



TO: P-12 Education Committee

FROM: Angelique Johnson-Dingle *Angelique Johnson-Dingle*
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SUBJECT: Proposed Amendment of Section 100.5 of the Regulations of the Commissioner of Education Relating to Career and Technical Education (CTE) and Media Arts Course Flexibility for the Individual Arts Assessment Pathway (IAAP) and Career and Technical Education (CTE) Pathways to High School Graduation

DATE: November 2, 2023

AUTHORIZATION(S):

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SUMMARY

Issue for Discussion

Should the Board of Regents adopt the proposed amendment of section 100.5 of the Regulations of the Commissioner of Education relating to career and technical education (CTE) and media arts course flexibility for the Individual Arts Assessment Pathway (IAAP) and Career and Technical Education (CTE) +1 Pathways to high school graduation?

Reason for Consideration

Review of Policy.

Proposed Handling

The proposed amendment is presented to the P-12 Education Committee for discussion at its November 2023 meeting. A copy of the proposed amendment (Attachment A) is included.

Procedural History

A Notice of Proposed Rule Making will be published in the State Register on November 29, 2023, for a 60-day public comment period. Supporting materials are available upon request to the Secretary of the Board of Regents.

Background Information

Media arts is one of five arts disciplines included in [the NYS P-12 Learning Standards for the Arts](#). It is also a key component of the Arts, A/V Technology, & Communications Career Cluster, one of the 16 federally recognized career clusters in career and technical education (CTE).

As articulated in the New York State Education Department's "[Guidance on Implementing the New York State Revised Learning Standards Currently in New York State](#)," media arts is understood to apply to forms of time-related artworks created by recording, producing, or manipulating sound and/or non-static visual images. Artworks that depend on a technological component to function can include screen-based projects presented via film, television, radio, audio, video, the internet, interactive and mobile technologies, video games, trans-media, as well as media-related printed books, catalogues, and journals. Media arts include communicative works that explore the technological, aesthetic, and communicative potential of electronic means such as video, internet, streaming, computer, software, gaming, mobile devices and applications, code, GPS, sound production devices, robotics, and other evolving and emerging tools under development.

In educational settings in New York State where certification to teach a media arts course is required—including public school districts and boards of cooperative educational services (BOCES)—teachers must either hold a visual arts certification or appropriate CTE certification. Media arts is the only arts discipline that does not have a classroom teacher certification title.

Media arts courses can offer students the opportunity to gain credit towards a high school diploma in either arts or CTE. If a course is offered for credit in the arts, the teacher is required to hold a visual arts certification. If the course is offered as either a stand-alone CTE course or as part of a NYSED-approved CTE program, the teacher must hold the appropriate CTE certification. If a section of the course is offered for arts credit and is taught by a visual arts teacher, the same section of the course currently cannot also be utilized for CTE credit by any student in the class, even if the curriculum is the same as a course taught by a certified CTE teacher. The opposite is also true: if the section of the course is offered for CTE credit and taught by a certified CTE teacher, no student in the section can utilize the course for arts credit, even if the content of the course is the same as one taught by a visual arts teacher.

Media arts courses can be a component of both the Individual Arts Assessment Pathway (IAAP) and the CTE 4+1 Pathway to high school graduation. The IAAP requires students to complete a locally determined three-unit sequence in the arts and demonstrate, through a collection of creative works, growth over time that meets the High School II Accomplished Performance Indicators in the [New York State Learning Standards for the Arts](#). The CTE pathway requires students to complete an NYSED-approved CTE program and pass a three-part technical assessment.

A frequent impediment to student access to media arts courses within the IAAP or CTE 4+1 Pathways reported by school districts, charter schools, and BOCES is that current regulations do not allow a certified CTE teacher to instruct a media arts course

(such as photography) for arts credit or a visual arts teacher to instruct the same course for CTE credit, despite identical course content.

Another barrier is the availability of NYS-certified teachers. The Department has received numerous requests from districts, educators, and students to allow appropriately certified teachers to teach certain media arts courses that can be utilized as both arts credit towards an IAAP sequence and CTE credit towards a NYSED-approved CTE program.

The primary anticipated benefit to the removal of certification and course credit impediments at the local level is an increase in student access to media arts courses, the IAAP, and the CTE 4+1 pathway to graduation. Media arts as a career field continues to grow and expand. The New York State Department of Labor [projects](#) an increasing demand for media arts careers as follows:

<i>Careers</i>	<i>Projected increase 2020-2030</i>
Multimedia artists and animators	20.9%
Fine artists	33.6%
Photographers	17.1%
Camera Operators, TV, video and motion picture	23.1%
Film and video editors	23.6%

Students with knowledge and skills in media arts will be better positioned to take advantage of employment opportunities in this field.

Proposed Amendment

The Department proposes to amend section 100.5 of the Commissioner’s regulations to provide local discretion on how to distribute credit for media arts courses within a CTE or IAAP sequence when these courses are taught by a visual arts certified teacher or an appropriately certified CTE teacher.

Specifically, the proposed rule amends the IAAP pathway provision in section 100.5(d)(15) to provide that the three units of diploma credit in the arts must include arts courses and/or media arts courses approved by the Department for use in a student’s IAAP sequence and Department-approved CTE program. A list of these approved media arts courses is included (Attachment B).

The proposed rule also amends the CTE pathway provision in section 100.5(d)(6) of the Commissioner’s regulations to provide that faculty for approved CTE programs can also have state certification in “special” subjects in addition to appropriate academic and technical subjects.

These amendments will permit students pursuing an IAAP or NYSED-approved CTE program to earn either arts or CTE credit for specific media arts courses regardless of whether the teacher is certified as a CTE teacher or a visual arts teacher.

This proposal aims to increase access to media arts courses which prepare students for high-demand, high-growth, and high-salary careers; increase student access

to an IAAP or CTE 4+1 Pathway to graduation; and reduce teacher shortage and scheduling barriers by expanding the pool of eligible teachers for specific media arts courses.

Related Regents Items

December 2022: [P-12 Education Committee Proposed Amendment of Section 100.5 of the regulations of the Commissioner of Education relating to Establishing the Individual Arts Assessment Pathway](https://www.regents.nysed.gov/sites/regents/files/1222p12d1revised.pdf)

(<https://www.regents.nysed.gov/sites/regents/files/1222p12d1revised.pdf>)

October 2014: [Proposed Amendments to Sections 100.2 and 100.5 of the Regulations of the Commissioner of Education relating to Pathways to Graduation, Global History and Geography Course Requirements, and the Global History Regents Exam](https://www.regents.nysed.gov/sites/regents/files/1014bra4_0.pdf)

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Recommendation

Not applicable.

Timetable for Implementation

It is anticipated that the proposed amendment will be presented for permanent adoption at the March 2024 Regents meeting, after publication of the proposed amendment in the State Register and expiration of the 60-day public comment period required under the State Administrative Procedure Act. If adopted at the March 2024 meeting, the proposed amendment will become effective as a permanent rule on March 27, 2024.

AMENDMENT OF THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 101, 207, 208, 305, 308, and 309 of the Education Law.

1. Paragraph (15) of subdivision (d) of section 100.5 of the Regulations of the Commissioner of Education is amended to read as follows:

(15) Individual Arts Assessment Pathway. Students who first enter grade nine in September 2022 and thereafter, who are otherwise eligible to receive a high school diploma pursuant to this section may meet the diploma requirements described in this section by:

(i) ...

(ii) earning 3 units of diploma credit in the arts[;]. Such credits shall include arts courses and/or media arts courses approved by the department for use in a student's individual arts assessment pathway sequence pursuant to this paragraph and department-approved career and technical education program pursuant to paragraph (6) of this subdivision;

(iii)

2. Clause (2) of subdivision (a) of subparagraph (iv) of paragraph (6) of subdivision (d) of section 100.5 of the Regulations of the Commissioner of Education is amended to read as follows:

(2) a certification that the board of education or board of cooperative educational services has conducted a self-study involving faculty and staff to ensure that the following elements of a career and technical education program will be available to implement an approved program:

(i) a technical and academic curriculum that achieves the commencement level of the appropriate New York State learning standards for all courses in the career and

technical education program, including integrated and/or specialized English, mathematics, science, economics and government, and faculty with State certification in appropriate academic [and/or], technical [subjects], and/or special subjects;

(ii)...

(iii)...

(iv)...

(v)...

(vi)...

List of Department-approved media arts courses for use in students' IAAP sequence and NYSED-approved CTE program

<u>Course Code</u>	<u>Course Code Description</u>
05160	Printmaking/Graphics
05161	Printmaking
05162	Graphic Design
05163	Advertising Design
05167	Photography
05168	Film/Videotape
05169	Computer-Assisted Art
05250	Media Arts—Comprehensive
05251	Digital Imaging
05252	Interactive Design
05253	Interactive Game Design
05254	Web Design
05255	Moving Image
05256	Moving Image-Animation
05257	Digital Sounds Design
05258	Virtual Design
05260	Multimedia Design
05261	Intermedia Design
05262	Media Arts Theory
05263	Media Literacy
05297	Media Arts Independent study
10202	Computer Graphics
11051	Audio/Visual Production
11052	Commercial Photography
11053	Photo Lab & Darkroom
11054	Photo Imaging
11055	Video
11097	Aud/Vid Tech Film-Ind Study
11102	Photojournalism
11103	Broadcasting Technology
11104	Publication Production
11147	Journ and Broadcast-Ind Study
11151	Digital Media Technology
11152	Desktop Publishing
11153	Digital Media Design & Prod
11154	Commercial Graphic Design
11155	Graphic Technology
11156	Photo & Print Technology

11157	Photoengraving
11158	Print Press Operations
11197	Printing Technology-Ind Study
21100	Design and Drawing for Production (DDP)
19201	Clothing and Textiles
19205	Home Furnishing