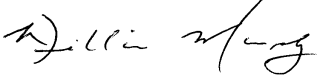





**TO:** The Honorable Members of the Board of Regents

**FROM:** William P. Murphy 

**SUBJECT:** Proposed Amendment of Section 52.21 of the Regulations of the Commissioner of Education Relating to School Counselor Education Program General Registration Requirements

**DATE:** July 6, 2023

**AUTHORIZATION(S):** 

### SUMMARY

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

Should the Board of Regents adopt the proposed amendment of section 52.21 of the Regulations of the Commissioner of Education relating to school counselor education program general registration requirements?

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

Review of policy.

#### **Proposed Handling**

The proposed amendment is submitted to the Full Board for adoption as a permanent rule at its July 2023 meeting. A copy of the proposed amendment is attached (Attachment A).

#### **Procedural History**

The proposed amendment was presented to the Higher Education Committee for discussion at its March 2023 meeting. A Notice of Proposed Rule Making was published in the State Register on March 29, 2023, for a 60-day public comment period. Following publication in the State Register, the Department received no comments on the proposed amendment. Therefore, an Assessment of Public Comment is not required and no changes to the proposed amendment are needed. A Notice of Adoption will be published in the State Register on August 2, 2023. Supporting materials are available upon request from the Secretary to the Board of Regents.

## **Background Information**

At its May 2017 meeting, the Board of Regents adopted regulatory amendments establishing new Initial and Professional School Counselor certificates and the registration requirements for school counselor education programs that lead to these certificates.

The Initial and Professional School Counselor certificates became available on February 2, 2023. Candidates must have applied and qualified for the Provisional School Counselor certificate under the previous requirements prior to February 2, 2023.

The requirements for school counselor education programs leading to Provisional and/or Permanent certification include (1) two clock hours of coursework or training in school violence prevention and intervention, in accordance with section 3004 of the Education Law, and (2) six clock hours of coursework or training in the prevention and intervention of harassment, bullying, and discrimination, in accordance with the requirements of section 14 of the Education Law. However, coursework/training in these areas were not included in the May 2017 adoption of new registration requirements for school counselor education programs leading to Initial and/or Professional certification.

The registration requirements for teacher and educational leadership education programs leading to Initial and/or Professional certification also include the above coursework/training as well as two clock hours of coursework/training regarding the identification and reporting of suspected child abuse or maltreatment, in accordance with the requirements of sections 3003 and/or 3004 of the Education Law. Since coursework/training in these three areas is of unquestioned importance, and required by statute to obtain educator certification, the Department proposes to amend section 52.21 of the Commissioner's regulations to include this coursework/training in the registration requirements for school counselor education programs leading to Initial and/or Professional certification.

This proposal would align the registration requirements for school counselor, teacher, and educational leadership education programs in the three coursework/training areas outlined above. School counselor education programs will be required to include this coursework/training in their program requirements by July 1, 2024.

## **Related Regents Items**

March 2023: [Proposed Amendment of Section 52.21 of the Regulations of the Commissioner of Education Relating to School Counselor Education Program General Registration Requirements](https://www.regents.nysed.gov/sites/regents/files/323hed1.pdf)

(<https://www.regents.nysed.gov/sites/regents/files/323hed1.pdf>)

July 2019: [Proposed Amendments to Sections 52.21, 80-2.1, 80-3.1, 80-3.11, 80-3.12, and 80-5.23 and the Titles of Subparts 80- 2 and 80-3 of the Commissioner's Regulations Relating to School Counseling Program Registration, School Counselor Certification Requirements, and a One-Year Time Extension for Institutions of Higher Education to Meet the New Program Registration Requirements](http://www.regents.nysed.gov/common/regents/files/719brca1.pdf)

(<http://www.regents.nysed.gov/common/regents/files/719brca1.pdf>)

May 2017: [Proposed Amendment of Sections 52.21, 100.2\(j\) and Part 80 of the Commissioner's Regulations Relating to School Counseling, Certification Requirements for School Counselors and Program Registration Requirements for School Counseling Preparation Programs](https://www.regents.nysed.gov/common/regents/files/517brca14.pdf)

(<https://www.regents.nysed.gov/common/regents/files/517brca14.pdf>)

### **Recommendation**

It is recommended that the Board of Regents take the following action:

VOTED: That section 52.21 of the Regulations of the Commissioner of Education be amended, as submitted, effective August 2, 2023.

### **Timetable for Implementation**

If adopted at the July meeting, the proposed amendment will become effective on August 2, 2023.

**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. Paragraph (1) of subdivision (d) of section 52.21 of the Regulations of the Commissioner of Education is amended to read as follows:

(1) General requirements for programs preparing school counselors. The general requirements for registration as set forth under sections 52.1 and 52.2 of this Part shall pertain to this subdivision. In addition, the following requirements shall be met:

(i) ...

(ii) ...

(iii) ...

(iv) ...

(v) ...

(vi) ...

(vii) ...

(viii) ...

(ix) ...

(x) ...

(xi) ...

(xii) ...

(xiii) Program requirements on or after July 1, 2024.

(a) Programs shall ensure that candidates complete two clock hours of coursework or training in school violence prevention and intervention in accordance with section 3004 of the Education Law. Such coursework or training shall include but not be limited to, study in the warning signs within a developmental and social context that relate to violence and other troubling behaviors in children; the statutes, regulations, and policies relating to a safe nonviolent school climate; effective classroom management techniques and other academic supports that promote a nonviolent school climate and enhance learning; the integration of social and problem-solving skill development for students within the regular curriculum; intervention techniques designed to address a school violence situation; and how to participate in an effective school/community referral process for students exhibiting violent behavior.

(b) Programs shall ensure that candidates complete two clock hours of coursework or training regarding the identification and reporting of suspected child abuse or maltreatment, in accordance with the requirements of section 3004 of the Education Law.

(c) Programs shall ensure that candidates complete six clock hours of coursework or training in the prevention and intervention of harassment, bullying, and discrimination, in accordance with the requirements of section 14 of the Education Law. Such coursework or training shall include training on the social patterns of harassment, bullying, and discrimination, as defined in section 11 of the Education Law, including but not limited to those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex; the identification and mitigation of harassment, bullying, and

discrimination; and strategies for effectively addressing problems of exclusion, bias, and aggression in educational settings.