

# PART VIII

## PERSONNEL

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## **LEGAL CITATIONS**

### **Section 1. Teachers**

34 CFR §300.18  
34 CFR §300.156 (c-d)  
AS 14.20.020  
4AAC 12.300  
4AAC 12.305  
4AAC 52.330  
20 USC 1412 a14A & C

### **Section 2. Related Service Providers**

34 CFR §300.18  
34 CFR §300.156 (b)  
4AAC 12.360  
4AAC 12.365

### **Section 3. Preschool Teachers**

34 CFR §300.18  
34 CFR §300.156  
4AAC 12.330  
4AAC 12.390

### **Section 4. Special Education Directors & Administrators**

34 CFR §300.18  
34 CFR §300.156  
4AAC 12.325  
4AAC 12.345  
4AAC 12.350  
4AAC 12.355

### **Section 5. Paraprofessional**

34 CFR §300.18  
34 CFR §300.156  
4AAC 04.220  
4AAC 52.250

### **Section 6. Interpreters for the Deaf**

34 CFR §300.18  
34 CFR §300.156  
4AAC 52.255

### **Section 7. Personnel Development**

34 CFR §300.156  
4AAC 52.260  
4AAC 04.200  
4AAC 04.205  
4AAC 04.210  
4AAC 04.212  
4AAC 04.220  
4AAC 04.300  
20 USC 1412 a14D & E

### **Section 8. Special Education – Highly Qualified Requirements**

34 CFR §300.18  
4AAC 04.200  
4AAC 04.205  
4AAC 04.210  
4AAC 04.212  
4AAC 04.220  
4AAC 04.300  
20 USC 1401(10)

### **Section 9. Supervision**

4AAC 52.250

## **SECTION 1 ❖ TEACHERS**

A person employed as a teacher of a child with a disability must possess a certificate (an Initial, Professional, Master Teacher), with an endorsement based upon completion of an approved teacher training program in special education, have content knowledge and skills, and be highly qualified by the end of the 2005 - 2006 school year.

A person other than a teacher of a child with a disability (i.e., a regular classroom teacher or a paraprofessional) may assist in providing special education to students with disabilities if he or she is supervised by a teacher with a special education endorsement.

The teacher with the special education endorsement has the primary responsibility to:

1. Plan the evaluation of the child,
2. Plan the child's educational programs, including participating in and signing the child's IEP,
3. Train and supervise the staff that will be teaching the child,
4. Review the child's program to determine progress and make adjustments as needed, and
5. A teacher with special education endorsement reviews and supervises the child's special education program on site at least once a month.

### **TEACHERS FOR CHILDREN WHO ARE VISUALLY IMPAIRED OR DEAF**

A teacher who evaluates or plans educational programs for child who are visually impaired or deaf, or who has responsibility for training staff to teach children who are visually impaired or deaf, must have an endorsement in the education of children with that impairment based upon completion of an approved teacher training program in special education. A district serving a child who is deaf or visually impaired can comply with this requirement in one of three ways:

1. Hire appropriately endorsed staff to teach the child.
2. Contract with appropriately endorsed staff.
3. Secure the service from the Special Education Service Agency (SESA).

**Note:** If a regular teacher or paraprofessional assists in teaching a child with a disability, it is required that the amount of supervision provided by the itinerant teacher responsible for the child's program be included on the IEP as part of the specific special education and related services to be provided.

## **SECTION 2 ❖ RELATED SERVICE PROVIDERS**

Federal law requires that each person employed by a school district providing related services to children with disabilities meets the highest requirement in the state. Highest requirement means the highest entry-level academic degree needed for any state-approved or recognized certification, licensing, or registration. In Alaska, this means:

Each person employed as a speech language pathologist or school psychologist must possess:

A Type C certificate in the field of employment.

Each person employed to provide **occupational therapy, physical therapy, clinical psychology services, or audiology** must be licensed.

### **PROVISION OF RELATED SERVICES BY OTHER THAN A CERTIFIED RELATED SERVICE PROVIDER**

A person other than a certified related service provider (i.e., a special education teacher, a regular classroom teacher, or a paraprofessional) can assist in providing a related service if the following conditions are met (also see [Appendix F for Recommended Guidelines for Related Service Providers](#)):

1. A certified related service provider has the primary responsibility to:
  - A. Evaluate the child
  - B. Plan the child's educational programs, including participating in and signing the child's IEP
  - C. Teach or train the staff that will assist in providing the related service to the child
  - D. Review and supervise the child's program to determine progress and make adjustments as needed
2. A certified related service provider reviews and conducts on-site supervision of the child's related services program at least once each month. The IEP Team can determine that less frequent on-site supervision is sufficient to provide a FAPE and must call or video-conference the aide or teacher every month when he or she does not visit the school.
3. The amount of program supervision provided by the related service provider is included on the IEP as part of the specific special education and related services to be provided.

## **SECTION 3 ❖ PRESCHOOL TEACHERS**

A person employed as a teacher of preschool children with disabilities must possess an Alaska teacher certificate with an endorsement in preschool special education or have an Alaska teacher teaching certificate with an endorsement in special education, and have completed six semester

hours in early childhood special education. The District must maintain documentation for the completed six semester hours ([see Appendix F for sample Early Childhood Education Requirements form](#)).

## **SECTION 4 ❖ SPECIAL EDUCATION DIRECTORS & ADMINISTRATORS**

**Each person employed solely to administer a special education program must possess (1) both a Type B certificate issued under 4AAC 12.345 and an Alaska Teacher certificate issued under 4AAC 12.305 endorsed for special education or for a related services specialty, or (2) a Type B certificate issued under 4AAC 12.345 endorsed for special education or a related services specialty.**

To obtain a director of special education endorsement, an individual must meet state requirements for a Type B certificate as follows:

1. The Department will issue a Type B administrative certificate with a superintendent or other administrative endorsement, valid for five years, to an applicant who has a **master's or higher degree, is recommended by the preparing institution, and has met the minimum experience requirements, as follows:**
  - A. **For a Director of Special Education endorsement, three years of satisfactory employment as a teacher or school psychologist in an elementary or secondary school program with an Alaska Teacher or Type C certificate, or a comparable certificate issued in another state**
  - B. **has completed a school administration program accepted by the State Board of Education or the Commissioner of Education and Early Development in this state; the Board or Commissioner in this state will only accept a program if the program is**
    - I. offered by a regionally accredited institution of higher education; and
    - II. approved by the board or commissioner of education of the state in which the program is offered as substantially meeting the unit standards set out in Standards Procedures & Policies for the Accreditation of Professional Education Units, 1997 Revision and the program standards set out in NCATE Curriculum Guidelines, Spring 1998, published by the National Council for Accreditation of Teacher Education.

## **SECTION 5 ❖ PARAPROFESSIONALS**

A school district shall provide each person employed as a paraprofessional with appropriate training and supervision. Before a paraprofessional assists in providing special education or related services, or concurrent with providing those services, the District must provide the paraprofessional with a minimum of six hours of annual training in the following areas:

1. The disability or disabilities of the child(ren) with whom he or she works.
2. The content of the child's IEPs.
3. Instructional and safety procedures.
4. Maintaining confidentiality.

The District must maintain a record of the dates and times of the training, the name and title of the persons providing the training, and the topics covered ([see Appendix F for sample Documentation of Training for Paraprofessionals form.](#))

## **SECTION 6 ❖ INTERPRETERS FOR THE DEAF**

"The need for highly qualified educational interpreters has long been a concern in the Deaf Community. It is recognized nationally that interpreting functions differ from one environment to the next. The emerging professional standard within the education environment is for educational interpreters to meet an Educational Interpreting Performance Standard and to possess a set of knowledges related to interpreting in an academic setting. The Educational Interpreter Performance Assessment and the Educational Interpreters Knowledge Assessment: Written Test are direct means to document educational interpreting skills and knowledge. These assessments and the ratings provided to educational interpreters and districts demonstrate clear evidence that deaf and hard of hearing students are provided skilled and knowledgeable educational interpreters.

RID certification for general interpreting may be sufficient for many environments, however for specialty activities such as those that might take place in educational, or medical, or legal environments, a more appropriate certification is necessary."

Beginning in September 2005, in order to be hired and retained, Educational Interpreters in Alaska must present a score of 4.0 or better on the Educational Interpreter Performance Assessment and a passing score on the Educational Interpreters Knowledge Assessment: Written Test. School districts may hire interpreters who score below 4.0, with the condition that they raise their score to 4.0 within two years. School districts who are unable to locate and hire an interpreter who scores 4.0 may hire an interpreter with a lesser score but must also file a training plan that will help the interpreter raise the score to a 3.0 within two ears and a 4.0 within two more years.

The Professional Development Plan will be tied to the skill deficits outlines in the EIPA report. The plan will have explicit goals, timelines and expected outcomes.

To maintain a highly qualified standing, a minimum of 60 contact hours of continuing education must be completed and documented every 5 years: (30 hours in the area of knowledge and 30

hours in the area of skills). Documentation of these hours must be on file in the District's special education office.

The staff members of the Alaska State School for Deaf and Hard of Hearing (ASSDHH) can assist districts in securing information needed to pursue EIPA ratings. Contact ASSDHH for more information or assistance.

The Alaska State School for Deaf and Hard of Hearing (ASSDHH)  
P.O. Box 196614  
Anchorage, Alaska 99519-6614  
907-742-4243 (V/TTY)  
907-742-4243 (TTY message machine)  
907-742-4299 (Fax)

## **SECTION 7 ❖ PERSONNEL DEVELOPMENT**

The IDEA 2004 includes a greater emphasis on ensuring that personnel who work with children with disabilities are prepared to meet their unique needs. Under the IDEA 2004, each district must have a personnel development plan and provide a program of ongoing training for all general and special education administrative and instructional personnel, related services, and support personnel, including paraprofessionals, and, as appropriate, bus drivers and bus aides. The plan must ensure that all personnel working with children with disabilities have the skills and knowledge necessary to meet the needs of those children. To address this requirement, the District may develop a separate professional development plan based on a needs assessment of personnel needs in the District. The plan must also include professional development activities that reflect the training priorities established by the Department and reflected in its state improvement grant described below, or may use the Alaska Comprehensive System of Personnel Development (CSPD) training priorities established by the Department of Education & Early Development. These are developed and revised using data derived from issues addressed through dispute resolution activities, state and federal monitoring activities, feedback from service providers and recipients, and national trends.

The District is required to maintain a record of all staff development activities conducted, including the dates and time of the training, the name and title of the person providing the training, the topics covered, and the names of persons attending.

The District must take measurable steps to recruit, hire, train, and retain highly qualified personnel to provide special education and related services.

District failure to meet the standards of highly qualified personnel does not create a right of action or prevent filing a complaint to the SEA about staff qualifications.

## **SECTION 8 ❖ SPECIAL EDUCATION – HIGHLY QUALIFIED REQUIREMENTS**

Each district shall ensure that a teacher employed by the District is highly qualified by the beginning of the 2006 - 2007 school year.

1. A special education teacher must:
  - have at least a baccalaureate degree
  - have full state certification (no waivers, emergencies, etc.)
  - be endorsed in special education and the following as applicable
2. Elementary special education teachers may take one of the Elementary Praxis II tests if new to the profession or if experienced may build an Elementary HOUSSE.
  - Elementary Education Content Knowledge – 0014
  - Elementary Education, Curriculum, Instruction and Assessment – 0011
3. If the teacher is teaching to the alternate achievement standards, regardless of the age of student being taught, the teacher may take either of the Elementary Praxis II already in regulation.
4. If the special education teacher is teaching multiple core academic areas, the teacher has to be highly qualified in all areas:
  - not-new teachers can build a multiple-subject HOUSSE
  - new teachers already highly qualified in Math, language arts, or science have up to 2 years after their employment to become highly qualified in the other areas in which they teach and can use a multiple subjects HOUSSE
  - new special education teachers not already highly qualified in math, language arts, or science when hired, must meet the provisions for new teachers
5. As with other areas must build HOUSSE for content area, however, some professional development, coursework, awards, etc. may be counted in multiple HOUSSEs.

## **SECTION 9 ❖ SUPERVISION**

If special education or related services are delivered by someone other than a certificated provider – an aide or teacher, for example – a certificated provider must be physically present at the school to provide guidance and supervision to the aide or teacher *at least* monthly unless the IEP determines that less frequent on-site supervision is sufficient to provide a FAPE and the related service provider must call or videoconference the aide or teacher every month in which

he or she does not visit the school. This requirement establishes a floor – a minimum – for supervisory visits, but the IEP Team may require more supervision, and should make an individualized determination for the student and the service.