**Section 226.800 Personnel Required to be Qualified**

a) General

1) Each school district, or the special education cooperative of which it is a member, shall employ sufficient professional personnel and personnel not holding Illinois educator licensure to deliver and supervise the full continuum of special education and related services needed by the eligible students who reside in the district or districts served by the cooperative. The number and types of personnel employed shall be based on students' need rather than administrative convenience.

2) Each school district or special education cooperative shall periodically submit to the State Board of Education, on forms supplied by the State Board, the roster of the individuals who will be or are providing special education or related services. The State Board may request any additional documentation needed in order to verify that each individual holds the qualifications that are required for the individual's assignments.

3) Each school district or special education cooperative shall develop and implement a comprehensive personnel development program for all personnel involved with the education of children with disabilities.

b) Professional Instructional Personnel

Each individual employed in a professional instructional capacity shall:

1) hold a valid professional educator license endorsed for the grade range to be served and meet the qualifications required for the teaching area pursuant to 23 Ill. Adm. Code 25.43; or

2) hold a valid professional educator license endorsed in another teaching area and approval issued by the State Board of Education specific to the area of responsibility (see Section 226.810);

3) be employed pursuant to an authorization for assignment issued to the employing entity under Section 226.820; or

4) hold short-term emergency approval or endorsement issued pursuant to 23 Ill. Adm. Code 25.48.

c) An individual assigned as a career and technical coordinator shall be required to hold an approval or endorsement for this position, which shall be granted provided that the individual submits an application demonstrating that the individual:

1) has two years' teaching experience;

2) holds a valid professional educator license endorsed in a teaching field; and

3) has completed at least 16 semester hours of college coursework, which shall at least include each of the areas identified in subsections (c)(3)(A) through (D) and may include one or more of the areas identified in subsections (c)(3)(E) through (H):

A) Survey of the exceptional child;

B) Diagnosis of, and characteristics of the student with, all the disabilities encompassed by the Learning Behavior Specialist I (LBS I) credential;

C) Adaptations or modifications of the general curriculum to meet the needs of students with the disabilities encompassed by the LBS I credential;

D) Career and technical programming for students with disabilities;

E) Methods appropriate for teaching children with all the disabilities encompassed by the LBS I credential;

F) Guidance and counseling;

G) Educational and psychological diagnosis;

H) Career and technical education.

d) An individual assigned as a teacher coordinator shall be required to hold approval or endorsement for this position, which shall be granted provided that the individual submits an application demonstrating that the individual:

1) holds a valid professional educator license with an endorsement for the disability area of assignment issued pursuant to 23 Ill. Adm. Code 25.43;

2) has completed a course in career and technical programming for students with disabilities; and

3) has at least one year's work experience outside the field of education or has completed at least one course in either guidance and counseling or career and technical education.

e) Qualified Bilingual Specialists

Professional staff otherwise qualified pursuant to this Section shall be considered "qualified bilingual specialists" if they meet the applicable requirements set forth in this subsection (e).

1) A holder of a valid professional educator license with an endorsement in the area of responsibility issued pursuant to 23 Ill. Adm. Code 25.43 shall successfully complete a language examination in the non-English language of instruction and shall have completed coursework covering:

A) Psychological/educational assessment of students with disabilities who have limited English proficiency;

B) Theoretical foundations of bilingual education and English as a second language, including the study of first and second language acquisition; and

C) Methods and materials for teaching students of limited English proficiency or students with disabilities who have limited English proficiency.

2) A holder of a valid professional educator license with an early childhood, elementary, secondary, or special preschool-age 22 endorsement who also holds special education approval in the area of responsibility (see Section 226.810) shall successfully complete a language examination in the non-English language of instruction and shall have completed the coursework listed in subsections (e)(1)(A), (B), and (C).

3) A holder of a valid professional educator license endorsed in a teaching field who also holds an endorsement to teach bilingual education or English as a second language shall have completed coursework covering:

A) Methods for teaching in the special education area of assignment;

B) Psychological/educational assessment of students with disabilities who have limited English proficiency, or psychological diagnosis for children with all types of disabilities; and

C) Characteristics of students, or characteristics of students with limited English proficiency specifically, in the special education area of assignment.

4) A holder of a valid educator license with stipulations endorsed for transitional bilingual educator issued pursuant to 23 Ill. Adm. Code 25.90 and endorsed for the language of assignment shall have completed two years of successful teaching experience and have completed coursework covering:

A) Survey of children with all types of disabilities;

B) Assessment of the bilingual student, or psychological/educational assessment of the student with disabilities who has limited English proficiency;

C) Theoretical foundations of bilingual education and English as a second language, including the study of first and second language acquisition;

D) Methods for teaching in the special education area of assignment; and

E) Characteristics of students, or characteristics of students with limited English proficiency specifically, in the special education area of assignment.

5) A holder of a valid professional educator license with a school support personnel endorsement for school counselor, school social worker, school psychologist, or speech and language pathologist shall successfully complete an examination in the non-English language and shall have completed coursework in assessment of the bilingual student or psychological/educational assessment of the student with disabilities who has limited English proficiency.

f) Directors and Assistant Directors of Special Education

Each school district, or the special education cooperative of which it is a member, shall employ a full-time director of special education, who shall be the chief administrative officer of the special education programs and services of the district or cooperative entity.

1) Each director or assistant director of special education shall hold a valid professional educator license endorsed for director of special education issued pursuant to 23 Ill. Adm. Code 25.365 and a master's degree, including 30 semester hours of coursework distributed among all the areas specified in 23 Ill. Adm. Code 25.365(b). Beginning July 1, 2005, directors and assistant directors of special education shall be subject to the requirements of 23 Ill. Adm. Code 29.140 (Director of Special Education).

2) Each school district or the special education cooperative of which it is a member, shall submit to the State Board of Education a letter identifying the individual employed as the director of special education by full name and Illinois Educator Identification Number. If the individual is qualified as required, the State Board shall confirm that the individual is the State-approved director of special education for the school district or special education cooperative.

g) Supervisors

1) Each school district or special education cooperative shall employ sufficient supervisory personnel to provide consultation to and coordination of special education services.

2) Each individual performing a supervisory function shall hold one of the following:

A) a valid professional educator license with a special preschool-age 22 or K-22 endorsement in the area to be supervised, and a supervisory endorsement issued pursuant to 23 Ill. Adm. Code 25.497, with two years' teaching experience in that area; or

B) a valid professional educator license with a school support personnel endorsement, and a supervisory endorsement issued, with two years' experience in the area to be supervised; or

C) a valid professional educator license with an administrative endorsement issued under 23 Ill. Adm. Code 25.Subpart E and either a special preschool-age 22 or K-22 endorsement for the area to be supervised.

h) Chief Administrator of Special School

The chief administrator of a special school shall hold a valid professional educator license with a general administrative, principal or director of special education endorsement issued pursuant to 23 Ill. Adm. Code 25.337 or 25.365 and either:

1) an endorsement or approval that is specific to at least one of the disabilities prevalent in the students served by the school, if the school serves students who are deaf or hard of hearing, blind or visually impaired, or speech- and language-impaired; or

2) an endorsement as a Learning Behavior Specialist I.

i) Other Professional Personnel

Each individual employed in a professional capacity not specified in subsections (a) through (h) shall, as appropriate to the assignment, hold:

1) a valid professional educator license endorsed for school support personnel appropriate to the area of responsibility (see 23 Ill. Adm. Code 25, Subpart D); or

2) a valid professional license or permission to practice, if the individual's profession is governed by such a requirement and either no educational credential in the same or a related field is issued by the State Board of Education (e.g., for a physical therapist) or the School Code permits the individual to perform the functions assigned; or

3) a credential, regardless of title, issued by a professional association or organization in the relevant field, when no educational credential in the same or a related field is issued by the State Board of Education and no license or permission to practice is required by the State (e.g., for a music therapist or a daily living skills specialist). Evidence of the individual's credential shall be kept on file by the school district or special education cooperative and presented to the State Board of Education upon request.

j) Personnel Not Holding Educator Licensure

1) Each professional individual not holding educator licensure issued under Article 21B of the Code employed in a special education class, program, or service, and each individual providing assistance at a work site, shall function under the general direction of a professional staff member.

2) Each program assistant or aide, whether providing instructional or noninstructional services, as well as each nonemployee providing any service in the context of special education, shall function under the direct supervision of a professional staff member.

A) Nothing in this subsection (j) authorizes individual student aides or others who do not hold an appropriate professional license to perform any nursing activity, as nursing activity may be defined in the Nurse Practice Act [225 ILCS 65] and rules governing that Act (68 Ill. Adm. Code 1300), including any procedures and duties requiring a medical order (e.g., tube feedings, catheterizations, administration of medications, tracheal suctioning, tube insertions, blood draws, dressing changes), except as may be otherwise authorized under State law.

B) The provisions of this subsection (j) do not apply to paraprofessional educators licensed under Section 21B-20 of the Code nor to educational interpreters approved pursuant to 23 Ill. Adm. Code 25.550 (Approval of Educational Interpreters).

3) Each school district shall provide training experiences appropriate to the nature of their responsibilities to the individuals discussed in subsections (j)(1) and (2). Training shall be in lieu of the requirements for personnel not holding educator licensure set forth in 23 Ill. Adm. Code 1, Subpart F.

k) Qualified Interpreters

1) A qualified interpreter must:

A) Meet all employment eligibility requirements of the school district.

B) Demonstrate that they are competent to interpret into and out of the second language. An interpreter may demonstrate this competence by either:

i) Submitting documentation showing that they are certified or qualified through an interpreter certification program, such as the Illinois state courts’ certification program, the federal courts’ certification program, the National Board of Certification for Medical Interpreters, the Certification Commission for Healthcare Interpreters, or the Registry of Interpreters for the Deaf. Alternatively, an interpreter may submit documentation showing that the interpreter has completed a certification or qualification program that meets or exceeds the minimum standards set forth in subsection (k)(1)(ii); or

ii) Completing a certification program that includes:

• A written and oral proficiency test and fluency in both English and the second language, except that individuals who have a Professional Educator License with a Bilingual Endorsement are exempt from this requirement for the endorsed language;

• At least nine hours of training on interpreting in and out of English, interpretation standards of practice, sight translation, ethics, confidentiality, the role of the interpreter and role boundaries, respect, impartiality, professionalism, fundamentals of the effects of cultural differences on effective interpretation, and advocacy for communication. This training must include videos demonstrating proper and improper interpretation techniques; and

• A successful demonstration of knowledge of interpretation standards and techniques, and a successful completion of an oral examination to demonstrate proficiency to interpret in and out of English and consecutive or simultaneous interpreting.

C) Complete at least six hours of training on special education terminology and protocol, including successful completion of a written examination to demonstrate knowledge of such terminology and protocol, except that teachers with bilingual special education license endorsements, are exempt from this requirement.

D) Receive training on the interpreter code of ethics adopted by ISBE, including successful completion of a written examination.

E) After completing the required training:

i) successfully complete, with a score of 80% or higher, a written examination to demonstrate knowledge of:

• special education terminology and protocol;

• interpretation standards and techniques; and

• interpretation ethics; and

ii) successfully complete an oral examination, with a score of 70% or higher, to demonstrate proficiency in:

• interpreting in and out of English, through consecutive or simultaneous interpreting; and

• sight translation.

2) To maintain the designation of "Qualified Interpreter", an individual must, at least once every two years, participate in at least six hours of ongoing professional development related to interpretation in the following categories:

A) Confidentiality.

B) Accuracy.

C) Impartiality.

D) Interpreter ethics and professionalism.

E) Cultural awareness.

F) Special Education processes.

G) Special Education vocabulary.

H) Language acquisition.

(Source: Amended at 47 Ill. Reg. 2244, effective February 6, 2023)