

# Guidance Update for Special Education Personnel Qualifications and Staffing

In 2020, the Professional Educator Standards Board (PESB) convened two diverse workgroups to examine credentialing for the educators of the blind and visually impaired and credentialing for educators of the deaf. On the recommendation of these workgroups, the PESB board has approved [policy changes](#) that have shifted the deaf education specialty endorsements to “regular” or stand-alone endorsements. This policy change is significant in that educators are now eligible to possess a Deaf Education and Deaf Education with ASL proficiency endorsements without needing to have another endorsement area. Teacher of the Visually Impaired (TOVI) endorsement will remain a specialty endorsement until a content knowledge assessment is adopted. This shift is anticipated to take several years.

Additionally, the Deaf Education, Deaf Education with American Sign Language (ASL) proficiency, and TOVI endorsements are now considered to be special education endorsements and are thus considered to be fully qualified under special education regulations to be able to independently provide specially designed instruction (SDI) and to fulfill the duties of a special educator when appropriate.

PESB sets policy for credentialing and proficiency requirements for each of the special education roles. More information on each of these roles is available on the [PESB website](#).

Special Education Roles <sup>1</sup>			
Endorsement	Type	General Description of Function and Competencies	WACs
1. <a href="#">Special Education</a>	Regular	Provide special education services generally for all students K–12. <sup>2</sup>	WAC 181-82A-202
2. <a href="#">Early Childhood Special Education</a>	Regular	Provide special education services generally for all students birth through eight.	WAC 392-172A-02090 (e) and WAC 181-82A-202
3. <a href="#">Teacher of the Visually Impaired (TOVI)</a>	Specialty <sup>3</sup>	Provide special education services to support the vision related needs of students who are blind or have vision impairments.	WAC 181-82A-207 and 181-82A-208
4. <a href="#">Deaf Education</a>	Regular	Provide special education services to support the specialized needs of students who are deaf or hard of hearing using listening and spoken language primarily for instruction.	WAC 181-82A-202 and 181-82A-204(4)
5. <a href="#">Deaf Education with ASL proficiency</a>	Regular	Provide special education services to support the specialized needs of students who are deaf or hard of hearing using ASL primarily for instruction.	WAC 181-82A-207 and 181-82A-204(5)

<sup>1</sup> Each of the special education endorsements are able to teach out of endorsement as long as PESB policy is followed.

<sup>2</sup> 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 a special education endorsement.

<sup>3</sup> In March 2021, the PESB Board approved changing the TOVI endorsement from a specialty endorsement to a regular endorsement, pending the future adoption of a content knowledge assessment. Until then, TOVI will remain a specialty endorsement which means it must be paired with a second endorsement



The following information is intended to assist districts in understanding the staffing options available to them under the revised, [WAC 392-172A-02090 Personnel Qualifications](#) with regard to each of the special education roles and seeks to clarify how these changes will impact the [special education preendorsement authorization](#) and temporary out of endorsement last resort staffing option available to districts.

### **Special Education Staffing Guidance: WAC 392-172A-02090 Personnel Qualification** [WAC 392-172A-02090 Personnel Qualifications](#)<sup>4</sup>

(b) In addition to the requirement in (a) of this subsection, all special education personnel providing, designing, supervising, monitoring or evaluating the provision of special education services shall possess “substantial professional training.” “Substantial professional training” as used in this section shall be evidenced by issuance of an **appropriate** special education endorsement (or early childhood special education, deaf education endorsement deaf education with American Sign Language proficiency endorsement, teacher of the visually impaired endorsement) on an individual teaching certificate issued by the OSPI, professional education and certification section.

Individuals with a special education endorsement such as the Deaf Education, Deaf Education with ASL proficiency, Teacher of the Visually Impaired (TOVI), Special Education or Early Childhood Special Education endorsements are considered to have completed substantial professional training” under WAC 392-172A-02090 and therefore could independently design, provide, evaluate and monitor specially designed instruction (SDI) for a student as well as author the Individualized Education Program (IEP) and serve as the special educator in an IEP meeting when appropriate.

If a teacher is fully certified with a special education endorsement, they are considered to be fully qualified to provide special education services to students as a general statement, however it is important to note that the district is responsible for ensuring that they are appropriately qualified (see bolded text above) to serve in the position they are assigned and that they have the expertise to meet the needs of their students.

*For example, a teacher with only a teacher of the visually impaired endorsement may not be considered appropriately qualified to design, supervise, monitor and evaluate the special education services for a student who does not have vision related needs, just as a school Speech Pathologist may not be appropriately qualified to design, supervise, monitor and evaluate the special education services for students who do not have speech and language needs.*

Districts must make individual decisions to staff classrooms with teachers with an appropriate special education endorsement to meet the needs of students and this could also include other competencies in staffing decisions based on student needs.

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<sup>4</sup> [Revisions to WAC 392-172A-02090](#) were filed in a CR 103P (Permanent Rulemaking Order) on September 14th, 2021 and final regulations will go into effect on October 15th, 2021

## Special Education Staffing Guidance for the Temporary Out of Endorsement Assignment and Preendorsement Authorization

The following information is intended to assist districts in understanding options available to them under WAC 392-172A-02090 Personnel Qualifications when they are unable to recruit and hire individuals who have a special education endorsement.

**Special Education Preendorsement Authorization:** The preendorsement authorization is available for a certificated teacher who has completed two hundred forty clock hours (or the equivalent of 24 quarter OR 16 semester credits) applicable to a special education, early childhood special education, teacher of the visually impaired, deaf education or deaf education with ASL proficiency endorsements ([WAC 181-82-110](#)). The application process requires that the district submit an [application/request](#) for a preendorsement authorization to the OSPI special education section. If approved, the teacher and the requesting school district, are sent an approval letter from the special education section for the areas for which they are approved. The special education preendorsement authorization does not appear on the teacher's certificate. The teacher:

- Does not need to be "currently enrolled" in a special education endorsement program at the time of the district's application/request.
- May perform all the duties of a special education teacher.
- Has three years to complete the endorsement requirements.

**Temporary Out-of-Endorsement Assignment:** This process is done entirely at the district level and is available when a certificated teacher has completed six semester hours or nine quarter hours of coursework applicable to a special education endorsement (special education, early childhood special education, teacher of the visually impaired or deaf education endorsement). The process requires formal approval by the school board. The teacher:

- May be assigned to the role of a special education teacher, but a special education endorsed individual within the district must review and monitor the IEPs of the students.