

POLICY

2018

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PERSONNEL

SUBJECT: INCIDENTAL TEACHING APPROVAL

The Superintendent may assign a teacher to teach a subject not covered by such teacher's certificate or license for a period not to exceed five classroom hours a week, when no certified or qualified teacher is available after extensive and documented recruitment efforts, and provided that approval of the Commissioner of Education is obtained in accordance with the requirements as enumerated in Commissioner's Regulations. Per NYCRR80.2(c), the District Superintendent will act as the Commissioner's agent in collecting and approving all applications for incidental teaching.

Not later than twenty (20) business days after such an assignment, the Superintendent shall submit for approval an application, in a form satisfactory to the Commissioner, containing the following information:

- a) Evidence of extensive recruitment of a teacher certified in the appropriate area;
- b) The name and certification status of the teacher given such assignment;
- c) The subject which the teacher is being assigned to teach on an incidental basis and the total number of classes in the subject being taught on an incidental basis;
- d) The qualifications of the teacher to teach such subject on an incidental basis;
- e) The specific reasons why an incidental assignment is necessary;
- f) The anticipated duration of the incidental teaching assignment; and
- g) The number of applications, approved or pending, for authorization to make incidental teaching assignments in the same certification area for which the current authorization is being sought.

To be approved, the application shall demonstrate to the satisfaction of the Commissioner that an incidental teaching assignment is necessary, that the teacher assigned is the best qualified to teach the subject on an incidental basis, and that the requirements of Commissioner's Regulations have been met.

The Commissioner will issue a determination within twenty (20) business days of receipt of the District's application.

In the event that the application is disapproved, the Superintendent, within seven (7) business days of receipt of the notice of disapproval, shall terminate the incidental assignment. In the event that the application is approved, such approval shall be deemed to have commenced on the date of the incidental teaching assignment and shall terminate on the last day of the school year for which it is granted.

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The Superintendent may renew an incidental teaching assignment, in accordance with the requirements of Commissioner's Regulations, for any subsequent school year. In addition to submitting to the Commissioner the information noted above for initial approval of an incidental teaching assignment, a renewal application must provide a number of assurances, including the following:

- a) The teacher who previously taught the course on an incidental basis has been offered the opportunity to continue to teach the course or has not been offered the opportunity because the superintendent has evidence that the course was not taught in an acceptable manner;
- b) The teacher assigned a course on an incidental basis has completed, or has agreed to complete no later than September 1st of the school year next following the first renewal of such approval, at least three (3) semester hours of credit or the equivalent leading to certification in the subject area of the incidental assignment; and
- c) The teacher assigned a course will be reimbursed by the school district for the tuition cost of any portion of the three semester hours of credit or the equivalent as described above that is taken by the teacher at the request of the school district. A record of satisfactory evidence of reimbursement will be kept.

8 New York Code of Rules and Regulations
(NYCRR) Section 80-5.3

Adopted 7/5/18