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# INFORMATION BULLETIN

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## PROFESSIONAL DEVELOPMENT PLANS

This bulletin is in response to questions and concerns from locals throughout the state regarding the ineffectiveness or absence of their district's Professional Development Planning process. Some districts have refused to include in the PDP plan activities funded under the federal No Child Left Behind (NCLB) legislation. NYSUT has told the State Education Department that all professional development, regardless of funding source, should be included in the district's plan and overseen by the Professional Development Planning Committee. The State Education Department supports this thinking, as noted below.

In a November 22, 2002 memo to District Superintendents and Superintendents of Big 5 City School Districts, former New York State Education Department Deputy Commissioner Kadamus advises:

**“We have received a number of questions about timing and funding under NCLB for professional development and the relationship to the state’s requirement for Professional Development Plans. These plans are intended to guide all professional development in a district. Resources for professional development from federal funds should be used within the framework of your Professional Development Plans. This may be a good time for districts to consider updating their Professional Development Plans in light of the Title I and Title II funds that are available.”**

The comment from Kadamus, “These plans are intended to guide all professional development in a district,” is a critical development for local leaders and labor relations specialists.

In a letter to a NYSUT local president on the issue of the PDP, former Assistant Commissioner Jim Butterworth advises PDP committees to work closely with school principals to implement the comprehensive professional development activities.

**“All school districts are required to provide substantial professional development opportunities each year for teachers in their employ. If, after the Committee has met to develop the calendar of comprehensive professional development, the district refuses to implement the Plan, complainants should file a local written complaint to the superintendent that lists specific charges and suggests appropriate remedy. When issues cannot be resolved at the local level that may involve compliance with Commissioner’s Regulations, an appeal may be filed under Section 310 of the State Education Law.”**

### **Other NYSUT Resources related to PDP**

- Briefing Bulletin # 08-03 PDP Checklist
- Briefing Bulletin #08-04 Special Education Amendment
- Information Bulletin #200804 District-Based Mentoring
- Information Bulletin #200807 Teacher Centers

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# 1. Summary of Professional Development Plans

Each school district and BOCES must develop and implement a professional development plan, which describes how they will provide all of their teachers with substantial professional development opportunities. The PDP must also describe how the district and/or BOCES will provide teachers they employ holding a professional certificate with opportunities to maintain such certificates in good standing based upon successfully completing 175 hours of professional development every five years.

The PDP should offer a menu of professional development opportunities to their teachers. Such opportunities may be in a variety of formats and offered by a variety of providers and include course work paid for by the school district or BOCES or the teacher, depending on local arrangements and how professional development offered outside the school day is collectively bargained.

The PDP Regulations require the Board of Education to adopt a professional development plan by September 1, 2000 and to annually review it thereafter. The plan must be developed through collaboration with a professional development team, including the superintendent of schools or district superintendent or their designees, school administrators, teachers, at least one parent and curriculum specialist, a representative of a higher education institution provided that a qualified candidate is available, and others. A majority of the members of the professional development team must be teachers selected by their collective bargaining unit. Among other components, the plan must describe the alignment of professional development with New York standards and assessments, student needs, teacher capacities, and include a needs analysis, goals, objectives, strategies, activities and evaluation standards. It must also describe the manner in which the school district or BOCES will measure the impact of professional development on student achievement and teachers' practices.

The PDP Regulations permit a school district or BOCES to include the professional development plan as part of the comprehensive district education plan (CDEP) of the district or BOCES as long as the representation is consistent with the PDP requirements.

There is no state categorical funding provided for implementation of PDP plans. School districts may use, federal state and local resources to support the implementation of these plans. NYSED has advised that the Professional Development Plan should encompass every professional development activity in a district, including those required under NCLB and grant and foundation funds which are intended to address professional development needs.

### Important dates in PDP Regulation 100.2 (dd)

<b>Date</b>	<b>Action required and relevant section of Regulation 100.2(dd)</b>	<b>Regulations</b>
By Oct 1	Board of Education of school district or BOCES convenes the PDP Team.	(3) (c)
Date established by local Board of Education	Board of Education or BOCES establishes date that the PDP team submits the PDP plan.	(3) (d)
Date established by local Board of Education	Board of Education or BOCES accepts or rejects the recommendations of the PDP team in whole or in part and returns components of the plan not approved, for further consideration by the team.	(3) (d)
By June 1	PDP team submits modifications to the plan to the Board of Education or BOCES.	(3) (d)
By June 30	The Board of Education or BOCES adopts the plan at a public meeting. The final determination of the content of the PDP shall be the determination of the board of education or BOCES.	(3) (d)

## 2. Professional Development Opportunities within No Child Left Behind

Traditionally, information about financial allocations of federal NCLB and other title funding available to school districts has been provided to superintendents and school business officials by the NY State Education Department. In many cases a school district has discretion about the use of the funds within established parameters. The New York State Education Department has indicated that a district's Professional Development Plans should address the use of all funds which include professional development. For this reason the following public information about options in uses of NCLB title money is provided so that local presidents and members of PDP teams have access to the same financial information provided to districts.

- **Title I Part A: Improving Basic Programs operated by Local Educational Agencies**  
Schools must use between 5 and 10 percent of their Part A allocations for professional development aimed at ensuring that all teachers are highly qualified by the end of the 2005-06 school years (the requirement changes to a simple 5 percent floor in 2004). Both LEAs and schools identified for improvement, for example, must use at least 10 percent of their allocations for professional development aimed at correcting the deficiencies that led to identification for improvement. Funds may be used to support on-going training and professional development to assist paraprofessionals in satisfying new NCLB requirements. A limited number of districts, identified by poverty rate and achievement scores are eligible to apply for Reading First federal grants which are called Reading for Results in New York State.
- **Title II Part A: Teacher and Principal Recruitment and Training**  
Replaces Eisenhower Professional Development and Class Size Reduction programs. Funds can be used to provide professional development to improve the quality of the workforce. Title II, Part A provides grants to state and school districts (local educational agencies – LEAs), state agencies for higher education, and eligible partnerships for improving teacher and principal quality. States are authorized to use the funds for professional development programs; implementing mentoring programs; teacher retention and recruitment programs; supporting the training of teachers to better integrate technology; and providing assistance to teachers to meet certification, licensure or other requirements—including the National Board for Professional Teaching Standards.
- **Title II Part D: Enhancing Education Through Technology**  
Consolidates current Technology Literacy Challenge Fund and the Technology Challenge Grant program. Districts must use at least 25 percent for professional development in technology. The district must provide professional development in the integration of advanced technologies, including emerging technologies, into curricula and instruction and in using those technologies to create new learning environments. Examples of professional development activities include but are not limited to:
  - Accessing data to develop curricular and instructional materials;
  - Enabling teachers to use the Internet and other technology to communicate with parents, other teachers, principals and other administrators;
  - Enabling teachers to retrieve Internet-based learning resources; and
  - Developing improvements in classroom instruction or in core curricular areas.
- **Title III Part A: Language Instruction for Limited English Proficient and Immigrant Students**  
Part A Funds may be used to develop capacity to provide high quality instructional programs for LEP students using professional development.
- **Title V: Part A: Innovative Programs**

Innovative assistance program funds may be used to support a wide variety of professional development activities for teachers related to high quality teaching, school reform and technology. New allowable activities include, among other things: professional development and class-size reduction activities; charter schools; community service programs; consumer, economic and personal finance education; public school

Choice; programs to hire and support school nurses; school-based mental health services; alternative education programs; pre-kindergarten programs; academic intervention programs; programs for CPR training in schools; smaller learning communities programs; activities to advance student achievement; programs and activities that use best practice models; same-gender schools and classrooms; service-learning activities; school safety programs; programs that use research-based cognitive and perceptual development approaches and rely on a "diagnostic-prescriptive model" to improve students' learning; Title I supplemental educational services; magnet schools; dropout prevention; gifted and talented education; and parental and community involvement.

- **Title VI Part B: Rural and Low Income Schools Program**

Funds may be used in rural and low-income schools for teacher recruitment and retention, including signing bonuses, professional development to improve teaching and develop capacity to use technology to train special needs teachers.

#### **HOW TO FIND YOUR NLCB ALLOCATIONS**

To find your district's allocations under NCLB go to:

<http://www.emsc.nysed.gov/deputy/nclb/nclballocationlocal.htm>

### **3. The relationship between a teacher center and a district's professional development plan (PDP)**

Teacher centers, created under Section 316 of Education Law, are annually funded through a state appropriation, and governed by a policy board, with membership defined in the law. The New York State Education Department (NYSED) annually approves grant applications based on the appropriateness of programs and budget. Teacher centers operate within the policies of a local education agency (LEA) and are accountable to NYSED for all activities and expenditures. Teacher Centers may provide professional development in a single district or in multiple districts.

Some single district teacher centers choose to function as both the policy board of the teacher center and the district PDP team. The advantage is that both groups have professional development as a primary mission. The cautions are that the teacher center policy board has responsibility for fiscal management of a grant and hiring, oversight, and evaluation of staff while the PDP team functions within the existing district structures. The policy board of a teacher center has more real responsibility than a PDP team. If one board serves in both functions it is critical that the membership requirements for both groups are met.

Since consortia teacher centers serve multiple districts, the direct link with PDP teams is more complex. However, a consortium teacher center can design, administer, analyze and share results of needs assessments for many districts and can provide programs based on the results. Consortium teacher centers can also support regional approaches to new teacher programs, mentor training programs, and other needs that cross district lines.

#### **Similarities between requirements of teacher centers and PDP teams:**

- Conduct needs assessments to determine needs of constituents.
- Use school report card data, student achievement data as measured on state assessments and other data sources to refine needs assessments.
- Design and provide professional development activities to meet identified needs.
- Evaluate the effectiveness and impact of their programs.
- Are governed by a body with a majority of teachers appointed by the union president.
- Serve the needs of multiple audiences including new staff.
- Operate within the fiscal guidelines and policies of their Local Education Agency (LEA).

#### **Differences between requirements of teacher centers and PDP teams:**

- Teacher centers operate with state grant funding; PDP teams are required in every district and BOCES but are not supported by specific categorical funding.
- Teacher centers employ a director and staff to implement programs; PDP implementation is usually the responsibility of a district administrator an individual assigned to coordinate staff development.
- Teacher center activities are directed by the policy board and may be linked to district goals; PDP activities are directly linked to district goals and to school improvement initiatives.
- The Teacher Center policy board determines their target audiences; PDP plans are required to address needs for teachers and other certificated individuals including teacher aides, assistants and all staff who work with students with disabilities.
- Teacher Center Policy Boards make fiscal and hiring decisions; PDP teams make recommendations to the local board of education which may accept or reject the recommendations.

**Required representation on PDP team and Teacher Center Policy Board**

<b>Required Stakeholder Group</b>	<b>PDP team CR 100.2(dd)</b>	<b>Teacher Center Policy Board Education Law 316</b>
Teachers	Majority of teachers appointed by the collective bargaining organization	Same as PDP
Board of Education of district or LEA of teacher center	Superintendent or designee	Same as PDP
Higher education representative	At least one representative of higher education institution, if qualified one is available	At least one representative designated by the institutions of higher education in area served by teacher center
Parents	Parent appointed by established parent groups in the district	Parent of elementary or secondary student in school served by teacher center
Administrators	School administrators designated by their collective bargaining organization	Not required
Curriculum specialists	Appointed by district or collective bargaining organization or both	Not required
Business and Industry	Not required	Representative of business or industry that produces or uses computer equipment and software
Other optional representatives	Representatives of professional development organizations or the community at large (As long as majority of union appointed teachers is maintained.)	School related professionals Nonpublic schools Library museum Students Community representatives (As long as majority of union appointed teachers is maintained.)

## 4. Advice to Local Leaders

1. The new tenure regulations regarding tenure determination, which go into effect July 1, 2008 will impact your professional development plan. Probationary teachers will need to learn about the uses of student data to inform instruction. If your district and union choose to adopt a peer review process, all those involved will need to learn about the peer review process.
2. The role of the PDP team has also become even more important in light of the emphasis on professional development in the federal No Child Left Behind Act. Find out your district's allocation in NCLB Titles and ensure that the professional development planned is part of and consistent with your district's PDP. Also find out about other funding sources and special education plans that support professional development in your district. See page ten for information about NCLB allocations.
3. Obtain a copy of your district's current Professional Development Plan (PDP), if you don't already have one. It should be on file in your district. If your district has not yet created a Professional Development Plan, contact your superintendent immediately to create a team to develop one. It may be part of your Comprehensive District Education Plan (CDEP).
4. If your PDP is part of the district's CDEP, examine the document to be sure it meets the requirements of subdivision (dd)(1)(ii) that states... "including the requirements related to collaboration with the professional development team in the development of the plan..." That is, the CDEP can contain the district's PDP only if the CDEP committee includes a majority of teachers appointed by the union president.
5. Obtain a list of the current members of the PDP team. The Section 100.2 (dd) of the Regulations requires that the team shall have a majority of teachers designated by the teachers' collective bargaining organization. If this is not the case, appoint teachers to this important team. If your PDP team is not currently functioning, contact the superintendent for a meeting of the team, to review and update the current plan. Vacant seats on the team should be filled immediately.
6. Appoint a member of your union executive council to the PDP team to be the key person responsible for monitoring and tracking professional development and mentoring activities in your district.
7. Seek the collaboration of others who have knowledge of the professional development needs of teachers in your district including: in-district trainers or staff developers, local or consortium Teacher Center staff, union in-service committee representatives, and teachers who have been trained in the NYSUT Education & Learning Trust and American Federation of Teachers, Educational Research and Dissemination program (ER&D).
8. The Regulations require an annual review of the PDP plan, with the superintendent certifying to the Commissioner that the requirements have been met. Contact your superintendent to ensure that the PDP committee is reconvened to conduct that annual review.
9. School districts are required to provide 175 hours of professional development opportunities directly related to student learning needs for teachers holding Professional Certificates issued on or after February 2, 2004 and to provide 75 hours of professional development every five years for Teaching Assistants, Level III within the "professional development period." The PDP should specifically address how the district will meet these requirements and which activities will count.
10. NYSUT's Education & Learning Trust can assist you in developing your professional development plan and in meeting needs through course, workshops and customized services.
11. Every Professional Development Plan must also include a plan to address the needs of all staff who work with students with disabilities. See NYSUT BB # 08-04 for more information.

## 5. Terms, Abbreviations and Legal Citations

- **PDP: Professional Development Plans - District plan to be adopted by September 1, 2000, Subdivision (dd) of section 100.2, of Commissioner's Regulations and annually by September 1.**
  - CR 100.2(dd) Professional Development Plans:
    - <http://www.emsc.nysed.gov/part100/pages/1002h.html>
  - CR 100.2 (dd)(2)(iii) training on school violence
  - CR 100.2 (dd) (iv) district based mentoring
- **175 hour Professional Development requirement to be effective September 2004 as defined in Commissioners Regulation's 80-3.6**
  - CR 80-3.6 Professional development certification requirements
    - <http://www.highered.nysed.gov/tcert/certificate/maintaincert.htm>
  - 175 and 75 Hour Professional Development Requirement for holders of Professional or Level III Teaching Assistant certificate
    - <http://www.highered.nysed.gov/tcert/resteachers/175.htm>
- **SED: State Education Department**
  - Special Education Amendment to PDP regulation
    - <http://www.vesid.nysed.gov/specialed/idea/revisedterms905.htm>
  - SED Field Memo on Professional Development and NCLB
    - <http://www.highered.nysed.gov/nclb09-2003f.htm>
  - Questions and answers about district-based mentoring
    - <http://www.highered.nysed.gov/tcert/faqmentoring.htm>
  - Proposed NYS Standards for Professional Development draft 2008
    - <http://www.highered.nysed.gov/tcert/resteachers/stdsdraft.htm>
  - Framework for Professional Development
    - <http://www.emsc.nysed.gov/ppd/frameworkprofdevelop.shtml>
  - Information on district based mentoring 2004 amendment
    - <http://www.highered.nysed.gov/tcert/resteachers/memo012004.htm>
- **NCLB: No Child Left Behind Act**
  - <http://www.ed.gov/nclb/landing.html>
- **NCLB Section 2122 of Title II: Local Application and Needs Assessment**
  - <http://www.ed.gov/legislation/ESEA02/pg22.html#sec2122>
- **CDEP: Comprehensive District Education Plan**
  - [www.emsc.nysed.gov/ppd/schoolsupportservices/CDEP/](http://www.emsc.nysed.gov/ppd/schoolsupportservices/CDEP/)
- **DCEP: District Comprehensive Education Plan in New York City**
  - [www.forms.nysed.gov/emsc/titlei/dcep0708/cover.htm](http://www.forms.nysed.gov/emsc/titlei/dcep0708/cover.htm)

### Links to Professional Development providers:

- NYSUT Education & Learning Trust <http://www.nysut.org/cps/rde/xchg/nysut/hs.xsl/elt.htm>
- NYS Teacher Centers [www.teachercenters.org](http://www.teachercenters.org)
- American Federation of Teachers – ER&D <http://www.aft.org/ERD/Index.htm>
- National Education Association <http://www.nea.org/profdev/index.html>
- Special Education Training and Resource Centers <http://www.vesid.nysed.gov/lsn/setrc.htm>
- Bilingual Education Technical Assistance Center <http://www.emsc.nysed.gov/biling/betac.html>
- Regional School Support Centers <http://www.emsc.nysed.gov/rss/rsscnetworkdir.htm>

## **6. Regulation of the Commissioner of Education – 100.2 Requirements for Professional Development Plans**

### **SECTION 100.2 – Regulation of the Commissioner of Education**

#### **100.2 General school requirements.**

##### **(dd) Professional development plan.**

##### **(1) Requirement.**

(i) By September 1, 2000, and annually by September 1 of each school year thereafter, each school district and Board of Cooperative Educational Services (BOCES) shall adopt a professional development plan that meets the content requirements prescribed in paragraph (2) of this subdivision. The purpose of the plan shall be to improve the quality of teaching and learning by ensuring that teachers participate in substantial professional development in order that they remain current with their profession and meet the learning needs of their students. The plan shall also ensure that holders of level III teaching assistants certificates and that substitute teachers who work on a long-term basis, as defined in section 80-5.4 of this Title, are provided the opportunity to participate in the professional development program of the district or BOCES.

(ii) Such professional development plan may be a part of a comprehensive education plan of the district or BOCES, provided that the professional development plan meets all of the requirements of this subdivision, including the requirements related to collaboration with the professional development team in the development of the plan as prescribed in paragraph (3) of this subdivision, or may be a free-standing plan of the district or BOCES.

(iii) A school district or BOCES shall include as part of its professional development plan a description of the professional development activities provided to all professional staff and supplementary school personnel who work with students with disabilities to assure that they have the skills and knowledge necessary to meet the needs of students with disabilities.

**(2) Content of the plan.** The professional development plan shall be structured in a format consistent with commissioner's guidelines and shall include:

(i) a needs analysis, and goals, objectives, strategies, activities and evaluation standards for professional development in the school district or BOCES;

(ii) a description of:

(a) how the school districts or BOCES provide all teachers they employ substantial professional development opportunities directly related to student learning needs as identified in the school district or BOCES report card and other sources as determined by the school district or BOCES. For plans covering the time period, February 2, 2004 and thereafter, each school district or BOCES shall describe in its plan how it will provide teachers it employs holding a professional certificate with opportunities to maintain such certificates in good standing based upon successfully completing 175 hours of professional development every five years as prescribed in Part 80 of this Title;

(b) teachers' expected participation in professional development, including but not limited to an estimate of the average number of hours each teacher is expected to participate in professional development in the school year covered by the plan;

(c) the alignment of professional development with New York standards and assessments, student needs, including but not limited to linguistic, cultural diversity and special needs, and teacher capacities;

(d) the articulation of professional development across grade levels;

(e) the efforts made to ensure that professional development is continuous and sustained and that the methods and approaches for delivering professional development have been shown to be effective; and

(f) the manner in which the school district or BOCES will measure the impact of professional development on student achievement and teachers' practices.

(iii) provision for the **training** of employees holding a teaching certificate or license in the classroom teaching service, school service, or administrative and supervisory service in **school violence** prevention and intervention. Each such employee shall be required to complete at least one training course in school violence prevention and intervention, which shall consist of at least two clock hours of training that includes but is not limited to, study in the warning signs within a developmental and social context that relate to violence and other troubling behaviors in children; the statutes, regulations, and policies relating to a safe nonviolent school climate; effective classroom management techniques and other academic supports that promote a nonviolent school climate and enhance learning; the integration of social and problem solving skill development for students within the regular curriculum; intervention techniques designed to address a school violence situation; and how to participate in an effective school/community referral process for students exhibiting violent behavior. Upon request of the employee who successfully completes such training course, the school district or board of cooperative educational services shall provide the employee with a certificate of completion attesting to the completion of the two clock hours of training in school violence prevention and intervention; and

(iv) for plans covering the time period, February 2, 2004 and thereafter, provision for a mentoring program.

(a) The purpose of the mentoring program shall be to provide support for new teachers in the classroom teaching service in order to ease the transition from teacher preparation to practice, thereby increasing retention of teachers in the public schools, and to increase the skills of new teachers in order to improve student achievement in accordance with the State learning standards.

(b) The professional development plan shall describe how the school district or BOCES will provide a mentoring program for teachers in the classroom teaching service who must participate in a mentoring program to meet the teaching experience requirement for the professional certificate, as prescribed in section 80-3.4 of this Title.

(c) The mentoring program shall be developed and implemented consistent with any collective bargaining obligation required by Article 14 of the Civil Service Law, provided that nothing herein shall be construed to impose a collective bargaining obligation that is not required by Article 14 of the Civil Service Law.

(d) The information obtained by a mentor through interaction with the new teacher while engaged in the mentoring activities of the program shall not be used for evaluating or disciplining the new teacher; unless withholding such information poses a danger to the life, health, or safety of an individual, including but not limited to students and staff of the school; or unless such information indicates that the new teacher has been convicted of a crime, or has committed an act which raises a reasonable question as to the new teacher's moral character; or unless the school district or BOCES has entered into an agreement, negotiated pursuant to Article 14 of the Civil Service Law whose terms are in effect, that provides that the information obtained by the mentor through interaction with the new teacher while engaged in the mentoring activities of the program may be used for evaluating or disciplining the new teacher.

- (e) The professional development plan shall describe the following elements of the mentoring program:
- (1) the procedure for selecting mentors, which shall be published and made available to staff of the school district or BOCES and upon request to members of the public;
  - (2) the role of mentors, which shall include but not be limited to providing guidance and support to the new teacher;
  - (3) the preparation of mentors, which may include but shall not be limited to the study of the theory of adult learning, the theory of teacher development, the elements of a mentoring relationship, peer coaching techniques, and time management methodology;
  - (4) types of mentoring activities, which may include but shall not be limited to modeling instruction for the new teacher, observing instruction, instructional planning with the new teacher, peer coaching, and orienting the new teacher to the school culture; and
  - (5) time allotted for mentoring, which may include but shall not be limited to scheduling common planning sessions, releasing the mentor and the new teacher from a portion of their instructional and/or non-instructional duties, and providing time for mentoring during superintendent conference days, before and after the school day, and during summer orientation sessions.

**(3) Development and adoption of the plan.**

(i) The requirement in this subparagraph shall be applicable to all BOCES and school districts, except the City School District of the City of New York. The requirements of subparagraph (ii) of this paragraph shall be applicable to the City School District of the City of New York.

(a) The plan shall be developed through collaboration with a professional development team. The team members shall be designated for appointment in the manner prescribed in this clause, except as prescribed in clause (b) of this subparagraph. The board of education or BOCES shall appoint the members of the team, a majority of which shall be teachers, which shall include the superintendent of schools or his or her designee in the case of school districts or the district superintendent or his or her designee in the case of BOCES; school administrators upon designation by the administrators' collective bargaining organization; teachers upon designation by the teachers' collective bargaining organization; at least one parent upon designation by the established parent groups in the district or in their absence, by the superintendent in the case of a school district or district superintendent in the case of a BOCES; and one or more curriculum specialists, meaning a teacher or administrator whose primary job responsibility involves the development or evaluation of curricula, upon designation by the district or teachers' collective bargaining organization or both. In addition, the team shall include at least one representative of a higher education institution, provided that the board of education or BOCES determines that a qualified candidate is available to serve after conducting a reasonable search. The team may include other individuals, such as representatives of professional development organizations or the community at large. In school districts or BOCES in which teachers or administrators are not represented by a collective bargaining organization, teachers or administrators shall be designated by their peers in a manner prescribed by the Board of Education or BOCES.

(b) Notwithstanding the requirements of clause (a) of this subparagraph, members of the professional development team employed in or representing a school under registration review, pursuant to section 100.2(p) of this Title, including but not limited to teachers, administrators, curriculum specialists and parents, shall not be designated for appointment as prescribed in clause (a) of this subparagraph but shall instead be recommended by the superintendent of the school district for appointment by the board of education.

(c) The board of education or BOCES shall permit the professional development team a period of at least 180 days to develop its recommended professional development plan and shall convene such team on or before October 1, except that for the 1999-2000 school year, such team shall be convened by October 8, 1999.

(d) Such team shall submit to the board of education or to the BOCES a recommended professional development plan by a date specified by the board of education or BOCES. The board of education or BOCES may accept or reject the recommendations of the team in whole or part. Components of the plan not approved by the board of education or BOCES shall be returned to the team for further consideration. Any subsequent modification in the professional development team's recommendation to the board of education or BOCES shall be presented to the board of education or BOCES on or before June 1, and the board of education or BOCES shall act on the plan by June 30. The final determination on the content of the professional development plan shall be the determination of the board of education or BOCES.

(e) The professional development plan shall be adopted by the board of education or BOCES at a public meeting. Each year, the board of education or BOCES shall evaluate the effectiveness of the plan. The board of education or BOCES may adopt a multi-year plan or an annual plan, provided that in the case of a multi-year plan the professional development team shall be required to review the plan on an annual basis, and submit to the board of education or BOCES recommended revisions, if necessary. The Board of Education or BOCES shall determine whether to approve the recommended revisions.

(ii) The requirements of this subparagraph shall be applicable to the City School District of the City of New York.

(a) Each community school district, high school division, special education division and the Chancellor's district shall have a professional development plan.

(b) Each plan shall be developed through collaboration with a professional development team. The team members shall be designated for appointment in the manner prescribed in this clause, except as prescribed in clause (c) of this subparagraph. In the case of a community school district, the board of education of the community school district shall appoint the members of the team for the community school district. In the case of a high school division, special education division, and the Chancellor's district, the Chancellor of the City School District of the City of New York shall appoint the members of the team. The team, a majority of which shall be teachers, shall include the superintendent of the district for which the team was formed or his or her designee; school administrators upon designation by the administrators' collective bargaining organization; teachers upon designation by the teachers' collective bargaining organization; at least one parent upon designation by the established parent groups in the district, or, in their absence, by the Chancellor in the case of a high school division, a special education division or a Chancellor's district, or by the board of education of the community school district in the case of a community school district; one or more curriculum specialists, meaning a teacher or administrator whose primary job responsibility involves the development or evaluation of curricula, upon designation by either or both the teachers' collective bargaining organization, or by the Chancellor in the case of a high school division, a special education division or a Chancellor's district, or by the board of education of the community school district in the case of a community school district. In addition, the team shall include at least one representative of a higher education institution, provided a qualified candidate is available to serve after conducting a reasonable search. The team may include other individuals, such as representatives of professional development organizations or the community at large.

(c) Notwithstanding the requirements of clause (b) of this subparagraph, members of the professional development team employed in or representing a school under registration review, pursuant to section 100.2(p) of this Title, including but not limited to teachers, administrators, curriculum specialists and parents, shall not be designated for appointment as prescribed in clause (b) of this subparagraph but shall

instead be recommended by the Chancellor for appointment by the board of education of the community school district in the case of community school districts, and appointed by the Chancellor without being designated by any other party in the case of high school divisions, special education divisions and the Chancellor's district.

(d) In the case of high school divisions, special education divisions and the Chancellor's district, the Chancellor shall convene the professional development team on or before October 1, except for the 1999-2000 school year when such team shall be convened by October 8, 1999. The Chancellor shall permit the team a period of 180 days to develop its recommended professional development plan. Such team shall submit to the Chancellor a recommended professional development plan by a date specified by the Chancellor. The Chancellor may accept or reject the recommendations of the team in whole or part. Components of the plan not approved by the Chancellor shall be returned to the team for further consideration. Any subsequent modification in the professional development team's recommendation to the Chancellor shall be presented to the Chancellor on or before June 1, and the Chancellor shall act on the plan by June 30. The final determination on the content of the professional development plan shall be the determination of the Chancellor, in accordance with Education Law section 2590-h(14). In the event that the team does not make a recommendation to the Chancellor by the date specified by the Chancellor, the Chancellor may promulgate a professional development plan without such recommendation.

(e) In the case of community school districts, each board of education of the community school district shall submit to the Chancellor of the City School District of the City of New York a recommended professional development plan by a date specified by the Chancellor. Such professional development plan shall be developed through collaboration with the community school district's professional development team. Each board of education of a community school district shall convene its professional development team on or before October 1, except for the 1999-2000 school year when such team shall be convened by October 8, 1999. The board of education of the community school district shall permit its professional development team a period of at least 180 days to develop its recommendations for the professional development plan. Such team shall submit to the board its recommended professional development plan by a date specified by the board. Components of the plan not accepted by the board of education of the community school district shall be returned to the team for further consideration and submitted to the board by a date specified by the board. The board of education of the community school district may accept or reject the recommendations in whole or part. The board shall adopt final recommendations for the district's professional development plan for submission to the Chancellor. The Chancellor may accept or reject the recommendations of the board of education of the community school district in whole or part. Components of the plan not approved by the Chancellor shall be returned to the board of education of the community school district for further consideration. Any subsequent modification in the board's recommendation to the Chancellor shall be presented to the Chancellor on or before June 1, and the Chancellor shall act on the plan by June 30. The final determination on the content of the professional development plan shall be the determination of the Chancellor, in accordance with Education Law section 2590-h(14). In the event that the board of education of the community school district does not make a recommendation to the Chancellor by the date specified by the Chancellor, the Chancellor may promulgate a professional development plan without such recommendation.

(f) Each year, the Chancellor shall evaluate the effectiveness of the plan for each district. The Chancellor shall promulgate a multi-year or an annual plan for each district, provided that in the case of a multi-year plan for a high school division, special education division and the Chancellor's district, such district's professional development team shall be required to review the plan on an annual basis; and in the case of a multi-year plan for a community school district, the board of education of the community school district shall be required to review the plan on an annual basis in collaboration with its professional development team. Such districts shall submit to the Chancellor recommended revisions, if necessary. The Chancellor shall determine whether to approve the recommended revisions.

**(4) Reporting requirement.**

**(i) Professional development plan**

(a) Each year, the superintendent of a school district, the district superintendent of a BOCES, and in the case of the City School District of the City of New York, the Chancellor, shall be required to certify to the commissioner, in a form and on a timetable prescribed by the commissioner, that:

(1) the requirements of this subdivision to have a professional development plan for the succeeding school year have been met; and

(2) the school district or BOCES has complied with the professional development plan applicable to the current school year.

(b) The commissioner may request a copy of the professional development plan for review and may recommend changes to the plan to meet the learning needs of the students in the school district or BOCES.

**(ii) Professional development.** School districts and BOCES shall report to the department in a form and a timetable prescribed by the department, information concerning the completion of professional development for regularly employed certificate holders, who are subject to the professional development requirement prescribed in section 80-3.6 of this Title. Prior to reporting such information to the department, the school district or BOCES shall be required to consult with the certificate holder to verify the accuracy of the information. For purposes of this reporting requirement, regularly employed certificate holders shall mean certificate holders who are employed by the school district or BOCES in a position requiring teaching certification for 90 days or more in the July 1 through June 30 professional development year, prescribed in section 80-3.6 of this Title. In the case of the City School District of the City of New York, the 90 days or more of employment shall include the combined number of days employed in a position requiring teaching certification at any of its components, including but not limited to community school districts, high school divisions, special education divisions, and the Chancellor's district, in the professional development year. In computing the number of days employed, a day of employment shall include a day actually worked in whole or in part or a day not actually worked by a day paid.

**(5) Recordkeeping requirements**

**(i)** School districts and BOCES shall be required to maintain a record of professional development successfully completed by certificate holders, who are subject to the professional development requirement prescribed in section 80-3.6 of this Title, and who take professional development offered by the school district or BOCES or by entities on behalf of the school district or BOCES. Such record shall include: the name of the professional certificate holder, his or her teacher certification identifying number, the title of the program, the number of hours completed, and the date and location of the program. Such record shall be retained by the school district or BOCES for at least seven years from the date of completion of the professional development by the professional certificate holder and shall be available for review by the department.

**(ii)** School districts and BOCES shall maintain documentation of the implementation of the mentoring program described in the professional development plan. Such documentation shall include for each individual receiving mentoring pursuant to the mentoring program: the name of that individual, his or her teacher certificate identification number, the type of mentoring activity, the number of clock hours successfully completed in the mentoring activity, and the name and the teacher certificate identification number of the individual who provided the mentoring. Such record shall be maintained by the school district or BOCES for at least seven years from the date of completion of the mentoring activity and shall be available for review by the department.

**(6)** Notwithstanding the requirements of this subdivision, participation in professional development outside the regular school day or regularly scheduled working days of the school year shall be volitional for

teachers, unless otherwise agreed upon as a term or condition of employment pursuant to collective bargaining under Article 14 of the Civil Service Law.

(7) Variance. A variance shall be granted from a requirement of this subdivision, upon a finding by the commissioner that a school district or BOCES has executed prior to October 7, 1999 an agreement negotiated pursuant to Article 14 of the Civil Service Law, whose terms continue in effect and are inconsistent with such requirement.

## **7. Regulations of the Commissioner of Education – Part 80-3.6 Professional Development Requirement**

### **80-3.6 Professional development requirement.**

(a) Definitions. As used in this section:

(1) Regularly employed by an applicable school in New York means employed 90 days or more in a professional development year by a single applicable school in New York in a position requiring certification pursuant to this Part. For the purposes of this definition, a day of employment shall include a day actually worked in whole or in part, or a day not actually worked but a day paid. In addition, the City School District of the City of New York and any of its components, including but not limited to community school districts, high school divisions, special education divisions, and the Chancellor's district, shall be considered together a single applicable school in New York.

(2) Professional development period means the five-year period commencing on July 1st after the effective date of the triggering certificate, and each subsequent five-year period thereafter.

(3) Professional development year shall mean each year of the five-year professional development period, beginning on July 1st and ending the following June 30th.

(4) Applicable school in New York means a school district or board of cooperative educational services located in New York State. For purposes of this definition, the City School District of the City of New York and any of its components shall be considered together a single school district.

(5) Triggering certificate means the earliest issued certificate which requires the holder to take professional development, pursuant to subdivision (b) of this section.

(b) Mandatory requirement. (1) Requirements.

(i) Requirement for holders of professional certificates in the classroom teaching service. The holder of a professional certificate in the classroom teaching service shall be required to successfully complete 175 clock hours of acceptable professional development during the professional development period.

(ii) Requirement for holders of level III teaching assistant certificates. The holder of a level III teaching assistant certificate shall be required to successfully complete 75 clock hours of acceptable professional development during the professional development period.

(2) The professional development requirement prescribed in paragraph (1) of this subdivision shall be reduced by 10 percent for each professional development year the certificate holder is not regularly employed by an applicable school in New York.

(3) The professional development requirement prescribed in this subdivision may be completed at any time during the five-year professional development period.

(4) Notwithstanding the requirements of paragraph (1) of this subdivision, a holder of a certificate who achieves certification from the National Board for Professional Teaching Standards shall be deemed to have met the professional development requirement, prescribed in this subdivision, for the five-year professional development period in which such national board certification is achieved.

(c) Adjustments to the requirement. (1) An adjustment to the requirement prescribed in subdivision (b) of this section, in terms of clock hours and/or the time for completing professional development, shall be made by the commissioner, provided that the certificate holder documents good cause that prevents compliance, which shall include, but not be limited to, any of the following reasons: poor health certified by a physician; or a specific physical or mental disability certified by an appropriate health care professional; or extended active duty with the Armed Forces of the United States; or extreme hardship which, in the judgment of the department, makes it impossible for the professional certificate holder to comply with the professional development requirements in a timely manner; or for a certificate holder who is regularly employed by an applicable school in New York, inability to complete the requirement because of the failure of the applicable school in New York to adopt and implement a professional development plan.

(2) A certificate holder may request from the executive coordinator of the office of teaching an adjustment to the professional development requirement at any time during the professional development period, except that the certificate holder shall be required to comply with the timeframes prescribed in the due process requirements of subdivision (h) of this section, if the request is made after an initial notification, as prescribed in such subdivision, that the department's records show that the professional development requirements have not been met.

(d) Acceptable professional development. (1) For individuals regularly employed by an applicable school in New York in a professional development year, acceptable professional development for such year shall be professional development approved by such applicable school in New York, pursuant to its professional development plan, as prescribed in section 100.2(dd) of this Title.

(2) For individuals not regularly employed by an applicable school in New York in a professional development year, acceptable professional development for such year shall be study in the content area of the certificate held by the individual or in pedagogy related to such certificate:

(i) approved by an applicable school in New York, pursuant to its professional development plan, as prescribed in section 100.2 (dd) of this Title; or

(ii) offered by:

(a) a regionally accredited institution of higher education or institution authorized by the Board of Regents to confer degrees; or

(b) the following entities located in New York State: a school district, a board of cooperative educational services, a teacher resource and computer training center, or a special education teacher resource center, or a comparable entity located outside of New York State; or

(c) for certificate holders employed by any entity offering instruction in any grades kindergarten through grade 12, including but not limited to nonpublic schools located in New York State or outside of the State,

professional development provided by such employer.

(e) Measurement of professional development study. For credit-bearing university or college courses, each semester-hour of credit shall equal 15 clock hours of professional development, and each quarter-hour of credit shall equal 10 clock hours of professional development for purposes of this section.

(f) Recordkeeping requirements. In addition to the recordkeeping requirement for an applicable school in New York, as prescribed in section 100.2(dd) of this Title, the certificate holder shall maintain a record of completed professional development, which includes: the title of the program, the number of hours completed, the sponsor's name and any identifying number, attendance verification, and the date and location of the program. Such records shall be retained for at least seven years from the date of completion of the program and shall be available for review by the department in administering the requirements of this section.

(g) Reporting requirement. (1) In addition to the reporting requirement for an applicable school in New York, as prescribed in section 100.2(dd) of this Title, for any professional development year in which the certificate holder is not regularly employed in an applicable school in New York, the certificate holder shall report to the department, in a form and timetable prescribed by the department, information concerning completed professional development.

(2) Each certificate holder required to complete the professional development requirement pursuant to this section shall report to the executive coordinator of the office of teaching his or her current mailing address. Each such certificate holder shall report to the executive coordinator a change of his or her mailing address within 30 days of such change. Failure to provide the executive coordinator with a valid current mailing address may result in the suspension of the validity of the teaching certificate or certificates for which professional development is required, as prescribed in subparagraph (h)(2)(ii) of this section.

(h) Due process. (I) General requirements. For purposes of this subdivision, the act of depositing by mail notifications, orders or other papers, enclosed in a post paid properly addressed wrapper, in a post office - official depository under the exclusive care of the United States Postal Service within the State of New York in the manner prescribed in this subdivision, using the address supplied by the certificate holder or the address found by the department after a reasonable search of its records pursuant to subparagraph (2)(ii) of this subdivision, to the certificate holder or the certificate holder's attorney of record by either the department or by the professional practices subcommittee of the State Professional Standards and Practices Board, or a panel thereof, shall constitute good and proper service upon the certificate holder.

(2) Notification. (i) For certificate holders for whom the department records do not show that the professional development requirement prescribed in this section has been met, based on reporting by applicable schools in New York and/or the certificate holder, the department shall issue an initial notification to the certificate holder by first class mail that the department's records show that the professional development requirements have not been met. Such notification shall require the certificate holder to demonstrate within 30 days of the mailing of the notification that he or she has met the professional development requirement or that an adjustment to meet the professional development requirement is warranted, pursuant to the requirements of subdivision (c) of this section.

(ii) If the initial notification, prescribed in subparagraph (i) of this paragraph, is returned to the department as undeliverable because the mailing address provided by the certificate holder to the executive coordinator of the office of teaching is not current or valid, the department shall make a reasonable search of its records for a current or valid address at which the certificate holder may be reached, which may include but is not limited to a business address. If such an address is found, the initial notification shall be sent again to the certificate holder by first class mail. If such an address is not found after a reasonable

search, or if the initial notification is again returned as undeliverable, the commissioner shall execute an order suspending the validity of the certificate(s) for which professional development is required, which shall be served upon the certificate holder by certified mail, return receipt requested, at the most current mailing address provided by the certificate holder to the executive coordinator of the office of teaching.

(iii) If the certificate holder demonstrates that he or she has met the professional development requirement, the department shall notify the certificate holder of this determination, by first class mail.

(iv) If the certificate holder defaults on responding to the initial notification; or fails to demonstrate that he or she has met the requirement or that an adjustment is warranted to meet the requirement, the department shall notify the certificate holder by first class mail that the validity of his or her certificate(s) for which the professional development requirement has not been met shall be suspended for failure to meet such requirement, unless the certificate holder submits a written request for a hearing to the executive coordinator of the office of teaching within 30 days of the date of the mailing of such notification letter. Such notification shall state the basis for the determination that the professional development requirement has not been met. Where the certificate holder has requested an adjustment and it has been denied, such notification shall also state that the adjustment has been denied and the basis for such denial.

(v) If an adjustment to the requirement is granted, the department shall notify the certificate holder by first class mail of this fact and the conditions of such adjustment, if any, which may include but are not limited to, permitting additional time to meet the requirement and/or adjusting the number of clock hours.

(vi) If the certificate holder fails to demonstrate that he or she has met the professional development requirement and no written request for a hearing is submitted by the certificate holder within 30 days of the mailing date of the notification letter advising the certificate holder that the validity of his or her certificate(s) shall be suspended, as prescribed in subparagraph (iv) of this paragraph, the commissioner shall execute an order suspending the validity of the certificate(s) for which professional development requirement has not been met, which shall be served upon the certified individual by certified mail, return receipt requested. In addition, for such certificate holders employed by applicable schools in New York, the department shall notify such school that the validity of the individual's certificate(s) has been suspended until the professional development requirements of this section are met.

(3) Hearing. (i) If the certificate holder requests a hearing within 30 days of the mailing of the notification letter advising the certificate holder that the validity of his or her certificate shall be suspended, as prescribed in subparagraph (2)(iv) of this subdivision, a hearing shall be held before a panel of the professional practices subcommittee of the State Professional Standards and Practices Board for Teaching on the issue of whether the validity of the individual's certificate(s) shall be suspended because of not fulfilling the professional development requirement for such certificate(s). Such panel shall be selected by the professional practices subcommittee and shall consist of a minimum of three members. A majority of the members of such panel shall be teacher members of such subcommittee.

(ii) The executive coordinator of the office of teaching shall schedule the hearing, which shall take place within 30 days of receipt of such request. At least 15 days before the hearing, the executive coordinator of the office of teaching shall notify the certificate holder by first class mail of the time and place of said hearing.

(iii) The panel of the professional practices subcommittee of the State Professional Standards and Practices Board for Teaching shall select a hearing officer from its membership who shall conduct the hearing. The hearing officer may issue subpoenas on request of a party.

(iv) The certificate holder may be represented at the hearing by counsel and may produce witnesses and

affidavits of proof. A record of the hearing testimony shall be maintained, but no stenographic transcript shall be required and a tape recording shall be deemed a satisfactory record.

(v) The professional certificate holder shall have the burden of proof to demonstrate that he or she has met the professional development requirement prescribed in this section.

(vi) No later than 15 days after the conclusion of the hearing, the panel of the professional practices subcommittee of the State Professional Standards and Practices Board for Teaching shall send by first class mail to the executive coordinator of the office of teaching and the certificate holder, a report of its findings and recommendations, together with a copy of the record of the hearing testimony. Such panel shall either recommend that the validity of the certificate holder's certificate(s) shall be continued because the certificate holder has met the professional development requirement; or that the validity of the certificate holder's certificate(s) shall be continued because the certificate holder has met or will meet an adjusted requirement, which may include but is not limited to, permitting additional time to meet the requirement and/or adjusting the number of clock hours; or that the validity of a certificate holder's certificate(s) shall be suspended because the certificate holder has not met the professional development requirement. The findings and recommendations of such panel shall be based solely upon the record and shall set forth the factual basis therefore.

(4) If no appeal is commenced by the certificate holder or the executive coordinator of the office of teaching within 30 days of the date of the mailing of the notification to the certificate holder of the findings and recommendations of the panel of the professional standards subcommittee of the State Professional Standards and Practices Board for Teaching, as prescribed in paragraph (5) of this subdivision, the commissioner shall adopt the recommendations and findings of such panel. In the case of a suspension of the validity of a certificate(s), the commissioner shall issue an order to that effect, which shall be served upon the certificate holder by certified mail, return receipt requested, and for certificate holders employed by an applicable school in New York, the department shall notify such school that the validity of the individual's certificate(s) has been suspended until the professional development requirements of this section are met.

(5) Appeal. (1) Within 30 days of the date of the mailing of the notification to the certificate holder of the findings and recommendations of the panel of the professional standards subcommittee of the State Professional Standards and Practices Board for Teaching, the certificate holder may commence an appeal to the commissioner pursuant to clause (a) of this subparagraph or the executive coordinator of the office of teaching may commence an appeal to the commissioner pursuant to clause (b) of this subparagraph. Upon appeal by the certificate holder or the executive coordinator of the office of teaching, the executive coordinator of the office of teaching shall transmit to the commissioner a copy of the complete record of the hearing before the panel of the professional practices subcommittee of the State Professional Standards and Practices Board For Teaching.

(a) Appeal by certificate holder. The certificate holder may commence an appeal of the findings and recommendations of the panel of the professional practices subcommittee of the State Professional Standards and Practices Board for Teaching by filing the original appeal papers with the commissioner, with proof of service by first class mail upon the executive coordinator of the office of teaching. The executive coordinator of the office of teaching may file a written response with the commissioner within 30 days of the mailing of such appeal papers, with proof of service by first class mail on the certificate holder or the attorney of record of such certified individual.

(b) Appeal by the executive coordinator of the office of teaching. The executive coordinator of the office of teaching may commence an appeal of the findings and recommendations of the panel of the professional practices subcommittee of the

State Professional Standards and Practices Board for Teaching to the commissioner by filing the original appeal papers with the commissioner, with proof of service by first class mail upon the certificate holder. The certificate holder may file a written response with the commissioner within 30 days of the mailing of such appeal papers, with proof of service by first class mail on the executive coordinator of the office of teaching.

(c) In the event that both the certificate holder and the executive coordinator of the office of teaching commence an appeal to the commissioner within the time period prescribed in this subparagraph, such appeals shall be automatically consolidated and each party shall be permitted to file a written response with the commissioner within 30 days of the mailing of the other party's appeal papers, with proof of service by first mail upon the other party.

(ii) The commissioner shall review any appeal papers, or written responses filed, and the record of the hearing testimony and all evidence presented in the proceeding before the panel of the professional practices subcommittee of the State Professional Standards and Practices Board for Teaching, and within 30 days of receiving such record shall determine the matter. Based upon the record, the commissioner may adopt, reverse or modify the findings and recommendations of the panel of the professional practices subcommittee of the State Professional Standards and Practices Board for Teaching. If the commissioner determines to suspend the validity of a certificate(s), the commissioner shall execute an order to that effect, which shall be served upon the certificate holder by certified mail, return receipt requested, and for certified individuals employed by an applicable school in New York, the department shall notify such school that the validity of the individual's certificate(s) has been suspended until the professional development requirements of this section are met.

(i) Restoration of validity of certificate(s). (1) To restore the validity of a certificate(s) whose validity has been suspended for failure to satisfy the professional development requirement set forth in this section, the candidate shall be required to demonstrate that he or she has:

(i) met the deficiency which caused the suspension in validity applicable to the five-year professional development period in which the deficiency occurred; and

(ii) completed at least one and one-half clock hours of additional acceptable professional development for each month beginning with the month succeeding the five-year professional development period in which the deficiency occurred and ending in the month prior to the date of application for the restoration of the certificate(s), up to a maximum of 75 clock hours. The professional development shall be completed during such computation period. In the case of a candidate required to complete 75 clock hours of professional development, 45 of such clock hours shall be completed within one year prior to the candidate's applying to the department for the restoration of the validity of the certificate(s).

(2) The certificate holder for whom the validity of a certificate(s) has been restored shall be required to complete one and one-half clock hours of acceptable professional development for each month beginning with the month of the date of application for the restoration of the validity of the certificate(s), and ending with the commencement of a new five-year professional development period, which shall begin on July 1st succeeding the date of application. With the commencement of the new professional development period, the professional certificate holder shall be required to complete the regular professional development requirement, as prescribed in this section.

#### **Historical Note**

Sec. filed June 15, 2000 effective July 10, 2000.

## **8. Part 200 Regulations of the Commissioner of Education**

### **PART 200 --STUDENTS WITH DISABILITIES**

Section 200.2 Board of education responsibilities.

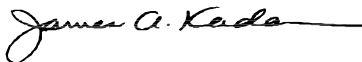
(h) The board of education or trustees of each school district and each board of cooperative educational services shall develop and implement a plan as part of the professional development plan pursuant to section 100.2(dd) of this Title that shall include, but is not limited to, a description of the professional development activities provided to all professional staff and supplementary school personnel who work with students with disabilities to assure that they have the skills and knowledge necessary to meet the needs of students with disabilities.

## 9. Kadamus Letter

November 22, 2002

TO: District Superintendents of Schools  
Superintendents of Big 5 City School Districts


FROM: James A. Kadamus



SUBJECT: Biweekly Newsletter

*Call to Teaching Forums.* We have conducted three forums to date that have been well attended. We have learned the following: investing in mentoring is critical and an effective way to help new teachers adapt to the classroom; the three-year timeline for acquiring a master's degree needs to be reviewed; students in middle and high schools need to be given opportunities to engage in teaching experiences if we want them to pursue teaching careers, i.e., peer tutoring, internships, shadowing, etc.; experienced classroom teachers need to model good practice and attitude; school administrators must create a school climate that supports quality teaching and learning; a variety of financial incentives are needed to attract teachers to the lowest performing schools; and a stronger partnership between higher education institutions and school districts is essential to the successful recruitment and retention of teachers. Another forum is scheduled for Yonkers on January 23. We are also looking into conducting forums in New York City.

*Cardiac Automated External Defibrillators (AED).* The legislation requiring schools, districts, BOCES, county vocational and extension boards and charter schools to provide and maintain on-site in each school facility at least one AED for use during emergencies and a trained staff person is effective December 1, 2002. If you are having difficulty in meeting these requirements, contact SED. Information on implementing these requirements is available at [http://www.emsc.nysed.gov/rscs/chaps/Health%20Services/AED\\_WebPage.htm](http://www.emsc.nysed.gov/rscs/chaps/Health%20Services/AED_WebPage.htm)



*Professional Development Plans.* We have received a number of questions about timing and funding under NCLB for professional development and the relationship to the State's requirement for professional development plans. These plans are intended to guide all professional development in a district. Resources for professional development from federal funds should be used within the framework of your professional development plans. This may be a good time for districts to consider updating their professional development plans in light of the Title I and Title II funds that are available.

*School Accountability Under NCLB.* In December, the Regents will take action on our conceptual framework for school accountability. A group of SED staff will meet with USDOE representatives in Washington on November 26 to discuss issues for which we still need guidance. It appears that they have accepted our proposal to use the NYSELAT to test limited English proficient students. The report to the Regents will soon be available on the Regents website.

*Middle-Level Education.* As I indicated in my last newsletter, the Regents will review the proposed core contents of a revised Policy Statement on Middle-Level Education. The document will soon be available on the Regents website. A full draft of the Policy Statement will be submitted to the Regents in February. The comments by the District Superintendents' Curriculum and Assessment Committee are appreciated. If you have any additional comments or suggestions, please let me know

## 10. SED Guidance on 175 and 75 Hour Professional Development

### New York State Education Department

Office of Higher Education Johanna Duncan-Poitier, Sr. Deputy Commissioner



#### 175 and 75 Hour Professional Development Requirement

##### Suggested Guidelines

These guidelines are intended to assist school districts, teachers and teaching assistants in identifying professional development activities as they prepare to comply with teacher certification requirements requiring continuing professional development. Holders of the Professional certificate must complete 175 hours of professional development and holders of the Level III Teaching Assistant certificate must complete 75 hours every 5 years in order to maintain certification. These are guidelines only; authority for decision-making regarding appropriateness of activities as to fulfillment of this requirement resides solely with the local public school district.

The ultimate goal of all efforts in this area is to increase the capacity of teachers and teaching assistants to enable and assist **all** students to higher academic achievement.

##### Guiding Principles

The design of professional development should be a result of a district's professional development planning process. It is best done as part of a comprehensive district plan, such as the piloted Comprehensive District Education Plan (CDEP) or New York City's District Comprehensive Education Plan (DCEP). The planning process includes, at a minimum, a collection of needs assessment data, i.e. student and teaching staff needs; root cause identification; proposed activities; identification of resources; and proposed evaluation of the impact of planned activities/approaches. Enhanced teaching and learning is the foundation upon which individuals and districts should plan the content of all professional development.

- Subject matter content of professional development activities/experiences is clearly connected to student achievement of the NYS Learning Standards.
- Professional development activities/experiences are planned with the *NYS Teacher Standards* as underpinning.
- Professional development activities/experiences should respond to student achievement data including State and local assessments and School District Report Cards.
- Professional development is shaped by teaching staff needs, as evidenced by such data as aggregate results of annual professional performance reviews.
- The professional development planning process is dynamic, reflecting teaching staff and student performance benchmarks of increasing rigor as skill levels are attained.
- Professional development results in a demonstrated increase in teaching staff knowledge and understanding, teaching staff skillfulness, and teaching staff professional values.
- Professional development activities/experiences are assessed on an on-going and continuous basis for intended impact. Defensible evaluation tools/methods must be used to determine modifications to planned activities/experiences.
- Professional development is, to the greatest extent possible, being site-based and connected to daily school experiences.

- Professional development enables the teaching staff to deepen their knowledge base and remain current in their content area and instructional strategies.
- Teaching staff learning opportunities are clearly constructed, based on effective teaching research, and involve educators in the design and implementation of such opportunities.

Content of courses, workshops, and other professional development experiences should be directly related to:

- enhancing teacher/teaching assistant subject matter knowledge,
- teacher/teaching assistant knowledge, use and application of appropriate teaching techniques,
- broadening and enhancing teacher/teaching assistant abilities to apply more accurate and appropriate assessment methodologies, and
- enhancing teacher/teaching assistant skills in effectively managing individual students and classroom in both heterogeneous and homogeneous settings.

### **Suggested Activities**

The following categories of activities are suggestions for meeting the needs of school districts in building teacher and teaching assistant capacity: ( **Not all suggested activities are intended for Level III teaching assistants**)

- Participating in courses and other learning opportunities delivered from many providers, such as institutions of higher education, teacher centers, BOCES, school districts and independent professional development service providers.
- Coursework linked to improvement of instructional technique or content knowledge, which may or may not be in pursuit of a teaching or advanced teaching degree.
- Completing coursework for more advanced certification or certificates in additional areas or in accordance with teaching assignment requirement for extension to certification.
- Collaborating with other teachers and teaching assistants to examine case studies of student work and development
- Participating in regional scoring of State assessments, assessing student portfolios
- Creating and assessing teacher or teaching assistant portfolios
- Providing Mentoring Service
- Engaging in research projects (includes online research)
- Participation in study (collegial) circles such as "Critical Friends" activities, structured guided reflection activities focused on student learning
- Participating in formal programs of peer coaching or participation in peer review.
- Curriculum planning and development
- Pursuing National Board certification or re-certification (either as candidate or provider of support)
- Sabbaticals (related to content specialty or enhancement of teaching strategies)
- Participating in reviews of class performance data over time to make decisions about one's own professional development, based on student outcomes
- Developing or collaborating on the development of new programs and instructional methods

- Teacher of the Year activities
- NYSTCE "assessor" or test development committee member
- Delivering professional development (e.g. conducting workshops)
- Development of Statewide curriculum
  
- Service as support teacher, helping teacher, or coach
- Service as a cooperating teacher for a student teacher or field internships; including attendant meetings and processes.
- Service as an elected officer in professional organizations
- Service as teacher center director
- Service/designation as Master Teacher
- Service on the State Professional Standards and Practices Board
- Participating in Professional Development School activities or other school-college teacher development partnerships
- Publishing in educational journals
- Developing and presenting a major paper
- Serving on CDEP (Comprehensive District Education Plan) or DCEP (District Comprehensive Education Plan), or School Leadership committees.

<http://www.highered.nysed.gov/tcert/resteachers/175.htm#1>