

Special Education Licensure Guidance & FAQ

The Professional Educator Licensing and Standards Board (PELSB) is responsible for licensing teachers in Minnesota. Under the Individuals with Disabilities Education Act (IDEA), PELSB is charged with ensuring that licensed educators and personnel are prepared with the knowledge and skills to serve children with disabilities (IDEA section 612(a)(14) and [34 C.F.R. § 300.156](#)). PELSB must establish and maintain qualifications necessary to ensure that licensed educators and personnel carry out the purposes of IDEA Part B and are appropriately and adequately prepared and trained, including that those personnel have the content knowledge and skills to serve children with disabilities.

In Minnesota, those qualifications must ensure that any person employed as a public school special education teacher in the state who teaches in an elementary, middle, or secondary school:

1. has obtained full State certification as a special education teacher (including certification obtained through an alternate route to certification as a special educator, if it meets minimum requirements described in 34 C.F.R. § 200.56(a)(2)(ii) as such section was in effect on November 28, 2008);
or passed the State special education teacher licensing examination, and holds a license to teach in the State as a special education teacher (except for a teacher teaching in a public charter school, in which case the teacher must meet the certification or licensing requirements, if any, set forth in the State's public charter school law);
2. has not had special education certification or licensure requirements waived on an emergency, temporary, or provisional basis;
3. holds at least a bachelor's degree (34 C.F.R. § 300.156(c)(1)).

Under 34 C.F.R. § 300.156(c)(2), personnel who are participating in an alternate route to special education teacher certification program must:

1. receive high-quality professional development that is sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction, before and while teaching;
2. participate in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher mentoring program;
3. assume the functions as a teacher only for a specified period of time not to exceed three years; and,
4. demonstrate satisfactory progress toward full certification as prescribed by the PELSB.

How is full certification defined?

In Minnesota, a full professional license is a Tier 3 or Tier 4 license pursuant to Minnesota Rules 8710.0200. Tier 1 and Tier 2 licenses are *not* full professional licenses.

How many years can a teacher work in special education with a Tier 1 or Tier 2 license?

Teachers with a Tier 1 or Tier 2 license may work in special education for 3 years. IDEA limits teachers to 3 years of teaching in a special education field without a full professional license. Additionally, federal law requires that a teacher be pursuing full certification and receive mentorship during those three years pursuant to 34 C. F. R § 300.156.

Can a teacher use an out-of-field permission to teach special education?

Yes, teachers can use an out-of-field permission to teach special education under specific conditions. If a teacher is using an out-of-field permission as a pathway to full certification by enrolling in an additional licensure program or completing licensure via portfolio, they do qualify under IDEA in these circumstances.

Is there a limit to the number of out-of-field permissions a teacher can have in special education?

Yes, IDEA limits the amount of time a teacher may work out-of-field in special education while pursuing full certification to 3 years. For a teacher who is using an out-of-field permission while seeking additional licensure, this means only 3 years of work would qualify under IDEA. Districts are encouraged to contact the Minnesota Department of Education for additional information on special education funding requirements.