

SUBJECT: INCIDENTAL TEACHING

The District Superintendent may assign a teacher to teach a subject not covered by such a teacher's certification 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, and provided that approval of the Commissioner of Education is obtained in accordance with the requirements as enumerated in Commissioner's Regulations.

Not later than twenty (20) business days after such an assignment, the District 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 such subject being taught on an incidental basis;
- d) The qualification 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, such 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 the Commissioner's Regulations have been met.

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

In the event that the application is disapproved or to obtain renewal of such approval in any subsequent year, the District Superintendent shall comply with enumerated requirements per Commissioner's Regulations.

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

Adopted: 7/10/02