



# SPED Director's Call

## Dec. 17, 2024

### **Special Education Exception Authorizations**

## Special Education Exception Authorizations

- WY's special educator shortages can limit the ability of the special education workforce to effectively provide services
- Currently there are 208+ known special educators working on exception authorizations
- Increased in the past two years: 6.97% in 2021-22 SY to 9.23% in 2022-23 SY
- Compounding this challenge is limited access to higher education opportunities for educators seeking special education certification in Wyoming



# Special Education Exception Authorizations

Applicants may be issued an **Exception Authorization** under the following circumstances ONLY:

- Applicants who meet all requirements for a Wyoming Educator License except submission of the required passing test score.
- Applicants who are assigned to teach in an area in which they are not endorsed but are seeking full licensure in that same endorsement area. For example:
  - Applicants who have completed a degree in a teaching field but have not completed the teacher education content.
  - Out-of-state applicants who did not complete an accredited teacher education program and have not taught 3 out of the last 6 years in the endorsement area they are seeking while holding full licensure in that same state.
- Currently certified educators who are assigned to teach one or two classes outside of their endorsement area.

## Special Education Exception Authorizations

Per PTSB Rules & Regulations Chapter 5 Section 1 (b) (iv) the district superintendent must provide a signed statement verifying:

(A) A customary search has been conducted and no properly licensed and qualified educator is available;

**(B) *The applicant shall be supervised by a fully licensed educator;*** and

(C) The district accepts responsibility for ensuring the applicant completes all requirements and becomes eligible for full licensure.



# Special Education Exception Authorizations

What does quality supervision look like?



# Special Education Exception Authorizations

## **Classroom Observations:**

- Model lessons.
- EA observes mentor.
- Mentor observes EA.
- Collaborative lesson planning.
- Post observation reflections.



# Special Education Exception Authorizations

## **Classroom Management:**

- Behavior management techniques.
- Problem solve student issues together.



# Special Education Exception Authorizations

## **Communication:**

- Co-plan parent teacher conferences.
- Model positive parent communication.
- Model positive colleague communication.
- Discuss communication strategies.





# Special Education Exception Authorizations

## **Compliance Reviews:**

- Review/discuss special education compliance paperwork.
- Review IEPs for compliance.
- Discuss essential components of each section of the IEP.
  - Share resources.
  - Give examples.

**Mentor /coach must sign off on IEPs.**



# Special Education Exception Authorizations

Resources



# Special Education Exception Authorizations

Questions?

## Checklist for Teachers on Exemption Authorizations

Name: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Mentor Name: \_\_\_\_\_

School Year: \_\_\_\_\_

EA Status:    Year 1                      Year 2                      Year 3

Date Completed:	Requirement:	Level of Mastery	EA Initials	Mentor or Director Initials
___/___/___	Exception Authorization approved by WDE	N/A		
___/___/___	Meet with Lead Case Manager for SpEd Advantage & IEP Compliance Training	N/A		
___/___/___	Meet with mentor teacher to review Caseload	N/A		
___/___/___	Build schedule & pacing guides			
___/___/___	Meet with paraprofessionals to review IEPs and schedules			
___/___/___	1st Quarter IEP writing & documentation			
___/___/___	Mock IEP meeting with Mentor teacher and Director (Mentee will practice running an IEP meeting with feedback from Mentor and Director)			
___/___/___	2nd Quarter IEP writing & documentation			
___/___/___	Complete paraprofessional evaluations			
___/___/___	End of 1st Semester - Submit current degree transcript to the Director of Special Services	N/A		
___/___/___	Build schedule & pacing guides			
___/___/___	3rd Quarter IEP writing, documentation, & meetings			
___/___/___	4th Quarter IEP writing, documentation, & meetings			
___/___/___	Complete paraprofessional evaluations			
___/___/___	End of School Year - Submit current degree transcript and progress towards graduation to the Director of Special Services	N/A		
___/___/___	Graduated with Diploma	N/A		
___/___/___	Obtained Teaching Certificate/Licensure from PTSB	N/A		

**Mastery Level Definitions:**

**Mentor completed:** This task was completed by the Mentor teacher and the Mentee was instructed.

**With Assistance:** This task was completed by the Mentor and Mentee teachers together. The Mentor teacher

**Independently, reviewed by Mentor:** This task was completed independently by the Mentee teacher and reviewed by the Mentor teacher for compliance/accuracy.



## PROFESSIONAL TEACHING STANDARDS BOARD

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Date: October 2023

From: Brendan O'Connor, PTSB Executive Director

RE: Director's Memo

The fall semester is halfway through, and I hope that all is running smoothly in your districts.

### **EXCEPTION AUTHORIZATIONS (EAs)**

Over the past few months I have received a number of calls and emails asking about expectations regarding supervision of educators on Exception Authorizations. Here is what I have provided in response to these queries.

An educator on an Exception Authorization (EA) is not fully licensed and thus not fully autonomous in the classroom, especially in regards to Special Education and the additional federal statutes and regulations in this area. PTSB rules for EAs state: "the applicant shall be supervised by a fully licensed educator" and "the district accepts responsibility for ensuring the applicant completes all requirements and becomes eligible for full licensure."

The intent about supervision is that the individual on the EA would be directly mentored and supported by a fully licensed educator in the same content/assignment area. A building principal provides additional supervision, but likely does not have as much direct interaction with the educator as a peer. The same may be true for a Special Education Director who is overseeing all special education services for the district, and who might not have the time to regularly monitor individuals. For Special Education, PTSB has recommended that fully licensed educators complete any compliance or legal documentation and not have the individual on an EA sign them. For example, completing IEPs, conducting IEP meetings, and any other required monitoring paperwork. It is possible that the individual on an EA does not have any experience with completing IEPs that meet requirements, and the district would be setting themselves up for liability issues if they are not providing any oversight. The person on the EA can help develop IEP goals and participate in meetings, but should not be leading the meeting or completing any official documentation. Even for non-Special Education subject areas, the individual is still learning the content and pedagogy of their subject area, and needs support to be successful so that their students may be successful.

### **SPECIAL EDUCATION LICENSURE**

Related to Special Education: a year ago the US Department of Education Office of Special Education sent out guidance about qualifications for Special Education educators ([Memo: OSEP](#))



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[22-01](#)). This guidance notes that all special education educators must hold at least a bachelor's degree. I understand that this poses additional challenges in hiring these already hard-to-staff areas. PTSB staff will continue to work with districts to seek solutions to hiring and licensing that will not pose any Federal compliance issues for districts.

### **PROPOSED RULES CHANGES**

PTSB is proposing to promulgate rule changes for Chapters 4, 5, and 6. The proposed rule changes come from requests from the Wyoming Association of School Psychologists, Wyoming Game & Fish Department, the American Board for Certification of Teacher Excellence, individual educators, and Board discussions. Specific information about these and other changes can be found in the Statement of Reasons. Copies of the proposed rules may be obtained from the Professional Teaching Standards Board at the following URL:

<http://wyomingptsb.com/home/rules-and-regulations/>

Interested persons may present their views on the intended action by email to: [ptsbrules.publiccomment@wyo.gov](mailto:ptsbrules.publiccomment@wyo.gov) **before November 1, 2023.**

### **EXPIRATION DATES**

Our office has received a number of frantic calls and emails this month from educators whose license has expired. This may have been prompted by districts preparing the WDE 602 mis-assignment report. Again, I encourage you to have all administrators, teachers, substitutes, and coaches double check the validity dates of their licenses so the expiration date is not a surprise. We are still manually adjusting all expiration dates to the educator's birthday – this also happens during renewals – but we have not completed transitioning everyone's expiration date yet.

### **UPCOMING BOARD MEETINGS**

The Board will hold a special meeting to consider public comments received for the proposed rules, and take action to move forward with the promulgation process on Monday, November 20, 2023.

The next regularly scheduled meeting will be held on Monday, January 29, 2024.

### **QUESTIONS/COMMENTS/CONCERNS**

We are available and open to all discussions that fall within the agency parameters of licensure, educator discipline, and program approval. If you have any questions, comments, or concerns you would like to share with PTSB, please do not hesitate to contact our office. The PTSB continues to engage our stakeholders, implement changes proactively, be a resource, and plan for the future to meet our mission "to ensure that every student is served by competent, ethical educators, who meet rigorous performance standards" in Wyoming. Thank you for your continued support and partnership!

A handwritten signature in blue ink that reads "Breandan H. O'Leary".



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

October 4, 2022

**Contact Person**  
**Name: Bryan Grigg**  
**(202) 245-8107**

**OSEP 22-01**

**MEMORANDUM**

**TO:** State Directors of Special Education  
**FROM:** Valerie C. Williams  
Office of Special Education Programs (OSEP)  
**SUBJECT:** Personnel Qualifications under Part B of the Individuals with Disabilities Education Act (IDEA)

The U.S. Department of Education's (Department) Office of Special Education Programs (OSEP) is committed to supporting States in the provision of a free appropriate public education (FAPE) to all children with disabilities. FAPE includes the provision of special education and related services that meet the requirements of IDEA Part B, which includes ensuring that special education teachers and related services providers are appropriately and adequately prepared and trained. This memo is intended to clarify States' obligations regarding the IDEA Part B requirements related to personnel qualifications and alternate certifications. Based on media reports and discussions with States and advocates, OSEP is aware that some States currently have policies and procedures in place that may not be consistent with IDEA requirements. OSEP also recognizes that States are facing many challenges caused by the COVID-19 pandemic, including the impact it has had on exacerbating the shortage of special education teachers and related services providers across the country. Thus, OSEP believes it is critical to ensure that State educational agencies (SEAs) fully understand the IDEA requirements related to personnel qualifications and alternate certifications and are aware of available resources to support their efforts to meet them.

**Personnel Qualifications**

Under Section 612(a)(14) of IDEA and 34 C.F.R. § 300.156, the SEA must establish and maintain qualifications to ensure that personnel necessary to carry out the purposes of IDEA Part B are appropriately and adequately prepared and trained, including that those personnel have the content knowledge and skills to serve children with disabilities. Those qualifications must ensure that each person employed as a public school special education teacher in the State who teaches in an elementary school, middle school, or secondary school: (1) has obtained full State certification as a special education teacher (including certification obtained through an alternate route to certification as a special educator, if such alternate route meets minimum requirements

described in 34 C.F.R. § 200.56(a)(2)(ii) as such section was in effect on November 28, 2008), or (2) passed the State special education teacher licensing examination and holds a license to teach in the State as a special education teacher, except in the case of a teacher teaching in a public charter school. A teacher teaching in a public charter school must meet the certification or licensing requirements, if any, set forth in the State’s public charter school law. In addition, public school special education teachers may not have special education certification or licensure requirements waived on an emergency, temporary, or provisional basis; and must hold at least a bachelor’s degree.

Personnel who have not obtained full State certification as a special education teacher may obtain certification through an alternate route. Specifically, under 34 C.F.R. § 300.156(c)(2), personnel who are participating in a program that provides an alternate route to special education teacher certification must:

- (1) receive 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;
- (2) participate in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher mentoring program;
- (3) assume the functions as a teacher only for a specified period of time not to exceed three years; and
- (4) demonstrate satisfactory progress toward full certification as prescribed by the State.

(Emphases added.)

With respect to related services personnel and paraprofessionals, under 34 C.F.R. § 300.156(b), qualifications must be 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. In addition, related services personnel who deliver services in their discipline or profession may not have certification or licensure requirements waived on an emergency, temporary, or provisional basis. Paraprofessionals and assistants who are appropriately trained and supervised, in accordance with State law, regulation, or written policy, may be used to assist in the provision of special education and related services to children with disabilities.

As noted above, the SEA **may not** waive the special education or related services personnel certification or licensure requirements on an emergency, temporary, or provisional basis.

Having outlined the requirements under IDEA Part B, this memo also highlights information and resources that may help States meet the requirements.

#### The Department’s and OSEP’s support for teacher initiatives

The Department, including OSEP, has long been committed to providing support and encouraging evidence-based and innovative and promising approaches to meeting the need for well-qualified special education teachers. Under the leadership of President Biden and Secretary Cardona, this commitment has increased.



On March 28, 2022, Secretary Cardona issued a [call to action](#) for States, school districts, and institutions of higher education (IHEs) to address teacher shortages. The Secretary has encouraged the use of funds under the American Rescue Plan Act of 2021 (ARP) and other federal COVID-19 relief funds to scale up educator preparation programs (EPPs) at IHEs, to work in partnership to address the short- and long-term challenges contributing to the teacher shortage across the country. Additionally, on June 9, 2022, the Secretary released a [fact sheet](#) on the Department’s efforts to support the teacher development pipeline to recruit, prepare, and retain teachers. The Department also released a [fact sheet](#) on Federal programs that may be used to sustain ARP investments in key strategies that attract, prepare, support, and retain a diverse teacher workforce and address teacher shortages over the long term. The U.S. Departments of Education and Department of Labor also issued a [Joint Dear Colleague Letter](#) on August 31, 2022, that focuses on the use of Registered Apprenticeship programs for teaching, and ensuring that teachers are paid a livable and competitive wage. On September 27, 2022, the Department [announced](#) 22 new grants totaling more than \$60 million under the Supporting Effective Educator Development program, which will strengthen the teacher pipeline and improve teacher professional development.

#### Higher Education Emergency Relief Fund (HEERF) under ARP

HEERF grant funds can be used to provide stipends, scholarships, and other financial aid to educators-in-training to help underwrite the cost of preparation. For example, HEERF funds can be used to provide teaching residents with stipends to support living expenses, such as housing, or to cover the cost of travel between campus and the school in which they are completing their clinical experience. These funds can also be used to cover the cost of additional courses or pay test fees to earn first or additional teaching licenses or certification. IHEs can discharge institutional student loans, debt, or unpaid balances to their IHEs with their own funds.

OSEP continues to support States in addressing personnel shortages, through OSEP-funded national technical assistance (TA) centers.<sup>1</sup> A number of these centers provide specific TA to support States’ efforts to attract, prepare and retain a quality educator workforce. OSEP, through our TA centers, also works closely with relevant stakeholders to synthesize and share innovative solutions that are making a difference in assisting States in their efforts to build and sustain a strong, effective, and diverse educator workforce with the knowledge and skills needed to provide the quality education each child and family deserves.

#### Additional resources include:

##### [Attract, Prepare, Retain: Effective Personnel For All | OSEP Ideas That Work](#)

Information and resources for stakeholders to explore potential strategies and innovative approaches to address the teacher shortage.

##### [FACT SHEET: The U.S. Department of Education - Secretary Cardona's Call to Action to Address the Teacher Shortage](#)

Fact sheet that addresses the teacher shortage and provides examples of States currently leading this work.

##### [Whole Child Policy Toolkit | Learning Policy Institute](#)

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<sup>1</sup> See the TA Centers listed below.

Toolkit that provides information about teacher shortages, school safety, and additional resources to strengthen the profession.

[Collaboration for Effective Educator Development, Accountability, and Reform Center \(CEEDAR Center\)](#) The *Educator Shortages in Special Education Toolkit* is organized around the guiding principle that short-term strategies to meet immediate demand must be intentionally paired with long-term, systemic strategies to attract, prepare, and retain effective special education teachers to create comprehensive shortage solutions.

[Homepage | Apprenticeship.gov](#)

Website that can be used to locate apprenticeships across the country to connect career seekers, employers, and educators.

#### OSEP-Funded TA Centers<sup>2</sup>

- The [CEEDAR Center](#) supports students with disabilities in achieving college- and career-ready standards by building the capacity of State personnel preparation systems to prepare teachers and leaders to implement evidence-based practices within multi-tiered systems of support.
- The [Early Childhood Technical Assistance Center](#) supports State Part C and Part B Section 619 programs in developing high-quality early intervention and preschool special education service systems.
  - The [Early Childhood Personnel Center](#) assists States to build Comprehensive Systems of Personnel Development (CSPD) to improve outcomes for infants and young children with disabilities and their families.
  - The [IRIS Center](#) offers a wide variety of resources and services to suit a diverse set of instructional needs and circumstances.
  - The [National Center for Systemic Improvement \(NCSI\)](#) provides differentiated support through universal, targeted, and intensive technical assistance to support SEAs to best use their general supervision and professional development systems.

Finally, OSEP wants to thank all States and entities for the efforts they are making to serve children with disabilities and their families during these difficult times. We hope the information provided in this memo is useful in these ongoing efforts.

cc: Parent Training and Information Centers  
OSEP-Funded Technical Assistance Centers

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<sup>2</sup> The views expressed in the following websites and resources do not necessarily represent the positions or policies of the U.S. Department of Education. No official endorsement by the U.S. Department of Education of any product, commodity, service, or enterprise mentioned in this website is intended or should be inferred.