



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

TO: The Honorable the Members of the Board of Regents

FROM: Johanna Duncan-Poitier
Johanna Duncan-Poitier

COMMITTEE: Higher and Professional Education

TITLE OF ITEM: Promulgation of Regulations of the Commissioner of Education Relating to Requirements for the Transitional E Certificate for Teachers of Specific Occupational Subjects

DATE OF SUBMISSION: January 24, 2003

PROPOSED HANDLING: Approval

RATIONALE FOR ITEM: To Implement Policy

STRATEGIC GOAL: Goal 3

AUTHORIZATION (S): *[Signature]* *Thomas Sled*

SUMMARY:

Attached for emergency action is a proposed promulgation of section 80-5.16 of the Regulations of the Commissioner of Education, relating to requirements for the transitional E certificate for teachers of specific occupational subjects. Supporting materials for the proposed amendment are available upon request from the Secretary to the Board of Regents.

The purpose of the proposed amendment is to establish a new transitional E certificate that would permit the certification of candidates who have requisite work experience and meet other prescribed requirements to teach specific occupational subjects in the public schools of New York State. The certificate would be available to candidates who apply for certification on or before February 1, 2004. The amendment establishes education, work experience, and examination requirements for certification. It requires the candidate to have a written commitment from a school district or Board of Cooperative Educational Services (BOCES) for employment and mentoring during the first year of employment under the certificate. The certificate would authorize the candidate to teach only in the school district or BOCES that provided such commitment. The transitional E certificate would be valid for three years and would not be renewable.

At the present time, candidates for a certificate in a specific occupational subject, who do not qualify for the provisional certificate but who have work experience in a trade or occupation, may enter teaching under a temporary license. In accordance with the policy of the Board of Regents, such temporary licenses will not be issued with an

effective date that begins after February 1, 2003. The new teacher certification requirements, effective February 2, 2004, have incorporated a transitional A certificate to accommodate this clientele. However, the transitional A certificate will not be available until February 2, 2004. The proposed amendment is a bridging mechanism that would permit individuals to be certified and enter the teaching profession during the interim period when temporary licenses are not being issued and the transitional A certificate is not yet available.

The recommended action is proposed as an emergency measure because such action is necessary for the preservation of the general welfare in order to provide candidates for teaching certification in specific occupational subjects, a leading area of teacher shortage, sufficient time to become certified before the beginning of the 2003-2004 school year, thus avoiding an interruption in the certification of such teachers and disruption in the educational programs of the State's public schools. A statement of facts and circumstances underlying the need for emergency action is attached.

A Notice of Proposed Rule Making concerning the proposed promulgation will be published in the State Register on February 12, 2003. A Notice of Emergency Adoption will also be published in the State Register on March 12, 2003.

I recommend that the Regents take the following action:

VOTED: That section 80-5.16 of the Regulations of the Commissioner of Education be added, as submitted, effective February 25, 2003, as an emergency action upon a finding by the Board of Regents that such action is necessary for preservation of the general welfare, in order to provide candidates for teaching certification in specific occupational subjects, a leading area of teacher shortage, sufficient time to become certified before the beginning of the 2003-2004 school year, thus avoiding an interruption in the certification of such teachers and disruption in the educational programs of the State's public schools.

Attachments

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 207, 305, 3004, and 3006 of the
Education Law.

Section 80-5.16 of the Regulations of the Commissioner of
Education is added, effective February 25, 2003, as follows:

80-5.16 Transitional E certificate for teaching specific
occupational subjects.

(a) General requirements.

(1) A candidate for the transitional E certificate must
apply to the department for the certificate on or before
February 1, 2004 and upon such application qualify for such
certificate. A candidate who holds a valid transitional E
certificate in a specific occupational subject may be issued a
provisional certificate in such specific occupational subject,
provided that upon such application the candidate qualifies for
the provisional certificate.

(2) Limitations. The transitional E certificate shall authorize a candidate to teach only in a school district or Board of Cooperative Educational Services (BOCES) that has provided a written commitment to employ the candidate as a teacher of a specific occupational subject and provide the candidate with mentoring during the first year of employment under the transitional E certificate. The candidate shall provide the department with adequate documentation of such a commitment from a school district or BOCES.

(3) Time validity. The transitional E certificate shall be valid for three years from its effective date and shall not be renewable.

(4) The candidate shall meet the requirements of subdivision (b) or (c) of this section.

(b) Transitional E certificate in health occupations, technical subjects, trade subjects, and specialized subject

areas in agriculture, business and distributive education
(occupational), and home economics (occupational) - as defined
by the commissioner. Associate degree program.

(1) Education. The candidate shall hold an associate
degree in the occupational area for which certification is
sought from an institution whose program is registered or
recognized by the department.

(2) Experience. The candidate shall have a minimum of two
years of appropriate experience in blocks of not less than three
months in the occupation for which the certificate is to be
issued. (This experience, clearly related to the technology in
which the associate degree is granted, may be accrued either
prior to or upon completion of the associate degree program.)

(c) Transitional E certificate in trade subjects and
specialized subject areas in agriculture, health occupations,

and home economics (occupational) - as defined by the
commissioner. Nondegree program.

(1) Education. The candidate shall hold a high school
diploma or its equivalent.

(2) Experience. The candidate shall have a minimum of four
years of appropriate experience in blocks of not less than three
months in the occupation for which the certificate is to be
issued. (This experience, clearly related to the occupation for
which the certificate is to be issued, may be accrued either
prior to or upon completion of high school graduation.)

(3) Examination. The candidate shall have achieved a
satisfactory level of performance on the New York State Teacher
Certification Examination communication and quantitative skills
test.

PROPOSED PROMULGATION OF SECTION 80-5.16 OF THE REGULATIONS OF
THE COMMISSIONER OF EDUCATION PURSUANT TO SECTIONS 207, 305,
3004, AND 3006 OF THE EDUCATION LAW RELATING TO REQUIREMENTS FOR
THE TRANSITIONAL E CERTIFICATE FOR TEACHERS OF SPECIFIC
OCCUPATIONAL SUBJECTS

STATEMENT OF FACTS AND CIRCUMSTANCES

WHICH NECESSITATE EMERGENCY ACTION

The purpose of the proposed amendment is to establish a new
transitional E certificate that would permit the certification
of candidates who have requisite work experience and meet other
prescribed requirements to teach specific occupational subjects
in the public schools of New York State.

The amendment is needed to provide a gateway to enter the
teaching profession for individuals who have work experience in
an occupational subject, but have not met all of the academic
requirements for the provisional certificate. The amendment

establishes education, work experience, and examination requirements for certification, and requires the candidate to have a commitment from a school district or BOCES for employment and mentoring during the first year of employment under the certificate.

Currently, candidates for a certificate in a specific occupational subject, who do not qualify for the provisional certificate but who have work experience in a trade or occupation, may enter teaching under a temporary license. In accordance with policy of the Board of Regents such temporary licenses will not be issued with an effective date that begins after February 1, 2003. The new teacher certification requirements, effective on or after February 2, 2004, have incorporated a transitional A certificate to accommodate this clientele. However, the transitional A certificate will not be available until February 2, 2004. The proposed amendment is a

bridging mechanism that would permit individuals to enter the teaching profession during the one-year interim period when temporary licenses are not being issued and the transitional A certificate is not yet available.

The amendment is needed to address immediate shortages of teachers of occupational subjects in New York public schools. The State Education Department's most recent supply and demand data available on the teaching workforce in New York State (1999-2000) indicate that the career and technical title category, which includes teachers of specific occupational subjects, is a leading teacher shortage area, ranking third in terms of need after mathematics and the sciences. The State Education Department estimates that the ability to issue the transitional E certificate will result in the certification of 200 teachers who would not otherwise be certified.

Emergency action is necessary for the preservation of the general welfare in order to provide candidates for teaching certification in specific occupational subjects, a leading area of teacher shortage, sufficient time to become certified before the beginning of the 2003-2004 school year, thus avoiding an interruption in the certification of such teachers and disruption in the educational programs of the State's public schools. Candidates for the transitional E certificate under the nondegree option will have to pass the New York State Teacher Certification Examination in communication and quantitative skills. This new test will be ready for administration in May and July 2003. Candidates will have to register for the May administration in March 2003. Candidates need to know the requirements for the transitional E certificate immediately, so that they may register for the certification examination and meet the other requirements for certification

before the beginning of the 2003-2004 school year. Without emergency action, candidates will have insufficient time to become certified so that school districts and BOCES may employ them in 2003-2004. Emergency action will prevent an interruption in the certification of such teachers and a disruption in the ability of the State's public schools to hire sufficient qualified teaching personnel.

It is anticipated that the proposed amendment will be presented to the Board of Regents for adoption as a permanent rule at its April 28-29, 2003 meeting, which is the first scheduled meeting after the expiration of the 45-day public comment period mandated by the State Administrative Procedure Act.