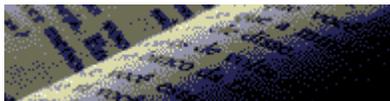




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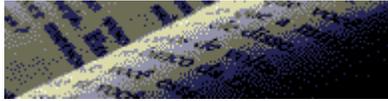
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* Section 80-1.1.* Application of this Subpart and definitions.

(a) Candidates who are subject to the requirements of Subparts 80-2, 80-3, 80-4 and 80-5 of this Part, shall also be subject to the requirements of this Subpart, unless the subject matter or terms of the requirements in this Subpart or such other Subparts prescribe otherwise.

(b) Definitions. The definitions prescribed in this subdivision shall also be applicable to Subparts 80-2, 80-3, 80-4 and 80-5 of this Part, unless otherwise prescribed in this subdivision. As used in this Subpart:

(1) Academic subject means one of the following subjects offered in secondary schools: English, the foreign languages, mathematics, the sciences (biology, chemistry, physics, earth science, general science) and citizenship education (civics, economics, economic geography, geography, history, political science, sociology) and such other similar subjects.

(2) Administrative and supervisory service means services provided in the public schools of the State by individuals certified as school district administrator, school administrator and supervisor, or school business administrator.

(3) Adult, community and continuing education means those educational services provided by boards of education, boards of cooperative educational services and vocational education extension boards primarily to individuals who are not on the regular day school register of a school district.

(4) Adult literacy education means any approved non-credit bearing course or program leading to a secondary school credential for individuals who are not on the regular day school register of a school district.

(5) Annotation of a teaching certificate means the recognition that the holder of an appropriate valid teaching certificate has additional pedagogical knowledge, skills and experiences attained on a voluntary basis.

(6) Avocational subjects are those subjects which involve instruction in recreational or leisure-time activities and which are not offered to:

- (i) prepare students for a high school diploma or a high school equivalency diploma; or
- (ii) assist students to read, write and understand English as a second language; or
- (iii) provide entry level occupational training or occupational skill upgrading.

(7) Baccalaureate means a degree awarded upon the satisfactory completion of an approved four-year post secondary curriculum offered by a recognized institution of higher education.

(8) Career and technical education means career and technical education as defined in section 100.1 of this Title.

(9) Certificate of qualification means a credential evidencing the holder is eligible for a provisional

certificate in the area noted thereon.

(10) Commissioner means Commissioner of Education.

(11) Common branch subjects means any or all of the subjects usually included in the daily program of an elementary school classroom such as arithmetic, civics, visual arts, elementary science, English language, geography, history, hygiene, physical activities, practical arts, reading, music, writing, and such other similar subjects.

(12) Classroom teaching service means teaching service in the public schools of New York State, which requires certification pursuant to this Part, excluding pupil personnel service or administrative and supervisory service.

(13) Course means study offered or accepted by a recognized institution of higher education or approved by the Commissioner of Education.

(14) Department means the Education Department of the State of New York.

(15) Early childhood education, for purposes of Subpart 80-3 of this Part, means the instructional program provided children from birth to grade two.

(16) Early childhood grades, for purposes of Subpart 80-2 of this Part, means nursery school, kindergarten and grades 1 through 3.

(17) Early secondary grades means grades 7 through 9.

(18) Elementary school means a school organized to give instruction in grades 1-6 and the kindergarten.

(19) Extension of a teaching certificate means the required authorization for the holder of an appropriate valid teaching certificate to teach an additional student population, grade or subject not otherwise authorized by the certificate held.

(20) Graduate course means a course creditable toward a graduate degree granted by a recognized institution of higher education or approved as of graduate grade by the Commissioner of Education.

(21) Graduate degree means a master's or doctor's degree awarded upon the satisfactory completion of an approved program of study offered by a recognized institution of higher education.

(22) Initial certificate means the first teaching certificate obtained by a candidate that qualifies that individual to teach in the public schools of New York State for candidates who are required to meet the requirements of Subpart 80-3 of this Part, excluding the transitional certificate and temporary license.

(23) Instructional support services, for purposes of section 80-5.21 of this Title, shall mean professional development, pedagogical support, technical assistance, consultation, and/or program coordination offered by teachers to other school personnel including, but not limited to: conducting workshops, study groups, and demonstration lessons; modeling instruction; providing feedback, coaching, mentoring and other professional support for instruction staff; providing training in best instructional practices in specific content areas; assisting instructional staff in analyzing student performance data and differentiating instruction to meet the needs of all students; coordinating the provision of special education services; developing and promoting a culture of reflective instructional practice; providing curriculum and assessment resources to instructional staff; providing information and support on technology tools to extend and support student learning; assessing curriculum development or professional development needs; and such similarly related work.

(24) Internship certificate means the certificate issued a student in a registered or approved graduate program of teacher education which includes an internship experience(s) and who has completed at least one-half of the semester hour requirement for the program and may, at the request of the institution, be issued an internship certificate without fee.

(25) Occupational subject means one of the following subjects offered in the elementary and secondary schools: agriculture, business and distributive education (occupational), health occupations, home economics (occupational), technical and trade.

(26) Permanent certificate means the final teaching certificate obtained by a candidate that qualifies that individual to teach in the public schools of New York State for candidates who are required to meet the requirements of Subpart 80-2 of this Part.

(27) Professional certificate means the final teaching certificate obtained by a candidate that qualifies that individual to teach in the public schools of New York State for candidates who are required to meet the requirements of Subpart 80-3 of this Part.

(28) Professional education means a course(s) specifically related to the certificate for which application is made and offered by a recognized institution of higher education or approved by the Commissioner of Education.

(29) Provisional certificate means the first teaching certificate obtained by a candidate that qualifies that individual to teach in the public schools of New York State for candidates who are required to meet the requirements of Subpart 80-2 of this Part, excluding the temporary license.

(30) Pupil personnel service means one of the following services offered in elementary and secondary schools: school attendance teacher, school counselor, school dental hygiene teacher,

school nurse-teacher, school psychologist and school social worker.

(31) Recognized means approved by the Commissioner of Education or by an approved regional or national accrediting agency.

(32) Regents means the Board of Regents of the University of the State of New York.

(33) School means a unit organized to provide instruction at the elementary, middle or secondary education level.

(34) Semester hour means semester hour as defined in section 50.1 of this Title.

(35) Special subject means, for purposes of Subpart 80-2 of this Part, one of the following subjects offered in the elementary and secondary schools: art, business and distributive education (general), dance, home economics (general), health, music, physical education, recreation, speech and technology education.

(36) Specific career and technical subject within the field of agriculture, business and marketing, family and consumer sciences, health, a technical area or a trade means, for purposes of Subpart 80-3 of this Part, a specific career and technical subject within such fields which does not require a baccalaureate degree for the initial certificate.

(37) Student teaching means a structured, college-supervised learning experience for a student in a teacher education program in which the student teacher practices the skills being learned in the teacher education program and gradually assumes increased responsibility for instruction, classroom management, and other related duties for a class of students in the area of the certificate sought. These skills are practiced under the direct supervision of the certified teacher who has official responsibility for the class.

(38) Superintendent means a superintendent of a public system in New York State.

(39) Teacher means the holder of a valid teacher's certificate issued by the Commissioner of Education or a valid regional credential.

(40) Technical subject is a subject designed to prepare pupils for useful employment in a technical occupation such as architectural drafting and building construction, aeronautics, electricity-electronics, fashion design, industrial chemistry, industrial design and advertising art, instrumentation and control systems, mechanical design and construction, structural drafting and design and such other similar subjects.

(41) Trade subject is a subject designed to prepare pupils for useful employment in a trade or industrial occupation such as air conditioning and refrigeration, automotive industries, aviation trades, construction drafting, electro-mechanics, electronics, food preparation, graphic arts, industrial cooperative, maintenance and repair, metal trades, personal service, public service, textile production and fabrication and other such similar subjects.

(42) Transitional A certificate means the first teaching certificate obtained by a candidate that qualifies that individual to teach a specific career and technical subject within the field of agriculture, health, or a trade in the public schools of New York State, subject to the requirements and limitations of this Part, and excluding the provisional certificate, initial certificate, temporary license, transitional B certificate, and transitional C certificate.

(43) Transitional B certificate means the first teaching certificate obtained by a candidate enrolled in an alternative teacher certification program, as prescribed in section 52.21 of this Title, that qualifies that individual to teach in the public schools of New York State, subject to the requirements and limitations of this Part, and excluding the provisional certificate, initial certificate, temporary license, transitional A certificate, and transitional C certificate.

(44) Transitional C certificate means the first teaching certificate obtained by a candidate holding an appropriate graduate academic or graduate professional degree and enrolled in an intensive program leading to a professional certificate that qualifies that individual to teach in the public schools of New York State, subject to the requirements and limitations of this Part, and excluding the provisional certificate, initial certificate, temporary license, transitional A certificate, and transitional B certificate.

(45) Transitional G certificate means the first teaching certificate obtained by a candidate who holds an appropriate graduate degree in science, technology, engineering or mathematics and has two years of acceptable experience teaching in a post-secondary institution, that qualifies that individual to teach in the public schools of New York State, subject to the requirements and limitations of this Part, and excluding the provisional certificate, initial certificate, internship certificate, conditional initial certificate, transitional A certificate, transitional B certificate and transitional C certificate.

(46) Upper elementary grades means grades 4 through 6.

(47) Year of experience for permanent or professional certification means the following:

(i) a minimum of 180 days of full-time, continuous school experience in the subject or area of certification completed within a 12-month period;

(ii) a minimum of 180 days of full-time continuous school experience in the subject or area of certification completed in periods of no less than 90 days each within a 12-month period; or

(iii) a minimum of 360 days of part-time continuous school experience consisting of an average of

2.5 days per week in the subject or area of certification and completed in periods of no less than 90 days each within a 12-year period.

(48) Year of occupational or work experience means a minimum of 10 months in a calendar year of full-time satisfactory employment in an appropriate occupational field.

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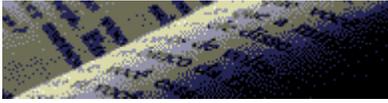
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* Section 80-1.2.* Applications and certificates, dates of issuance.

(a) Applications.

(1) All applications submitted to the commissioner on or after September 1, 2009 for certificates issued pursuant to the provisions of this Part shall remain in active status for three years from the date of receipt of such application. If the candidate fails to complete all requirements for such certification within three years from the date of receipt of such application, the application shall be deemed denied by the commissioner, except the commissioner may extend the time validity of an active application beyond the three years provided for in this section, for individuals called to active duty with the Armed Forces for the time of active service and an additional 12 months after the end of such service, upon application for such an extension. If the candidate subsequently wishes to re-apply for such certification, the candidate shall submit to the commissioner a new application with the required documentation and the appropriate fee prescribed under section 3006 of the Education Law.

(2) All applications submitted to the commissioner after September 1, 2009 for certificates in the classroom teaching service, school leadership or pupil personnel through individual evaluation or reciprocity under this Part shall include a transcript from each institution of higher education that the candidate attended. Upon receipt of such application, the commissioner shall provide a written or electronic evaluation to the candidate of his/her credentials and shall notify the candidate, in writing or electronically, if there are any remaining deficiencies in the candidate's application for certification through individual evaluation or reciprocity. If the candidate fails to satisfy any remaining deficiencies in his/her application within three years from the date of receipt of such application, the application shall be deemed denied by the commissioner, except that the commissioner may extend the time validity of an active application beyond the three years provided for in this section for individuals called to active duty with the Armed Forces for the time of active service and an additional 12 months after the end of such service, upon application for such an extension. An application shall also be denied by the commissioner if the candidate submits additional documentation to correct any deficiencies in his/her application after the first evaluation and a second evaluation reveals that the application together with the additional documentation continues to be deficient and fails to meet the requirements for certification, as prescribed in this Part. If the candidate subsequently wishes to re-apply for such certification, the candidate shall submit to the commissioner a new application with any required documentation to satisfy any remaining deficiencies in such application and the appropriate fee as prescribed under section 3006 of the Education Law.

(b) Certificates, dates of issuance.

(1) Upon application, the commissioner shall issue certificates in the forms and titles for which the

candidate qualifies. Such certificates may be issued in electronic and/or paper format.

(2) Certificates issued pursuant to the provisions of this Part shall date from the first day of either February or September in the year of issuance.

(3) The commissioner shall not issue provisional certificates valid for the classroom teaching service with an effective date that begins after February 1, 2004, unless otherwise specifically prescribed in this Part. The commissioner may extend the effective date of a provisional certificate after February 1, 2004, pursuant to the requirements of section 80-1.6 of this Subpart.

(4) The commissioner shall issue initial and professional teachers' certificates valid for the classroom teaching service beginning with an effective date of September 1, 2004, except that the commissioner may continue to issue provisional and permanent teachers' certificates valid for classroom teaching service as specifically prescribed in this Part.

(5) The commissioner shall not issue temporary licenses for employment as teaching assistants with an effective date that begins after February 1, 2004.

(6) The commissioner shall issue level I teaching assistant certificates, level II teaching assistant certificates, and level III teaching assistant certificates, and pre-professional teaching assistant certificates beginning with an effective date of September 1, 2004.

8 NY ADC 80-1.2

8 NY ADC 80-1.2

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8 NY ADC 80-1.2

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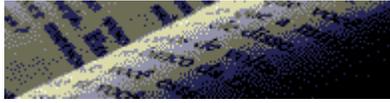
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* Section 80-1.3.* Citizenship.

(a) In accordance with section 3001 of the Education Law, to qualify for a certificate under this Part, the candidate shall be a citizen of the United States or meet the requirements in one or more of the following paragraphs, subject to the limitations therein prescribed, except as provided in subdivision (b) of this section:

(1) A candidate who is not a citizen of the United States may be issued a modified temporary license, transitional certificate, provisional certificate, initial certificate, or other time-limited license authorized by this Part, upon meeting the requirements for the certificate or license as defined in this Part and the Education Law, provided the candidate makes due application to become a citizen and thereafter within the time prescribed by law becomes a citizen.

(2) A candidate who is not a citizen of the United States may be issued any certificate or license under this Part, upon meeting the requirements for the certificate or license as defined in this Part and the Education Law, if the candidate's immigration status is that of a lawful permanent resident of the United States, provided that the provision permitting such a candidate to teach in the public schools of New York State set forth in subdivision (3) of section 3001 of the Education Law has not expired or been repealed.

(3) A candidate who is not a citizen of the United States, has not declared an intention of becoming a citizen, and does not qualify for a certificate under the requirements of paragraph (2) of this subdivision, may be issued a modified temporary license, transitional certificate, provisional certificate, initial certificate, or other time-limited license authorized by this Part, provided that such candidate meets the requirements for the certificate or license, as defined in this Part and the Education Law, and either:

(i) possesses the skills or competencies not readily available among teachers holding citizenship;
or

(ii) demonstrates to the department other good cause for obtaining such certificate, including but not limited to, the need to facilitate a candidate's ability to meet certification requirements of another jurisdiction.

(b) The requirements of subdivision (a) of this section shall not preclude a candidate who is not a citizen of the United States from qualifying for a permit or other authorization to teach in the public schools of New York State, in accordance with specific provisions of the Education Law that authorize such teaching service by a candidate who is not a citizen of the United States, such as section 3005 of the Education Law.

8 NY ADC 80-1.3

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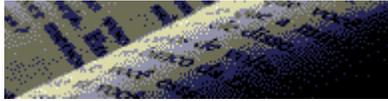
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* Section 80-1.4.* Required study in child abuse identification and reporting, and school violence prevention and intervention.

All candidates for a certificate or license valid for administrative or supervisory service, classroom teaching service or school service shall have completed at least two clock hours of coursework or training regarding the identification and reporting of suspected child abuse or maltreatment in accordance with the requirements of sections 3003(4) and 3004 of the Education Law. In addition, all candidates for a certificate or license valid for administrative or supervisory service, classroom teaching service or school service, who apply for a certificate or license on or after February 2, 2001, shall have completed at least two clock hours of coursework or training in school violence prevention and intervention, as required by section 3004 of the Education Law, which is provided by a registered program leading to certification pursuant to section 52.21 of this Title or other approved provider pursuant to Subpart 57-2 of this Title. An individual making application for a provisional or an initial certificate pursuant to section 3030 of the Education Law and/or section 80-2.2(e) of this Part shall satisfy the requirements of this section upon application for the permanent or professional certificate.

8 NY ADC 80-1.4

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8 NY ADC 80-1.4

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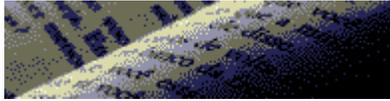
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* Section 80-1.5.* Examinations for certification.

(a) All candidates for a certificate in the classroom teaching service shall submit evidence of having achieved satisfactory levels of performance on the New York State Teacher Certification Examinations.

(b) A school or school system shall not prohibit an employee who is a current or prospective applicant for permanent certification from videotaping a classroom presentation for the purpose of meeting the performance assessment of teaching skills requirement for permanent certification, transmitting such videotape to the department, or otherwise fulfilling this classroom presentation requirement. A videotape made for this purpose shall be a confidential record of the department, and as such, is not subject to viewing or disclosure to any individual or entity other than the applicant for certification, appropriate departmental personnel, and others engaged by the department to evaluate the videotape for purposes of determining the candidate's eligibility for certification.

8 NY ADC 80-1.5

8 NY ADC 80-1.5

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8 NY ADC 80-1.5

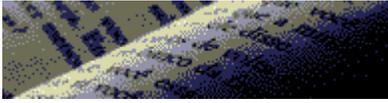
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* Section 80-1.6.* Extensions of time validity of certificates.

(a) Subject to the limitation provided in subdivision (e) of this section, the time validity of an expired provisional, initial or transitional certificate may be extended for a period not to exceed two years from the expiration date of such certificate, except as provided in subdivisions (b), (c) and (d) of this section, upon application by the holder of a teaching certificate:

(1) who is on leave from his/her teaching duties because of childbearing, childrearing, serious illness, or extended illness;

(2) who is serving with the Peace Corps or other volunteer organization;

(3) whose service as a teacher has been discontinued as a result of abolition of teaching positions in the school district in which employed;

(4) who, because of extreme hardship or other circumstances beyond the control of the individual, was unable to complete the requirements for the permanent or professional certificate in a timely manner, excluding normal family commitments or inconvenience;

(5) for a candidate who has been unable to secure employment as a teacher or who has been pursuing a career other than teaching.

(b) The time validity of expired certificates prescribed in this section held by individuals on active duty with the Armed Forces may be extended by the commissioner, upon application by the holder of such certificate, for the time of such active service and an additional 12 months from the end of such service.

(c) The commissioner may extend the time validity of an expired provisional, initial or transitional certificate beyond the two-year extension provided for in subdivision (a) of this section, for a period not to exceed one additional year, if in the six-months preceding the end of the two-year extension, the candidate is faced with extreme hardship or other circumstances beyond the control of the individual and is unable to complete the requirements for the permanent or professional certificate in a timely manner.

(d) The commissioner may extend the time validity of an expired provisional, or initial certificate beyond the extensions provided for in subdivisions (a) and (c) of this section, in increments of one additional year for a candidate who has applied for citizenship or permanent residency, and whose application for citizenship or permanent residency has not been acted upon by the U.S. Citizenship and Immigration Services (USCIS) until the USCIS acts upon such application. Such candidates must provide documentation satisfactory to the department that they meet these requirements, and that they have completed all academic, testing and experience requirements for permanent or professional certification.

(e) The commissioner will only extend the time validity of an expired provisional certificate under this

section if the holder of such provisional certificate submits evidence of having achieved a satisfactory level of performance on the New York State Teacher Certification Examination content specialty test(s) in the area of the certificate, when a content specialty test(s) is required.

8 NY ADC 80-1.6

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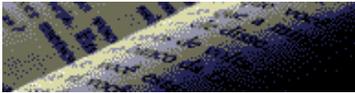
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* Section 80-1.7.* Renewal of a provisional certificate.

(a)

(1) By application to the commissioner by the holder of the certificate, the commissioner may renew an expired provisional certificate in the administrative and supervisory service or the pupil personnel service on one occasion only for a period of five years from the date the renewed provisional certificate is issued, provided that the candidate has met all requirements for the permanent certificate in the certificate title of the provisional certificate, except the experience requirement. The requirements of this paragraph shall not apply to the renewal of a provisional certificate in the title school counselor. The requirements of paragraph (2) of this subdivision shall apply to the renewal of a provisional certificate in the title school counselor.

(2) By application of the holder of the certificate, the commissioner may renew an expired provisional certificate in the title school counselor on one occasion only for a period of five years from the date the renewed provisional certificate is issued in order to permit the candidate to meet the experience and/or education requirement for the permanent certificate in the title school counselor.

(b) The requirements for the permanent certificate shall be those in effect at the time the renewed provisional certificate is issued.

(c) The commissioner shall not renew a provisional certificate in the classroom teaching service. The commissioner shall not accept an application for the renewal of a provisional certificate in the administrative and supervisory service submitted to the commissioner after September 1, 2007.

8 NY ADC 80-1.7

8 NY ADC 80-1.7

2008 WL 75115921

8 NY ADC 80-1.7

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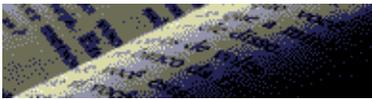
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SUBPART 80-1. GENERAL REQUIREMENTS FOR TEACHERS' CERTIFICATES

Current through April 30, 2011

* Section 80-1.8.* Reissuance of an initial certificate.

(a) The holder of an initial certificate whose certificate has expired shall be reissued an initial certificate on one occasion only, for a period of five years from the date of reissuance, provided that the candidate has met the requirements in subdivision (b) of this section. The time validity of such reissued initial certificate shall not be extended, pursuant to section 80-1.6 of this Subpart.

(b) Any candidate whose certificate has been expired for two or more years at the time of application for the reissuance shall meet the requirements in both of the following paragraphs:

(1) The candidate shall successfully complete 75 clock hours of acceptable professional development within one year of applying to the department for the reissued initial certificate. The definition of acceptable professional development and the measurement of professional development study shall be that prescribed in section 80-3.6 of this Part.

(2) The candidate shall submit evidence of having achieved a satisfactory level of performance on the New York State Teacher Certification Examination content specialty test(s) in the area required for the certificate sought or the New York State assessment for school building leadership required for a certificate as a school building leader, which shall be taken within one year of the candidate's applying to the department for the reissuance of the initial certificate.

8 NY ADC 80-1.8

8 NY ADC 80-1.8

2008 WL 75115922

8 NY ADC 80-1.8

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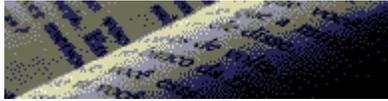
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* Section 80-1.9.* Filing of personnel data.

Each individual required to hold a certificate described in this Part shall annually file with the department a fully completed basic educational data system educational personnel data form on a date prescribed by the commissioner, except that those employed after such date in any school year shall file such form within 30 days of the date of employment.

8 NY ADC 80-1.9

8 NY ADC 80-1.9

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8 NY ADC 80-1.9

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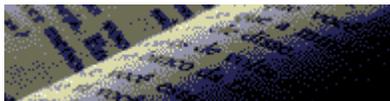
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* Section 80-1.10.* Out-of-state credentials.

In instances in which a degree is required for certification, the commissioner shall accept a credential earned outside New York State in lieu of the degree, provided that the commissioner has determined that such credential earned outside New York State represents completion of equivalent study to that required for the degree.

8 NY ADC 80-1.10
8 NY ADC 80-1.10
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8 NY ADC 80-1.10

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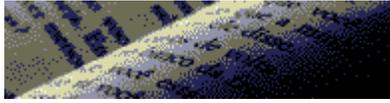
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* Section 80-1.11.* Criminal history record check.

All candidates who apply on or after July 1, 2001 for certification as a superintendent of schools, teacher, administrator or supervisor, teaching assistant, or in any other title for which a teaching or administrative license or certificate is required pursuant to this Part, shall meet the requirements of Part 87 of this Title for a criminal history record check, except that the requirements of Part 87 of this Title for a criminal history check shall not be applicable for an individual to qualify for a temporary license, pursuant to section 80-5.10 of this Part, for employment by the City School District of the City of New York, provided that such individual has been cleared for employment by such school district after fingerprinting and a criminal history record check, pursuant to section 2590-h(20) of the Education Law.

8 NY ADC 80-1.11

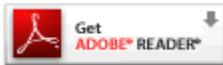
8 NY ADC 80-1.11

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8 NY ADC 80-1.11

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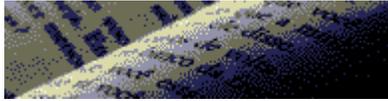
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* Section 80-1.12.* Required study in the needs of students with autism for certificates in certain classroom teaching titles.

All candidates for a certificate or license valid for a certificate in the classroom teaching titles of students with disabilities in early childhood, childhood, middle childhood or adolescence; deaf and hard of hearing; blind and visually impaired and speech and language disabilities, who apply for a certificate or license on or after September 2, 2009, shall have completed at least three clock hours of course work or training in autism, as required by section 3004 of the Education Law, which is provided by a registered program leading to certification pursuant to section 52.21 of this Title or other approved provider pursuant to Subpart 57-3 of this Title.

8 NY ADC 80-1.12

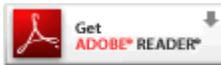
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8 NY ADC 80-1.12

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