
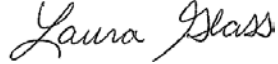




December 2019

TO: District Superintendents
Superintendents of Schools
Public School Administrators
Charter School Administrators
Administrators of Nonpublic Schools with Approved Special Education Programs

FROM: Christopher Suriano, Office of Special Education 
Laura Glass, Office of Teaching Initiatives 

SUBJECT: Subject Area Certification Requirement and Statement of Continued Eligibility (SOCE) Information for Special Education Teachers Who Teach One or More Subject Areas in a Special Class in Grades 7-12

Background Information

Through the former No Child Left Behind (NCLB) Act, special education teachers who achieved “Highly Qualified” status in one or more subject areas were permitted to teach the subject area(s) in their special class (self-contained class) in grades 7-12. Teachers not new to the profession could meet the Highly Qualified requirement, in part, through passing a “High, Objective, Uniform State Standard of Evaluation” (HOUSSE) rubric. The New York State Education Department (NYSED) developed a [HOUSSE rubric](#) for practicing teachers in New York State (NYS) that listed different ways in which teachers could demonstrate their knowledge of the subject area.

The Every Student Succeeds Act (ESSA) eliminated the NCLB permission that allowed special education teachers who were deemed Highly Qualified to teach a subject area in a special class in grades 7-12 in order for local educational agencies (LEAs) to receive certain federal aid. Therefore, NYSED is now required to ensure that teachers in LEAs receiving federal funding fulfill NYS certification requirements, as outlined in Part 80 of the Commissioner’s regulations.

Certification Requirement

Effective July 1, 2020, all certified special education teachers who teach one or more subject areas in a special class in grades 7-12, with some or no students under alternate assessment, must either:

- be certified in each subject area that they teach, or
- meet the teaching experience requirement for the statement of continued eligibility (SOCE) and have an active SOCE application in the [TEACH online system](#) in each subject area that they teach¹.

Certification Options

There are several ways that special education teachers can become certified in a subject area. Specifically, they can earn one of the certificates listed on the [Types of Certificates and License webpage](#) in a subject area. They can also earn subject area certification through the SOCE, limited extension, and subject area extension described below.

- **Statement of Continued Eligibility (SOCE).** The [SOCE](#) is only valid in a special class as defined in section 200.1(uu) of the Regulations of the Commissioner of Education.
 - *Eligible Certificate Holders.* To be eligible for the SOCE, special education teachers must hold a Students with Disabilities (Grades 7-12) Generalist or Content Specialist certificate, Students with Disabilities (Grades 5-9) Generalist or Content Specialist certificate, or Permanent Special Education certificate.
 - *Teaching Experience Requirement.* Eligible special education teachers must have at least three years of satisfactory full-time special education teaching experience in a special class with students in grades 7-12 prior to June 30, 2020, during which time they would have been considered Highly Qualified through passing a HOUSSE rubric in the subject area of the SOCE sought. They must have taught the subject area in a special class with students in grades 7-12 for at least one teaching assignment during each academic year (e.g., one period for an entire semester or year) under full-time employment. They do not need to have a teaching assignment in a special class in grades 7-12 on the date of their SOCE application, but they do need to be currently employed in a public school or other school for which teacher certification is required to teach a special class. The years of experience do not need to be contiguous. To document teaching experience, current and/or past employing school district(s) must submit a [Verification of Paid Experience form](#) and completed [HOUSSE rubric](#) according to the guidelines on the [SOCE webpage](#) and the [Search Certification Requirements webpage](#).
 - *Application Deadline.* The deadline to apply for the SOCE and pay the application fee is June 30, 2020. However, **special education teachers can complete the remainder of the SOCE requirements within three years of the application date or two evaluations of the application pursuant to section 80-1.2 of the**

¹ Pursuant to Education Law Section 2854(3), charter schools are permitted to employ a small number of uncertified teachers that meet certain requirements under the law.

Commissioner’s regulations, whichever comes first, with the exception that the teaching experience requirement must be completed by June 30, 2020.

SOCE applications that are in [“Ready for Review” status](#) will automatically receive expedited service and will be reviewed in 1-2 weeks.

- *Application Fee.* Special education teachers would submit a separate [application in TEACH](#) for each subject area in which they are seeking a SOCE. For the SOCE, special education teachers would pay the \$100 application fee for the first subject area. If they are interested in receiving a SOCE in other subject areas, they would submit additional SOCE applications, but not pay the application fees. **These additional SOCE applications can then have the fee waived.** To have the application fee waived, teachers would send an email to the Office of Teaching Initiatives at tcert@nysed.gov with the subject line “SOCE Application Fee Waiver” and list the subsequent subject area SOCE application(s) whose fee would be waived in the text of the email.
- *SOCE Information.* Additional information about the SOCE, including the SOCE requirements (e.g., workshops and fingerprinting required by law) and the subject areas in which it is available, are described on the [SOCE webpage](#) and the [Special Education Teacher Certification Options webpage](#).
- **Limited Extension.** The [limited extension](#) enables eligible special education teachers to be certified in a subject area while they teach a special class in grades 7-12 and pursue the subject area extension or certificate. Teachers can choose one of six different pathways to earn the limited extension. The limited extension is valid for five years and is only valid in a special class. It may be renewed once for an additional five years by completing at least three semester hours of coursework in the subject area of the limited extension.
- **Subject Area Extension.** For the [subject area extension](#), eligible special education teachers must complete at least 18 semester hours of coursework in the subject area or complete an approved NYS registered subject area extension program and pass the Content Specialty Test (CST) in the subject area.

Resources

The [Special Education Teacher Certification Options webpage](#) provides links to webpages that describe the limited extension, SOCE, and subject area extension requirements, including the subject areas in which they are available. The certification requirements for these options, as well as for all certificate types, can also be found on the [Search Certification Requirements webpage](#).

The [Special Education Teaching Assignments and Certification table](#) shows the certification required for various types of special education teaching assignments, including a special class with some or no students under alternate assessment. For example, the table shows the certificate holders that will need subject area certification to teach one or more subject areas in a special class in grades 7-12, including Permanent Special Education certificate holders. The types of special education teaching assignments are described on the [Continuum of Special Education Services for School-Age Students with Disabilities webpage](#).

Questions

For questions about special education teaching assignments, please contact the Office of Special Education at speced@nysed.gov. If special education teachers have questions about certification requirements, they can contact the Office of Teaching Initiatives at tcert@nysed.gov.