education requirements for classroom teaching certificates through individual evaluation. [This] Except as otherwise provided in this section, this option for meeting education requirements shall only be available for candidates who apply for a certificate in childhood education by February 1, 2007 and for candidates who apply for any other certificate in the classroom teaching service by February 1, 2012, and who upon application qualify for such certificate.

Candidates with a graduate degree in science, technology, engineering or mathematics who apply for an initial teaching certificate under 80-3.7 (a)(3)(ii)(c)(3) may continue to meet the education requirements for classroom teaching certificates through individual evaluation after February 1, 2012. The candidate must have achieved a 2.5 cumulative grade point average or its equivalent in the program or programs leading to any degree used to meet the requirements for a certificate under this section. In addition, a candidate must have achieved at least a C or its equivalent in any undergraduate level

course and at least a B- or its equivalent in any graduate level course in order for the semester hours associated with that course to be credited toward meeting the content core or pedagogical core semester hour requirements for a certificate under this section. All other requirements for the certificate, including but not limited to, examination and/or experience requirements, as prescribed in this Part, must also be met.

(a) Satisfaction of education requirements through individual evaluation for initial certificates in all titles in classroom teaching service, except in specific career and technical subjects within the field of agriculture, business and marketing and consumer services, health, a technical area, or a trade (grades 7 through 12).

(1) . . .

(2) . . .

(i) . . .

(ii) . . .

(iii) . . .

(iv) . . .

(v) . . .

(3) Additional requirements. A candidate seeking to fulfill the education requirement for the initial certificate through individual evaluation of education requirements shall meet the additional requirements in this paragraph or their substantial equivalent as determined by the commissioner, if so prescribed for that certificate title, in addition to the general requirements prescribed in paragraph (2) of this subdivision.

(i) . . . .

(ii) Specialist in middle childhood education (5-9) and adolescence education (7-12).

(a) . . .

(b) . . .

(c) For candidates with a graduate degree in science, technology, engineering or mathematics and two years of postsecondary teaching experience in the certificate area to be taught or in a closely related subject area acceptable to the Department, who apply for a certificate or license in (grades 7-12) on or after February 2, 2011 in earth science, biology, chemistry, physics, mathematics or a closely related field, the candidate shall not be required to meet the general requirements in paragraph (2) (iii), (iv) or (v) of subdivision (a) of this section. However, the candidate shall meet the following requirements:

(1) Degree completion. The candidate shall possess a graduate degree 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 and whose programs are registered by the Department. The candidate shall have completed a graduate major in the subject of the certificate sought, or in a related field approved by the department for this purpose.

(2) Post-secondary teaching experience. The candidate must show 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.

(3) Pedagogical study or two years of satisfactory teaching experience in a school district under a Transitional G certificate. The candidate shall complete one of the following:

(i) at least six credits of undergraduate pedagogical core study or four credits of graduate pedagogical study for the initial certificate in the area of the candidate's certificate, as prescribed for the certificate title in this paragraph, which shall include study in the methods of teaching in the certificate area, teaching students with disabilities; curriculum and lesson planning aligned with the New York State Learning Standards; and classroom management and teaching at the developmental level of students to be taught; or

(ii) at least two years of satisfactory teaching experience in a school district while the candidate holds a Transitional G certificate under this Part.

(iii) . . .

(iv) . . .

(v) . . .

(vi) . . .

(vii) . . .

(viii) . . .

(ix) . . .

(x) . . .

(xi) . . .

(xii) . .

(b) . . .

(c) . . .

5. Section 80-5.22 of the Regulations of the Commissioner is added, effective November 8, 2011 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 and with at least two years of acceptable post-secondary teaching experience.

(a) General requirements.

(1) Time validity. The transitional G certificate shall be valid for two years.

(2) Limitations. The transitional G certificate 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 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.

(ii) Examination. The candidate shall submit evidence of having achieved a satisfactory level of performance on the New York State Teacher Certification Examination liberal arts and sciences test.

(iii) 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.

(iv) Employment and support commitment. The candidate shall submit satisfactory evidence of having a commitment from a school district of at least two years of employment as a teacher with the school district in the area of the certificate sought, which shall include a plan from the school district for mentoring, appropriate instructional support as determined by school leadership and at least 70 hours of professional development targeted toward appropriate pedagogical skills, over the two years of employment.