*Exceptional Student Services (ESS) / Data Management*

# Frequently Asked Questions – PERSONNEL

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## Q1: WHY DOES THE OFFICE OF SPECIAL EDUCATION PROGRAMS (OSEP) COLLECT PERSONNEL DATA? THERE IS NO STATUTORY BASIS FOR THIS DATA COLLECTION.

A: Section 618(a)(3) of the Individuals with Disabilities Education Act (IDEA) gives OSEP the authority to collect personnel data. OSEP uses the data about special education teachers for two of its *Government Performance and Results Act (GPRA)* indicators. Currently, these indicators are:

- the number of states with at least 90% of special education teachers of children with disabilities ages 6 through 21 who are fully certified in the areas in which they are teaching; and
- the number of states with at least 90% of preschool special education teachers certified in the areas in which they are teaching.

This data collection will be used by states in developing State Personnel Development Plans required under § 653(b)(7) of IDEA to receive State Personnel Development Grants. The related services personnel data are used by professional organizations and institutions of higher education.

## Q2: WHY DOES OSEP COLLECT PERSONNEL DATA WHEN DATA ON HIGHLY QUALIFIED TEACHERS ARE COLLECTED UNDER NO CHILD LEFT BEHIND (NCLB)?

A: The data reported under IDEA are submitted as an individual person count by full-time equivalency (FTE). The data reported under NCLB are submitted as a count of classrooms.

## Q3: WHY ARE TEACHERS REPORTED ACCORDING TO THE AGE OF THE CHILDREN THEY TEACH (3–5, 6–21) RATHER THAN WHETHER THEY TEACH PRESCHOOL OR SCHOOL AGE CHILDREN?

A: The age groupings (3–5 and 6–21) used by OSEP reflect the age groupings that are specified in IDEA.

## Q4: IS PERSONNEL DATA REPORTED BY SCHOOL OR BY DISTRICT?

A: Data is reported by district. Several years ago, we asked for this data by school. This data is now collected at the district level.

## Q5: HOW ARE PERSONNEL COUNTS REPORTED?

A: Personnel numbers should be reported by FTE of assignment. Decimals may be used.

## Q6: HOW MANY DECIMALS CAN BE USED TO REPORT FTE?

A: ESS has decreased the decimal values from 3 places to 2 places for FY 2012 and beyond to be consistent with federal reporting requirements.

## Q7: SHOULD FTE BE BASED ON THE LENGTH OF THE SCHOOL DAY OR THE ACTUAL HOURS EMPLOYED?

A: FTE should be based on the length of the school day.

## Q8: SHOULD THE LUNCH HOUR BE CONSIDERED AS PART OF THE SCHOOL DAY WHEN CALCULATING FTE?

A: The lunch hour can be included in the FTE only if personnel are providing special education and related services to students with disabilities during that period of time.

## Q9: HOW DO I REPORT FTE FOR PERSONNEL (EMPLOYED OR CONTRACTED) WHO ONLY PROVIDE A FEW HOURS OF SERVICE PERIODICALLY DURING THE SCHOOL YEAR?

A: FTE can be calculated by day, week, month, or even year. Determine the number of hours in a school day, week, month, or year and divide the number of hours calculated into the number of services hours provided. Report the resulting FTE accordingly. If the FTE figure is .009 or less, you will not be able to report this FTE since the application does not accept figures with more than 2 decimal places.

Example 1 – To calculate FTE based on a school day:
A part-time resource room teacher working 4 hours per day (in a 6-hour school day) would be 4 / 6 = .67.

Example 2 – To calculate FTE based on a school week:
An SLP visits once a week for 4 hours.
5 school days in a week x 6 hours a day = 30 hours.
4 / 30 = .13

Example 3 – To calculate FTE based on a school year:
An audiologist visits a few times during the school year for a total of 15 hours.
180 school days x 6 hours a day = 1,080 hours.
15 / 1,080 = .0138888
Round off to 2 decimal places = .01

## Q10: SHOULD I REPORT CONTRACTED EMPLOYEES?

A: Yes. You must report contracted employees as either highly qualified or not highly qualified (teachers and paraprofessionals) or either fully certified or not fully certified (related service providers).

## Q11: WHAT ARE THE HIGHLY QUALIFIED REQUIREMENTS UNDER NCLB?

A: A highly qualified teacher is a teacher with a bachelor's degree, full state certification (intern, provisional, reciprocal, or standard teaching certificate), and who demonstrates subject matter competency in the academic subject area assigned to teach. With the exception of special education, charter school teachers are exempt from the certification requirement.

## Q12: WHAT ARE THE REQUIREMENTS FOR SPECIAL EDUCATION TEACHERS?

A: A special education teacher must have a bachelor's degree and full state certification as a special education teacher. For a special education teacher of record in a core academic subject area, a teacher is required to meet the same subject matter competency requirements the same as elementary, middle grade, junior high, and secondary teachers.

## Q13: WHAT DOES IT MEAN TO BE THE "TEACHER OF RECORD"?

A: A teacher of record directly instructs, evaluates, and assigns grades to students in core academic subjects.

## Q14: WHAT DOES IT MEAN IF YOU ARE NOT THE "TEACHER OF RECORD"?

A: A special education teacher does not have to demonstrate subject-matter competency in core academic subjects if the teacher's role is limited to providing highly qualified teachers with consultation on adapting curricula, using behavioral supports and interventions, selecting appropriate accommodations or if the teacher does not directly instruct students in those subjects, such as assisting students with study or organization skills or providing reinforcing instruction to a student who already received instruction from a teacher who is highly qualified in that core academic subject. Special education teachers who are not the "teacher of record" are then determined highly qualified by virtue of having the appropriate Arizona Special Education Certificate.

## Q15: ARE TEACHERS AT CHARTER SCHOOLS REQUIRED TO BE CERTIFIED?

A: Special education teachers in charter schools must be certified. Highly qualified information can be found at the following link: http://www.azed.gov/highly-qualified-professionals/highly-qualified-teachers-and-paraprofessionals/. Note on the attestation forms that full state certification is a requirement for special education teachers but not for "general" elementary and secondary teachers.

The certification requirement for special education teachers comes from IDEA. You may access the highly qualified regulations for special education teachers under IDEA here: http://idea.ed.gov/explore/view/p/%2Croot%2Cdynamic%2CTopicalArea%2C2%2C

If a charter school's special education teacher does not qualify for a Provisional Special Education certificate, the teacher will need to obtain an Emergency Teaching or Teacher Intern certificate.

## Q16: HOW SHOULD PERSONNEL WHO ARE HIGHLY QUALIFIED TO TEACH IN SOME SUBJECTS BUT NOT OTHERS BE REPORTED?

A: Special education teachers must meet highly qualified requirements for every core academic subject they teach. See the definition of highly qualified in Section 602(10)(D) of IDEA. If a teacher is not highly qualified to teach a given subject that he or she teaches, that teacher should be reported as not highly qualified for the FTE associated with teaching any such subject.

## Q17: ARE EARLY CHILDHOOD SPECIAL EDUCATION TEACHERS REQUIRED TO MEET THE HIGHLY QUALIFIED TEACHER REQUIREMENT?

A: Early childhood special education teachers must be highly qualified. However, they are highly qualified based on holding the Early Childhood Special Education certificate. Arizona Revised Statutes (A.R.S. § 15-901(A)(4)) defines the common school (elementary school) as preschool children with disabilities.

## Q18: RATHER THAN HIGHLY QUALIFIED VERSUS NON-HIGHLY QUALIFIED, WHY DOESN'T OSEP COLLECT TEACHER DATA ACCORDING TO WHETHER A TEACHER MET SPECIAL EDUCATION ENDORSEMENT REQUIREMENTS OR WHETHER A TEACHER MET THE CORE CONTENT AREA REQUIREMENTS?

A: Collection of additional categories regarding endorsement and core content would be an additional reporting burden that OSEP does not believe is warranted at this time.

## Q19: ARE SPECIAL EDUCATION PARAPROFESSIONALS REQUIRED TO MEET THE HIGHLY QUALIFIED REQUIREMENTS UNDER NCLB?

A: Yes, if the paraprofessional is in a Title I school-wide or targeted-assistance program. However, teaching assistants who only attend to the health needs of special educational students or serve in non-instructional roles are not required to be highly qualified.

## Q20: WHICH PARAPROFESSIONALS SHOULD BE REPORTED IN THIS TABLE? THAT IS, WHAT TYPES OF WORK ASSIGNMENTS ARE RELEVANT?

A: As defined on pages 1 & 2 of the instructions, the term "paraprofessional" includes employees who: (1) provide one-on-one tutoring if such tutoring is scheduled at a time when a student would not otherwise receive instruction from a teacher; (2) assist with classroom management such as organizing instructional and other materials; (3) provide instructional assistance in a computer laboratory; (4) conduct parental involvement activities; (5) provide support in a library or media center; (6) act as translators; or (7)

provide instructional support services under the direct supervision of a teacher.

## Q21: HOW DOES A PARAPROFESSIONAL IN A TITLE I SCHOOL-WIDE OR TARGETED-ASSISTANCE PROGRAM MEET THE HIGHLY QUALIFIED REQUIREMENTS IN ARIZONA?

A: According to Arizona guidance, an instructional paraprofessional in a Title I school-wide program or in a Title I targeted-assistance program who is paid with Title I funds is required to hold a secondary school diploma or GED and meet the following requirements:

- Hold an associate's degree; or
- Complete two years of study or 60 credit hours at an accredited institution of higher education; or
- Obtain a passing score on an ADE-approved assessment. Arizona recognizes Para Pro, ACT Workkeys, or Master Teacher's Para Educator Learning Network assessments.

## Q22: HOW DO I REPORT PARAPROFESSIONALS WHO ARE NOT IN A TITLE I SCHOOL?

A: Report these paraprofessionals under the appropriate column in Section B depending on whether or not they meet the qualifications for highly qualified or if they meet the definition of fully certified as defined in Section C.

## Q23: DOES A PARAPROFESSIONAL IN A COMPUTER LAB HAVE TO MEET THE HIGHLY QUALIFIED REQUIREMENTS?

A: The answer depends upon the responsibilities assigned to the paraprofessional. If the paraprofessional is an instructional aide assisting students with curricular issues, the answer is "yes." However, if the paraprofessional is employed in a computer lab for maintenance, mechanical assistance, or security responsibilities, the paraprofessional would not be considered an instructional aide and would not be required to meet the highly qualified definition.

## Q24: IF I HAVE ADDITIONAL QUESTIONS ON HIGHLY QUALIFIED, WHERE CAN I GO FOR ANSWERS?

A: http://www.azed.gov/highly-qualified-professionals/highly-qualified-teachers-and-paraprofessionals/

## Q25: ARE THE CATEGORIES "HIGHLY QUALIFIED" AND "NOT HIGHLY QUALIFIED" THE SAME AS "EMPLOYED, FULLY CERTIFIED" AND "EMPLOYED, NOT FULLY CERTIFIED"?

A: No, the categories "highly qualified" and "fully certified" are not the same. Under IDEA, for any special education teacher, the term "highly qualified" has the meaning given in

Section 9101 of Elementary and Secondary Education Act (ESEA), except that such term also includes the requirements described in IDEA § 602(10)(B) and includes the option for teachers to meet the requirements of § 602(10)(C) or (D).

## Q26: DOES "FULLY CERTIFIED" INCLUDE OTHER STATE CERTIFICATIONS?

A: No. "Fully certified" only refers to Arizona certification. Certification in other states is not applicable.

## Q27: WHAT IF THERE ARE NO CERTIFICATION REQUIREMENTS FOR A POSITION?

A: If there are no Arizona certification requirements for a position, the employee is considered fully certified.

## Q28: SHOULD TEACHERS AND OTHER INSTRUCTIONAL PERSONNEL WHO SERVE CHILDREN FROM BIRTH TO AGE 2 BE REPORTED?

A: No.

## Q29: SHOULD REGULAR EDUCATION TEACHERS WHO WORK WITH CHILDREN WITH DISABILITIES BE INCLUDED?

A: No.

## Q30: HOW SHOULD INCLUSION TEACHERS WORKING WITH STUDENTS AGES 6–21 BE REPORTED? THESE TEACHERS ARE NOT REQUIRED TO BE HIGHLY QUALIFIED. THEY SUPPORT THE REGULAR EDUCATION TEACHER AND DO NOT GIVE GRADES, BUT THEY MEET THE STATE QUALIFICATIONS FOR THE POSITION.

A: You can either count these individuals as teachers who are not highly qualified or as paraprofessionals who are qualified.

## Q31: SHOULD I REPORT ONLY THE RELATED SERVICES PERSONNEL WHO PROVIDE SERVICES SOLELY TO SPECIAL EDUCATION STUDENTS?

A: No, personnel who work with both children who do and who do not have disabilities should not be excluded from this report. However, report only the FTE such personnel spend working with children with IEPs and service plans for this data collection. Personnel who do not work at all with children with disabilities should not be represented in this data collection. This is one of the reasons that the personnel data collection uses FTE as a unit of measurement. The report of related service personnel should be based on the percentage of time that those personnel work with children with disabilities.

## Q32: SHOULD I REPORT PERSONNEL DATA FOR THE ENTIRE SCHOOL YEAR?

A: No. You must report personnel employed or contracted to provide special education and related services *on or about October 1st of the reporting year.*

## Q33: WHY DOESN'T THIS REPORT INCLUDE A COMPLETE LIST OF SPECIAL EDUCATION PERSONNEL AND RELATED SERVICE PROVIDERS?

A: This report is not intended to be a comprehensive count of all types of personnel providing services to students with disabilities. Report only specified personnel.

## Q34: WHY ISN'T THE PSYCHOLOGIST CATEGORY LABELED SCHOOL PSYCHOLOGIST?

A: The personnel category labels come from the definition of related services in IDEA. That definition refers to psychological services, not just those provided by a school psychologist. Therefore, the label will not be changed.

## Q35: WOULD CERTIFIED OCCUPATIONAL THERAPY AIDES BE REPORTED UNDER OCCUPATIONAL THERAPISTS ON SECTION C?

A: No. Since Section C does not specify a category for Occupational Therapy Aides, they should not be included in the personnel report.

## Q36: SHOULD VISION TEACHERS BE REPORTED?

A: No. Since none of the sections specify a category for vision teachers, they should not be included in the personnel report.

## Q37: HOW DO I REPORT GIFTED TEACHERS?

A: Gifted teachers are <u>not</u> to be included in any of the sections of the Personnel report.

## Q38: WHERE CAN I FIND SPECIAL EDUCATION CERTIFICATION REQUIREMENTS FOR ARIZONA?

A: You can find the requirements for Cross-Categorical, Early Childhood, Hearing Impaired, Severely and Profoundly Disabled, Specialized, Speech and Language Impaired, and Visually Impaired at:

http://www.azed.gov/educator-certification/certificate-requirement/special-education/.

## Q39: HOW DO YOU REPORT RESOURCE OFFICERS DEALING WITH SPECIAL EDUCATION STUDENTS HAVING DISCIPLINE PROBLEMS?

A: A resource officer is described as "a full sworn/commissioned law enforcement officer whose primary assignment is within the local schools for the purpose of enforcing laws

(when applicable), conducting law-related workshops/presentations to the students, faculty, and parents, and counseling/mentoring students." These personnel do not provide special education and related services and their role is not specific to special education. If the resource officer provides the same service to all students, but some (or most) just happen to be students with IEPs, then they shouldn't be counted on the personnel report at all.

## Q40: HOW SHOULD SPANISH INTERPRETERS BE REPORTED?

A: If a Spanish interpreter is working with a student due to ELL/LEP status and not because of the student's disability, you would not report the interpreter on the personnel report.

## Q41: ARE NURSING ASSISTANTS REQUIRED TO BE LICENSED/CERTIFIED?

A: They are not required to be certified by ADE. We would assume they are required to be licensed as nursing assistants through the Board of Nursing (LPN license). The Arizona Board of Nursing Web site is here: http://www.azbn.gov/.

## Q42: IF A SCHOOL NURSE ADMINISTERS MEDICATION TO SPECIAL EDUCATION STUDENTS ON A DAILY BASIS (NOT WRITTEN INTO THE IEP), SHOULD THESE PERSONNEL BE COUNTED IN SECTION C OF THE PERSONNEL REPORT AND IF SO, HOW SHOULD FTE BE CALCULATED?

A: Given the definition of "medical/nursing personnel" (see page 6 of the personnel instructions), the personnel described would be excluded from this report. The school nurse is not involved in any diagnostic or evaluation work with special education students and this would not constitute enabling children to receive free appropriate public education (FAPE) as described in the IEPs, simply because of administering medication.

## Q43: CAN PSYCHOLOGY INTERNS BE REPORTED WITH PSYCHOLOGISTS IN SECTION C?

A: If the intern(s) meets the standards for a psychologist as defined in Arizona, and also meets the definition of a psychologist and serves the functions outlined in statute (see Personnel Instructions or OSEP IDEA Part B Data Dictionary), report this individual in Personnel Report Section C.

## Q44: HOW WOULD A SPEECH LANGUAGE PATHOLOGY ASSISTANT (SLPA) OR AN OCCUPATIONAL THERAPY ASSISTANT (OTA) BE REPORTED?

A: There is not a separate category for either SLPA or OTA in Section C of the Personnel report. However, if an SLPA or OTA meets the definition of a paraprofessional as defined in the Personnel instructions, the FTE of these personnel can be included in Section B.