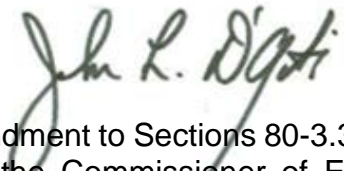




**TO:** Higher Education Committee  
**FROM:** John D'Agati   
**SUBJECT:** Proposed Amendment to Sections 80-3.3 and 80-3.7 of the Regulations of the Commissioner of Education to Allow Individual Evaluation for Certain Certificate Titles in the Classroom Teaching Service  
**DATE:** March 28, 2018

**AUTHORIZATION(S):**



### SUMMARY

#### Issue for Discussion

Should the Board of Regents adopt a proposed amendment to §80-3.3 and 80-3.7 of the Regulations of the Commissioner of Education to allow individual evaluation for certain certificate titles in the classroom teaching service?

#### Reason(s) for Consideration

Review of Policy.

#### Proposed Handling

The proposed amendment is submitted to the Higher Education Committee for discussion at its April 2018 Board of Regents meeting (Attachment A is a copy of the proposed amendment).

#### Procedural History

A Notice of Proposed Rule Making will be published in the State Register on April 25, 2018. Supporting materials for the proposed amendment are available upon request from the Secretary to the Board of Regents.

## **Background Information**

For each certificate title in the classroom teaching service, there are typically several pathways for certification. In 2003, the Board of Regents revised the certification requirements for teachers by creating a pathway for individual evaluation for candidates who have not completed an approved teacher education program. The original individual evaluation pathway was established as a means to address teacher shortage areas and included a sunset date of February 1, 2007 for certificates in childhood education and February 1, 2009 for all other certificates in the classroom teaching service. These dates were ultimately extended, resulting in a continuation of individual evaluation for all certificate titles except for Early Childhood, Generalist in Middle Childhood Education, ELA, and Literacy.

Under individual evaluation, candidates are required to submit evidence of coursework and field experience to the Department for evaluation. The Office of Teaching Initiatives (OTI) reviews candidates' transcript(s) and supporting materials to determine if the requirements are met.

## **Proposed Amendment:**

The Department has been contacted by numerous districts in different areas of New York State that have indicated that they are having difficulty finding qualified teachers in certain certificate areas. To help address the reported teacher shortages in New York State, the Department is proposing a regulation amendment to reinstate individual evaluation for the following certificate titles:

- Early childhood education (birth-grade 2)
- Childhood education (grades 1-6)
- Generalist in middle childhood education (grades 5-9)
- English language arts (grades 5-9)
- English language arts (grades 7-12)
- Literacy (birth-grade 6)
- Literacy (grades 5-12)

The proposed change will allow qualified candidates to become certified in these areas, creating larger pools of qualified teachers for school district hiring.

## **Related Regents Items**

NA

## **Recommendation**

NA

### **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 July 2018 meeting. If adopted at the July 2018 meeting, the proposed amendment will become effective on September 2, 2018.

## Attachment A

### AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 101, 207, 305, 3001, 3004 and 3009 of the Education Law.

1. The introductory paragraph for section 80-3.7 of the Regulations of the Commissioner of Education shall be amended, effective September 2, 2018, to read as follows:

This section prescribes requirements for meeting the education requirements for classroom teaching certificates through individual evaluation. [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 a certificate in early childhood education (birth-grade 2), generalist in middle childhood education (grades 5-9), English language arts (grades 5-9), English language arts (grades 7-12), literacy (birth-grade 6) and literacy grades (5-12) on or before April 30, 2014 provided that upon application candidates qualify for such certificate.] Candidates who apply for any [other certificate] of the certificates in the classroom teaching service as described herein may continue to meet the education requirements for classroom teaching certificates through individual evaluation. Candidates with a graduate degree in science, technology, engineering or mathematics who apply for an initial teaching certificate under subclause (a)(3)(ii)(c)(3) of this section may continue to meet the education requirements for classroom teaching certificates through individual evaluation after May 1, 2014. 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.

2. Subparagraph (iii) of paragraph (3) of subdivision (a) of section 80-3.3 of the Regulations of the Commissioner of Education shall be amended, effective September 2, 2018, to read as follows:

(iii) The option to complete the education requirements for the certificates specified in subparagraphs (i) and (ii) of this paragraph through equivalent study, as determined by individual evaluation in accordance with the requirements of section 80-3.7 of this Subpart will continue to be available for individuals who hold an initial, professional, provisional or permanent certificate in the classroom teaching service. [For candidates who do not already hold an initial, professional, provisional or permanent certificate in the classroom teaching service, this option will only be available to candidates who apply for a certificate in childhood education by February 1, 2007 or for candidates who apply for a certificate in early childhood education (birth-grade 2), generalist in middle childhood education (grades 5-9), English language arts (grades 5-9), English language arts (grades 7-12), literacy (birth-grade 6) and literacy grades (5-12) on or before April 30, 2014 and who upon application qualify for such certificate; or for candidates who apply for any other certificate in the classroom teaching service.]