WDE
Opportunity Through Education

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Memo

TO: Superintendents, SPED Directors, and HR Directors

FROM: John Balow, Director, Special Education Programs Division

DATE: September 29, 2026

SUBJECT: Special Education Exception Authorization (EA) and Substitute Guidance

The Wyoming Department of Education (WDE) is committed to creating statewide consistency and clarity regarding the appropriate use of Exception Authorizations (EA) and substitute teachers in special education settings. This guidance is intended to be consistent with the Individuals with Disabilities Education Act (IDEA) and is in accordance with the State-approved or State-recognized certification and licensing requirements overseen by the Professional Teaching Standards Board (PTSB).

Special Education Exception Authorization (EA) Guidance

An Exception Authorization (EA) serves as a temporary credential issued by the Professional Teaching Standards Board (PTSB) for individuals who hold a bachelor's degree but are still working toward full special education licensure. EA staff operate under the close supervision of a fully licensed special educator (34 C.F.R. 300.156(c)).

Hiring school districts assume responsibility for supporting the EA candidate through their certification requirements. Districts are expected to provide a qualified, fully licensed special educator to supervise the EA candidate and assist with the annual PTSB renewal process.

Within this process, an educational agency must consider several factors to ensure compliance with the Individuals with Disabilities Education Act. A fully licensed special educator supervising the EA candidate must:

- Maintain in-depth knowledge of the individual needs of each special education student served by the EA, their IEP, and progress that will allow them to act in the role of special education teacher of the student on the IEP team.
- Ensure that assessments are administered by appropriately trained and knowledgeable personnel in accordance with IDEA and applicable State requirements

- Oversee the design of the Individualized Education Program (IEP) of the student
- Retain primary responsibility for overseeing the design of all Specially Designed Instruction (SDI).
- Ensure that SDI, accommodations, modifications, and behavioral supports are being designed and implemented with fidelity and that accurate progress monitoring is occurring.

To meet IDEA requirements, the EA must:

- Receive sustained, classroom-focused professional development to improve instruction.
- Participate in an intensive supervision program consisting of structured guidance and regular ongoing support, or a mentoring program.
- Serve in the EA role for a maximum of three years.
- Hold a bachelor's degree
- Demonstrate satisfactory progress toward full state certification.

Special Education Substitute Teacher Guidance

Providing a Free Appropriate Public Education (FAPE) under the IDEA relies on utilizing qualified, licensed personnel (34 C.F.R. 300.101, 300.156). While substitute teachers provide valuable temporary coverage, districts must avoid using substitute permits to bypass special education licensing requirements long-term. Individuals who are not fully licensed in Special Education are not intended to serve as the primary providers of Specially Designed Instruction (SDI), and Special Education substitutes cannot function autonomously.

Classroom Roles and Expectations

Because substitute teachers typically lack full special education credentials, their duties focus on supporting rather than designing instruction or writing IEPs. Core responsibilities include:

- Instruction and Reinforcement: Executing detailed lesson plans and reinforcing academic or functional skills designed by the certified educator.
- IEP Implementation and Data: Reviewing IEP’s to apply accommodations and behavior strategies, while gathering routine academic, behavioral, and attendance data.
- Safety: Following established Behavior Intervention Plans (BIPs) and protocols to maintain a safe, predictable learning environment.

Supervision Guidelines and Extended Placements

Substitute teachers are expected to work collaboratively under the general guidance of the building principal and the direct support of a fully licensed special education teacher.

Supervising Teacher Role: The fully licensed special educator remains the designated Teacher of Record. This individual oversees communication, SDI planning, student progress evaluations, and all formal compliance documentation (e.g., IEP development, progress reports).

Extended Absences: When a substitute is needed for a prolonged period, it is essential to ensure a student's FAPE is not compromised. In these instances, districts are encouraged to:

- Notify the parents or guardians of the affected students.
- Reconvene the IEP team to review the placement and verify that services are being implemented appropriately.
- Continue active recruitment to secure a fully licensed special educator.