HEWLETT-WOODMERE PUBLIC SCHOOLS **Policy 9460**
(Old Policy 4115)

INCIDENTAL TEACHING

When the Superintendent finds that no certified and qualified teacher is available to teach a particular subject, the Superintendent may assign a teacher to teach a subject outside the teacher's certification for up to five classroom hours a week with prior approval of the Commissioner of Education.

The Superintendent, in accordance with the Regulations of the Commissioner, shall promulgate appropriate administrative regulations to implement this policy.

Legal Reference:
8 NYCRR Section 80.2(7) Section 3001, 3009, 3010
8 NYCRR Section 80-5.3

Policy
Adopted: February 11, 1993
Old Policy 4115 replaced with 9460
Amended: April 21, 2009

Abolished: January 16,2019

INCIDENTAL TEACHING

In accordance with the Policy of the Board of Education, when the Superintendent finds that no certified and qualified teacher is available to teach a particular subject, the Superintendent may assign a teacher to teach a subject not covered by certificate for up to five classroom hours a week without obtaining approval of the Commissioner of Education, pursuant to the following procedures:

1. The Superintendent shall review the background, preparation and experience of the teacher being considered for assignment to teach on an incidental basis. If the teacher is found to have sufficient teaching experience and knowledge of the subject matter to teach such subject in a competent manner, the teacher may be so assigned.

2. (a) Not later than 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:

(1) evidence of extensive recruitment of a teacher certified in the appropriate area;

(2) the name and certification status of the teacher given such assignment;

(3) 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;

(4) the qualifications of the teacher to teach such subject on an incidental basis;

(5) the specific reasons why an incidental assignment is necessary;

(6) the anticipated duration of the incidental teaching assignment; and

(7) 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.

(b) 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 this subdivision have been met.

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

(d) In the event that the application is disapproved, the Superintendent, within seven 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 (e) of this section, for renewal of such approval for any teacher.

(e) To obtain renewal of such approval in any subsequent year, the Superintendent of Schools, 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 (a) of this section, contains an assurance by the Superintendent that:

(1) 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;

(2) the teacher who is assigned to teach the course 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 semester hours of credit or a satisfactory equivalent leading to certification in the subject which the teacher is being assigned to teach; and

(3) the teacher who is assigned to teach the 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 required pursuant to paragraph (2) of this subdivision that is taken by the teacher at the request of the school 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. Required by District "coursework" will follow the contractual agreement with Hewlett-Woodmere Faculty Association (HWFA).

3. Notification - A notice will be sent by the principal to parents of students enrolled in a class for which an incidental teaching assignment has been made. Such notice will indicate the assigned teacher's work and educational or other experience which will enable him or her to provide competent instruction in the subject area to be taught.

4. Appeal - A parent whose child is enrolled in a class for which an incidental teaching assignment has been made may submit a written request to the building administrator that his/her child be reassigned to a different class. The principal shall consider each such request, and shall issue a written response as expeditiously as possible, with a copy to the Superintendent's Office.

Legal Reference:
8 NYCRR Section 80.2(7) Section 3001, 3009,
3010 8 NYCRR Section 80-5.3

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