

Special Education Teacher Defined (20 U.S.C. §1401(10) (B) (i))

When used with respect to any public elementary school or secondary school special education teacher teaching in a State, such term means that--(i) the teacher has obtained full State certification as a special education teacher (including certification obtained through alternative routes to certification), or passed the State special education teacher licensing examination, and holds a license to teach in the State as a special education teacher, except that when used with respect to any teacher teaching in a public charter school, the term means that the teacher meets the requirements set forth in the State's public charter school law.

Compliance with Federal and State Personnel Standards for Individuals Serving Children with Disabilities

It is the policy of Universal Academy Charter School to ensure that personnel standards for all individuals serving children with disabilities are met in accordance with the IDEA and its procedures.

The Universal Academy Open Enrollment Charter School recognizes that both the No Child Left Behind Act and the IDEA provide that charter school teachers must meet the requirements set forth in the State's public charter school law. 20 U.S.C. §7801(23) (A) (i); 20 U.S.C. §1401(10) (B) (i). In Texas, that means that the charter school special education teacher must be certified and highly qualified.

It is the policy of the Universal Academy Open Enrollment Charter School to make an ongoing good-faith effort to recruit and hire appropriately and adequately certified and/or licensed personnel to provide a wide range of special education and related services to children with disabilities who are

eligible for special education services. Special education staffing needs come from the individualized decisions made by the ARD committee.

It is the policy of the Universal Academy Open Enrollment Charter School to ensure that all personnel necessary to carry out the requirements of the IDEA 2004 are appropriately and adequately certified and/or licensed , prepared and assigned.

The Charter School uses the following strategies for accessing adequately certified and/or licensed personnel:

Strategy	Check with an X if applicable
Hiring faculty with dual certification and/or licensure	x
Hiring consultants to provide special education services	x
Hiring retired teachers to work part-time to deliver special education services	
Developing collaborative agreements with other local educational agencies (LEAs), including with other charter schools to share special education teachers and related service providers	
Forming partnerships with institutions and/or agencies that employ related services professionals	

The Universal Academy Charter School adopts as policy the provisions under State and Federal law concerning personnel, including:

In order to be highly qualified under the federal No Child Left Behind Act (NCLB), all open-enrollment charter school teachers must hold at least a bachelor’s degree and must demonstrate competency in the core academic areas in which they teach. Special education charter school teachers must also have appropriate special education teacher certification to be highly qualified under the NCLB. See *TEA Guidance for the Implementation of NCLB Highly Qualified Teacher Requirements* (Updated March 25, 2008).

NCLB does not require that other charter school teachers be fully certified. Rather, charter school teachers must only meet the requirements of the

State’s public charter school law, which differ from the requirements for Texas teacher certification. In Texas, State law does not require a teacher employed by an open-enrollment charter school to be certified unless the teacher is assigned to teach in special education or bilingual education programs, in which case the appropriate State certification is required. The minimum qualification under State law for a teacher at an open-enrollment charter school, other than a special education or bilingual education teacher, is a high school diploma. However, the governing body of a charter holder may set the qualifications for teachers at a standard above what State law requires. See *TEA Guidance for the Implementation of NCLB Highly Qualified Teacher Requirements* (Updated March 25, 2008).

In order for a open-enrollment charter school teacher in Texas to be considered “highly qualified” under NCLB, the teacher must meet the State certification requirements as they apply to open-enrollment charter schools, as well as the NCLB requirements related to the bachelor’s degree and the demonstration of competency. Open-enrollment charter school teachers have the same options for demonstrating competency as teachers in regular public schools. See *TEA Guidance for the Implementation of NCLB Highly Qualified Teacher Requirements* (Updated September 1, 2010).

Texas Education Code Charter School Certification Requirements	No Child Left Behind Charter School Highly Qualified Requirements
High School Diploma required for all charter school teachers Certification only required for— Special Education Bilingual Education	Bachelor’s degree required for all teachers in core academic subject areas Follow State certification requirements for charter schools Demonstrate competency according to requirements for elementary or secondary teachers, as appropriate

The open-enrollment charter school shall not employ a person as a teacher unless that person holds a high school diploma. (TEC §12.129)

All special education and related service personnel shall be certified, endorsed, or licensed in the area or areas of assignment in accordance with 34 CFR §300.156; TEC §§21.002, 21.003, and 29.304; or appropriate state agency credentials. (19 T.A.C. §89.1131(a))

Notice of Teacher Qualifications

Each open-enrollment charter school shall provide to the parent or guardian of each student enrolled in the school written notice of the qualifications of each teacher employed by the school.