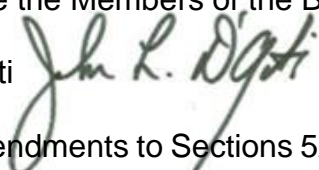




TO: The Honorable the Members of the Board of Regents

FROM: John L. D'Agati 

SUBJECT: Proposed Amendments to Sections 52.21 and 80-4.3 of the Regulations of the Commissioner of Education Relating to the Creation of an Extension for Holders of the Career and Technical Education Certificate to Teach Grades 5 and 6

DATE: January 31, 2019

AUTHORIZATION(S):



SUMMARY

Issue for Decision (Consent Agenda)

Should the Board of Regents adopt proposed amendments to §52.21 and §80-4.3 of the Regulations of the Commissioner of Education relating to the creation of an extension for holders of the Career and Technical Education certificate to teach grades 5 and 6?

Reason(s) for Consideration

Review of Policy.

Proposed Handling

The proposed amendments are submitted to the Full Board for adoption as a permanent rule at the February 2019 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 October 31, 2018. Supporting materials for the proposed amendments 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

At its September 2017 meeting, the Board of Regents adopted regulatory amendments to increase the flexibility in the middle level (grades 5-8) career and technical education (CTE) requirement. The amendments replaced the CTE requirement of one unit of technology education and the three-fourths of a unit of Home and Career Skills (family and consumer sciences) with one and three-fourths units in any of the six CTE disciplines (i.e., technology education, family and consumer sciences, trade and technical subjects, business, agriculture, and/or health sciences). The unit of study requirements apply to grades 7 and 8 but can begin as early as grade 5 if taught by an appropriately certified teacher.

There are classroom teacher certification titles available in Family and Consumer Sciences, Technology Education, and Agriculture Education which allow teachers to teach in grades K-12. All career and technical education teachers are certified to teach grades 7-12. Teachers who hold these particular career and technical education certificate titles can teach courses that satisfy the middle level CTE requirement in grades 7 and 8, but not in the 5th and 6th grades. Through the proposed amendment, career and technical education teachers who hold the Business Management and Administration titles, Family and Consumer Science titles, Agriculture titles, any Trade or Technical titles, and Health Occupations for grades 7-12 would be able to earn an extension to teach grades 5 and 6, enabling them to teach courses that satisfy the middle level CTE requirement in all grades at the middle level (grades 5-8).

Proposed Amendment

Currently, subject area teachers in grades 7-12 can earn an extension to teach a subject in grades 5 and 6 if they complete six semester hours of coursework at the middle childhood developmental level. The proposed amendment to §80-4.3 of the Commissioner's Regulations allows career and technical education teachers in grades 7-12 to be eligible for an extension to teach in specific career and technical education certificate titles in grades 5 and 6, consistent with their title in grades 7-12. This revision would enable teachers who hold particular career and technical certificate titles (Business Management and Administration, Family and Consumer Science, Agriculture, any Trade or Technical, and Health Occupations) in grades 7-12 to teach courses in grades 5 and 6 that satisfy the middle level CTE requirement. The extension would provide school districts with flexibility to schedule the unit of study requirements in buildings with different grade-level configurations.

The requirements for the grades 5-6 extension are six semester hours of coursework in middle childhood education, which include study in early adolescent development and instructional strategies in middle childhood education.

The proposed regulation amendment also revises §52.21 of the Commissioner's Regulations to allow institutions of higher education to develop an educator preparation program that leads to an extension to teach in grades 5 and 6 in any specific career and technical education title. In addition, the proposed amendment removes provisional certificates from the list of certificate types that can receive an extension to teach in grades 5 and 6 because there are no longer any teachers who hold this type of certificate.

Related Regents Items

[May 2017](http://www.regents.nysed.gov/common/regents/files/517p12a3.pdf) (http://www.regents.nysed.gov/common/regents/files/517p12a3.pdf)

[September 2017](http://www.regents.nysed.gov/common/regents/files/917p12a3.pdf) (http://www.regents.nysed.gov/common/regents/files/917p12a3.pdf)

[October 2018](http://www.regents.nysed.gov/common/regents/files/1018hed2.pdf) (http://www.regents.nysed.gov/common/regents/files/1018hed2.pdf)

Recommendation

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

VOTED: That §52.21 and §80-4.3 of the Regulations of the Commissioner of Education be amended, as submitted, effective February 27, 2019.

Timetable for Implementation

If adopted at the February 2019 meeting, the proposed amendment will become effective on February 27, 2019.

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 101, 205, 207, 3001, 3004 and 3009 of the Education Law.

1. Subdivision (b) of section 80-4.3 of the Regulations of the Commissioner of Education shall be amended to read as follows to read as follows:

(b) Requirements for the extension to teach a subject in grades 5-6.

The candidate shall meet the requirements in each of the following paragraphs:

(1) The candidate shall hold a valid [provisional,] permanent, initial, or professional certificate in English language arts (7-12), language other than English (7-12), mathematics (7-12), biology (7-12), chemistry (7-12), earth science (7-12), physics (7-12), [or] social studies (7-12), or in any specific career and technical education subject (7-12).

(2) . . .

2. Subparagraph (iii) of paragraph (4) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education shall be amended to read as follows:

(iii) Programs leading to extensions to authorize the teaching of a subject in grades 5 and 6 for certificates in teaching biology, chemistry, earth science, English, mathematics, physics, or social studies (grades 7 through 12) or for any specific career and technical education title (grades 7 through 12), shall require study of at least 6 semester hours in middle childhood education. Such study shall include early adolescent development and the application of diverse instructional strategies in middle childhood education, including interdisciplinary teaching and teaming of students and faculty to maximize student learning.

Attachment B

ASSESSMENT OF PUBLIC COMMENT

Since publication of the Notice of Proposed Rule Making in the State Register on October 31, 2018, the State Education Department (SED) received the following comment on the proposed amendments. Below is an assessment of the public comment received.

1. COMMENT:

Commenter expressed support for the proposed amendments to allow Career and Technical Education (CTE) teachers that currently teach in grades 7–12 to be eligible for an extension to teach in specific CTE certificate titles in grades 5 and 6 if they also complete middle childhood developmental level coursework and noted that subject area teachers have been afforded this ability.

Further, the Commenter stated that the proposed amendments will provide individual school districts with added flexibility to schedule the middle level CTE requirement depending on each district's particular arrangements.

Commenter concluded by stating that the Department's decision to maintain the middle level CTE requirement with some variation, and to provide flexibility with respect to teaching for different grade configurations, is a recognition of its commitment to CTE instruction.

DEPARTMENT RESPONSE:

No response is necessary because the comment is supportive.

