

## **“Highly Qualified” Special Education Teacher Requirements Frequently Asked Questions (FAQ)**

The highly qualified<sup>1</sup> teacher requirements of IDEA '04 will bring about significant changes in special education service delivery models and instructional responsibilities of general education and special education personnel. To understand the implications of the highly qualified teacher requirements, it is important to understand the circumstances under which special education teachers must meet the federal requirements of a "highly qualified" teacher of core academic subject areas.

This FAQ is intended to help CEC members clarify those circumstances. If you have other questions, submit them to [professionalstandards@cec.sped.org](mailto:professionalstandards@cec.sped.org) for considerations in updates.

**1. *What does “highly qualified” mean?***

Congress included the term highly qualified in NCLB to address the large numbers of general educators who were teaching subjects for which they were not prepared. In NCLB the term highly qualified focuses on ensuring that teachers are appropriately licensed AND have an appropriate background in the “core academic subjects” they teach.

**2. *What are “core academic subjects?”***

IDEA' 04 references No Child Left Behind which defines "core academic subjects" to include English, reading or language arts, math, science, foreign languages, civics and government, economics, arts, history and geography.

**3. *If a special educator does not meet the requirements for being a highly qualified teacher for a core academic subject area, does that imply the teacher is not qualified?***

No. All special educators must meet rigorous requirements to be licensed as a special educator. The federal law adds additional requirements focused on content knowledge to ensure that teachers have an appropriate content background in the core academic subjects in which they teach.

**4. *Do highly qualified teacher requirements apply to special education teachers?***

Yes. IDEA reflects NCLB focus on ensuring that teachers are appropriately licensed AND have an appropriate background in the “core academic subjects” they teach. IDEA requires all special education teachers meet state certification/licensing requirements for being a special education teacher. In addition, when special educators directly teach in core academic subjects<sup>2</sup> they must meet the highly qualified requirements for the respective core academic subjects.

If they do not directly instruct students with disabilities in a core academic subject, special educators are considered highly qualified based on their licensure as a special educator. Also, see Resource 2 for a discussion of special education teaching situations that lie beyond the core academic subjects requirements of IDEA and NCLB.

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<sup>1</sup> The term “highly qualified” as used herein is restricted to the requirements described in NCLB and IDEA, and does not necessarily imply that a teacher is highly qualified in the normal use of the term.

<sup>2</sup> The term “core academic subject as use herein is restricted to the definition in NCLB.

5. ***Is there an exception for special education teachers serving students with a significant cognitive disability?***

No. Special education teachers exclusively teaching students with disabilities who participate and are counted in the state alternative assessment system must meet all the qualifications of a licensed special education teacher.

In addition, they must meet the core academic subject area requirements for the functioning grade level of the individuals with disabilities they are teaching. If the individuals with disabilities they are teaching are functioning at the elementary level, they must meet the standards for an elementary teacher or, if teaching students in grades above the elementary level, they must be “highly qualified” in the core academic subject areas at the functioning level of the individuals they are teaching consistent with the core academic subject area “highly qualified” requirements for that grade level. Note: this difference only applies if the teacher exclusively teaches students with significant cognitive disabilities and the teacher is teaching to alternate achievement standards.

6. ***Is “core academic subject” defined by the course title, the name of a class or by the content of the materials?***

The answer to this question is a bit complex and the earmarks may differ somewhat for elementary and secondary contexts. Educators must consider two questions: Does the content in the course fall under one of the subjects included in the definition of “core academic subject matter”, and does the course earn credit as a part of the general curriculum? In secondary level contexts, if the answer to both of these questions is affirmative, then the course is likely a “core academic subject.” and the teacher would need to be highly qualified. This would also apply to what are sometimes referred to as “replacement classes” in which the student receives instruction that serves to replace courses offered in general education and is then given credit in the subject area.

In elementary contexts the question of earning credit is frequently not helpful. Does the content in the course fall under one of the subjects included in the definition of “core academic subject matter”, and is the course a part of the general curriculum under the State learning standards? In most states, if the answer is affirmative to both of these questions, then the course is likely a “core academic subject.” and the teacher would need to be highly qualified.

However, content by itself does not necessarily define whether instruction is a core academic subject. For example, an IEP that includes life skill goals which, among other things, includes word recognition of signs does not meet the threshold of the academic subject, reading<sup>3</sup>. An IEP that includes orientation and travel training for a student with disabilities does not meet the threshold of the academic subject geography. Neither of these examples constitutes a general education course for which students earn credit. On the other hand, an IEP that includes basic math goals which substitutes or replaces the math instruction that would have otherwise been provided in a general education class would be a “core academic subject”, and the teacher would need to be highly qualified.

7. ***Do highly qualified teacher requirements apply to special education teachers teaching multiple subjects?***

Yes. Special education teachers must meet highly qualified requirements in every core academic subject they teach to their students. These requirements apply whether special

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<sup>3</sup> Several States have adopted curriculum frameworks that include all conceivable objectives by definition as part of the general curriculum. In these States objectives like mobility training may be part of the general curriculum and hence considered core academic content for geography, for example. Each special educator must verify how the state in which they practice, handles this.

education teachers provide core academic instruction in a regular classroom, a resource room, or another setting.

**8. *What activities may special education teachers carry out if they are not highly qualified in the core academic content areas being taught?***

Special educators who do not meet the “highly qualified” requirements for core academic subjects may for example co-teach, team teach, cooperatively teach, collaborate, and provide consultation to “highly qualified” core academic subject area teachers to ensure individuals with disabilities receive specialized instruction. Special educators individualize the curriculum for individuals with disabilities through the use of behavioral supports and interventions, or in the selection of appropriate accommodations in both learning and performance.

In addition, they may provide students with disabilities with content enrichment and reinforcement and generalization and provide any additional supports and services needed to enhance learning. Special educators also provide individuals with disabilities with instruction in learning strategies such as study and organizational skills.

**9. *Would who provides core academic instruction to students with disabilities need to be highly qualified in the core academic subject, even if the child already receives instruction in the same subject from a teacher who is highly qualified?***

Yes. A special education teacher who provides instruction in core academic subjects needs to meet the requirements, even if he or she is not the only one instructing the students in that subject. However, if the special education teacher is reinforcing instruction or generalizing or maintaining learning, or is consulting with a teacher to help them individualize the instruction, the highly qualified teacher requirements do not apply.

**10. *What does it mean to reinforce instruction?***

Often students with disabilities need additional practice on a skill beyond what is routinely provided in the general curriculum. To reinforce instruction means to provide this added practice to consolidate or maintain a skill. This could occur by helping a student prepare in advance of instruction or reinforcing instruction already provided by the highly qualified teacher.

**11. *What does generalization of instruction mean?***

Often, students with disabilities need additional instruction in learning to apply skills and knowledge across tasks and environments. Generalization provides an extension of the skills learned. This extension or expansion of skills and knowledge may include supporting the student by providing instruction designed to help them to apply skills in task appropriate situations.

**12. *When do special education teachers have to be “highly qualified” under the federal definition?***

The law requires special education teachers of core academic subjects to be “highly qualified” by June 30, 2006, unless the special education teacher teaches in a federally defined rural school. Special education teachers who exclusively teach in rural schools need to be highly qualified for the core academic subjects they teach by June 30, 2008. Federally defined rural schools are schools eligible for Title 6, Part B, Subpart 1 of the Small Rural Schools Achievement Program of NCLB. All schools meeting this definition can be found in a list provided by the United States Department of Education at the following Web site. <http://www.ed.gov/programs/reapsrsa/eligible04/index.html>