

**Board of Education Policy**

INCIDENTAL TEACHING

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The Superintendent of Schools may assign a teacher to teach a subject not covered by the teacher's certificate or license for a period not to exceed five (5) classroom hours a week, when no certified or qualified teacher is available after extensive and documented recruitment, and provided that approval of the Commissioner is obtained in accordance with Section 80-5.3 of the Commissioner's Regulations.

Application of Incidental Teaching Policy

1. 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 such 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.
2. To be approved, such application shall demonstrate to the satisfaction of the Commissioner that an incidental teaching assignment is necessary, that the teacher so 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.
3. The Commissioner will issue a determination within twenty (20) business days of receipt of the District's application.
4. In the event that the application is disapproved, the Superintendent, within seven (7) business days of receipt of notice of such 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. The Superintendent may apply, in accordance with subdivision (5) of this policy, for renewal of such approval for any teacher.
5. To obtain renewal of such approval in any subsequent year, the Superintendent, as soon as possible after learning that the continued assignment of an incidental teacher is necessary, shall submit an application which, in addition to setting forth the information required pursuant to subdivision 1 of this policy, contains an assurance by the Superintendent that:

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- 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 such an opportunity because the Superintendent has evidence that the course was not taught in an acceptable manner;
- b. The teacher who is assigned to teach the course has completed, or has agreed to complete no later than September 1<sup>st</sup> of the school year next following the first renewal of such approval, at least three (3) semester hours of credit or a satisfactory equivalent leading to certification in the subject which the teacher is being assigned to teach; and
- c. The teacher who is assigned to teach the course will be reimbursed by the District for the tuition cost of any portion of the three semester hours of credit or the equivalent required pursuant to Section 5(b) of this policy, that is taken by the teacher at the request of the District, and satisfactory evidence that the teacher has been so reimbursed in the event the teacher who is assigned has previously taught the course on an incidental basis, pursuant to a previous renewed approval by the Commissioner.

**Reference:** 8 NYCRR 80-5.3

**Adopted:** 12/08/1994

**Reviewed:** 02/24/2016 03/17/2020

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