



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

**FROM:** John L. D'Agati 

**SUBJECT:** Proposed Addition of a New Section 80-3.16 to the Regulations of the Commissioner of Education to Allow Individuals Completing a Program Accredited by the American Speech, Language, and Hearing Association (ASHA) to Obtain an Initial Certificate in Speech and Language Disabilities (All Grades)

**DATE:** September 6, 2018

**AUTHORIZATION(S):**



## SUMMARY

### Issue for Decision (Consent Agenda)

Should the Board of Regents add a new §80-3.16 to the Regulations of the Commissioner of Education to allow individuals completing a program accredited by the American Speech, Language, and Hearing Association (ASHA) to obtain an Initial certificate in Speech and Language Disabilities (All Grades)?

### 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 September 2018 Board of Regents meeting (Attachment A is a copy of the proposed amendment).

### Procedural History

A Notice of Proposed Rule Making was published in the State Register on May 23, 2018. Supporting materials for the proposed amendment are available upon request from the Secretary to the Board of Regents. Following the 60-day public comment period

required under the State Administrative Procedure Act, the Department received one comment on the proposed amendment (Assessment of Public Comment is included as Attachment B).

### **Background Information**

In New York State, candidates can obtain an Initial certificate in speech and language disabilities (all grades) by completing an approved teacher education program in speech and language disabilities or meeting certification requirements through individual evaluation, which includes completion of a college-supervised practicum of 150 hours. However, most other states do not require completion of a teacher education program for individuals to provide speech services in a school or have speech language pathology programs that may include very little pedagogical coursework for classroom instruction. As such, most institutions of higher education outside of New York do not have separate teacher education programs in speech and language disabilities. Rather, most other states require completion of a program accredited by the American Speech, Language, and Hearing Association (ASHA) for individuals to provide speech services in school.

There is currently a shortage of teachers in the area of speech and language disabilities in districts across the state. To help alleviate this shortage area, the Department recommends creating a pathway through which candidates who complete an ASHA accredited program at an institution of higher education in a U.S State or territory may obtain an Initial certificate in the area of speech and language disabilities. This option would ensure that candidates would have the education needed to work with students with speech and language disabilities.

### **Proposed Amendment**

The Department is proposing to add a new §80-3.16 to the Regulations to create a pathway allowing candidates who complete a speech-language pathology program accredited by ASHA to obtain an Initial certificate in the classroom teaching service in speech and language disabilities (all grades). This proposal would provide another option for qualified candidates both out of state and in New York to gain certification to teach students with speech and language disabilities.

To obtain an Initial certificate through this pathway, a candidate must meet the following requirements:

- (1) complete a master's or higher degree program in speech-language pathology accredited by ASHA at a regionally or nationally accredited institution of higher education in the U.S. or its territories;
- (2) receive a satisfactory passing score on the Educating All Students (EAS) exam;
- (3) complete a 150-hour practicum teaching speech and language disabilities in the classroom; and
- (4) except as otherwise provided in the proposed amendment, complete all other requirements specified in Subpart 80-1 of the Commissioner's Regulations, including all workshops and fingerprinting.

### **Related Regents Items**

[May 2018](http://www.regents.nysed.gov/common/regents/files/518hed3.pdf) (<http://www.regents.nysed.gov/common/regents/files/518hed3.pdf>)

### **Recommendation**

Department staff recommends that the Board of Regents take the following action:

VOTED: That §80-3.16 of the Regulations of the Commissioner of Education be added, as submitted, effective October 3, 2018.

### **Timetable for Implementation**

If adopted at the September 2018 meeting, the proposed amendment will become effective on October 3, 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. A new Section 80-3.16 shall be added to the Regulations of the Commissioner of Education as follows:

§80-3.16 Additional Certification Pathway for an Initial Certificate for Certain Teacher Candidates Completing a Speech-Language Pathology Program Accredited by the American Speech, Language and Hearing Association.

(a) Initial teaching certificate for candidates completing a speech-language pathology program accredited by the American Speech, Language, and Hearing Association (ASHA). In lieu of meeting the requirements prescribed in section 80-3.3 of this Subpart, a candidate may meet the following requirements for an initial certificate as a teacher of speech and language disabilities (all grades):

(1) Education. The candidate shall meet the education requirement by satisfactorily completing a master's or higher degree program in speech-language pathology accredited by the American Speech, Language, and Hearing Association (ASHA) from a regionally or nationally accredited institution of higher education in the U.S. or its territories or from an institution of higher education authorized by the Regents to confer degrees and whose programs are registered by the Department.

(2) Examination: The candidate must achieve a satisfactory passing score on the Educating All Students (EAS) exam.

(3) Practicum. The candidate shall satisfactorily complete a college-supervised practicum, as defined in section 52.21(b)(1) of this Title, of 150 clock hours that includes

experiences with students with speech and language disabilities in early childhood (birth-grade 2), childhood (grades 1-6), middle childhood (grades 5-9), and adolescence (grades 7-12). The practicum shall include experiences in elementary and/or secondary schools.

(4) Additional requirements: The candidate must complete all other requirements for an Initial certificate prescribed in Subpart 80-1 of this Title, including all required workshops and fingerprinting.

ASSESSMENT OF PUBLIC COMMENT

Since publication of the Notice of Proposed Rule Making in the State Register on May 23, 2018, the State Education Department (SED) received the following comment on the proposed amendment. Below is an assessment of the public comment received.

1. COMMENT:

Commenter states that the proposed regulation amendment appears to be redundant as there is an existing pathway for such individuals to obtain an Initial certificate in Speech and Language Disabilities (TSSLD) under the New York State (NYS) Professional License pathway. In addition, the commenter asserts that the NYS Professional License pathway assists individuals who are a Speech-Language Pathologist in another state and who wish relocate to New York State and individuals who are a Speech-Language Pathologist desiring to change his/her work setting from a medical setting (that does not require the TSSLD) to an education setting (that requires a TSSLD) or a clinic setting (that requires a TSSLD). The commenter further states that all Speech-Language Pathology graduate programs in the United States are accredited by the American Speech-Language-Hearing Association (ASHA) and that all State licensure requirements include that the applicant must earn a master's degree in Speech-Language Pathology from an accredited ASHA program.

DEPARTMENT RESPONSE:

Currently, candidates who pursue the Initial certificate in Speech and Language Disabilities (TSSLD) through the New York State Professional Licensure pathway must hold a New York State Speech and Language Pathology License under Title VIII of the Education Law. The proposed alternative pathway does not require NYS licensure, has

different requirements, and would attract different pools of candidates, making the two pathways different.

Under the proposed pathway, candidates would be eligible for the Speech and Language Disabilities Initial certificate by completing a master's degree or higher speech-language pathology program accredited by the Council for Academic Accreditation in Audiology and Speech-Language Pathology (CAA) of the American Speech-Language-Hearing Association (ASHA), passing the Educating All Students test, and completing 150 hours of practicum with students with speech and language disabilities in the classroom and would not need to complete the additional requirements for a license in Speech-Language Pathology, including the requirement of 36 weeks of supervised experience in speech-language pathology.

The commenter is correct that the New York State Professional License pathway assists candidates who hold a New York State Speech and Language Pathology license and desire to change their work setting from a medical setting to an educational setting, since the person would use his/her license to gain teacher certification. However, there are situations where an individual may only want to be employed in an educational setting, and, in those circumstances, the individual could use the proposed pathway to obtain certification without also holding a professional license under Title VIII of the Education Law.

For clarification purposes, the Speech and Language Disabilities Initial certificate is only required in an educational setting and is not required in a clinical or medical setting.