

## **Special Education Teacher Assignments**

# Michigan Department of Education Office of Special Education June 2023

Ensuring that an appropriately prepared and endorsed educator is assigned to teach in Michigan's classrooms is critical to student achievement. The <u>Michigan Administrative</u> <u>Rules for Special Education (MARSE)</u> delineate the requirements for preparing special education teachers. A teacher that holds an endorsement in a special education area is eligible to instruct students with an Individualized Education Program (IEP) at the K-12 level. Special education teachers should demonstrate <u>content knowledge</u> for the subject which they are the sole provider of instruction.

The guidance in this document will assist districts with properly placing teachers in Special Education programs.

#### **Certification and Endorsement**

Michigan defines, and provides, special education endorsements for teachers of:

- Students with cognitive impairment
- Students with emotional impairment
- Students with learning disabilities
- Students with speech and language impairment
- Students requiring adapted physical education
- Students with autism spectrum disorder
- Students with physical impairment and other health impairment
- Students with visual impairment
- Students who are deaf and hard of hearing

In addition to those above, the department offers an endorsement in Early Childhood – General and Special Education. Information on placement for this endorsement can be found in the <u>Appropriate Instructional Assignments for Elementary Teachers</u> document.



Any teacher who is assigned to a **special education program** must have an endorsement which matches the program for auditing and funding purposes. For example, a program for students with cognitive impairment must be taught by a teacher with the Cognitive Impairment (SA) endorsement on their teaching certificate. When a district is able to demonstrate unsuccessful attempts to fill an open position with a teacher whose endorsement matches the program, the district may apply for a time limited waiver. Under section <u>380.1281(3)</u> of the Revised School Code, the MDE may grant a waiver to a district or intermediate school district when the district can demonstrate it can meet the intent of the rule in a more effective, efficient, or economical manner or the waiver is necessary to stimulate improved pupil performance. Waiver applications are available in <u>Catamaran</u>.

Teachers assigned to a **resource program** may hold any special education endorsement. The only exceptions to this requirement are for teachers whose only special education endorsement is Physical Education for Students with Disabilities or Early Childhood-General and Special Education. As per rules 340.1749a(5) and 340.1749b(4) of the MARSE, if a special education teacher assigned to an elementary or secondary resource program and does not have an endorsement in the area which matches a student's disability, the IEP Team shall determine if a teacher consultant with such credentials is needed to provide consultation, resources, and support services to the resource teacher. This is an important consideration which has implications on free appropriate public education (FAPE) in the least restrictive environment (LRE).

## **Appropriately Placed Special Education Teachers**

The Michigan Department of Education (MDE) also **strongly recommends** that districts take advantage of collaborative teaching practices for all students. Through these practices, districts can ensure all students receive content expertise along with direct support for IEPs and other student needs.

Special education teachers in Michigan must meet the applicable Michigan requirements as defined in <u>MARSE</u>. Special education teachers assigned to a special education program are not properly placed to teach core content; they are endorsed to support eligible special education students. When staffing a special education program, a teacher must hold the appropriate endorsement.



## **Approvals and Permits**

The department may grant temporary approval as a teacher of students with disabilities to educators who hold a valid Michigan teaching certificate (interim teaching certificates are not considered a valid MI teaching certificate for approval purposes). Continuing temporary approval shall be dependent upon the satisfactory completion of not less than 6 semester hours of required credit toward full approval between August 31 of the current school year and September 1 of the next school year that the teacher is employed. For more information see <u>MARSE Rule 340.1783</u> defining Temporarily Approved Teachers of Students with Disabilities.

A <u>permit</u> can be obtained for an individual who holds a bachelor's degree to replace a regular assigned teacher for a period of time. Therefore, the individual working under this permit would be expected to teach the same classes, which could include co-taught classes. A teacher working under this permit may be a part of the IEP process and be assigned a caseload of students, but they cannot assume the federal responsibilities associated with IEP development.

When an individual working under a permit holds a special education endorsement, or a temporary special education approval, they may fulfill the special education position as required on an IEP and assume IEP development responsibilities.

An individual working under a full-year basic substitute permit (Rule 390.1142) or a daily substitute permit (Rule 390.1143) is not an endorsed special education teacher in Michigan. The district must ensure that a teacher with a valid Michigan teaching certificate and special education endorsement, or where appropriate, a licensed special education provider of the student, attend the IEP Team meeting in the role of the special education teacher/provider. The substitute teacher working under the permit should also attend. The MDE recommends that the IEP Team meeting be facilitated by a teacher with a special education endorsement, or where appropriate, a licensed special education provider, who will also directly support the development of the IEP and the provision of the offer of a free appropriate public education (FAPE). A student's IEP is a complicated legal document, and a district can be found in noncompliance if the IEP process is not completed correctly or in a timely manner.

Additionally, if an applicant holds a valid, standard teaching certificate from another state, they can be placed on a Standard <u>Temporary Teacher Employment Authorization</u>



(T2EA) which authorizes his/her employment in a Michigan school for one year. Teachers working under the T2EA with a special education endorsement may fulfill the special education position as required on an individualized education program (IEP).

## **Alternative Routes/Interim Teaching Certificate for Special Education**

MCL 380.1531i of the Revised School Code establishes a process for an individual to earn a general education <u>interim teaching certificate</u> (ITC). 1531i was amended and signed into law as public act (PA) 316, December 29, 2020, by Governor Gretchen Whitmer. The amendment, which is effective July 21, 2021, and valid for three years, establishes a process for an individual to earn an interim teaching certificate with a special education endorsement that qualifies that individual to teach in a special education program that matches the endorsement. If the special education endorsement is not on the ITC then the individual must hold both the ITC with a permit for the special education assignment until the endorsement is added to their ITC.

### **IDEA Funding**

A district may only use federal IDEA funds for properly certified and endorsed personnel, those with a <u>special education approval</u>, or those working under a permit\_as noted in this document above. Districts are not able to use IDEA funds for a person hired under MCL 380.1233b, MCL 380.1233c, Michigan Expert Substitute Permit, or the Michigan Full-Year Shortage Permit.

#### **Additional Information**

To better understand the designed uses and the differences between approvals, please reference the <u>special education approval</u> website and guidance documents. For options outside of approvals, such as permits, please reference the <u>permits and placement</u> <u>page</u>.

#### Contact

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