



Special Education Monthly Webinar Series:

Budgeting & Staffing

April 4, 2019

Office of Superintendent of Public Instruction

Good afternoon! We'll start this afternoon with a quick sound check. If you can hear me, please type Yes or Y in the chat box.

Great. Thank you so much for joining our sixth monthly special education webinar series. For those joining us for the first time, welcome! And, for those who are returning, welcome back!

We will start by sharing today's presentation in the chat box, so you can save the file. With that, let's go ahead and get started!

Today's Presenters

- **Tina Pablo-Long, Director of Operations**
- **Cyndie Hargrave, Program Supervisor, Fiscal**
- **Sharon Hartung, Program Supervisor, Program Improvement**



Introductions

Today's Discussion

- **Budgeting**
- **Special Education Staffing for:**
 - ❑ Teachers
 - ❑ Educational Staff Associates (ESAs)
 - ❑ Para-Educators





OSPI Equity Statement:

Each student, family, and community possesses strengths and cultural knowledge that benefit their peers, educators, and schools.

Ensuring educational equity:

- Goes beyond equality; it requires education leaders to examine the ways current policies and practices result in disparate outcomes for our students of color, students living in poverty, students receiving special education and English Learner services, students who identify as LGBTQ+, and highly mobile student populations.
- **Requires education leaders to develop an understanding of historical contexts; engage students, families, and community representatives as partners in decision-making; and actively dismantle systemic barriers, replacing them with policies and practices that ensure all students have access to the instruction and support they need to succeed in our schools.**

First, a reminder of OSPI's equity statement.

OSPI Priorities:

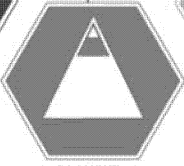
Improving Outcomes for Students with Disabilities



Leadership



**Growth
Mindset**



**Evidence-
Based
Practices**



**Professional
Development**



**Resource
Allocation**

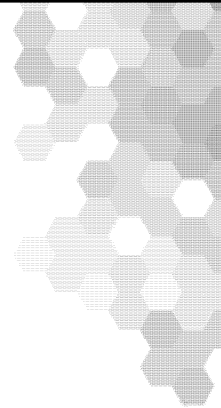


**Recruitment
& Retention**

Source: OSPI Priorities for Improving Outcomes for Students with Disabilities, Office of Superintendent of Public Instruction



BUDGETING



BUDGETING

Collective Bargaining Agreements (CBAs)

➤ Know your Collective Bargaining Agreements

- Certificated and Classified
- Caseloads
- Time and Effort
 - All employees charged to federal grants must document the time they spend working on the grant's objectives to demonstrate that the amounts charged to federal programs are true and accurate.



Where to start: Collective Bargaining Agreements

Review CBAs

Identify:

caseload language

other built in costs

building budgets

overload

additional time for report cards

Know your staff building assignments – if staff need to change buildings, work with your HR

department. **Earlier the better.**

Time & Effort: CFR 200.430 - portions of a salary may be charged to multiple budgets.

Make sure you capture 100% of the salary in the appropriate budget.

For example, a 1.0 FTE may be charged to budgets 21 (60%) and 24 (40%).

BUDGETING

Contracts

- **Types**
 - Interpreters, SLPs, OTs, PT, LPNs, Teachers, etc., need to contract?
 - LPN and Para roles
- **Procurement Threshold Changes**
- **Inter-Local Agreements**
- **Board Resolutions – begin process as early as possible**

WORK WITH YOUR BUSINESS MANAGER. GREAT RESOURCE!



Are contracts needed? What type of contracts are needed?
inter-local agreements
outside agencies

Keep in mind LPN needs. Will the LPN also provide para-educator services.
If contracting, clear expectations should be outlined in the contract.

Start early so that there is plenty of time to complete.

Board Resolutions: Plan enough time to submit your contracts to your Board for approval.

BUDGETING TIPS

- **Where did you over/under spend**
- **Meet with building special education teams, including, but not limited to general education and principal**
- **Review students' current and future needs, be aware of changes, i.e. medical needs and new behaviors**
- **IDEA Part B 100% Carryover – First In, First Out**

WORK WITH YOUR BUSINESS MANAGER. GREAT RESOURCE!



Understanding where you over/under spent in previous years helps identify some flexibility when creating your budget to **repurpose, reduce, and/or reallocate** funds where needed.

What is your 3 YEAR TREND?

Meeting with building special education teams, including general education representation and the building principal.

Review expected changes to student needs/programs/LRE.
This helps to create draft class lists, which will assist with staffing projections.

Remember:

IDEA Part B has 100% carryover – keep in mind Proportionate Share – unspent funds must be carried over for 1 year.

Do not draw funds down to \$0 if you dollars to c/o for private schools.

Complete budget revisions so that you have access to those carryover funds

BUGETING TIPS

Braiding: Using multiple funding sources in a coordinated way to support educational initiatives to ensure consistency and eliminate duplication of services while maintaining individual program identity.



Braiding funds is using multiple sources in a coordinated, consistent way to eliminate duplication of services.

The funds maintain their individual program identity, meaning funds are claimed under the original grant.

BRAIDED FUNDING EXAMPLE

- **School A receives Title I, Part A funds, and chooses to implement grades 6–8 intervention services in reading for struggling students.**
- **The school could use Title I, Part A funds to support implementation of all aspects of the initiative.**
 - ❑ If the school does not have enough Title I, Part A funds to pay for the entire cost of the initiative, the LEA in which it resides could choose to contribute funds it receives under the Learning Assistance Program (LAP) and/or under IDEA Part B, CEIS.
 - ❑ Title III funds could be used to provide professional learning to interventionists in effectively differentiating the intervention for English learners.



Title I – Supports implementation of intervention services

LAP – if not enough T1 funds, LAP can contribute supports to implement intervention services

CEIS – used to provide professional development in educational and behavioral services & supports (15% of IDEA Part B

can be set aside for struggling students **who are not identified** as needing special education or

related services, but who need additional academic or behavioral support to succeed in

general education.) (34 CFR 300.226)

Title III – used to provide professional learning to interventionists, specific to English Learners.



BUDGETING

Updates to the 2018-19 Federal Fund Application (aka, iGrants Form Package 267)

➤ **Excess Cost Worksheets are due February 28, 2020**

Special Education funds are used to pay the excess costs of providing services to SWD

➤ **Impact Report has been revised and is required**

➤ **Medicaid Report 1679 is no longer required**

➤ **LRE Calculator is no longer required* but is available as a tool for districts**

➤ **Participant Support Costs [2 CFR 200.75](#)**



Impact Report: It has been trimmed down, only 2 questions for Section 611 and 2 for Section 619.

Medicaid Report language was removed from the SNET WACs

*The LRE Calculator will still be required documentation for districts participating in a special education monitoring review (WISM)

Participant Support Costs (PSCs), are defined as direct costs for items such as stipends or subsistence allowances, travel allowances, and registration fees paid to or on behalf of participants or trainees (but not employees) in connection with conferences or training projects.

The PSC Request Form is included in the 2019-20 iGrant application.

Resources

- [Unlocking Federal and State Program Funds to Support Student Success](#)
- [Use of IDEA Part B Funds](#)
- [Federal Procurement Threshold Changes](#)
- [Time & Effort Guidelines](#)



**Don't forget to work with your Business Manager.
They are a great resource!**



Unlocking Federal and State Program funds is a new resource available to download. The sample checklists are a good visual.

Use of IDEA Part B Funds is an annual bulletin that is published in July. LEAs should be aware of this information when planning for expenditures.

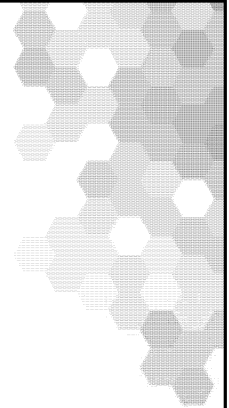
Federal Procurement Threshold Changes – Important to review changes to the thresholds.

LEAs must maintain records sufficient to detail the history of procurement, rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

These examples are not necessarily limited to the above examples.

Remember: the district must comply with the more restrictive of federal, state, or LEA requirements.

STAFFING OPEN SPECIAL EDUCATION POSITIONS



Staffing Unfilled Special Education Positions: Possible Options

- **Certificated Special Education Teachers or ESA staff**
- **Standard/Continuing Certificate** (AKA: "golden certificate" or life-time certificate)
- **Alternative Route Programs**
- **Conditional Certificates**
- **Teachers** (with and without pre-endorsement waiver)
- **ESAs**
- **Temporary Out-of-Endorsement Assignment**
- **Substitute Certificates:**
 - Life-time
 - Emergency
- **Paraeducators**



We will provide a brief overview of these different types of certificates and staffing options for unfilled special education positions.

Who can provide special education and related services?

WAC 392-172A-02090(1) All school district personnel providing special education services and/or related service shall meet the following qualifications:

- a. Hold credentials, licenses, certificates, endorsements or permits
- b. Special educators providing, designing, supervising, monitoring or evaluating the provision of special education shall possess "substantial professional training."
- c. Teachers participating in an alternative route to special education certification meet (a) & (b)
- d. Includes Educational Staff Associates (ESAs) providing related services



a . . . As are now or hereafter required by the professional educator standards board for the particular position of employment and shall meet such supplemental standards as may be established by the school district of employment. Supplemental standards established by a district or other public agency may exceed, but not be less than, those established by the professional educator standards board in accordance with Title 181 WAC and this section.

b . Substantial professional training" as used in this section shall be evidenced by issuance of an appropriate special education endorsement on an individual teaching certificate issued by the OSPI professional education and certification section.

c . . . Alternative routes - and

(i) 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;

(ii) Participates in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher mentoring program;

(iii) Assumes functions as a teacher only for a specified period of time not to exceed three years; and

(iv) Demonstrates satisfactory progress toward full certification according to the state professional standards board rules, and the state ensures, through its certification and endorsement process, that the provisions of subsection (2) of this section are met. (take steps to recruit, hire, train, retain personnel – options available if unable to do so, preendorsement waiver,

d . . . shall meet standards established under the educational staff associate rules of the professional educator standards board, as now or hereafter amended

Who can provide special education and related services?

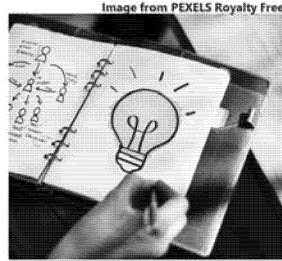
WAC 392-172A-02090(1)(i) requires that, "Special education and related services must be provided by appropriately qualified staff. Other staff including general education teachers and paraprofessionals may assist in the provision of special education and related services, provided that the **instruction is designed and supervised by special education certificated staff, or for related services by a certificated educational staff associate. Student progress must be monitored and evaluated by special education certificated staff or for related services, a certificated educational staff associate.**"



WAC 392-172A-02090(1)(h)(i) requires that,

- "Special education and related services must be provided by appropriately qualified staff.
- Other staff including general education teachers and paraprofessionals may assist in the provision of special education and related services,
- provided that the instruction is designed and supervised by special education certificated staff,
- or for related services by a certificated educational staff associate.
- Student progress must be monitored and evaluated by special education certificated staff or for related services, a certificated educational staff associate."

Poll



What are some helpful approaches you have used in staffing and budgeting?

Send your responses through the Chat.





**Certificated Special Education
Teachers and ESA staff**

IDEA Personnel Qualifications

Sec. 300.156 Personnel qualifications for Special Education Teachers and ESA Staff

- Has obtained full state certification as a special education teacher (including certification obtained through an alternate route if the alternate route meets minimum requirements)
- Has met state-approved or state-recognizing certification, licensing, registration, or other comparable requirements for ESA staff
- **Has not had special education, certification, or licensure requirements waived on an emergency, temporary, or provisional basis**
- For teachers, holds at least a bachelor's degree.



Enacted December 10, 2015, the ESSA reauthorized the ESEA, which provides Federal funds to improve elementary and secondary education in public schools. The ESSA also made certain changes to the IDEA. The changes that affected personnel qualifications included removing the definition of and references to “highly qualified special education teachers” and replaced them with references to personnel “who meet the applicable requirements. Personnel qualifications were also consolidated into one section, 300.156.

The phrase “Has not had special education, certification, or licensure requirements waived on an emergency, temporary, or provisional basis” becomes very important when applying special education requirements to Washington state certification regulations.

Certificated Special Education Teachers and ESA staff

- [WAC 392-172A-02090 Personnel Qualifications](#)
- Teachers and Educational Staff Associates who have completed a teacher or ESA certification program with an endorsement in the role are considered fully qualified.
- Teachers enrolled in an Alternative Route to a special education certification program are also considered fully qualified.
- PESB ESA Certification Work Group Recommendations in the March 2019 Special Education Monthly Update.



The ideal way to fill your special education openings is with certificated special education teachers and ESA staff. However, regardless of your recruitment and retention efforts, this is not always possible.

Become familiar with WAC 392-172A-02090 Personnel Qualifications. You need to know how to apply this special education regulation to staffing issues. The Professional Educators Standards Board has indicated they do not answer questions about how the Special Education Personnel Qualifications WAC applies to the certification standards the PESB creates. If you or your Human Resource department has questions about this special education WAC, please direct them to Sharon Hartung in the Special Education Division.

You should also be aware that in September 2018, the Professional Educator Standards Board (PESB) convened a workgroup to review state regulations regarding certification issues of ESAs including, but were not limited to, renewal of initial ESA certificates, requirements for moving from an initial to a continuing ESA certificate, and conditional certificates for speech language pathologists, occupational therapists, physical therapists, school psychologists, counselors, nurses, and social workers. In addition, this workgroup made recommendations regarding a potential new ESA certificate for Behavioral Analysts. The PESB is the process of discussing these recommendations which are detailed in the March 2019 Special Education Monthly Update. Some of the changes may go into effect as early as the end of August 2019. The special education division will keep you updated.

The information in today's presentation is based on the current regulations.

Standard/Continuing Certificates

- [WAC 181-82-105](#)
- Individuals eligible for an **unendorsed, standard/continuing certificate** (“life-time certificate”, “golden ticket”) are those who received their certificate prior to August 31, 1987.
- These teachers may be assigned to **any teaching position at any grade level (P-12)**, including special education assignments.
- These teachers are considered fully qualified and may perform the duties of a special education teacher (e.g., write IEPs and conduct IEP meetings).



Alternative Route Programs

WAC 181-80 and WAC 392-172A-02090(1)(c) Teachers with conditional certificate (and BA degrees) or regular certificates and enrolled in alternative route programs resulting in a special education endorsement are considered fully qualified.

Professional Educator Standards Board (PESB)

- **Route 1:** For district staff (e.g., paraeducators) with an associate's degree
- **Route 2:** For district staff with a bachelor's degree
- **Route 3:** For "career changers" with a bachelor's degree
- **Route 4:** For district staff with a bachelor's degree and a limited certificate

For more information about the routes and their entry requirements, see the route description page at <https://www.pesb.wa.gov/pathways-workforce-development/future-educators/alternative-routes-to-teacher-certification/alternative-route-descriptions/> on the PESB website.



First introduced into legislation by the No Child Left Behind Act and incorporated into the IDEA 2004 revisions. The option remained in the IDEA when it was revised in 2015 to match the changes made by the ESSA.

Alternative routes to teacher certification programs are partnerships between PESB approved preparation program providers, Washington school districts, and other partners as appropriate. These partnerships are focused on district-specific teacher shortage areas. Alternative routes partnerships are authorized by the PESB. These approved partnerships are eligible to apply for the alternative routes block grant and to facilitate alternative route conditional scholarship program.

WAC 392-172A-02090

(1)(c) A teacher will be considered to meet the applicable requirements in (a) and (b) of this subsection if that teacher is participating in an alternative route to a special education certification program under which the teacher:

- (i) 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;
- (ii) Participates in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher mentoring program;
- (iii) Assumes functions as a teacher only for a specified period of time not to exceed three years; and
- (iv) Demonstrates satisfactory progress toward full certification according to the state professional standards board rules, and the state ensures, through its certification and endorsement process, that the provisions of subsection (2) of this section are met.

Limited Certificates: Conditional

- **WAC 181-79A-231(1):** Issued to individuals who **do not yet meet requirements** for teacher, school nurse, school psychologist, school speech-language pathologist or audiologist, or school social worker certification.
- Requested by the district via the EDS e-Certification system.
- Require school board approval.
- Certificate shows the role/assignment in the endorsement area, however these individuals have not completed their degree programs and are not considered to be fully qualified for roles in special education per the IDEA.
- Consequently, the district should (a) ensure that the requirements of WAC 392-172A-02090(1)(i) are being met, or (b) for teachers, a pre-endorsement waiver is requested if the individual meets the requirements.



Conditional certificates are one of the four types of limited certificates. With a limited certificate, educators who have not met full certification requirements may practice in classrooms and schools if certain conditions are met. Limited certificates can be an entry point to the profession.

Intent: The intent of the conditional certificate is to assist school districts, approved private schools, and educational service districts by giving them flexibility in hiring decisions based on shortages or the opportunity to secure the services of unusually talented individuals.

The district is required to ensure that the requirements of WAC 392-172A-02090(1)(i) are being met for any of the ESA staff with conditional certificates, and for teachers that do not meet the pre-endorsement waiver requirements.

We will discuss the pre-endorsement waiver in a few minutes.

Special education and related services provided by individuals without completing special education endorsements or approved licensure programs

WAC 392-172A-02090(1)(i):

- Special education and related services must be provided by appropriately qualified staff. Other staff including general education teachers and paraprofessionals may assist in the provision of special education and related services, provided that the instruction is designed and supervised by special education certificated staff, or for related services by a certificated educational staff associate. Student progress must be monitored and evaluated by special education certificated staff or for related services, a certificated educational staff associate.



Special education teachers and ESA staff with conditional certificates, while able to teach in classrooms, are considered to have had the IDEA requirement to complete certification and/or licensure requirements waived. Consequently, these individuals are not considered “fully qualified” under special education regulations (with the exception of teachers enrolled in alternative route to special education programs) and must an endorsed or licensed staff member assigned to write IEPs, serve in the role of the special education teacher at IEP and other meetings requiring a special education teacher, as well as monitor and evaluate student progress towards their IEP goals (and objectives, if appropriate).

This is very important to remember as you staff your programs. If you have staff with conditional certificates, remember to include this additional demand on the special education endorsed staff you are assigning to design and supervise the special education services and monitor and evaluate student progress toward IEP goals.

Conditional Certificates: Special Education Teachers

Specific provisions currently exist for special education conditional certificates:

- BA degree or higher
- Enrollment in an approved teacher preparation program resulting in a residency teacher certificate endorsed in special education
- An individual with full certification and endorsed in special education shall be assigned as a mentor to the special education teacher serving on a conditional certificate for the duration of the conditional certificate.
- Special education conditional certificate may be reissued once. The individual may hold the certificate for five years total with a 2 year first issuance followed by a 3 year reissuance.
- The special education conditional certificate may only be reissued upon verification by the preparation program provider that the individual is completing satisfactory progress in a residency teacher certificate program leading to a special education endorsement.



Conditional certificates are one of the four types of limited certificates. With a limited certificate, educators who have not met full certification requirements may practice in classrooms and schools if certain conditions are met. Limited certificates can be an entry point to the profession. Individuals pursuing alternative routes to certification can teach with a limited certificate while they are completing their programs.

Intent: The intent of the conditional certificate is to assist school districts, approved private schools, and educational service districts by giving them flexibility in hiring decisions based on shortages or the opportunity to secure the services of unusually talented individuals.

The district should (a) ensure that the requirements of WAC 392-172A-02090(1)(i) are being met, or (b) for teachers, request a pre-endorsement waiver if the individual meets the requirements.

Conditional Certificates: Teachers

If an applicant does not meet the criteria for a conditional special education teacher certificate, many districts request an elementary or secondary conditional certificate, assign the teacher to a special education assignment, and implement WAC 392-172A-02090(1)(i) like they would for a teacher with a special education conditional certificate who has not met the pre-endorsement waiver requirements.



Conditional Certificates: ESAs

- Overall provisions for the ESA limited certificates did not change other than a name change from “emergency certificate” to “conditional certificate.”
- See PESB ESA Certification Work Group Recommendations in the March 2019 Special Education Monthly Update. There may be changes to the conditional certificate in July 2019.
- Conditional ESA certificates are subject to the overall provisions of the conditional certificate. Information regarding each of the ESA conditional certificates is outlined in the next slides.



Conditional Certificates: ESAs

School psychologist

- The applicant must hold a bachelor's degree or higher from an accredited college or university, and be enrolled in a state-approved preparation program for school psychologists.
- In addition, the candidate shall have completed all course work for the required master's degree, and shall be participating in the required internship.

School nurse

- The applicant possesses a state of Washington license for a registered nurse.

School counselor

- The applicant must hold a bachelor's degree or higher from an accredited college or university, and be enrolled in a state-approved preparation program for the role, in accordance with Washington requirements for certification.

School social worker

- The applicant must hold a bachelor's degree or higher from an accredited college or university.
- The applicant must be enrolled in a master's degree program in social work or social welfare.



Conditional Certificates: ESAs

School speech language pathologist or audiologist

- The individual may hold the certificate for six years total with a 2 year issuance + 2 year reissuance + 2 year reissuance.
- First issuance: The applicant has completed a bachelor's degree or higher from an accredited college or university.
- Reissuance: The conditional certification as a school speech language pathologist or audiologist may be reissued if the candidate is enrolled in a master's degree program resulting in issuance of an initial ESA certificate in accordance with Washington requirements for certification.
- Reissuance: The school speech language pathologist or audiologist conditional certificate may be reissued a second time upon verification by the degree provider that the individual is completing satisfactory progress in a master's degree program resulting in issuance of an initial school speech language pathologist or audiologist certificate in accordance with Washington requirements for certification.



Pre-endorsement waiver

- Districts request pre-endorsement waivers from the OSPI special education office for teachers with **residency, professional, substitute or limited certificates** who have earned 24 quarter hours (16 semester hours) of credits applicable to a special education endorsement.
- Teachers with pre-endorsement waivers are not considered fully qualified under IDEA; however they may perform the duties of a special education teacher (e.g., write IEPs and commit district resources as the district's designee) per WAC 392-172A-02090.
- The pre-endorsement waiver remains valid for a total of 5 years from the date of award.
- Limited teaching certificates include **conditional, transitional, emergency substitute, intern substitute teacher, and nonimmigrant exchange teacher certificates.**



Transitional Teacher

This certificate is for educators who are working with an employer to fill a need and whose Continuing Certificate has lapsed. This certificate enables the educator to teach for two years while working on reinstatement of the Continuing Certificate. It is valid for two calendar years only (24 months from issue) and can only be issued once in a teacher's career.

This certificate must be initiated by an employer in Washington through the submission of a district request. Once the district request has been submitted, log into your E-Certification account to submit the application.

Non-Immigrant Exchange Note: A Conditional Certificate may be issued to an individual admitted to the United States for the purpose of serving as an exchange teacher. The individual must be eligible to serve as a teacher in the elementary or secondary schools in their country of nationality or last residence.

Emergency Substitute Teacher

This application is for educators who have been requested for an Emergency Substitute certificate by an employer and for those who have held or hold an expiring Emergency Substitute certificate and will be working with an employer to be certified again on an Emergency Substitute certificate.

This limited certificate is not available for full certificate holders.

This certificate must be initiated by an employer in Washington through the submission of a district request. Once the district request has been submitted, log into your E-Certification account to submit the application

Conditional Teacher

This application is for those educators who are working with an employer that wants to hire them based on their experience and expertise in a particular educational area.

This limited certificate is not available for full certificate holders.

This certificate must be initiated by an employer in Washington through the submission of a district request. Once the district request has been submitted, log into your E-Certification account to submit the application.

A Conditional Certificate is issued for up to two school years.

NOTE: An applicant for a Conditional Certificate issued with a **Special Education endorsement** must hold a bachelor's degree or higher from an accredited college/university and be enrolled in a state approved program leading to a Special Education Certificate. The certificate can be reissued **once for one additional school year** upon verification by the institution showing that the individual is completing satisfactory progress. [4050E](#)

Temporary out-of-endorsement assignment process

WAC 181-82-110 & WAC 392-172A-02090(1)(i): The temporary out-of-endorsement assignment process is **conducted entirely at the district level and must be approved by a formal vote of the school board** for the teacher. Districts may assign teachers with residency, endorsed continuing, or professional certificates – that do not have an endorsement in special education – to a special education assignment. A designated representative of the district and the teacher who does not hold an endorsement, must mutually develop a written plan that provides for necessary assistance to the teacher, and a reasonable amount of planning and study time specifically associated with the out-of-endorsement assignment. A special education endorsed individual within the district must design and supervise the instruction, as well as monitor and evaluate the progress of students assigned to the unendorsed individual.



WAC 392-172A-02090(1)(h)(i) requires that,

-“Special education and related services must be provided by appropriately qualified staff.

- Other staff including general education teachers and paraprofessionals may assist in the provision of special education and related services,
- provided that the instruction is designed and supervised by special education certificated staff,
- or for related services by a certificated educational staff associate.
- Student progress must be monitored and evaluated by special education certificated staff or for related services, a certificated educational staff associate.”

There may be occasions when, despite efforts to hire or retain teachers who meet the applicable requirements, they are unable to do so. The following options are available in these situations:

(a) Teachers who meet state board criteria pursuant to WAC [181-82-110\(3\)](#) as now or hereafter amended, are eligible for a preendorsement waiver. Application for the special education preendorsement waiver shall be made to the special education section at the OSPI.

(b) In order to temporarily assign a classroom teacher without a special education endorsement to a special education position, the district or other public agency must keep written documentation on the following:

(i) The school district must make one or more of the following factual determinations:

(A) The district or other public agency was unable to recruit a teacher with the proper endorsement who was qualified for the position;

(B) The need for a teacher with such an endorsement could not have been reasonably anticipated and the recruitment of such a classroom teacher at the time of assignment was not reasonably practicable; and/or

(C) The reassignment of another teacher within the district or other public agency with the appropriate endorsement to such assignment would be unreasonably disruptive to the current assignments of other classroom teachers or would have an adverse effect on the educational program of the students assigned such other classroom teachers.

(ii) Upon determination by a school district that one or more of these criteria can be documented, and the district determines that a teacher has the competencies to be an effective special education teacher but does not have endorsement in special education, the district can so assign the teacher to special education. The school district is responsible for determining that the assigned teacher must have completed nine quarter hours (six semester hours) of course work applicable to a sped endorsement.

(iii) Pursuant to WAC [181-82-110](#), if teachers are so assigned, the following requirements apply:

(A) A designated representative of the district and any such teacher shall mutually develop a written plan which provides for necessary assistance to the teacher, and which provides for a reasonable amount of planning and study time associated specifically with the out-of-endorsement assignment;

(B) Such teachers shall not be subject to nonrenewal or probation based on evaluations of their teaching effectiveness in the out-of-endorsement assignments; and

(C) Such teaching assignments shall be approved by a formal vote of the local school board for each teacher so assigned.

(3) Teachers placed under the options described in subsection (2) of this section do not meet the definition of substantial professional training.

Substitute: Life-time

- [WAC 181-79A-232](#) : For the roles of teacher, administrator, or ESA for a period not to exceed one hundred eighty days during the school year in any one assignment.
- School district employing a substitute teacher in any one assignment for more than thirty working days: The district, educational service district, or approved private school must within twenty working days develop a plan of professional learning for the individual that is appropriate to the assignment, designed to support their professional growth, and enhance instructional knowledge and skills to meet district needs and assist students in meeting the state learning goals.
- If assigned to a special education assignment and the substitute teacher does not hold --or did not hold in the past-- a special education endorsement, the district should (a) ensure that the requirements of WAC 392-172A-02090(1)(g) are being met, or (b) request a pre-endorsement waiver, if the substitute teacher meets the requirements.



- [WAC 181-79A-232](#) : For the roles of teacher, administrator, or ESA. Entitles holder to act as substitute during the absence of the regularly certificated staff member for a period not to exceed one hundred eighty days during the school year in any one assignment.
- Individuals must meet one or more of the following (a) Hold or have held a regular state of Washington educator certificate; or (b) Have completed a state approved educator preparation programs, and a bachelor's degree or higher; or (c) Meet out-of-state certification requirements in WAC 181-79A-257
- School district employing a substitute teacher in any one assignment for more than thirty working days: The district, educational service district, or approved private school must within twenty working days develop a plan of professional learning for the individual that is appropriate to the assignment, designed to support their professional growth, and enhance instructional knowledge and skills to meet district needs and assist students in meeting the state learning goals.
- If assigned to a special education assignment and the substitute teacher does not hold --or did not hold in the past-- a special education endorsement, the district should (a) ensure that the requirements of WAC 392-172A-02090(1)(g) are being met, or (b) request a pre-endorsement waiver, if the substitute teacher meets the requirements.

WAC 392-172A-02090(1)(h)(i) requires that,

--"Special education and related services must be provided by appropriately qualified staff.

- Other staff including general education teachers and paraprofessionals may assist in the provision of special education and related services,
- provided that the instruction is designed and supervised by special education certificated staff,
- or for related services by a certificated educational staff associate.
- Student progress must be monitored and evaluated by special education certificated staff or for related services, a certificated educational staff associate."

Substitute: Emergency

- **WAC 181-79A-231(3)** may be issued in the role of teacher for two years. A district may request the emergency substitute certificate if it has, “exhausted or reasonably anticipates it will exhaust its list of qualified substitutes under WAC 181-79A-232.”
- WAC 181-79A-231(3)(b)(ii) prohibits the issuance of an Emergency Substitute Certificate for any Educational Staff Associate (ESA) role.
- If a teacher with an emergency substitute certificate is assigned to a special education assignment, the district should (a) ensure that the requirements of WAC 392-172A-02090(1)(g) are being met, or (b) request a pre-endorsement waiver, if the emergency substitute teacher meets the requirements.



WAC 392-172A-02090(1)(h)(i) requires that,

- “Special education and related services must be provided by appropriately qualified staff.
- Other staff including general education teachers and paraprofessionals may assist in the provision of special education and related services,
- provided that the instruction is designed and supervised by special education certificated staff,
- or for related services by a certificated educational staff associate.
- Student progress must be monitored and evaluated by special education certificated staff or for related services, a certificated educational staff associate.”

Paraeducators

Minimum employment requirements, as written into law by [HB 1115](#) and amended by [SB 6388](#):

- Be at least eighteen years of age and hold a high school diploma or its equivalent
- In addition, a paraeducator must meet one or more of the following:
 - (a) Have received a qualifying score on the Education Testing Service paraeducator assessment as published by PESB; or
 - (b) Hold an associate degree or higher from an accredited college or university; or
 - (c) Have earned seventy-two quarter credits or forty-eight semester credits at the one hundred level or higher at an accredited college or university; or
 - (d) Have completed an apprenticeship as a paraeducator, in a program registered with the Washington State Apprenticeship and Training Council.



PESB resource: diploma equivalent - please read [our flyer \(document\)](#); link on PESB site <https://docs.google.com/document/d/1mS3yqB93IQymwsFxVv3WJd3-2B51Boz0RsAlsSIh5kw/edit>

H.S. diploma, transcript, if lost or destroyed a statement from an official where the diploma was issued or where they are holding the records.

GED, college transcript that documents HS graduation or GED, Associates or higher, equivalent course work or diploma from another country, item c above, home based instruction certificate of completion on a case by case basis.

There are resources to help people prepare for the Test on the PESB site ([resources to help you prepare](#) for the ETS ParaPro)

List of where and when to take the ETS assessment

ParaPro study resources: study guides and practice tests

Paraeducators

- Dates for the paraeducator minimum employment requirements, as written into law by [HB 1115](#) and amended by [SB 6388](#).
- A person working as a paraeducator for a school district before or during the 2017-18 school year must meet the requirements by the date of hire for the 2019-20 school year or any subsequent school year.
- A person who has not previously worked as a paraeducator for a school district must meet the requirements by the date of hire for the 2018-19 school year or any subsequent school year.



Paraeducator Certificate Program Webinar

Miss the live event? Or want to listen to the discussion once again?

- A recording of the informational webinar on the Paraeducator Certificate Program is now posted. You may view the recording on YouTube at: <https://youtu.be/3JbM4zXzeE>.
- The presentation included an overview of:
 - The new paraeducator employment requirements
 - The upcoming Paraeducator Certificate Program, if funded by the legislature
 - The Legislative ask to fund this professional development

This video is a great resource to learn and prepare for the successful implementation of the program. Want more info? See the PESB website: <https://www.pesb.wa.gov/>



Contracting: Agency contracts and Personal service contracts

Ensure Contracts...

- Are properly approved – Board Policy and/or Procedure
- Have clear deliverables
- Are properly monitored
- Staff have appropriate Certification or Licensure. Teachers must have a teaching certificate with a special education endorsement issued by OSPI. ESA staff must have either an ESA certificate issued by OSPI or a license issued by the Department of Health for the role in which they are being hired to perform.

Non-public Agencies

- When contracting with an approved NPA, districts retain full responsibility for the NPA's compliance with state and federal laws, **including special education personnel qualifications of staff**, state graduation standards, etc., and are required to ensure students receive services as specified on IEPs.



NPA

Staffing Unfilled Special Education Positions: Common Questions

- Filling Preschool positions - Preference for an early childhood special education assignment must be given first to employees having early childhood special education endorsement, but may be assigned to an individual with an ungraded special education endorsement.
- Certified and/or classified staff assigned to provide instruction in Braille, the use of Braille, or the production of Braille must demonstrate competency with grade two standard literary Braille code by successful completion of a test approved by the professional educator standards board pursuant to WAC [181-82-130](#).

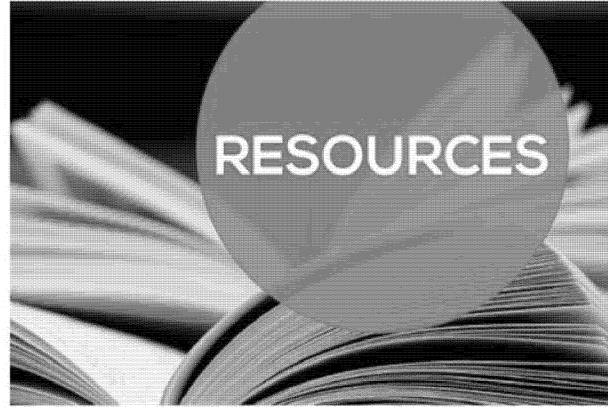


Staffing Unfilled Special Education Positions: Common Questions

- Certified and/or classified staff assigned as educational interpreters, must meet the performance standards outlined in RCW [28A.410.271](#) by passing an educational interpreter assessment approved by the professional educator standards board.
- Paraprofessional staff and aides shall present evidence of skills and knowledge established under the rules of the professional educator standards board, necessary to meet the needs of students eligible for special education, and shall be under the supervision of a certificated teacher with a special education endorsement, or a certificated educational staff associate or a licensed staff, as provided in (i) of this subsection. Paraprofessional staff assigned to Title 1 school-wide programs shall also meet ESEA standards for paraprofessionals.



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Resources & Professional Learning

- **Paraeducator Technical Assistance Paper (TAP) in progress**
- **PESB: The Paraeducator Certificate Program Webinar:**
<https://youtu.be/3JbM4zXzeE>
- **Staffing Tip from December 2018 Monthly Update – page 4**
<http://www.k12.wa.us/SpecialEd/monthlyupdates/Dec2018Updates.pdf>
- **News from PESB from March 2019 Monthly Update – page 10**
<http://www.k12.wa.us/SpecialEd/monthlyupdates/Dec2018Updates.pdf>







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