

School Year 2025-26 Guidelines for Approving Incidental Teaching Assignments for Special Education Generalists

Per the [October 1999 NYSED OTI memo](#) regarding [Commissioner's Regulations 80-5.3](#) on incidental teaching, a teacher holding a valid New York State teaching certificate may be assigned to teach a subject not covered by such a teacher's certificate for up to ten classroom hours a week, when no certified or qualified teacher is available.

Incidental teaching assignments are a **local** decision subject to the approval of the Chancellor of New York City Public Schools or the district superintendent serving as the Chancellor's designee.

New York State requires all special education teachers who teach a special class in grades 7-12 to be certified in each subject area that they teach. If, after posting a vacancy, a special education teacher holding a subject area certificate is unavailable, teachers with the content area certification can be assigned to co-teach a special class with the special education teacher. Alternatively, superintendents, serving as the Chancellor's designee, may approve the assignment of a special education teacher holding a SWD (Grades 5-9 or 7-12) Generalist certificate to teach a special class if they meet the following criteria:

- Holds a valid New York State SWD certificate in the appropriate grade band (5-9, 7-12, or all grades);
- Has **at least three years** of experience providing special education programs;
 - Integrated Co-Teaching (ICT);
 - special class; and/or
 - Special Education Teacher Support Services (SETSS)



- Otherwise co-teaches the same subject with a general education teacher holding a subject area certificate in that subject for part of or the remainder of their program; and
- Is **not** assigned to teach special class for **more than one** subject for which they do not hold a subject area certificate.

Please note that general education teachers who **do not** hold special education certification **cannot** have incidental teaching assignments serving in the role of a special education teacher where a special education certification is required.