



Regulation of the Chancellor

Number: **C-200**

Subject: **LICENSE TERMS**

Category: **PEDAGOGICAL PERSONNEL**

Issued: **September 12, 2000**

SUMMARY OF CHANGES

This regulation supersedes and replaces C-200 dated 6/24/93.

It provides definitions and terms used in the licensing of pedagogical personnel.

There are no changes in this Regulation.



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1. **Administrators or school administrators:**

means supervisors who hold appropriate New York City supervisory licenses and are considered members of the "teaching" "instructional" or "pedagogical staff." The pedagogical service which is under the unclassified civil service is distinct from the "administrative (non-pedagogical) service" which is comprised of classified civil service employees subject to the regulations specifically addressed to administrative personnel.

2. **Applicant:**

means a person who possesses the academic and professional requirements for certification and/or licensure and has formally submitted an application for such license or certification to permit employment in the pedagogical service and prospective applicant means a person who is interested in seeking such license or certificate.

3. **Appointed:**

means one who is serving in a teaching or supervisory position by appointment and assignment under an appropriate license.

a. **Regularly appointed** can mean either conditionally appointed or permanently appointed.

b. **Conditionally appointed** means appointed under a regular license subject to meeting all of the requirements for permanent certification and/or licensure as provided immediately below.

c. **Permanently appointed** means appointed pedagogical employee who:

(1) has satisfied in full all of the academic and professional preparation requirements prescribed for the license; and

(2) has satisfactorily completed the full and appropriate probationary term in accordance with law; and

(3) has for these reasons been granted tenure in the license and title of the position held.

4. **Appropriate:**

means judged by the Chancellor to be reasonably relevant to the service to be rendered under the license following the standards set by the Commissioner of Education [see Commissioner's Regulation 80.1 (e)].

5. **Approved:**
means satisfactory to the Chancellor following the standards set by the Commissioner of Education [see Commissioner's Regulation 80.1 (f)].
6. **Chancellor:**
means the Chancellor of Schools of the City School District of the City of New York and those personnel designated by, and acting on behalf of, the Chancellor in the recruitment, assessment, licensing, appointment and assignment of the pedagogical staff of the school system. When used in these regulations, "Director" means the Director of the Office of Recruitment, Personnel Assessment and Licensing.
7. **City District and Community District**
 - a. **City District or City School District** means the schools and units of the New York City public school system which operate under the direct jurisdiction of the Chancellor and the Board of Education of the City of New York or "Central Board." The city district encompasses the several high school districts, special education and other similar organizational units headed by superintendents who are directly responsible to the Chancellor.
 - b. **Community District or Community School District** means the decentralized schools, offices and units of a decentralized district which operate under the immediate jurisdiction of a community superintendent and community school board or "community board."
8. **College:**
means a university, professional school, technical school and other higher education institution authorized to confer degrees and recognized by the Commissioner of Education.
 - a. **College course or course** means an approved course offered or accepted by a recognized higher education institution or by the Commissioner of Education and "collegiate study" refers to study in such a course [see Commissioner's Regulation 80.1 (k)]. Where completing a course is required, teaching that course will satisfy the requirement [see Commissioner's Regulation 80.2 (e)].
 - b. **Undergraduate course** means a course creditable toward a baccalaureate degree granted by a recognized institution of higher education or accepted as of undergraduate grade by the Commissioner [see Commissioner's Regulation 80.1(ak)].
 - c. **Graduate course** means an approved course creditable toward an appropriate graduate degree granted by a recognized institution of higher education or accepted as graduate level by the Commissioner [see Commissioner's Regulation 80.1(p)].
 - d. **Advanced course** means a course creditable toward an appropriate graduate degree granted by a recognized college or university or a course earned subsequent to

- college graduation and creditable toward an appropriate professional degree granted by a recognized college or university [see Commissioner's Regulation 80.1(d)].
- e. **Academic course, general course or liberal education** means a course or courses of study in the humanities, the natural sciences and mathematics, the social sciences, and interdisciplinary courses.
 - f. **Education course or professional education** means a course or courses of study, offered by a recognized institution of higher education, and specifically related to teaching, administration, supervision or pupil personnel service in elementary and secondary schools [see Commissioner's Regulation 80.1(v)].
9. **College degree or degree:**
has the meanings which follow:
- a. **Baccalaureate degree** means a degree awarded on the satisfactory completion of an approved and appropriate four-year curriculum offered by a recognized institution of higher education [see Commissioner's Regulation 80.1(h)].
 - b. **Graduate degree** means an appropriate master's or doctor's degree awarded upon the satisfactory completion of an approved program of study and training offered by a recognized institution of higher education [see Commissioner's Regulation 80.1(q)].
10. **Commissioner:**
means the Commissioner of Education of New York State and those officials of the New York State Education Department designated by, and acting on behalf of, the Commissioner. The regulations of the Commissioner of Education use the terms "Commissioner" and "Department" interchangeably in most contexts [see Commissioner's Regulation 80.1(i)].
11. **Credentials issued by the Chancellor:**
The credential generally required for pedagogical service in New York City is a "license" issued by the Chancellor or a superintendent designated by the Chancellor. In exceptional cases, usually involving temporary service by a teacher or other non-supervisory pedagogue who lacks some of the preparation required for a license, or where a regular license or its equivalent has lapsed, the Chancellor may issue a "certificate" valid for substitute service.
- a. **Requirements for licenses** - The Chancellor is empowered by law to recommend to the Board of Education the creation and abolition of any license title and to establish, in addition to appropriate state certification, the professional preparation and experience requirements which applicants must meet if they are to be licensed or to secure appointment.

- b. **Requirements for licenses comparable to state certificates** - As provided by law, in the case of any license title for which there is a comparable state certificate, the Chancellor accepts the appropriate state certificate in satisfaction of academic requirements as follows:
 - (1) **For conditional licenses:** Possession of the appropriate New York State Certificate of Qualification or Provisional Certificate; and
 - (2) **For permanent licenses:** Possession of the appropriate New York State Permanent Certificate and, in addition, any other appropriate professional requirements established by the Chancellor.
- c. **Requirements for licenses for which there is no comparable state certificate** - In the case of any license for which no comparable state certificate exists, the Chancellor establishes appropriate professional preparation and experience requirements which are consistent with the standards established by the Commissioner of Education for pedagogical service generally.

12. Credentials issued by the Commissioner of Education:

The credential generally required for pedagogical service in New York State is the “state certificate” issued by the State Education Department under the authority of the Commissioner of Education. In exceptional cases, the Department may issue a “temporary license” to permit service for a limited time [see Commissioner’s Regulations 80.2a(3), 80.2c and 80.18]].

a. Dates of issue entered on state certificates

- (1) State certificates issued for substitute service are dated September 1 of the year in which issued.
 - (2) All other certificates are dated either September 1 or February 1 of the year in which issued [see Commissioner’s Regulation 80.2(1)].
 - (3) If the State Education Department has approved the certification of an applicant for a city license but the Department has not yet issued a certificate to the applicant, such approval by the Department may be accepted as evidence of qualification for a comparable city license, provided the applicant submits the state certificate within a reasonable time after the certificate is actually issued.
- b. **Minimum requirements** - A person who has completed the minimum requirements for a particular state certificate may, upon application to the State Education Department, be issued a “provisional certificate.” Prior to September 1999, the State Education Department also issued certificates of qualification.

(1) Certificate of Qualification

- (a) Possession of a certificate of qualification is acceptable evidence that the holder is eligible for a provisional certificate and may perform substitute service outside New York City.
- (b) Upon application, a certificate of qualification may be accepted as the basis for issuance of a New York City certificate valid for substitute service which

shall be valid until the certificate of qualification expires so long as service is satisfactory and the holder of the certificate indicates continuing availability for substitute service. The certificate of qualification may be accepted in place of the corresponding provisional certificate for purposes of licensure.

- (c) The certificate of qualification is to be surrendered to the State Education Department in exchange for the corresponding "provisional certificate" within five years of the date of its issue, or upon commencement of service, whichever occurs first [see Commissioner's Regulation 80.2(1)].
 - (d) Failure to exchange a certificate of qualification in a timely manner may jeopardize permanent certification, resulting in the termination of a city license and lead to loss of position or chance of appointment.
- (2) **Provisional certificate** - Possession of a provisional certificate is acceptable evidence that the holder has satisfied the minimum requirements for state certification and, therefore, has completed the minimum preparation and experience required for the comparable conditional city license.
- (a) The provisional certificate is valid for substitute service outside New York City and, upon application, may be accepted as the basis for the issuance of a New York City certificate for substitute service which shall be valid until the New York State provisional certificate expires so long as service is satisfactory and the holder of the certificate indicates continuing availability for substitute service.
 - (b) Provided the holder acknowledges in writing the obligation to exchange a certificate of qualification for the related provisional certificate as required by Commissioner's Regulation 80.2(1), a valid certificate of qualification may be accepted in place of the corresponding provisional certificate for purposes of licensure. Upon failure of an applicant to present the provisional certificate within a reasonable time, the license shall terminate.
- c. **Permanent certificate** - Possession of a permanent certificate is acceptable evidence that the holder has satisfied all of the requirements for that state certificate. The permanent certificate is valid for substitute and regular employment outside New York City. Upon application, a permanent certificate may be accepted as the basis for the issuance of a New York City certificate for substitute service which shall be valid so long as service is satisfactory and the holder of the certificate indicates continuing availability for substitute service.

13. District:

means city district or community school district.

14. Eligible list:

means a list of those who have been granted a license and may be appointed as provided by the State Education Law. When a person is appointed from an eligible list,

his or her name is removed from the eligible list. When all those on the list have been appointed or have declined appointment, the eligible list is “exhausted.” If a list has a limited life and that period has passed, the list “expires.” Anyone remaining on a list when it expires may not be appointed from that list and the license involved becomes invalid for appointed service after the date the list expires. Upon application, the license may be endorsed for substitute service or accepted as the basis for issuance of a certificate which shall be valid for substitute service so long as service is satisfactory and the holder of the certificate indicates continuing availability for substitute service.

- a. **Qualifying list or qualifying eligible list** means a list of those eligible who qualify after examination for a particular license.
- b. **Merged qualifying list or merged qualifying eligible list** means qualifying eligible lists issued on different dates as a result of announced examinations for a particular license which are placed on a consolidated (merged) list without regard to any examination grade or other priority. Non-Supervisory pedagogical appointees are not appointed directly from qualifying eligible lists, but from a list of prospective appointees.
- c. **Appointment of supervisors from merged lists** - Appointments to supervisory positions are made from the merged qualifying list for the particular license. While placement on the list does not carry with it any right to appointment, the holder of a supervisory license remains on the list until the holder is appointed or indicates that he or she is no longer available for appointment.
 - (1) **Selection for supervisory appointments** is to be made in accordance with Chancellor’s Regulation C-30 or other applicable regulations in effect.
 - (2) **Appointment to supervisory positions** is to be made directly after selection for supervisory position.

15. Appointment of Teachers and Non-Supervisory Staff

- a. Appointments from eligible lists issued as a result of examinations/interviews
 - (1) **Merged qualifying eligible lists** for teaching and other non-supervisory license titles do not expire but no person may remain on such a list as a result of a particular examination for more than seven years. If the applicant is not appointed from the related “list of prospective appointees” within that seven year period, the validity of the license for appointed service terminates. If an applicant passes a new examination for the same license before the lapse of the previous license, he or she will not actually be dropped from the eligible list or the related list of prospective appointees until or unless the second period of seven years expires without appointment. Unlike supervisors, teachers and other non-supervisory staff members are not appointed directly from an eligible list but from a specially created “list of prospective appointees” taken from the merged qualifying eligible list.

- (2) **Selection from list of prospective appointees** - Names for placement on the List of Prospective Appointees are selected at random from among those on the corresponding merged qualifying eligible list who have indicated their availability for appointment in accordance with Law (see Section 2590j9).
 - (a) Notwithstanding any other provision of law or regulation, persons shall be randomly selected from the merged qualifying eligible list from a pool comprised of all individuals with appropriate substitute experience or paraprofessional/school aide experience. Service must have been satisfactory and not rendered more than five years prior to the date the person's name was placed on the qualifying eligible list.
- (3) **Order of appointment** – “One out of Three Rule.” When necessary, appointments to teaching and other non-supervisory positions are made in the order of placement on the prospective appointee list, taking one of the first three prospective appointees on the list and repeating the process as needed to fill vacancies.
 - b. **Local selection procedure or alternative selection procedure** refers to those who have been nominated by a community school district and approved for appointment under the alternative procedures authorized for local community districts under State Education Law. The alternative selection procedure was designed to staff schools with reading scores in the lower forty-five percent range of score. Community districts may also appoint staff to any school when there are no names on the appropriate eligible list.
 - (1) Under the local selection procedure, a community school district may nominate a person for appointment from any existing list without respect to order of rank or selection; or the community district may nominate a person who is not on any list but who holds or qualifies for state certification on the effective date of appointment and who has, within the four years before that date, passed an examination satisfactory to the Commissioner of Education and with a mark acceptable to the Commissioner.

16. Experience

- a. **Experience requirement for permanent state certification** is defined in Commissioner's Regulations 80.1(an) and 80.1(ao).
- b. **A year of school experience for licenses for which no comparable state certificate exists** is defined as follows:
 - (1) a minimum of 180 days of full-time, continuous school experience in the subject or area of the city license; or
 - (2) a minimum of 180 days of full-time continuous school experience in the subject or area of city licensure completed in periods of no less than 90 days each within a 12-month period; or

- (3) a minimum of 360 days of part-time continuous school experience consisting of an average of 2.5 days per week in the subject or area of licensure to have been completed in periods of no less than 90 days each within a 12-year period; and

c. Year of occupational experience means:

- (1) a minimum of 10 months in a calendar year of full-time, satisfactory employment in an appropriate occupational field; and
- (2) two time blocks of five consecutive months each of full-time, satisfactory employment in an appropriate occupational field; and
- (3) year of occupational experience for school secretary means a minimum of 1200 clock hours of satisfactory experience extending over a minimum span of approximately one calendar year.

17. Law or education law:

means the New York State Education Law, unless otherwise stated.

18. License or city license:

means a license issued by the Chancellor which is required for regularly appointed teaching or other pedagogical service in the New York City public school system.

a. **Conditional license** means a license for which the applicant has met minimum requirements and which has been granted upon condition that the applicant satisfy all of the remaining requirements by the date(s) specified on the license in accordance with Chancellor's Regulation C-205.

(1) **Substitute service permitted** - The holder of a valid conditional license may perform substitute service prior to regular appointment under that license, as provided by endorsement on the license or the issuance of a certificate valid for substitute service. Such service must be satisfactory and the holder of the certificate must indicate continuing availability for substitute service.

(2) **Permanent regular license required for tenure** - The holder of a conditional license who is appointed and commences service under that license may not acquire tenure until the holder has satisfied the full requirements for the license (see Section 2573.1(a) of the State Education Law).

(3) **Termination for failure to satisfy full requirements** - Should the holder of a conditional license fail to satisfy full requirements by the date(s) specified, the conditional license and service under that license shall terminate no later than the following August 31. In such cases, substitute service may be performed as provided by endorsement on the lapsed license or the issuance of a certificate valid for substitute service so long as service is satisfactory and the holder of the certificate indicates continuing availability for substitute service.

b. **Permanent license** means a license for which the applicant has fully satisfied the preparation and experience requirements as specified in the examination announcement in accordance with Chancellor's Regulation C-205. When the validity for

appointed service under any permanent license lapses because of the expiration of the related eligible list or because of time limits on the retention of any name on such a merged list or prospective appointee list, substitute service may be performed as provided by endorsement on the lapsed license or the issuance of a certificate valid for substitute service, so long as service is satisfactory and the holder of the certificate indicates continuing availability for substitute service.

19. New York City schools:

means the schools or other comparable institutions maintained as part of the New York City public school system.

20. Pupil Personnel Service:

means service offered in elementary and secondary schools under such licenses as the following and any other similar titles that may be authorized: [see Commissioner's Regulation 80.1(w)].

Attendance Teacher

Guidance Counselor

School Psychologist

School Social Worker

School Psychiatrist*

*Note: No comparable state certificate exists for this title.

21. Recognized:

means approved by the Commissioner or by an approved regional or national accrediting agency [see Commissioner's Regulation 80.1(x)].

22. Satisfactory:

means satisfactory to the Chancellor following the standards set by the Commissioner [see Commissioner's Regulation 80.1(x)].

23. School:

means a school or other comparable institution maintained as part of the New York City public school system.

a. **Elementary school** means a school organized and conducted to give instruction in the early childhood and upper elementary grades; that is, pre-kindergarten, kindergarten and grade 1 up to grade 6 [see Commissioner's Regulation 80.1(o)].

(1) **Early childhood grades or early childhood** means nursery school or pre-kindergarten, kindergarten and grades 1 through 2 [see Commissioner's Regulation 80.1(m)] includes grade 3 in the early childhood grouping).

- (2) **Upper elementary grades** means grades 4 through 6 [see Commissioner's Regulation 80.1(al)] or, for New York City, grades 3 through 6.
- b. **Intermediate school** means a school organized and conducted to give instruction in the grades between elementary and high school, generally between grades 5 or 6 and grades 8 or 9.
 - c. **Junior high school** means a school organized and conducted to give instruction in the early secondary grades, that is grades 7 through 9 [see Commissioner's Regulations 80.1(n) and 80.1(t)].
 - d. **High school** means a secondary school organized and conducted to give instruction in grades above the elementary or intermediate school level and below the college level [see Commissioner's Regulation 80.1(ac)]. Secondary grades in this context means those grades between 9 and 12 which are usually taught in high schools.
 - e. **Academic high school** means a high school other than one classified as a vocational high school.
 - f. **Vocational high school** means a high school primarily organized and conducted to give instruction and training for employment in trade, industrial, agricultural, commercial or homemaking occupations [see Commissioner's Regulation 80.1(ac)].

24. School Subject Area:

- a. **Academic subject** means one of the following subjects taught in secondary schools: English, foreign languages, mathematics, social studies and science, together with any other similar subjects that may be authorized [see Commissioner's Regulation 80.1(a)].
- b. **Common branch subjects or common branches** means any or all of the subjects usually taught or included in the daily program of elementary schools such as arithmetic, civics, visual arts, elementary science, language arts, geography, history, hygiene, physical activities, practical arts, reading, music, writing and other similar subjects [see Commissioner's Regulation 80.1(j)].
- c. **Special class** means a class or instructional program organized and conducted for the instruction of pupils with a physical or other handicapping condition [see Commissioner's Regulation 80.1(ae)].
- d. **Special subject** means one of the following subjects taught in schools: fine arts, music, dance, health, home economics, accounting and business practice, stenography, keyboarding and computer operations, distributive education, technology education (formerly industrial arts), physical education and speech (other than provided by teacher of a special class) together with any other similar subjects that may be authorized [see Commissioner's Regulation 80.1(af)].
- e. **Occupational subject** means a subject designed to prepare pupils and train pupils for employment in an occupation such as: agriculture, business and distributive education (occupational), health occupations, home economics (occupational), technical and trade [see Commissioner's Regulation 80.1(u)].

25. Semester hour:

means, for purposes of licensure and certification, a credit, point or equivalent unit granted for the satisfactory completion of a course which requires at least 15 hours of 50 minutes each of instruction and at least 30 hours of supplementary assignments except as otherwise permitted by Commissioner's Regulation 80.1(ad).

26. Substitute

- a. **Substitute service** means employment on the teaching or non-supervisory pedagogical staff by a person who has not been appointed or who is no longer serving under a city license and appointment for the following purposes:
- (1) to replace absent pedagogical staff members who are expected to return; or
 - (2) to fill vacancies pending the appointment of the holder of a regular license to the position; or
 - (3) to fill certain positions which are essentially of a temporary nature such as specialized training programs where participants are considered to be substitutes or have equivalent status.
- b. **Substitute credentials** are granted as follows:
- (1) To a person who has been granted a conditional or permanent license which has not been suspended, canceled or revoked for disciplinary reasons. Such a person may perform substitute service in the area of that license by virtue of an endorsement on the license or the issuance of a certificate valid for substitute service so long as service is satisfactory and the holder of the certificate indicates continuing availability for substitute service; or
 - (2) To a person who holds a state certificate of qualification, provisional certificate or permanent certificate. Such a person may perform substitute service in the license area which is comparable to that of the state certificate by virtue of the issuance of an appropriate certificate valid for substitute service which continues to be valid so long as service is satisfactory. The holder of the certificate must indicate continuing availability for substitute service and neither the state certificate nor the certificate for substitute service has been suspended, cancelled or revoked for disciplinary reasons (see Commissioner's Regulation 80.36); or
 - (3) To a person who holds a state temporary license which is issued for one school year only (a preparatory provisional certificate is issued for NYC service). Such a license may be renewed annually for a total of no more than four years of temporary licensure. Eligibility for a temporary license includes the minimum degree required for state certification in the teaching field of the temporary license (generally, a baccalaureate degree) and enrollment in an appropriate collegiate program leading toward the state certificate no later than the beginning of the semester following that in which initial employment begins. Since the maximum period of temporary licensure is four years, the holder of a

state temporary license must complete academic requirements for provisional certification within approximately four years.

27. School staff:

refers to the “Pedagogical Service” of the New York City school system including teachers and other non-supervisory school staff members, and school supervisors and administrators up to the level of the Chancellor. To hold a city license, it is generally necessary to hold the comparable New York State certificate. In cases where there is no comparable New York State certificate, the pedagogical service includes licenses in titles which are so classified by the appropriate Regulation of the Chancellor. The “Administrative (Non-Pedagogical) Service” is comprised of members of the classified civil service employed by the school system most generally in district and headquarters offices.

- a. **School teacher** means persons who are employed to provide teaching and related services directly to students and who are required by law to hold an appropriate state certificate or city license. In addition to persons specifically licensed as teachers, the term “teacher” is used to include school staff licensed for non-supervisory services other than classroom teaching such as the provision of pupil personnel services, and school secretarial service.
- b. **Bilingual teacher** means persons who are employed as teachers or other non-supervisory staff who possess the appropriate state certificate or city license but in addition demonstrate an ability to communicate orally in both English and one or more other languages and write English with a satisfactory degree of competence. For most city licenses there has been established a corresponding bilingual license. To preserve flexibility in meeting the changing needs of the schools, separate bilingual licenses have not been established for each language although the holder of a bilingual license is further distinguished by adding to the license the language other than English in which the holder is proficient.
- c. As provided by law, applicants for bilingual licenses must satisfactorily complete the appropriate interviews and performance tests in English and the language specialty of the examination and, in addition, shall satisfactorily complete a composition in English (see Section 2569b).
- d. In the case of a license for which a comparable state certificate exists and for which the Commissioner provides certification for teaching bilingual education, applicants for the bilingual city license must possess the comparable provisional or permanent state certificate with the appropriate bilingual extension or endorsement.
 - (1) The State Education Department issues “bilingual extensions” to holders of state certificates valid for teaching in the early childhood, upper elementary and early secondary grades and, with somewhat different requirements to holders of state certificates valid for teaching occupational subjects, special education and related fields, academic subjects, and special subjects (see Commissioner’s

Regulation 80.9(1)(i) which applies to certificates issued under Regulations 80.5, 80.6, 80.16 and 80.17).

- (2) The State Education Department does not require bilingual certification for administration and supervision, and pupil personnel services (see Commissioner's Regulations 80.3 and 80.4).
- e. **School supervisor or supervisor** means a person, employed in the pedagogical service who is required to hold a state certificate valid for administrative and supervisory service by the Commissioner's Regulation 80.4.
- f. **Non-Supervisory staff** means all persons in the pedagogical service who are employed to provide services directly to children, although not primarily as classroom teachers, and who are required to hold a state certificate or city license valid for other than administrative and supervisory service.

28. Inquiries

Inquiries pertaining to this regulation should be addressed to:

Chief Administrator, *ORPAL Licensing*

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