

February, 1987

STATE OF MINNESOTA
STATE BOARD OF EDUCATION
DEPARTMENT OF EDUCATION
INSTRUCTIONAL EFFECTIVENESS DIVISION

STATEMENT OF NEEDS AND REASONABLENESS

PROPOSED RULE - ISSUANCE AND RENEWAL OF LICENSES FOR
DIRECTORS OF SPECIAL EDUCATION (3510.9100)

The statutory authority of the Board of Education to promulgate the proposed rule is set forth in Minnesota Statutes 125.03 and 125.05, Subd. 1.

Subpart 1. Scope

The director's license is needed to assure adequate leadership to personnel and programs providing services to handicapped children. Currently, no specific licensure rule exists which provides standards of licensure for directors of special education. Individuals with a supervisory license in special education may serve as directors. It is reasonable to promulgate license standards because state rule (3525.2405) requires a director of special education in every school district.

Subpart 2. Licensure Requirements

- A. Teaching experience in special education is necessary. That specific experience will enable a director to relate better to special education staff, parents and consumers. It is reasonable to require three years because of the necessary breadth of experience.
- B. A minimum degree level of a master's plus 45 credits is needed due to the complexity, required competencies and broad areas of expertise in which the director must be proficient. These include program advocacy, compliance monitoring (state and federal), program planning, program implementation, program operation or maintenance, consulting, working with parents, legislation, personnel management, finance and budgeting. It is reasonable to expect this minimum level of training and to allow significant credit for life experience and demonstrated competency.
- C. A recommendation of a preparing institution is needed to assure the candidate has had adequate academic

preparation for the position. It is reasonable for the institution to be expected to verify and validate the expertise and proficiency of the candidate based upon satisfactory completion of an approved program.

In addition to significant academic inputs, it is reasonable to expect the training institution to implement a component intended to evaluate a candidate's competency/facility in the necessary skill areas. Due to the recent implementation and continuing development of competency evaluation techniques, it is expected this component will evolve over time. Because of that, it is important to have rules flexible enough to enable change, yet retain sufficient alternatives so no candidate is penalized due to change. Cooperative planning which includes the institution, consumers and the Department of Education, will ensure an adequate supply of directors to meet the needs of students and raise the skill level of directors initially entering the field.

Subpart 3. Program Requirements

General Education Administration/Parents (1)

Training in and understanding of family dynamics and how to meaningfully involve families is imperative. Because family members observe behaviors in many situations, they have much to offer professional educators. Their opinions and observations deserve respect.

General Education Administration (2, 3, 4, 5, 8, 9 and 10)

Understanding the principles of general education administration is needed to assure the ability of a director or assistant director to work cooperatively with district and building administrators regarding policies and procedures which cut across both regular and special education. It is important for special education programs to operate within the structure of the district in order to provide a positive environment for handicapped students.

It is reasonable to include the principles of personnel management; state and federal laws and rules; principles of social organization; and models of professional development, and staff training. In

addition they need to understand program planning, design, implementation, evaluation, data collection and data analysis. Each of these areas is a critical aspect of an educational system. To the extent possible, special education program development and implementation must be compatible with regular education. Where it is necessary to develop different policies and procedures, it should be by intent and not lack of understanding the principles of general education administration/organizational models and leadership styles.

Individual and Group Behavior (6 and 7)

Organizations are made up of individuals. Their interactive behavior is quite complex. Because leadership requires working through others, it is reasonable to require knowledge and skills specific to individual and group behavior. Cooperative leadership also requires knowledge of self and personal style.

General Education Administration/Finance (10 and 11)

Knowledge of general school finance, case law regarding general education, and school organization and administration is needed by a director or assistant director of special education because special education is a part of the total general education structure. It is reasonable that it be included in the license requirements because a director and assistant director are responsible for seeing that handicapped students are educated with nonhandicapped, to the extent possible. It is often necessary to explain to boards, administrators and the public, the relationship between regular and special education funding, the need for and implications of general and special laws, and the roles and responsibilities of regular education for serving handicapped students.

General Education Administration/Curriculum (13)

Knowledge and understanding of elementary and secondary curriculum are necessary because, for the majority of students in special education, the regular curriculum is appropriate with or some modification or intervention. Special educators are expected to know when and how to assist regular education staff in modifying or adapting curriculum and instruction to meet the special needs of students with handicaps. It is reasonable for the Director of Special Education

and Assistant Director to have in-depth knowledge and understanding of elementary and secondary curriculum in order to provide the leadership to staff in the development and implementation of appropriate mainstream curriculum as one means of fulfilling the mandate to educate students in the least restrictive environment.

School Effectiveness
(14)

There is a growing body of verifiable research which supports specific principles for improving school effectiveness. It is reasonable to require training and skills in this area.

Technology
(15)

Training and knowledge of current technology is necessary to be a leader in the schools of the future. Because technology advances so rapidly, it will be necessary to focus the training on how these tools can best be used instructionally rather than heavy emphasis on current specific hardware and software. Additionally the training needs to include how to manage data on student learning in order to make better individual student and systemwide instructional decisions.

B. Special Education Administration/Parents
(1)

Training in and understanding of family dynamics and how to meaningfully involve families is imperative. Because family members observe many behaviors in many situations, they have much to offer professional educators. Their opinions and observations deserve respect. Both state and federal law specifically addressed the need for this by including due process requirements.

Special Education Administration
(2- 8)

Understanding the various aspects of special education administration is needed to assure the ability of the director or assistant director to comply with current state and federal laws, to apply those laws and rules to appropriate accounting and budgeting procedures; to be familiar with case law and its application; to be able to provide technical assistance to staff in the

provision of the most successful and appropriate programs for students; to assure that a person holding this license is able to provide for continuous program development involving service delivery persons; to assure that a person holding this license is able to provide the most appropriate services to students and their families through interagency involvement; to be able to apply the most efficient and successful models to each district's unique needs in order to provide for the best possible services in the most efficient and cost effective manner.

Special Education Technology (9)

Training needs to occur specific to some of the unique applications of technology to special education. There continues to be significant development of technology that provides physical assistance to handicapped individuals. In addition, technology has significant potential for instruction and data management for special education students.

It is reasonable to include these requirements of understanding and knowledge in order to assure that a director has these competencies.

C. Practicum

Field experience or equivalent is needed as a licensure requirement in order for the candidate to have the opportunity to learn, through experience, to apply the theory and principles taught in the classroom. No matter how good the classroom instruction may be it cannot reproduce the real day-to-day challenge in a school system. A minimum of 200 hours is reasonable in that it would allow exposure to a variety of experiences.

Subpart 4. Institutional Requirement

This provision is necessary to set forth the procedures which institutions must follow to obtain approval of preparation programs leading to the licensure of directors of special education. By requiring (1) a description of the program, (2) initial evaluation that includes a review of previously obtained knowledge skills and abilities, (3) an individual plan for instruction, and (4) possible ways to evaluate progress, there is sufficient clarity to enable the Department of Education to review and approve or disapprove training programs. It is reasonable to expect licensure candidates to demonstrate their facility

with the stated skills. The development of alternatives would not eliminate situational evaluation component. The intent is to ensure an adequate supply of competent directors of special education to serve the needs of handicapped students in Minnesota, and to enable training programs to learn and incorporate specific to competency based evaluation models, without requiring the rules to be rewritten. The evaluation components provide the framework to translate State Board of Education goal #5 from theory into practice. The practicum requirement is consistent with the practicum requirement for other administrative licensure.

Subpart 5. Issuance and Renewal of Licenses

This provision is necessary to provide for the issuance and renewal of licenses in accordance with current standards and procedures set forth by the Board of Education. In the absence of a specific licensure rule for directors of special education, persons have been authorized to serve as such based upon licensure as a supervisor of special education. It is necessary and reasonable to specify that criteria and to grant a license, as a director of special education, based on these criteria to persons previously authorized to serve as directors of special education prior to the effective date of this licensure rule.

Subpart 6. Continuing Licensure

Continuing licensure for directors currently in the field is needed and reasonable because on the job experience is valid. Current directors and supervisors have been required to demonstrate proficiency on the job as well as to acquire continuing education units and clock hours in their area of licensure as a director or supervisor of special education.

Subpart 7. Out of State Applicants

It is reasonable to provide to individuals trained and/or providing special education leadership in other states a defined way to obtain licensure in Minnesota.

Subpart 8. Effective Date

The effective date of the rule, July 1, 1990, is reasonable to allow adequate time for implementation of the rule. This enables persons currently in programs to complete the program and obtain licensure. It also provides sufficient time for institutions to design and submit programs for approval.

A. Fiscal Statement

The State Board estimates that the proposed rule will not require any additional expenditure of public monies in either of the two years immediately following adoption and the subsequent implementation of the proposed rule. State Board of Education Rule 3525.2405 currently requires all districts in Minnesota to have access to a director of special education. Therefore, this licensure rule is intended to raise the competency level of entry level directors. It will not require school districts to add any new positions or change the placement of directors in the salary structure.

B. Small Business

This rule will not impact small business.

C. Testimony

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