



# 2018 New York State YMCA

## Youth And Government

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Committee Assignment: Assembly Liberty 5

Bill #: AL-33

1 **Sponsors:** Anthony Hristidis, Randy Quinteros, Zachary Sheikh, Kevin Bennett

2  
3 **An Act To**

4 Amend § 3004.00 of the New York State Education Law by adding subdivision 1-a  
5 to regulate governing certification of teachers by implementing the NYBEST test.

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7 ***The People of the State of New York, represented in the Senate and Assembly do enact as follows:***

8  
9 **Purpose**

10 To mandate that all new teachers take the NYBEST test to become certified to  
11 teach.

12 **Summary of Provisions**

13 **Section 1: Definitions**

14 **NYBEST:** a standardized test administered throughout New York State for  
15 individuals who want to teach at public schools and gain a credential. The test is  
16 designed to provide information about basic proficiency in reading, mathematics,  
17 and writing.

18 **ALST:** an exam required by the NYSTCE for all candidates applying for a New York  
19 State Teaching License.

20 **Section 2:**

21 § 3004.00. Regulations governing certification of teachers.

22 1.) The commissioner shall prescribe, subject to approval by the regents,  
23 regulations governing the examination and certification of teachers employed in all  
24 public schools of the state, except that no such regulation affecting the  
25 examination, certification, license, probationary periods, appointment, and tenure  
26 of position of persons employed in the teaching, and supervising service in a city  
27 having a population of four hundred thousand or more shall be prescribed which  
28 may cause the discontinuance of the service of such persons who have satisfactorily  
29 completed their probationary periods, or the removal of such persons from their  
30 positions in a manner other than that provided by section twenty-five hundred  
31 seventy-three of this chapter, but no such regulations established by the  
32 commissioner or by any school district, or pursuant to the provisions of section  
33 twenty-five hundred fifty-four, twenty-five hundred sixty-six, twenty-five hundred  
34 sixty-nine, twenty-five hundred seventy-three or three thousand eight of this  
35 chapter or otherwise, shall hereafter prohibit, prevent or disqualify any person, who  
36 is otherwise qualified, from competing, participating and registering for such  
37 examination or from obtaining a teacher's certificate or from qualifying for a  
38 position as a teacher solely by reason of a disability provided such disability does  
39 not interfere with such person's ability to perform teaching duties, nor shall any  
40 person who is otherwise qualified be denied enrollment in any teacher training,  
41 which provides for certification as a teacher in a school or facility which conducts  
42 classes for children with disabilities solely by reason of a disability.

43 1-a.) The NYBEST will be given to all perspective teachers before teachers are given  
44 their teaching certificate.

45 1-b.) The commissioner shall waive fees paid by applicants for the renewal of a  
46 temporary teaching certificate or license, as defined by the commissioner, if such  
47 certificate or license lapsed while such applicant was deployed by the United States  
48 armed forces and any of its reserve components in a combat theater or combat  
49 zone of operations at any time on or after the second day of August, nineteen  
50 hundred ninety.

51 2.) Notwithstanding any other provision of law, the commissioner shall prescribe  
52 regulations requiring that all persons applying, on or after January first, nineteen  
53 hundred ninety-one, for a certificate or license to be a teacher shall, in addition to  
54 all the other certification or licensure requirements, have completed two hours of  
55 coursework or training regarding the identification and reporting of child abuse and  
56 maltreatment. The coursework or training shall be obtained from an institution or  
57 provider which has been approved by the department to provide such coursework  
58 or training. The coursework or training shall include information regarding the  
59 physical and behavioral indicators of child abuse and maltreatment and the  
60 statutory reporting requirements set out in sections four hundred thirteen through  
61 four hundred twenty of the social services law, including but not limited to, when  
62 and how a report must be made, what other actions the reporter is mandated or  
63 authorized to take, the legal protections afforded reporters, and the consequences  
64 for failing to report. Each applicant shall provide the department with  
65 documentation showing that he or she has completed the required training.

66 **Justification**

67 Teachers must be held to a higher standard so we can have the best educators  
68 possible for our students, and although teachers need a bachelor's degree to teach  
69 applicants were still failing this test, making them unfit to teach. The old ALST was  
70 found to be biased and this new test does not have that problem. This new test  
71 (NYBEST) is proven to not be biased because this test is the same test used in  
72 California and has been tested and proven to be biased free.

73 **Fiscal Implications**

74 Future teachers must pay a one hundred and eighteen-dollar fee to cover the cost  
75 of the NYBEST test.

76 **Effective Date**

77 This bill will go into effect January 1, 2019.