



TO: The Honorable Members of the Board of Regents

FROM: William P. Murphy *William Murphy*

SUBJECT: Proposed Amendment of Section 80-3.14 of the Regulations of the Commissioner of Education Relating to the Implementation Timeline for the Computer Science Statement of Continued Eligibility

DATE: September 22, 2022

AUTHORIZATION(S): *Don McGreevey* *Beth M...*

SUMMARY

Issue for Decision (Consent)

Should the Board of Regents adopt the proposed amendment of section 80-3.14 of the Regulations of the Commissioner of Education relating to the implementation timeline for the computer science statement of continued eligibility?

Reasons for Consideration

Review of policy.

Proposed Handling

The proposed amendment is submitted to the Full Board for adoption as a permanent rule at its October 2022 meeting. A copy of the proposed rule is included (Attachment A).

Procedural History

The proposed amendment was presented to the Higher Education Committee for discussion at its June 2022 meeting. A Notice of Proposed Rule Making was published in the State Register on June 29, 2022, for a 60-day public comment period. Following the 60-day public comment period required under the State Administrative Procedure Act, the Department received one comment on the proposed amendment. An Assessment of Public Comment is included (Attachment B). No changes to the proposed amendment are recommended at this time. A Notice of Adoption will be

published in the State Register on October 19, 2022. Supporting materials are available upon request from the Secretary to the Board of Regents.

Background Information

At its March 2018 meeting, the Board of Regents established the certificate and statement of continued eligibility (SOCE) in computer science. The Board of Regents then extended the implementation timeline for the computer science SOCE at its June 2021 meeting in response to the COVID-19 pandemic.

For the SOCE, the June 2021 amendments extended the time period during which teachers must be employed as teachers of computer science courses in a New York State public school, board of cooperative educational services (BOCES), or other school where teacher certification is required from within five years immediately preceding September 1, 2022, to within six years immediately preceding September 1, 2023. Consequently, the Board also extended the SOCE application deadline from September 1, 2022, to September 1, 2023. Currently, teachers of computer science courses do not need to hold the Computer Science certificate or SOCE until September 1, 2023.

The Department now proposes to extend these flexibilities for an additional year through September 1, 2024. Specifically, the Department proposes that teachers be employed as teachers of computer science courses within seven years immediately preceding the extended date, with an attendant change to the SOCE application deadline to September 1, 2024. As such, teachers of computer science courses would not need to hold the Computer Science certificate or SOCE until September 1, 2024.

The proposed amendments are presented in response to school districts offering fewer computer science courses during the COVID-19 pandemic, which negatively impacts teachers' eligibility for the SOCE. This extension will provide school districts with more time to plan and offer the computer science courses necessary for teachers to receive the SOCE.

Related Regents Items

June 2022: [Proposed Amendment of Section 80-3.14 of the Regulations of the Commissioner of Education Relating to the Implementation Timeline for the Computer Science Statement of Continued Eligibility](https://www.regents.nysed.gov/common/regents/files/622hed1.pdf)
(<https://www.regents.nysed.gov/common/regents/files/622hed1.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](https://www.regents.nysed.gov/common/regents/files/621brca8.pdf)
(<https://www.regents.nysed.gov/common/regents/files/621brca8.pdf>)

March 2018: [Proposed Amendments to Part 30 of the Regents Rules and §52.21 and Part 80 of the Regulations of the Commissioner of Education Relating to a New Certification Area and Tenure Area for Computer Science](https://www.regents.nysed.gov/common/regents/files/318hea2.pdf)
(<https://www.regents.nysed.gov/common/regents/files/318hea2.pdf>)

Recommendation

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

VOTED: That section 80-3.14 of the Regulations of the Commissioner of Education be amended, as submitted, effective October 19, 2022.

Timetable for Implementation

If adopted at the October meeting, the proposed amendment will become effective on October 19, 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. Section 80-3.14 of the Regulations of the Commissioner of Education is amended to read as follows:

(a) Upon application, any person holding a valid certificate in the classroom teaching service and employed within the [six] seven years immediately preceding September 1, [2023] 2024, as a teacher of computer science courses in a New York State public school or board of cooperative educational services or any other school where teacher certification is required, may be issued a statement of continued eligibility so that such person may continue to teach computer science courses in the employing school district, school or board of cooperative educational services. The statement of continued eligibility shall be valid for 10 years from the date the statement of continued eligibility is issued and the candidate shall not be required to hold a computer science certificate as prescribed in section 80-3.2 of this Subpart, provided such person holds a permanent or professional certificate in another certification area in the classroom teaching service.

(b) A statement of continued eligibility shall only be valid for service in the school district, board of cooperative educational services, or other school that employed such individual when the statement of continued eligibility was issued.

(c) Applications for the statement of continued eligibility must be filed with the department on or before September 1, [2023] 2024.

ASSESSMENT OF PUBLIC COMMENT

Since publication of the Notice of Proposed Rule Making in the State Register on June 29, 2022, the State Education Department (Department) received the following comment on the proposed amendment:

1. COMMENT: The commenter requested that the Department consider posting the Initial Computer Science certificate application for applicants and school districts that are ready to hire teachers and assign them to the computer science tenure area. They suggested adding a Superintendent's Statement to the application in the Department's TEACH system to solve the issue of anyone applying for the certificate. The commenter further suggested that the additional certificate pathway should be made available with a Superintendent's Statement in the TEACH system along with the New York State-approved teacher preparation program pathway. They shared that their district hired a teacher who is teaching only computer science coursework and stated that pushing back the certification date negatively impacts districts that are ready to hire computer science teachers.

DEPARTMENT RESPONSE: The Department anticipates making all pathways for the Initial Computer Science certificate application available in the fall of 2022. The application would reflect the requirements listed in the Commissioner's regulations, which do not include a Superintendent's Statement (e.g., an employment and support commitment that districts complete in the TEACH system). No changes to the proposed rule are necessary.