

MANOR ISD SPECIAL EDUCATION

Operating Guidelines: Special Education Staff Qualifications

I. What's Required/Purpose

Manor ISD will ensure that students in special education are served by teachers and paraprofessionals who have and maintain appropriate certification and meet state/federal standards for highly qualified in areas of assignment as applicable. The Manor ISD Special Education department will collaborate with Human Resources and campus principals to monitor staffing needs, assignments, and qualifications.

II. How Compliance Is Monitored

- Ongoing internal documentation regarding staffing needs, assignments, and qualifications to ensure that Special Education staff are properly credentialed and assigned on campuses

III. Manor ISD Procedures: How It's Done

The process in Manor ISD for ensuring that Special Education staff who provide services to students in Special Education are appropriately certified/highly qualified is as follows:

Action	Person(s) Responsible	Timeline
1. Campus Principals schedule interviews and are responsible for recommendations of all campus based personnel (new hires, separations, reassignments, etc.) a. The Special Education Director or designee must be invited to participate as a member of any interview committees involving applicants for special education positions	Campus Principals	On-going as recommendations involving special education personnel (teachers and paraprofessionals) are made.
2. For any position changes involving special education personnel (new hires, separations, reassignments, etc.), the Campus Principal will secure the signature of the Special Education Director on the proper Human Resources form prior to submission to the Human Resources Department a. The Human Resources Department will return to the Campus Principal any personnel forms involving special education assignments which do	Campus Principals Human Resources Department (2a)	On-going as recommendations involving special education personnel (teachers and paraprofessionals) are made.

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Action	Person(s) Responsible	Timeline
not have the required signature of the Special Education Director b. Campus principals will ensure that any special education personnel reassigned on their campus are appropriately certified and highly qualified for the proposed reassignment prior to submitting paperwork to the Human Resources Department c. The Director of Special Education will collaborate with the Human Resources Department to verify certification and highly qualified status of any reassignments prior to signing approval on the applicable Human Resources document	Campus Principals (2b) Director of Special Education, Human Resources Department (2c)	
3. The Special Education Director will maintain and update a database of all special education teachers and paraprofessionals housed on campuses. The list will delineate name, campus, and assigned role a. The Special Education Director will perform a check and balance task with the Human Resources Department (via Position Control Reports) to verify accuracy of the database and resolve any discrepancies	Special Education Director	On-going as recommendations involving special education personnel (teachers and paraprofessionals) are made Minimally by September 1 of each year (3a)

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IV. Resources and Attachments, Legal Requirements

A. Resources

- Human Resources Form D10-A – Recommendation for Hire Form F
- Human Resources Form D14-B – Employee Separation
- Human Resources Form D12-A – Request For Personnel/Job Posting
- Human Resources Form D37-A – Request For Position/Stipend Change Or Repurpose
- Human Resources Form D34-A – Request For Additional Position

B. Legal Requirements

Federal Regulations	Texas Administrative Code (TAC)
§300.156 Personnel qualifications. (a) <i>General.</i> The SEA must establish and maintain qualifications to ensure that personnel necessary to carry out the purposes of this part are appropriately and adequately prepared and trained, including that those personnel have the content knowledge and skills to serve children with disabilities. (b) <i>Related services personnel and paraprofessionals.</i> The qualifications under paragraph (a) of this section must include qualifications for related services personnel and paraprofessionals that— (1) Are consistent with any State-approved or State-recognized certification, licensing, registration, or other comparable requirements that apply to the professional discipline in which those personnel are providing special education or related services; and (2) Ensure that related services personnel who deliver services in their discipline or profession— (i) Meet the requirements of paragraph (b)(1) of this section; and (ii) Have not had certification or licensure requirements waived on an emergency, temporary, or provisional basis; and (iii) Allow paraprofessionals and assistants who are appropriately trained and supervised, in accordance with State law, regulation, or written policy, in meeting the requirements of this part to be used to assist in the provision of special education and related services under this part to children with disabilities. (Authority: 20 U.S.C. 1412(a)(14))	§ 89.1131. Qualifications of Special Education, Related Service, and Paraprofessional Personnel. (a) All special education and related service personnel shall be certified, endorsed, or licensed in the area or areas of assignment in accordance with 34 Code of Federal Regulations (CFR), §300.156; the Texas Education Code (TEC), §§21.002, 21.003, and 29.304; or appropriate state agency credentials. (b) A teacher who holds a special education certificate or an endorsement may be assigned to any level of a basic special education instructional program serving eligible students 3-21 years of age, as defined in §89.1035(a) of this title (relating to Age Ranges for Student Eligibility), in accordance with the limitation of their certification, except for the following. (1) Persons assigned to provide speech therapy instructional services must hold a valid Texas Education Agency certificate in speech and hearing therapy or speech and language therapy, or a valid state license as a speech/language pathologist. (2) Teachers holding only a special education endorsement for early childhood education for students with disabilities must be assigned only to programs serving infants through Grade 6. (3) Teachers certified in the education of students with visual impairments must be available to students with visual impairments, including deaf-blindness, through one of the school district's instructional options, a shared services arrangement with other school districts, or an education service center. (4) Teachers certified in the education of students with auditory impairments must be available to students with auditory impairments, including deaf-blindness, through one of the school district's instructional options, a regional day school program for the deaf, or a shared services arrangement with other school districts. (5) The following provisions apply to physical education

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Federal Regulations	Texas Administrative Code (TAC)
	(A) When the ARD committee has made the determination and the arrangements are specified in the student's individualized education program, physical education may be provided by the following personnel: (i) special education instructional or related service personnel who have the necessary skills and knowledge; (ii) physical education teachers; (iii) occupational therapists; (iv) physical therapists; or (v) occupational therapy assistants or physical therapy assistants working under supervision in accordance with the standards of their profession. (B) When these services are provided by special education personnel, the district must document that they have the necessary skills and knowledge. Documentation may include, but need not be limited to, inservice records, evidence of attendance at seminars or workshops, or transcripts of college courses. (6) Teachers assigned full-time or part-time to instruction of students from birth through age two with visual impairments, including deaf-blindness, must be certified in the education of students with visual impairments. Teachers assigned full-time or part-time to instruction of students from birth through age two who are deaf, including deaf-blindness, must be certified in education for students who are deaf and severely hard of hearing (7) Teachers with secondary certification with the generic delivery system may be assigned to teach Grades 6-12 only. (c) Paraprofessional personnel must be certified and may be assigned to work with eligible students, general and special education teachers, and related service personnel. Educational aides may also be assigned to assist students with special education transportation, serve as a job coach, or serve in support of community-based instruction. Educational aides paid from state administrative funds may be assigned to special education clerical or administrative duties. (d) Interpreting services for students who are deaf must be provided by an interpreter who is certified in the appropriate language mode(s), if certification in such mode(s) is available. If certification is available, the interpreter must be a certified member of or certified by the Registry of Interpreters for the Deaf (RID) or the Texas Board for Evaluation of Interpreters (BEI), Department of Assistive and Rehabilitative Services (DARS), Office for Deaf and Hard of Hearing Services (DHHS). (e) Orientation and mobility instruction must be provided by a certified orientation and mobility specialist (COMS) who is certified by the Academy for Certification of Vision Rehabilitation and Education Professionals. Last Amended: January 1, 2015, 39 TexReg 10446