



**TO:** Higher Education Committee

**FROM:** William P. Murphy *William P. Murphy*

**SUBJECT:** Proposed Amendments of Sections 52.21 and 80-5.24 of the Regulations of the Commissioner of Education Relating to Establishing Registration Requirements for Residency Programs and Revising Residency Certificate Requirements

**DATE:** March 31, 2022

**AUTHORIZATION(S):**

*John A. ...*

*Beth ...*

**SUMMARY**

**Issue for Discussion**

Should the Board of Regents adopt the proposed amendments of sections 52.21 and 80-5.24 of the Regulations of the Commissioner of Education relating to establishing registration requirements for residency programs and revising the Residency certificate requirements?

**Reason(s) for Consideration**

Review of policy.

**Proposed Handling**

The proposed amendment is submitted to the Higher Education Committee for discussion at its April 2022 meeting. A copy of the proposed amendment is attached (Attachment A).

**Procedural History**

A Notice of Proposed Rule Making will be published in the State Register on April 27, 2022 for a 60-day public comment period. Supporting materials are available upon request from the Secretary to the Board of Regents.

## **Background Information**

At its July 2017 meeting, the Board of Regents established the Residency certificate for candidates in the Classroom Academy Residency Pilot Program. The State University of New York College at Plattsburgh - Queensbury campus and the Cambridge, Hudson Falls, and Washington-Saratoga-Warren-Hamilton-Essex (WSWHE) County BOCES consortia partnered to create this program. It includes a two-year, full-time residency where candidates were employed by the WSWHE BOCES and placed in a partner school district at the beginning of their graduate program. These candidates needed a new type of certificate to work in the school district because they did not qualify for an internship certificate, which requires candidates to have completed at least one half of the semester hour requirement for their program (8 NYCRR 80-5.9).

There is a growing interest in residencies by New York State teacher preparation programs and school districts as well as nationally. For example, two additional institutions of higher education have joined the pilot program, enabling their candidates to be eligible for the Residency certificate. Additional teacher preparation programs have expressed an interest in developing other residency models that could also lead to a Residency certificate.

In response to this increased interest in residencies, the Department is proposing to establish registration requirements for residency programs in section 52.21 of the Commissioner's regulations. The registration requirements provide programs with the flexibility to create their own residency models while setting consistent standards for residencies in teacher preparation programs across New York State. The standards will also provide consistency for state and federal funding purposes.

The proposed amendments outline the registration requirements for teacher preparation programs that choose to include a residency in their program in lieu of a student teaching, practicum, or similar clinical experience. If the proposal is approved, only teacher preparation programs that are registered as residency programs would be able to state that their program includes a residency or that they are a residency program.

The Department also proposes to amend the Residency certificate requirements in section 80-5.24 of the Commissioner's regulations such that candidates who are enrolled in a New York State registered teacher preparation program which includes a residency, based on the proposed standards, would be eligible for the certificate. This revision expands the pool of candidates who are eligible for the Residency certificate. However, candidates who enroll in a residency program would not be required to obtain the Residency certificate unless they are employed by a school, school district, or BOCES.

## **Proposed Amendments**

### ***Registered Residency Programs:***

The Department proposes the following definition of a residency in a New York State registered teacher preparation program:

*Residency* means a structured, college-supervised learning experience for a candidate in a teacher education program that is designed and implemented through a memorandum of understanding or similar collaborative agreement between an institution of higher education and an educational setting where the partners design the residency to provide candidates with instructional experiences connected to program learning goals and district priorities and develop shared expectations for the candidate's gradual assumption of responsibilities in their placement in the area of the certificate sought. Candidates complete pedagogical coursework during the residency and practice under the direct supervision of the certified school-based teacher.

The proposed registration requirements for residency programs state that a residency must be at least one academic year in length and include at least 1,000 hours of clinical experiences for candidates, enabling them to experience the full range of a teacher's annual responsibilities, in alignment with the daily schedule and annual calendar of the educational setting. A certified school-based teacher, possessing the certificate(s) sought by the candidate, will have official responsibility for the class during the residency placement(s) for the certificate(s) sought. Candidates who pursue more than one certificate title may complete placements of at least 250 hours (roughly seven weeks) for each additional certificate title within the 1,000 or more total hours.

The proposed registration requirements for residency programs reflect several of the student teaching and practica requirements for candidates who enroll in a program beginning in Fall 2023. These include at least 15 hours with a focus on understanding the needs of students with disabilities; clinical experiences meeting specific requirements and addressing the full range of student developmental levels required by the certificate(s) sought; and satisfaction of the requirements for university-based teacher educators and school based-teacher educators.

### ***Residency Certificate:***

For the Residency certificate, candidates will need a recommendation for certification from the institution of higher education and an employment and support commitment from the partnering school, school district, or BOCES. The proposed amendment clarifies that this certificate authorizes a candidate to work only in the school, school district, or BOCES for which a commitment for employment and support has been made. Candidates cannot be the teacher of record during their employment, allowing them to focus on their coursework and professional growth.

The Residency certificate is currently valid for three years or less if the candidate successfully completes or exits the residency program in less than three years. This presents a problem if candidates complete the residency program, and their Residency certificate expires while they are still employed. Therefore, the proposed amendment provides that if a candidate successfully completes the program in less than three years, the expiration date of the certificate shall be three months after the date of the institutional recommendation for the Initial or Professional certificate in the subject area of the certificate sought. For example, candidates who complete their program in May would have their Residency certificate expire three months later in August, allowing them an opportunity to remain continuously certified during their employment. Candidates who exit the program would have their certificate expire on the date of their departure.

Currently, upon successful completion of the residency program, candidates who hold the Residency certificate can count up to one year of the residency towards the Professional certificate experience requirement. This amount of experience was based on the length of the two-year Classroom Academy Residency Pilot Program. Since the proposal would allow candidates in any registered residency program to obtain the Residency certificate, the Department proposes to revise the type of experience that could count from up to one year to any amount of residency experience, provided that the experience is co-teaching experience.

#### ***Additional Amendments:***

Since the clinically rich graduate level teacher preparation pilot program ended on October 1, 2016, the proposed amendment removes the pilot program from section 52.21 of the Commissioner's regulations. These regulations refer to an "intensive residency component" that may be confusing in light of the proposed definition of a residency.

The definition of clinical experiences in section 52.21 of the Commissioner's regulations is also amended to include residencies. Several other provisions in such section are updated to include "residencies" or replace "field experiences, student teaching, and/or practica" with "clinical experiences" broadly, which will now include residencies, in order for the regulations to apply to registered residency programs.

Finally, the proposed amendment includes technical revisions to internal citations that align the proposed amendment with another proposed amendment that was discussed at the December 2021 Board of Regents meeting (i.e., the teacher performance assessment requirement added to Commissioner's regulations §52.21(b)(2)(ii)(c)(2)(iii)).

#### **Related Regents Items**

December 2021: [Proposed Amendment to Sections 52.21, 80-1.5, 80-3.3, 80- 3.4, 80-5.8, and 80-5.17 of the Regulations of the Commissioner of Education Relating to the Teacher Performance Assessment Requirement for Certification and Establishing a](#)

[Teacher Performance Assessment Requirement for Registered Teacher Preparation Programs](#)

(<https://www.regents.nysed.gov/common/regents/files/1221hed3.pdf>)

June 2021: [Proposed Amendment to Sections 52.21, 80-3.14, and 80-3.7 of the Regulations of the Commissioner of Education and Section 30-1.2 of the Rules of the Board of Regents Relating to Providing Flexibility Relating to Student Teaching, Individual Evaluation Pathway to Certification, Accreditation, and the Computer Science Tenure Area and Statement of Continued Eligibility in Response to the COVID-19 Crisis](#)  
(<http://www.regents.nysed.gov/common/regents/files/621brca8.pdf>)

April 2019: [Proposed Amendments to Sections 52.21 and 80-3.7 of the Regulations of the Commissioner of Education Relating to Student Teaching Requirements for Teacher Certification and the Registration of Teacher Preparation Programs](#)  
(<http://www.regents.nysed.gov/common/regents/files/419hea2.pdf>)

July 2017: [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](#)  
(<http://www.regents.nysed.gov/common/regents/files/717brca6.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 July 2022 meeting. If adopted at the July meeting, the proposed amendment will become effective on July 27, 2022.

## Attachment A

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

Pursuant to sections 101, 207, 208, 305, 308, 3001, 3004 and 3009 of the Education Law.

1. Subparagraph (iii) of paragraph (1) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education is amended to read as follows:

(iii) *Clinical experience* means an experience where candidates work in educational settings, or with community-based organizations, when appropriate, and engage in the pedagogical work of the profession of teaching, closely integrated with educator preparation coursework and supported by partnering institutions. *Clinical experiences* may include but are not limited to field experience placements, student teaching, practica, residencies, and limited virtual and/or simulated experiences.

2. Subparagraphs (xv) through subparagraph (xxi) of paragraph (1) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education are re-lettered subparagraphs (xvi) through (xxii) and a new subparagraph (xv) is added to read as follows:

(xv) Residency means a structured, college-supervised learning experience for a candidate in a teacher education program that is designed and implemented through a memorandum of understanding or similar collaborative agreement between an institution of higher education and an educational setting where the partners design the residency to provide candidates with instructional experiences connected to program learning goals and district priorities and develop shared expectations for the candidate's gradual assumption of responsibilities in their placement in the area of the certificate

sought. Candidates complete pedagogical coursework during the residency and practice under the direct supervision of the certified school-based teacher.

3. Subclause (2) 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 to read as follows:

(2) [Field experiences, student teaching and practica]Clinical experiences.

(i) For registered programs with students who first enroll prior to the Fall 2023 semester that include student teaching or practica:

(A) [All registered programs]Programs shall include at least 100 clock hours of field experiences related to coursework prior to student teaching or practica. The program shall include:(B) ...

(ii) For registered programs with students who first enroll for the Fall 2023 semester and thereafter that include student teaching or practica:

(A) [All registered programs]Programs shall include at least 100 clock hours of field experiences related to coursework prior to student teaching or practica, provided that at least 15 of the 100 clock hours of field experiences shall include a focus on understanding the needs of students with disabilities.

(B) ...

(C) ...

(D) ...

(E) ...

(iii) For registered residency programs:

(A) General requirements for residency programs.

(I) The residency program shall include a residency of at least one academic year in length that includes at least 1,000 hours of clinical experiences for candidates which shall enable candidates to experience the full range of a teacher's annual responsibilities, in alignment with the daily schedule and annual calendar of that educational setting; provided that candidates pursuing more than one certificate title may complete placements of at least 250 hours for each additional certificate title within the 1,000 or more total hours.

(II) The residency program shall include at least 15 hours of clinical experiences that shall include a focus on understanding the needs of students with disabilities.

(III) The certified school-based teacher shall have official responsibility for the class during the residency placement(s) for the certificate(s) sought.

(IV) The residency must address each of the applicable general and program-specific pedagogical core requirements for the program(s).

(V) The residency must be designed to provide candidates with opportunities to practice teaching skills identified in the New York State Teaching Standards in an educational setting in the subject area and grade level of the certificate title(s) sought, co-supervised by a university-based teacher educator and a certified school-based teacher educator.

(VI) For the residency, the candidate shall be credited with at least the number of semester hours required to obtain full-time status at the institution.

(B) Residency program clinical experience. The combination of clinical experiences must:



(I) meet or exceed the specific requirements for the certificate title(s) as described in paragraph (3) of this subdivision; and

(II) address the full range of student developmental levels required by the certificate title(s) sought, as prescribed in paragraph (3) of this subdivision.

(C) Requirements for university-based teacher educators and school-based teacher educators.

(I) University-based teacher educators engaged in clinical supervision shall:

(1) be involved in program development as appropriate; and

(2) have at least 3 years of full-time teaching or related experience in any grade, pre-kindergarten through 12.

(II) School-based teacher educators who work with candidates during the residency shall:

(1) be certified in the subject area of certification sought by the teacher candidate or in a related area; and

(2) have at least three years of full-time teaching experience or the equivalent, in an educational setting, in the subject area of certification sought by the teacher candidate or in a related area; and

(3) be designated by the school or district as a school-based teacher educator; or be rated effective or highly effective in their most recent annual professional performance review or other evaluation conducted pursuant to section 3012-d of the Education Law or other applicable law and regulation; or hold a national board certificate.

(III) School-based and university-based teacher educators who work with candidates during the residency shall participate in professional learning that focuses on the provision of effective clinical supervision. Such professional learning shall be designed and/or implemented by the partnership described in clause (i)(f) of this paragraph.

[(iii)](iv) The [field experiences, student teaching and practica]clinical experiences shall:

(A) ...

(B) ...

(C) provide candidates with experiences in a variety of communities and across the range of student developmental levels of the certificate, experiences practicing skills for interacting with parents or caregivers, experiences in high need schools, and experiences with each of the following student populations: socioeconomically disadvantaged students, students who are English language learners, and students with disabilities; [and]

(D) for programs preparing candidates for more than one certificate, ensure that candidates have field experiences and/or student-teaching or practica experiences related to each certificate, as prescribed in paragraph (3) of this subdivision[.]; and

(E) effective September 1, 2023, include a teacher performance assessment for candidates seeking their first initial teaching certificate that shall be integrated into the candidates' student teaching, practicum, or similar clinical experience and designed to promote candidates' professional growth.

[(iv)](v) Upon written application by the institution, the commissioner may grant a time-limited approval for an alternate model for clinical experiences, field experiences and college-supervised student teaching, residencies, or practica, as applicable, provided that the institution adequately demonstrates the success or potential success of such model, including through the use of research.

[(v)](vi) In the case of alternate models that include college-supervised student teaching, residencies, or clinical experiences conducted when a candidate is employed by a school district or BOCES under a pre-professional teaching assistant certificate pursuant to Part 80 of this Title, the institution and employing school district or BOCES will provide candidate(s) holding such certificate with the same and/or similar student teaching or clinical experience as required under this section while employed at the school district or BOCES. No approval from the commissioner is required for such alternate models nor shall they be time limited.

[(vi)](vii) Other options for candidates holding another classroom teaching certificate to meet the student teaching, residency, or practica requirement are set forth in the teacher certification requirements of this Title for the particular certificate title.

3. Paragraph (5) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education is REPEALED.

4. Section 80-5.24 of the Regulations of the Commissioner of Education is amended to read as follows:

(a) A [student]candidate who is enrolled in [the classroom academy residency pilot program, a pilot of a registered and approved teacher education program]a registered residency program pursuant to section 52.21 of this Title, may, upon

submission of an application with a recommendation by the partnering institution of higher education and a recommendation by the partnering school, school district, or board of cooperative educational services, 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]who submit satisfactory evidence of having a commitment from the partnering school, school district, or board of cooperative educational services of [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) General requirements.

(1) Time validity. 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] the candidate 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[;]. If such earlier expiration date occurs for a candidate who successfully completes the program, the expiration date shall be three months after the date of the institutional recommendation for the initial or professional certificate in the subject area of the certificate sought.

(2) Limitations. The certificate shall not be renewable. The certificate shall authorize a candidate to work only in a school, school district, or board of cooperative

educational services for which a commitment for employment and mentoring has been made. The candidate shall not be the teacher of record.

(3) For [individuals]candidates 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]candidate in a registered [or approved graduate program of teacher education]residency program pursuant to section 52.21 of this Title.

(d) Upon successful completion of the residency program, as determined by the partnering higher education institution and partnering school, school district, or board of cooperative educational services, [up to one year of]co-teaching experience during the residency experience may be credited toward the experience required for the [student's]candidate's professional teaching certificate; provided that such experience meets the requirements set forth in section 80-3.4 of this Part.