



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

TO: Full Board

FROM: Joseph P. Frey

SUBJECT: Adoption of Proposed Regulations Relating to the
Program Registration Requirements for Teacher
Education Programs and the Restructuring of
Adolescence Level Teacher Certification for Students with
Disabilities

DATE: February 21, 2011

AUTHORIZATION(S):

SUMMARY

Issue for Decision (Consent Agenda)

Should the Board of Regents adopt the proposed amendments relating to the program registration requirements for teacher education programs and the structure of adolescence level students with disabilities certification?

Reason(s) for Consideration

Review of Policy.

Proposed Handling

The proposed amendment is submitted to the Full Board for adoption as an emergency measure and as a permanent rule at its March 2011 meeting. A statement of facts and circumstances justifying the emergency action is attached.

Procedural History

Upon publication of the proposed amendment in the State Register on October 27, 2010, the Department received comments in response to the proposed amendment. In response to such public comment, the regulation was revised to extend the time for individuals to complete the requirements through individual evaluation from February 1, 2012 until September 1, 2014. A Notice of Revised Rule Making was published in the

State Register on January 5, 2011. The revised rule was adopted as an emergency measure by the Board of Regents at its January meeting.

Background

The regulation requires registered teacher education programs for **all** teachers to include:

- a minimum of three semester hours in educating students with disabilities to ensure that all teachers are better prepared to skillfully collaborate with other teachers and to teach students with disabilities.
- a requirement that 15 of the 100 clock hours of field experience focus on students with disabilities. For Transitional B programs, 6 of the 40 clock hours of field experience shall focus on students with disabilities.

The regulatory amendment also changes the structure of the current students with disabilities certificates and the program registration requirements.

- Candidates will no longer be able to enroll in special education teacher preparation programs that lead to Students with Disabilities 5-9 Generalist and Students with Disabilities 5-9 and 7-12 content specific certificate titles after February 1, 2011.
- A Students with Disabilities in Adolescence 7-12 (Generalist) certificate title was created. Teachers holding this certificate will be eligible to be employed to teach in supportive roles such as consultant teachers, resource room service providers and integrated co-teachers.
- Candidates holding the Students with Disabilities in Adolescence Generalist certificate will also have the option of obtaining an extension to this certificate, to authorize the teacher to be employed as the special class teacher of students with disabilities in a specific subject area, upon the completion of certain requirements.
- For students with disabilities teachers employed by a school enumerated in Article 81, 85, 87, 88 or 89 of the Education Law or a special act school district that educates only students with disabilities and who cannot meet the regulatory requirement must submit a plan acceptable to the Department with a description of the mentoring and collaboration the teacher will receive.

The proposed regulation also establishes requirements for individual evaluation for the new Students with Disabilities in Adolescence Generalist certificate title by requiring candidates seeking a certificate in this area to complete, among other requirements, six semester hours in mathematics, science, social studies and English language arts and have sufficient pedagogical training to teach these subjects. The proposed amendment also phases out individual evaluation for the Students with Disabilities 5-9 Generalist certificate and Students with Disabilities 5-9 and 7-12 content specific certificates.

Recommendation

VOTED: That subdivisions (b) and (c) of section 52.21 of the Regulations of the Commissioner of Education are amended; subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education is amended; subdivision (a) is amended and subdivision (c) is added to section 80-4.2 of the Regulations of the Commissioner of Education; that subdivisions (a), (b), (c), (d) and (e) are amended and that a new subdivision (n) be added to section 80-4.3 of the Regulations of the Commissioner of Education, as submitted, effective March 11, 2011 as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare to ensure that the emergency rule remains continuously in effect until it can be permanently adopted.

VOTED: That subdivisions (b) and (c) of section 52.21 of the Regulations of the Commissioner of Education are amended; subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education is amended; subdivision (a) is amended and subdivision (c) is added to section 80-4.2 of the Regulations of the Commissioner of Education; that subdivisions (a), (b), (c), (d) and (e) are amended and that a new subdivision (n) be added to section 80-4.3 of the Regulations of the Commissioner of Education, as submitted, effective March 30, 2011.

Timetable for Implementation

If adopted at the March 2011 meeting, the proposed amendment will become effective as an emergency rule on March 11, 2011 and as a permanent rule on March 30, 2011.

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF
EDUCATION

Pursuant to sections 207, 305, 3001 and 3004 of the Education Law.

1. Item (iii) of subclause (1) of clause (c) of subparagraph (ii) of paragraph (2) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education is amended, effective March 11, 2011 to read as follows:

(iii) [the nature of students within the full range of disabilities and special health-care needs, and the effect of those disabilities and needs on learning and behavior- and skill in identifying strengths, individualizing instruction, and collaborating with others to prepare students with disabilities and special needs to their highest levels of academic achievement and independence] means for understanding the needs of students with disabilities, including at least three semester hours of study for teachers to develop the skills necessary to provide instruction that will promote the participation and progress of students with disabilities in the general education curriculum. The three semester hour requirement shall include study in at least the following areas: the categories of disabilities; identification and remediation of disabilities; the special education process and state and federal special education laws and regulations; effective practices for planning and designing co-teaching and collaboration with peers; individualizing instruction; and applying positive behavioral supports and interventions to address student and classroom management needs. When such requirements cannot be completed in three semester hours, the remaining study requirements may be included in other courses. This three semester hour requirement may be waived at the discretion of the commissioner, upon a showing that the program provides adequate instruction to prepare candidates on understanding the needs of students with disabilities through other means;

2. New subitems (A) and (B) shall be added to item (i) of subclause (2) of clause (c) of subparagraph (ii) of paragraph (2) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education, effective March 11, 2011, to read as follows:

(i) [The program] (A) All registered programs shall include at least 100 clock hours of field experiences related to coursework prior to student teaching or practica. The program shall include at least two college-supervised student-teaching experiences of at least 20 school days each; or at least two college-supervised practica with individual students or groups of students of at least 20 school days each. This requirement shall be met by student teaching, unless the specific requirements for the certificate title in paragraph (3) of this subdivision require practica.

(B) At least 15 of the 100 clock hours of field experience shall include a focus on understanding the needs of students with disabilities.

3. Subclauses (3) and (4) of clause (a) of subparagraph (iii) of paragraph (2) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education are amended, effective March 11, 2011, to read as follows:

(3) for professional certificates in early childhood education, childhood education, middle childhood education (generalist), teaching students with disabilities in early childhood, teaching students with disabilities in childhood, teaching students with disabilities in middle childhood (generalist) for programs registered prior to September 2, 2011, students with disabilities in adolescence (generalist) for programs registered on or after September 2, 2011, teaching students who are deaf or hard of hearing, teaching students who are blind or visually impaired, teaching English to speakers of other languages, and educational technology specialist, and for no other professional certificates, the program shall lead to a master's or higher degree that includes at least

12 semester hours in graduate study that links pedagogy and content in each of the following areas of the State learning standards for students: English language arts; mathematics, science and technology; and social studies. Such programs shall be jointly designed by faculty of these content areas and faculty of education to link content and pedagogy; or

(4) for professional certificates in middle childhood education (specialist); adolescence education; teacher of students with disabilities in middle childhood education (specialist) for programs registered prior to September 2, 2011; teacher of students with disabilities in adolescence education for programs registered prior to September 2, 2011; teacher of a special subject; or teacher of the career field of agriculture, or business and marketing and for no other professional certificates, the program shall lead to a master's or higher degree that includes at least 12 semester hours in graduate study that links pedagogy and content in the subject of the certificate or a related subject. Such programs shall be jointly designed by faculty of these content areas and faculty of education to link content and pedagogy.

4. Subparagraph (vi) of paragraph (3) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education is amended, effective March 11, 2011 to read as follows:

(vi) Programs leading to initial certificates valid for teaching students with disabilities in early childhood, childhood, middle childhood for programs registered prior to September 2, 2011, or adolescence.

(a) Content core.

(1) Programs registered prior to September 2, 2011. In addition to meeting the general requirements for the content core prescribed in clause (2)(ii)(b) of this subdivision, the content core shall include the preparation for meeting the content core

requirements for the general teaching certificate at the same student developmental level for early childhood, childhood, middle childhood, or adolescence, as prescribed in this subdivision.

(2) Programs registered on or after September 2, 2011.

(i) Students with Disabilities in Early Childhood and Childhood. In addition to meeting the general requirements for the content core prescribed in clause (2)(ii)(b) of this subdivision, the content core shall include the preparation for meeting the content core requirements for the general teaching certificate at the same student developmental level for early childhood and childhood, as prescribed in this subdivision.

(ii) Students with Disabilities in Adolescence (Generalist). In addition to meeting the general requirements for the content core prescribed in clause (2)(ii)(b) of this subdivision, the content core shall include a major, concentration, or the equivalent, in one or more of the liberal arts and sciences. Within the course of study, the program shall ensure that the candidate has completed a minimum of six semester hours in each of the following subject areas: mathematics, English language arts, social studies and science and the candidate has sufficient pedagogical skills to teach these subjects. These requirements, in combination with the general education core and pedagogical core, shall ensure that the candidate has a knowledge base for teaching students with disabilities at the adolescence level the State learning standards as prescribed in Part 100 of this Title.

(b) Pedagogical core. In addition to meeting the general requirements for the pedagogical core prescribed in clause (2)(ii)(c) of this subdivision, the pedagogical core shall include the preparation for meeting the pedagogical core requirement for the general teaching certificate at the same developmental level and shall focus on developing comprehensive knowledge, understanding, and skills for teaching students

with mild, moderate, severe, and multiple disabilities at the student developmental level of the certificate and include, but need not be limited to:

(1)

(2) field experiences and student teaching with students with disabilities across the age/grade range of the student developmental level of the certificate, through combined field experiences and student teaching, and student teaching in two settings as appropriate to the certificate: pre-K through kindergarten and grades 1 through 2; or grades 1 through 3 and grades 4 through 6; or grades 5 through 6 and grades 7 through 9 for programs registered prior to September 2, 2011; or grades 7 through 9 and grades 10 through 12. The time requirements for field experience, student teaching and practica of item (2)(ii)(c)(2)(i) of this subdivision shall not be applicable for candidates holding another classroom teaching certificate or candidates who are simultaneously preparing for another classroom teaching certificate and completing the full field experience, student teaching and practica requirement for that other certificate. In such instances, the programs shall require such candidates to complete at least the equivalent of 50 clock hours of field experiences and at least 20 days of practica or student teaching with students with disabilities, including experiences across the age/grade range of the student developmental level of the certificate.

5. Items (iii) and (iv) of subclause (1) of clause (b) of subparagraph (xvii) of paragraph (3) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education are amended, effective March 11, 2011, to read as follows:

(iii) Candidates for a certificate in the classroom teaching service shall have completed an undergraduate or graduate major in the subject of the certificate sought, or an undergraduate or graduate major in a related field approved by the department for this purpose at the time of program registration, except that the candidates for a

certificate in early childhood education, childhood education, and middle education-generalist, or special education at those developmental levels for programs registered prior to September 2, 2011; or special education at the early childhood and childhood levels for programs registered on or after September 2, 2011, or in teaching common branch subjects in the lower (PreK-3) and upper (4-6) elementary grades (PreK-6) shall meet the requirements of item (iv) of this subclause.

(iv) Candidates for certificates in early childhood education, childhood education, and middle childhood education-generalist, or special education at those developmental levels for programs registered prior to September 2, 2011; or special education at the early childhood and childhood levels for programs registered on or after September 2, 2011, or in teaching common branch subjects in the lower (PreK-3) and upper (4-6) elementary grades (PreK-6) shall have completed an undergraduate or graduate major in a liberal arts and sciences subject or interdisciplinary field.

6. A new item (v) is added to subclause (1) of clause (b) of subparagraph (xvii) of paragraph (3) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education, effective March 11, 2011, to read as follows:

(v) Candidates for a certificate in students with disabilities adolescence (generalist) shall have completed an undergraduate or graduate major, concentration, or the equivalent, in one or more of the liberal arts and sciences, and shall have completed at least six semester hours in each of the following subject areas: mathematics, English language arts, social studies and science and have sufficient pedagogical skills to teach these subjects prior to completion of the program.

7. Items (ii) and (iii) of subclause (2) of clause (b) of subparagraph (xvii) of paragraph (3) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education are amended, effective March 11, 2011, to read as follows:

(ii) Except as provided in item (iii) of this subclause, the introductory component shall include pedagogical core study of at least 200 clock hours, including field experience appropriate to the certificate title sought of at least 40 clock hours, with at least 6 of these 40 clock hours focusing on meeting the needs of students with disabilities, under the supervision of a certified teacher.

(iii) A program leading to a transitional B certificate authorizing the teaching of English to speakers of other languages, students with disabilities, students who are deaf or hard-of-hearing, students who are blind or visually impaired, or students with speech and language disabilities, which may also lead to a bilingual education extension of one of those certificates, shall meet the clock hour and field experience requirements as prescribed in item (ii) of this subclause or the following requirements: pedagogical core study of at least 100 clock hours, including field experience appropriate to the certificate title sought of at least 40 clock hours, with at least 6 of these 40 clock hours focusing on meeting the needs of students with disabilities, under the supervision of a certified teacher, provided that the program only places such students in grades 7 through 12, if authorized by the certificate, arranges for at least a 25 percent reduced teaching load during the first semester of teaching, and requires the candidate to complete all of the remaining pedagogical study of the introductory component prescribed in item (ii) of this subclause by the end of the first semester of teaching in the in-service component of the program.

8. Subparagraph (i) of paragraph (4) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education is amended, effective March 11, 2011, to read as follows:

(i) Programs leading to extensions authorizing the provision of bilingual education for certificates for teaching early childhood education; childhood education; middle

childhood education; adolescence education; a special subject; literacy education; career and technical education; students with disabilities in early childhood, or childhood, or middle childhood for programs registered prior to September 2, 2011, or adolescence; students who are blind or visually impaired; students who are deaf or hard of hearing; and students with speech and language disabilities shall require:

9. A new subparagraph (viii) shall be added to paragraph (4) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education, effective March 11, 2011, to read as follows:

(viii) Programs leading to extensions to authorize the teaching of certain subjects in grades 7 through 12 to students with disabilities for a certificate in students with disabilities adolescence (generalist) shall require study of at least 18 semester hours in the subject to be taught.

10. Subparagraph (v) of paragraph (2) of subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education is amended, effective March 11, 2011, to read as follows:

(v) Pedagogical core. The candidate shall complete pedagogical coursework as prescribed in clause (a) of this subparagraph and teaching experience as prescribed in clause (b) of this subparagraph, provided that candidates identified in this subparagraph shall not be required to demonstrate completion of the pedagogical core requirements. A candidate who holds one or more provisional certificates, permanent certificates, initial certificates, or professional certificates in a title in the classroom teaching service, other than a title in a specific career and technical subject (grades 7-12), shall not be required to demonstrate completion of the pedagogical core requirements for an additional initial certificate in the classroom teaching service sought, except for such candidates who are seeking an additional initial certificate in one or more of the

following titles: early childhood education, childhood education, generalist in middle childhood education (grades 5-9), specialist in middle childhood education (grades 5-9), English to speakers of other languages (all grades), literacy (birth-grade 6) and literacy (grades 5-12), students with disabilities (birth-grade 2), students with disabilities (grades 1-6), students with disabilities (grades 5-9), students with disabilities (grades 7-12); deaf and hard of hearing (all grades), blind or visually impaired (all grades), and speech and language disabilities (all grades).

(a) Coursework. The candidate shall complete 18 semester hours of coursework that includes study in each of the following subjects:

(1) human development and learning, including but not limited to the impact of culture, heritage, socioeconomic level and factors in the home, school and community that may affect a student's readiness to learn;

(2) teaching students with disabilities and special health-care needs [within the general education classroom, including assistive technology] to develop the skills necessary to provide specially designed instruction to students with disabilities to participate and progress in the general education curriculum, three semester hours;

(3) teaching literacy skills, three semester hours;

(4) curriculum, instruction, and assessment, including instructional technology;
and

(5) foundations of education (historical, philosophical, sociological and/or legal).

(b) . . .

11. Subparagraph (vii) and (viii) of paragraph (3) of subdivision (a) of section 80-3.7 of the Regulations of the Commissioner of Education is amended, effective March 11, 2011, to read as follows:

(vii) Students with disabilities (grades 5-9). This subparagraph applies to candidates who apply for their certificate prior to September 1, 2011 and complete all requirements before September 1, 2014.

(a) . . .

(b) . . .

(viii) Students with disabilities (grades 7-12).

(a) Content core.

(1) For generalist (grades 7-12) certificates, the content core prescribed in subparagraph (2)(iv) of this subdivision shall consist of 30 semester hours of coursework prescribed in the general education core in the liberal arts and sciences if required. The candidate shall complete six semester hours in mathematics, six semester hours in science, six semester hours in social studies, and six semester hours in English language arts within such content core and/or the general education core in the liberal arts and sciences and the candidate shall have sufficient pedagogical skills to teach these subjects.

(2) For specialist (grades 7-12) certificates for candidates who apply for their certificate prior to September 1, 2011 and complete all requirements before September 1, 2014, [The] the content core prescribed in subparagraph (2)(iv) of this subdivision shall consist of 30 semester hours of coursework in the subject of the certificate sought (English, a language other than English, biology, chemistry, earth science, physics, mathematics or social studies) in addition to the 30 semester hours of coursework prescribed in the general education core in the liberal arts and sciences if required. For social studies (7-12), within the 30 semester hours content core, the candidate shall complete coursework in

economics and government, and a total of 21 semester hours of coursework that includes study in United States history, world history , and geography.

(b) Pedagogical core. Within the pedagogical core prescribed in subparagraph (2)(v) of this subdivision, the candidate shall complete six semester hours of coursework appropriate to the student developmental level of the certificate sought. In addition to such prescribed pedagogical core, the candidate shall complete three semester hours in teaching literacy skills and 12 semester hours of coursework that includes study in each of the following subjects:

(1) foundations of special education;

(2) assessment, diagnosis and evaluation of students with disabilities, including caregivers and others, to promote academic achievement and independence; and

(3) curriculum, instruction and managing learning environments for students with disabilities, including instructional and assistive technologies and transition preparation.

(c) For candidates applying for a certificate or license on or after September 2, 2009, the candidate shall complete study in autism, as prescribed in section 1.12 of this Part, or its equivalent as determined by the commissioner.

12. Paragraphs (9) and (10) are amended and new paragraphs (11) through (18) are added to subdivision (a) of section 80-4.2 of the Regulations of the Commissioner of Education, effective March 11, 2011, to read as follows:

(9) General Science (grades 5-9); [and]

(10) General Science (grades 7-12);

(11) Students with Disabilities- Earth Science (grades 5-9);

- (12) Students with Disabilities- Biology (grades 5-9);
- (13) Students with Disabilities- Chemistry (grades 5-9);
- (14) Students with Disabilities- Physics (grades 5-9);
- (15) Students with Disabilities- Social Studies (grades 5-9);
- (16) Students with Disabilities- Mathematics (grades 5-9);
- (17) Students with Disabilities- English Language Arts (grades 5-9);
- (18) Students with Disabilities- Languages other than English- specified (grades 5-9);
- (19) Students with Disabilities- Earth Science (grades 7-12);
- (20) Students with Disabilities- Biology (grades 7-12);
- (21) Students with Disabilities- Chemistry (grades 7-12);
- (22) Students with Disabilities- Physics (grades 7-12);
- (23) Students with Disabilities- Social Studies (grades 7-12);
- (24) Students with Disabilities- Mathematics (grades 7-12);
- (25) Students with Disabilities- English Language Arts (grades 7-12); and
- (26) Students with Disabilities- Languages other than English- specified (grades 7-12).

13. A new subdivision (c) is added to section 80-4.2 of the Regulations of the Commissioner of Education, effective March 11, 2011, to read as follows:

(c) General requirements for extensions.

(1) Coursework. For equivalent coursework, the candidate must have achieved at least a C or its equivalent in any undergraduate level course and at least a B- or its equivalent in any graduate level course in order for the semester hours associated with the course to be credited toward meeting the semester hour requirement for the extension sought.

14. Clauses (a) and (b) of subparagraph (i) of paragraph (2) of subdivision (a) of section 80-4.3 of the Regulations of the Commissioner of Education shall be amended, effective March 11, 2011, to read as follows:

(a) For candidates who are requesting the extension of a certificate in a title in the classroom teaching service other than school media specialist (library), library media specialist, school media specialist (educational communications), or educational technology specialist; the candidate shall satisfactorily complete a program registered pursuant to section 52.21(b)(4)(i) of this Title, or its equivalent consisting of a total of 12 semester hours of coursework. [For such equivalent coursework, the candidate must have achieved at least a C or its equivalent in any undergraduate level course and at least a B- or its equivalent in any graduate level course in order for the semester hours associated with the course to be credited toward meeting the semester hour requirement for the extension sought.] Such equivalent coursework shall include study in each of the following subjects:

- (1) theories of bilingual education and multicultural perspectives;
- (2) sociolinguistics and psycholinguistics; and
- (3) methods of teaching English language arts and native language arts to bilingual English language learners using the native language and English;
- (4) methods of teaching other content to bilingual English language learners using the native language and English.

(b) For candidates who are requesting the extension of a certificate in school media specialist (library), library media specialist, school media specialist (educational communications), or educational technology specialist, the candidate shall satisfactorily complete a program registered pursuant to section 52.21(b)(4)(ii) of this Title, or its equivalent consisting of a total of six semester hours of coursework. [For such

equivalent coursework, the candidate must have achieved at least a C or its equivalent in any undergraduate level course and at least a B- or its equivalent in any graduate level course in order for the semester hours associated with the course to be credited toward meeting the semester hour requirement for the extension sought.] Such equivalent coursework shall include study in each of the following subjects:

- (1) theories of bilingual education and multicultural perspectives; and
- (2) methods of providing library media services or educational technology services, as appropriate to the teaching certificate, to English language learners using native language and English.

15. Clause (d) of subparagraph (iii) of paragraph (4) of subdivision (a) of section 80-4.3 of the Regulations of the Commissioner of Education is amended, effective March 11, 2011, to read as follows:

(d) Education. The candidate shall have completed coursework as prescribed in this subparagraph. [The candidate shall have achieved at least a C or its equivalent in any undergraduate level course and at least a B- or its equivalent in any graduate level course submitted to meet the coursework requirements of this subparagraph.]

(1) . . .

(2) . . .

16. Paragraph (2) of subdivision (b) of section 80-4.3 of the Regulations of the Commissioner of Education is amended, effective March 11, 2011, to read as follows:

(2) The candidate shall satisfactorily complete a program registered pursuant to section 52.21(b)(4)(iii) of this Title, or its equivalent consisting of six semester hours of coursework in middle childhood education which shall include study in early adolescent development and instructional strategies in middle childhood education. [For such equivalent coursework, the candidate must have achieved at least a C or its equivalent

in any undergraduate level course and a B- or its equivalent in any graduate level course in order for the semester hours associated with that course to be credited toward meeting this semester hour requirement for the extension sought].

17. Paragraph (2) of subdivision (c) of section 80-4.3 of the Regulations of the Commissioner of Education is amended, effective March 11, 2011, to read as follows:

(2) The candidate shall satisfactorily complete a program registered pursuant to section 52.21(b)(4)(iv) of this Title, or its equivalent consisting of 30 semester hours in coursework in the subject to be taught and six semester hours of coursework in middle childhood education which shall include study in early adolescent development and instructional strategies in middle childhood education. [For such equivalent coursework, the candidate must have achieved at least a C or its equivalent in any undergraduate level course and at least a B- or its equivalent in any graduate level course in order for the semester hours associated with the course to be credited toward meeting this semester hour requirement for the extension sought.]

18. Subparagraph (ii) of paragraph (2) of subdivision (d) of section 80-4.3 of the Regulations of the Commissioner of Education is amended, effective March 11, 2011, to read as follows:

(ii) The candidate shall complete a program registered pursuant to section 52.21(b)(4)(v) of this Title, or its equivalent consisting of a total of 12 semester hours of coursework that includes study in each of the following subjects: knowledge of the characteristics of gifted students who learn at a pace and level that is significantly different from their classmates; knowledge of various tools and methods for identifying and assessing gifted students, and skill in using such tools and methods; knowledge and understanding of appropriate curriculum design for gifted students; knowledge and skills for planning, providing, coordinating, and evaluating differentiated teaching and

learning environments to challenge and assist gifted students in learning to their highest level; and skills for collaborating with other school staff, families, and the community to provide appropriate individualized instruction for gifted students. [For such equivalent coursework, the candidate must have achieved at least a C or its equivalent in any undergraduate level course and at least a B- or its equivalent in any graduate level course in order for the semester hours associated with that course to be credited toward meeting this semester hour requirement.]

19. Subparagraph (ii) of paragraph (2) of subdivision (e) of section 80-4.3 of the Regulations of the Commissioner of Education is amended, effective March 11, 2011, to read as follows:

(ii) The candidate shall complete a program registered pursuant to section 52.21(b)(4)(vi) of this Title, or its equivalent consisting of a total of six semester hours of coursework that includes study in developing, implementing, coordinating, and evaluating work-based learning experiences and programs. [For such equivalent coursework, the candidate must have achieved at least a C or its equivalent in any undergraduate level course and at least a B- or its equivalent in any graduate level course in order for the semester hours associated with the course to be credited toward meeting this semester hour requirement.]

20. Subparagraph (ii) of paragraph (2) of subdivision (f) of section 80-4.3 of the Regulations of the Commissioner of Education is amended, effective March 11, 2011, to read as follows:

(ii) The candidate shall complete a program registered pursuant to section 52.21(b)(4)(vi) of this Title, or its equivalent consisting of a total of six semester hours of coursework that includes study in developing, implementing, coordinating, and evaluating work-based learning experiences and programs. [For such equivalent

coursework, the candidate must have achieved at least a C or its equivalent in any undergraduate level course and at least a B- or its equivalent in any graduate level course in order for the semester hours associated with the course to be credited toward meeting this semester hour requirement.]

21. A new subdivision (n) is added to section 80-4.3 of the Regulations of the Commissioner of Education, effective March 11, 2011, to read as follows:

(n) Requirements for the extension to teach certain subjects in grades 7-12.

(1) Purpose. The purpose of an extension issued under this section is to authorize a teacher who is certified in the classroom teaching service in students with disabilities (grades 5-9- generalist) or (grades 7-12-generalist) to authorize the teacher to be employed as the teacher of record for students with disabilities in certain subjects.

(2) Subjects for which extension may be obtained. A teacher who is certified in the classroom teaching service in students with disabilities (grades 5-9- generalist) or (grades 7-12-generalist) may seek an extension under this subdivision in one of the following subjects: Mathematics; English Language Arts; Biology; Chemistry; Earth Science; Physics; Social Studies; Language other than English (specified) in either (grades 5-9) or (grades 7 through 12).

(3) Requirements for the extension. The candidate shall meet the requirements in each of the following paragraphs:

(i) The candidate shall hold a valid initial or professional certificate in students with disabilities (grades 7-12 generalist) or students with disabilities (grades 5-9 generalist) or a valid provisional or permanent certificate for teaching students with disabilities in (grades Pre-K through 12);

(ii) The candidate shall complete the New York State Teacher Certification Examination content specialty test in the subject for which a certificate extension is being sought; and

(iii) The candidate shall satisfactorily complete at least 18 semester hours of study or its equivalent in the subject area of the certificate sought. For social studies, the candidate shall complete the 18 semester hours through a combination of study in United States history, world history and geography.

(4) Collaboration. Any district or BOCES employing a teacher that holds an extension under this subdivision must provide weekly collaboration between a certified general education content specialist in the subject and the teacher who holds an extension under this subdivision, with at least one period per month co-taught by both teachers. The length of the required weekly collaboration and co-taught lesson shall be defined at the local level. For teachers employed by a school enumerated in article 81, 85, 87, 88 or 89 of the Education Law or a special act school district as defined in subdivision 8 of section 4001 of the Education Law and such school cannot meet the requirements of this subdivision, the school shall submit a plan acceptable to the department with a description of the mentoring and collaboration the candidate will receive.

STATEMENT OF FACTS AND CIRCUMSTANCES WHICH NECESSITATE
EMERGENCY ADOPTION

The proposed amendment requires all registered teacher education programs to include a minimum of three semester hours in educating students with disabilities to ensure that all teachers are better prepared to skillfully collaborate with other teachers and to teach students with disabilities and defines what the three semester hour requirement shall include. The proposed amendment also requires that 15 of the 100 clock hours of field experience required for teacher education programs focus on students with disabilities and that 6 of the 40 clock hours of field experience for Transitional B programs focus on students with disabilities.

The proposed amendment changes the current certification structure for students with disabilities certificates for grades 5 through 9 and 7 through 12 and the registration requirements for programs leading to certificates in these areas. Candidates will no longer be able to enroll in special education teacher preparation programs that lead to students with disabilities (grades 5-9 generalist) and students with disabilities (grades 5-9) and (grades 7-12-specialist) certificate titles after February 1, 2011. A new students with disabilities (grades 7-12- generalist) certificate title will also be created. For candidates seeking this certificate, the candidate will be required to complete six semester hours in mathematics, science, English language arts and social studies within their content core and have sufficient pedagogy to teach these subjects. Teachers holding this certificate will be eligible to be employed to teach in supportive roles such as consultant teachers, resource room service providers and integrated co-teachers.

Teachers holding the new students with disabilities (grades 7-12- generalist) will also have the option of obtaining an extension to this certificate, to authorize the teacher

to be employed as the special class teacher of students with disabilities in a specific subject area, upon the completion of certain requirements. To obtain an extension in a specific subject, the teacher shall complete 18 semester hours of study or its equivalent in the subject area of the extension sought. For social studies, the candidate shall complete the 18 semester hours through a combination of study in United State history, world history and geography. This, coupled with passing the content specialty test in the specific subject area, will allow candidates to earn an extension to the base certificate to permit the teacher to be employed as the special class teacher of students with disabilities in that subject in the developmental level of their base certificate. Any district or BOCES that employs a candidate holding this extension must provide weekly collaboration between a certified general education content specialist in the subject area of the extension and the teacher holding the extension, with at least one period per month co-taught by both teachers. The length of the required weekly collaboration and co-taught lesson will be defined at the local level.

Schools enumerated in article 81, 85, 87, 88 or 89 of the Education Law or a special act school district that educates only students with disabilities and who cannot meet the regulatory requirement for collaboration and co-teaching for their employed special education teachers, must submit a plan acceptable to the Department with a description of the mentoring and collaboration the teacher will receive.

The proposed regulation also establishes requirements for individual evaluation for the new students with disabilities (grades 7-12- generalist) certificate by requiring candidates seeking a certificate in this area to complete, among other requirements, six semester hours in mathematics, science, social studies and English language arts and have sufficient pedagogical training to teach these subjects. The proposed amendment also phases out individual evaluation for the students with disabilities (grades 5-9-

generalist) certificate and the students with disabilities (grades 5-9) and (grades 7-12) content specific certificates.

Emergency action is necessary at the March 2011 Board of Regents meeting in order to ensure that the rule remains continuously in effect until such time as it can be revised and adopted as a permanent rule.

Emergency action is also needed to provide teaching candidates with sufficient time to complete the requirements for the special education generalist and specialist certificate titles in grades 5-9 and the special education specialist certificate title in grades 7-12 before the Department phases out individual evaluation for these certificate titles.