

SPECIAL EDUCATION AND RELATED SERVICE PERSONNEL

Authorities: 34 CFR Part 300; Texas Education Code; Texas Occupations Code; 19 TAC Chapters 89, [231](#)

Additional Resources	
FEDERAL AND STATE REQUIREMENTS	
Practice	<p>All special education and related service personnel must be certified, endorsed, or licensed in the areas of assignment, except:</p> <p>Citations: 89.1131(a) TEC 21.003 TEC 21.0485 300.156(a) 300.156(b)</p>
Practice	<ul style="list-style-type: none"> The person employed by a district prior to September 1, 2011, to perform marriage and family therapy is not required to hold a license as a marriage and family therapist to provide marriage and family therapy with that district. <p>Citations: TEC 21.003(b) TX Occupations Code 502.002</p>
SPECIAL EDUCATION TEACHER QUALIFICATIONS	
Practice	<p>For any public elementary or secondary school special education teacher in the state, qualified means that the teacher:</p> <p>Citations: 300.156(c)(1)</p>
Practice	<ul style="list-style-type: none"> Has obtained full state certification as a special education teacher, including alternative certification, or passed the state special education teacher licensing examination, and holds a license to teach in the state as a special education teacher; <p>Citations: 300.156(c)(1)(i)</p>
Practice	<ul style="list-style-type: none"> Has not had special education certification or licensure requirements waived on an emergency, temporary, or provisional basis; and <p>Citations: 300.156(c)(1)(ii)</p>

FEDERAL AND STATE REQUIREMENTS	
<u>Practice</u>	<ul style="list-style-type: none"> • Holds at least a bachelor's degree. <p>Citations: <u>300.156(c)(1)(iii)</u></p>
ALTERNATIVE CERTIFICATION	
<u>Practice</u>	<p>A teacher in an alternative certification program who is not yet fully certified may be considered to be qualified if the teacher meets the following requirements:</p> <p>Citations: <u>300.156(c)(2)</u></p>
<u>Practice</u>	<ul style="list-style-type: none"> • The teacher is participating in an approved State Board of Education certification alternative route to special education certification program under which the teacher: <ul style="list-style-type: none"> ○ Receives high-quality professional development that is sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction, before and while teaching; <p>Citations: <u>300.156(c)(2)(i)</u></p>
<u>Practice</u>	<ul style="list-style-type: none"> ○ Participates in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher mentoring program; <p>Citations: <u>300.156(c)(2)(i)(B)</u></p>
<u>Practice</u>	<ul style="list-style-type: none"> ○ Assumes functions as a teacher only for a specified period of time not to exceed three years; and <p>Citations: <u>300.156(c)(2)(i)(C)</u></p>
<u>Practice</u>	<ul style="list-style-type: none"> ○ Demonstrates satisfactory progress toward full certification as prescribed by the state. <p>Citations: <u>300.156(c)(2)(i)(D)</u></p>
ASSIGNMENT	

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<u>Practice</u>	<p>A teacher who holds a special education certificate or an endorsement may be assigned to any level of basic special education instructional program serving children with disabilities ages 3 to 21, as permitted by certification, except:</p> <p>Citations: <u>89.1131(b)</u><u>89.1131(c)</u></p>
<u>Practice</u>	<ul style="list-style-type: none"> • 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; <p>Citations: <u>89.1131(b)(1)</u><u>89.1131(c)(1)</u></p>
<u>Practice</u>	<ul style="list-style-type: none"> • Teachers certified in the education of children with visual impairments must be available to children with visual impairments, including deaf-blindness, through one of the local education agency's (LEA's) instructional options, a shared services arrangement with other LEAs, or an education service center: <p>Citations: <u>89.1131(b)(3)</u><u>89.1131(c)(2)</u></p>
<u>Practice</u>	<ul style="list-style-type: none"> ○ Teachers assigned full-time or part-time to instruct children from birth through age two with visual impairments, including deaf-blindness, must be certified in the education of children with visual impairments; <p>Citations: <u>89.1131(b)(6)</u><u>89.1131(c)(5)</u></p>
<u>Practice</u>	<ul style="list-style-type: none"> • Teachers certified in the education of children who are deaf or hard of hearing must be available to children who are deaf or hard of hearing, including a regional day school program for the deaf, or a shared services arrangement with other LEAs: <p>Citations: <u>89.1131(b)(4)</u> <u>TEC 29.304(a)</u><u>89.1131(c)(3)</u> <u>TEC 29.304(a)</u></p>
<u>Practice</u>	<ul style="list-style-type: none"> ○ Teachers assigned full-time or part-time to instruct children from birth through age two who are deaf, including deaf-

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	<p>blindness, must be certified in education of children who are deaf and severely hard of hearing;</p> <p>Citations: <u>89.1131(b)(6)</u><u>89.1131(c)(5)</u></p>
<u>Practice</u>	<ul style="list-style-type: none"> • When the admission, review, and dismissal committee has specified arrangements for physical education in the child's individualized education program, physical education may be provided by <u>those authorized under the Teacher of Adaptive Physical Education and the following personnel:</u> <p>Citations: <u>89.1131(b)(5)(A)</u><u>89.1131(c)(4)(A)</u> <u>231.703</u></p>
<u>Practice</u>	<ul style="list-style-type: none"> ◦ Special education instructional or related service personnel who have the necessary skills and knowledge; <p>Citations: <u>89.1131(b)(5)(A)(i)</u><u>89.1131(c)(4)(A)(i)</u></p>
<u>Practice</u>	<ul style="list-style-type: none"> ◦ Physical education teachers; <p>Citations: <u>89.1131(b)(5)(A)(ii)</u><u>89.1131(c)(4)(A)(ii)</u></p>
<u>Practice</u>	<ul style="list-style-type: none"> ◦ Occupational therapists; <p>Citations: <u>89.1131(b)(5)(A)(iii)</u><u>89.1131(c)(4)(A)(iii)</u></p>
<u>Practice</u>	<ul style="list-style-type: none"> ◦ Physical therapists; or <p>Citations: <u>89.1131(b)(5)(A)(iv)</u><u>89.1131(c)(4)(A)(iv)</u></p>
<u>Practice</u>	<ul style="list-style-type: none"> ◦ Occupational therapy assistants or physical therapist assistants working under supervision in accordance with the standards of their profession. <p>Citations: <u>89.1131(b)(5)(A)(v)</u><u>89.1131(c)(4)(A)(v)</u></p>
<u>Document</u>	<p>When physical education services are provided by special education personnel, the LEA must document that personnel have the necessary skills and knowledge, including, but not limited to, inservice records,</p>

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	evidence of attendance at seminars or workshops, or transcripts of college courses. Citations: 89.1131(b)(5)(B) 89.1131(c)(4)(B)
Practice	Orientation and mobility instruction must be provided by a certified orientation and mobility specialist who is certified by the Academy for Certification of Vision Rehabilitation and Education Professionals. Citations: 89.1131(e) 89.1131(f)
PARAPROFESSIONAL PERSONNEL	
Practice	Paraprofessional personnel <u>working as educational aides</u> must be certified. Citations: 89.1131(e) 89.1131(d)
Practice	Paraprofessional personnel may be assigned to work with: Citations: 89.1131(e) 89.1131(d)
Practice	<ul style="list-style-type: none"> Eligible children with disabilities; Citations: 89.1131(e) 89.1131(d)
Practice	<ul style="list-style-type: none"> General education and special education teachers; and Citations: 89.1131(e) 89.1131(d)
Practice	<ul style="list-style-type: none"> Related service personnel. Citations: 89.1131(e) 89.1131(d)
Practice	<u>Educational aides</u> Paraprofessional personnel may also be assigned to: Citations: 89.1131(e) 89.1131(d)
Practice	<ul style="list-style-type: none"> Assist children with special education transportation; Citations: 89.1131(e) 89.1131(d)

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Practice	<ul style="list-style-type: none"> • Serve as a job coach; or <p>Citations: 89.1131(e)89.1131(d)</p>
Practice	<ul style="list-style-type: none"> • Serve in support of community-based instruction. <p>Citations: 89.1131(e)89.1131(d)</p>
Practice	<p>Educational aides Paraprofessional personnel paid from state administrative funds may be assigned to:</p> <p>Citations: 89.1131(e)89.1131(d)</p>
Practice	<ul style="list-style-type: none"> • The Special Education Resource System; <p>Citations: 89.1131(e)89.1131(d)</p>
Practice	<ul style="list-style-type: none"> • The Special Education Management System; or <p>Citations: 89.1131(e)89.1131(d)</p>
Practice	<ul style="list-style-type: none"> • Other special education clerical or administrative duties. <p>Citations: 89.1131(e)89.1131(d)</p>
INTERPRETERS FOR THE DEAF	
Practice	<p>Interpreting services for children who are deaf must be provided by an interpreter who is certified in the appropriate language modes, if certification in such modes is available.</p> <p>Citations: 89.1131(d) TEC 29.304(a)89.1131(e) TEC 29.304(a)</p>
Practice	<p>If certification is available, the interpreter must be a certified member of, or certified by, the Registry of Interpreters for the Deaf, <u>or</u> the Texas Board for Evaluation of Interpreters, or the Texas Health and Human Services Office for Deaf and Hard of Hearing Services.</p> <p>Citations: 89.1131(d)89.1131(e)</p>