



STATE OF SOUTH CAROLINA
DEPARTMENT OF EDUCATION

MOLLY M. SPEARMAN
STATE SUPERINTENDENT OF EDUCATION

MEMORANDUM

TO: District Superintendents
Personnel Administrators
Special Education Directors
Education Deans
Directors of Teacher Education
Alternative Route Providers

FROM: Jill Christmus
Interim Director, Office of Special Education Services

Mary Hipp
Director, Office of Educator Services

DATE: November 8, 2022

RE: Qualifications for Special Education Teachers Pursuant to the Individuals with Disabilities Education Act (IDEA)

On October 4, 2022, the United States Department of Education (USED) issued a [memorandum](#) to state directors of special education regarding personnel qualifications under Part B of the Individuals with Disabilities Education Act (IDEA). Specifically, the memorandum addresses [IDEA Part B](#) requirements to ensure that special education teachers and related service providers are “appropriately and adequately prepared and trained” to meet the needs of the students they serve. The USED Office of Special Education Programs recognizes the challenges that states have faced related to the COVID-19 pandemic and the ongoing shortage of special education teachers and related service providers nationwide. Despite these challenges, each State education agency (SEA) must meet the requirements related to personnel qualifications under IDEA, as indicated below.

The SEA “must establish and maintain qualifications to 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 certificate 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. has 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" (IDEA).

Following receipt of the October 4 memorandum, staff from the South Carolina Department of Education (SCDE) Offices of Special Education Services, Educator Services, and General Counsel convened to review the USED guidance and IDEA Part B personnel requirements.

South Carolina: Full State Certification

The SCDE provides the following guidance to stakeholders, including several changes to policy and practice to ensure compliance with federal requirements.

- A teacher who holds a South Carolina Initial or Professional educator certificate in a special education field has successfully completed all requirements of a teacher preparation program in special education and meets the requirements of full certification as defined by the state.

- A teacher issued an International certificate in a special education teaching field as part of an Exchange Visitor Program has submitted documentation of successful completion of a preparation program in special education in the home country and meets South Carolina certification requirements.
- Consistent with current South Carolina statute and State Board of Education regulation and guidelines, the SCDE may issue a certification permit in a special education field to a teacher who holds a valid Initial or Professional certificate and has completed 12 semester hours toward adding the new field. Pursuant to IDEA, the SCDE will issue a permit in a special education field for a total of no more than three years, during which the teacher must complete all requirements for adding full certification in the special education field.
- To meet requirements under IDEA, a teacher issued an Internship certificate by the SCDE in a special education certification field, pursuant to State Board of Education Regulation 43-53, must
 - have earned a bachelor's degree;
 - have completed all requirements of an approved teacher preparation program in special education at the post-baccalaureate or graduate level, with the exception of student teaching; and
 - must have earned passing scores on all required certification exams under the Standard Assessment Plan.

South Carolina: Alternative Route Certification

Pursuant to S.C. Code Ann. § 59-26-30(A)(8), the SCDE may award a conditional certificate (i.e., Alternative Route certificate) to an individual who does not qualify for full certification based on completion of a teacher preparation program, so long as the individual has at least a bachelor's degree from a regionally accredited college or university with a major in the subject area of the certification field and has earned a passing score on the required subject area assessment(s). The certificate may be renewed annually for a maximum of three years with documentation of satisfactory progress toward full certification. Satisfactory progress includes evidence that the individual will complete all requirements successfully within three years of being conditionally certified.

South Carolina statute allows for the issuance of four Alternative Route certificates to educators pursuing full certification through an alternative route program. To meet requirements pursuant to IDEA, however, a teacher pursuing certification through an alternative route program may assume the functions as a teacher only for a specified period of time not to exceed three years. The SCDE provides the following guidance to stakeholders, including several changes to policy and practice related to alternative route programs to ensure compliance with federal requirements.

- Because IDEA stipulates that alternative route participants pursuing certification in special education may be assigned as a teacher no more than three years, South Carolina candidates must complete all requirements for full certification within three years. Pursuant to 34 C.F.R. § 300.156(c)(2), the SCDE must discontinue issuance of a fourth-

year certificate to alternative route teachers in special education fields. This change will apply to participants seeking full certification in a special education field through any of the following approved programs: APEC, Carolina CAP, GATE, PACE, Teach for America, or Teachers of Tomorrow.

- The SCDE will notify all current alternative route participants in special education fields that requirements for full certification must be met within three years. Moving forward, these educators will be issued no more than three Alternative Route certificates.
- Before and while teaching, alternative route participants “must receive high-quality professional development that is “sustained, intensive, and classroom-focused.” Districts wishing to employ special education teachers pursuing full certification through an alternative route program are reminded of the importance of all induction and mentoring supports required as part of the state’s system for Assisting, Developing, and Evaluating Professional Teaching (ADEPT).
- Pursuant to IDEA requirements limiting alternative route participation to three years, the SCDE will discontinue issuance of the PACE Adjunct certificate for candidates in special education. Instead, these PACE candidates must meet all eligibility, employment requirements, and registration deadlines to attend either the Summer or Winter Pre-service Institute.

The SCDE Offices of Special Education Services and Educator Services will hold information sessions for district personnel and educator preparation providers in the coming weeks. Dates will be announced by these program offices.

For additional information, please contact Dr. Jill Christmus, Interim Director of the Office of Special Education Services, at mchristmus@ed.sc.gov, or Mary Hipp, Director of the Office of Educator Services, at mhipp@ed.sc.gov.