

CERTIFICATION OF EMERGENCY RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR

Pursuant to Code of Alabama, 1975, §§41-22-5(b) and 41-22-6(c)(2)a. and b.

I certify that the attached emergency amendment is a correct copy as promulgated and adopted on the 13th day of August 2020.

AGENCY NAME: State Department of Education

RULE NO. AND TITLE: 290-3-3-.34-.03ER, Special Education

EFFECTIVE DATE OF RULE: August 13, 2020

EXPIRATION DATE (If less than 120 days):

NATURE OF EMERGENCY: The Emergency Rule must be adopted before the beginning of the 2020-2021 school to address the Alabama Literacy Act.

STATUTORY AUTHORITY: Code of Alabama, 1975, §§41-22-5; 41-22-6;

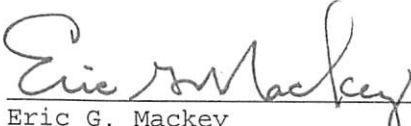
SUBJECT OF RULE TO BE ADOPTED ON PERMANENT BASIS:

YES NO

NAME, ADDRESS, AND TELEPHONE NUMBER OF PERSON TO CONTACT FOR COPY OF RULE:

REC'D & FILED
AUG 13 2020
LEGISLATIVE SVC AGENCY

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Eric G. Mackey
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290-3-3-.34-.03 ER Special Education.

(1) **Rationale.** These rules are designed to ensure quality educator preparation programs that lead to improved outcomes for students with exceptionalities. The rules have been aligned with the teacher preparation standards of the Council for Exceptional Children (CEC) and build upon the Alabama Core Teaching Standards. In addition to including standards applicable to all areas of special education, except gifted (see Rule 290-3-3-.43) and speech-language pathology (see Rule 290-3-3-.51.02), this rule includes standards unique to collaborative special education (K-6 and/or 6-12), early childhood special education (P-3), deaf and hard of hearing (P-12), and visual impairment (P-12).

(2) **Program Curriculum.** All Class B Special Education programs must meet ~~In addition to meeting~~ Rules 290-3-3-.01(1) and (2), 290-3-3-.02(6)(a)1.-4., 290-3-3-.(6)(b), 290-3-3-.02(6)(e)1. and 2.(i) and (vii), 290-3-3-.03 and 290-3-3-.04. ~~programs to prepare the prospective special education teacher shall require a teaching field with a minimum of 32 semester hours of credit with at least 19 semester hours of upper division credit. A major in Arts and Sciences is not required.~~ Candidates unconditionally admitted to a Collaborative Special Education (K-6) program December 15, 2020, and thereafter, must earn credit for no less than nine semester hours of reading or literacy coursework, or both, based on the science of learning to read, including multisensory strategies in foundational reading skills.

(a) **Learner Development and Individual Learning Differences.** Beginning special education professionals understand how exceptionalities may interact with development and learning and use this knowledge to provide meaningful and challenging learning experiences for individuals with exceptionalities. Prior to program completion:

1. All candidates will:

(i) Understand how language, culture, and family background influence the learning of individuals with exceptionalities.

(ii) Use understanding of development and individual differences to respond to the needs of individuals with exceptionalities.

2. In addition to meeting Rule 290-3-3-.34(2)(a)1.(i)-(ii), candidates in early childhood special education (P-3) will also:

(i) Support and facilitate families' and caregivers' roles in providing developmentally appropriate learning experiences addressing all areas of development.

(ii) Support and develop interventions to address individual needs in the developmental domains: social; emotional; cognitive; communication skills; and gross and fine motor skills.

3. In addition to meeting Rule 290-3-3-.34(2)(a)1.(i)-(ii), candidates in deaf and hard of hearing (P-12) will also have and apply knowledge of:

(i) Cognitive and language development of individuals who are deaf or hard of hearing.

(ii) Effects of the relationship among onset of hearing loss, age of identification, and provision of services on the development of individuals who are deaf or hard of hearing.

(iii) Influence of experience and educational placement on all developmental domains.

(iv) Influence of cultural identity and language on all developmental domains.

- (v) Components of linguistic and non-linguistic communication.
- (vi) Importance of early intervention on language development.
- (vii) Effects of sensory input on the development of language and learning.
- (viii) Spoken and visual communication models.
- (ix) Current theories of the development of spoken language and signed languages.

4. In addition to meeting Rule 290-3-3-.34(2)(a)1.(i)-(ii), candidates in visual impairment (P-12) will also:

- (i) Have and apply knowledge of:
 - (I) The human visual system.
 - (II) Development of secondary senses when vision is impaired.
 - (III) Effects of visual impairment on development.
 - (IV) Impact of visual impairment on learning and experience.
 - (V) Psychosocial aspects of visual impairment and learning methods.
 - (VI) Effects of visual impairment on receptive and expressive literacy and communication.
- (ii) Select and develop teaching strategies addressing age, visual impairment and visual prognosis.
- (iii) Use strategies to address the effects of visual impairment on the family and the reciprocal impact on the individuals' self-esteem.
- (iv) Select, adapt, and use instructional strategies to address the impact of additional exceptionalities.

(b) Learning Environments. Beginning special education professionals create safe, inclusive, culturally responsive learning environments so that individuals with exceptionalities become active and effective learners and develop emotional well-being, positive social interactions, and self-determination. Prior to program completion:

- 1. All candidates will:
 - (i) Collaborate with general educators and other colleagues to create safe, inclusive, culturally responsive learning environments to engage individuals with exceptionalities in meaningful learning activities and social interactions.
 - (ii) Use motivational and instructional interventions to teach individuals with exceptionalities how to adapt to different environments.
 - (iii) Know how to intervene safely and appropriately with individuals with exceptionalities who are in crisis.
- 2. In addition to meeting Rule 290-3-3-.34(2)(b)1.(i)-(iii), candidates in early childhood special education (P-3) will also:
 - (i) Structure the education environment to provide optimal learning opportunities across all domains for children with various exceptionalities.
 - (ii) Implement basic health, nutrition, and safety management procedures for all children.
 - (iii) Plan instruction for individual functional life skills, adaptive behavior, and enhanced social participation across environments.

(iv) Demonstrate appropriate body mechanics to promote student and teacher safety in transfer, lifting, positioning, and seating and use proper positioning techniques and equipment to promote participation in academic and social environments.

3. In addition to meeting Rule 290-3-3-.34(2)(b)1.(i)-(iii), candidates in collaborative special education (K-6) will also:

(i) Plan instruction for individual functional life skills, adaptive behavior, and enhanced social participation across environments.

(ii) Demonstrate appropriate body mechanics to promote student and teacher safety in transfer, lifting, positioning, and seating and use proper positioning techniques and equipment to promote participation in academic and social environments.

4. In addition to meeting Rule 290-3-3-.34(2)(b)1.(i)-(iii), candidates in collaborative special education (6-12) will also:

(i) Plan instruction for individual functional life skills, adaptive behavior, and enhanced social participation across environments.

(ii) Demonstrate appropriate body mechanics to promote student and teacher safety in transfer, lifting, positioning, and seating and use proper positioning techniques and equipment to promote participation in academic and social environments.

5. In addition to meeting Rule 290-3-3-.34(2)(b)1.(i)-(iii), candidates in deaf and hard of hearing (P-12) will also:

(i) Have and apply knowledge of the influence of family communication and culture on all developmental domains.

(ii) Provide ongoing opportunities for interactions between individuals who are deaf or hard of hearing with peers and role models who are deaf or hard of hearing.

(iii) Provide access to incidental language experiences.

(iv) Prepare individuals who are deaf or hard of hearing to use interpreters, as appropriate.

(v) Manage assistive technology for individuals who are deaf or hard of hearing.

(vi) Design a classroom environment that maximizes opportunities for visual learning and meets developmental and learning needs.

6. In addition to meeting Rule 290-3-3-.34(2)(b)1.(i)-(iii), candidates in visual impairment (P-12) will also:

(i) Have and apply knowledge of:

(I) Braille.

(II) Classroom organization to accommodate materials, equipment, and technology for vision loss and other disabilities.

(III) The importance of role models with visual impairments.

(ii) Design multi-sensory learning environments that encourage active participation in group and individual activities.

(iii) Provide access to incidental learning experience.

(iv) Facilitate orientation and mobility.

(c) Curricular Content Knowledge. Beginning special education professionals use knowledge of general and specialized curricula to individualize learning for individuals with exceptionalities. Prior to program completion:

1. All candidates will:

(i) Understand the central concepts, structures of the discipline, and tools of inquiry of the content areas they teach, and organize this knowledge, integrate cross-disciplinary skills, and develop meaningful learning progressions for individuals with exceptionalities. [“General curricula” means the academic content of the general curricula including math, reading, English language arts, science, social studies, and the arts. “Specialized curricula” means the content of specialized interventions or sets of interventions including, but not limited to academic, strategic, communicative, social, emotional, and independence curricula.]

(ii) Understand and use general and specialized content knowledge for teaching across curricular content areas to individualize learning for individuals with exceptionalities.

(iii) Modify general and specialized curricula to make them accessible to individuals with exceptionalities.

2. In addition to meeting Rule .34(2)(c)1.(i)-(iii), candidates in early childhood special education (P-3) will also determine the appropriateness of and implement curricula to meet the needs of children with various exceptionalities across a variety of settings.

3. In addition to meeting Rule .34(2)(c)1.(i)-(iii), candidates in collaborative special education teacher (K-6) will also demonstrate the ability to use a variety of strategies (to include explicit and systematic instruction, guided practice, error correction and corrective feedback, and multisensory language instruction) to teach foundational reading skills based on the science of learning to read, to include oral language development, phonological awareness, phonics instruction, writing, vocabulary, and comprehension, in accordance with the *Alabama Course of Study: English Language Arts*.

~~34.~~ In addition to meeting Rule .34(2)(c)1.(i)-(iii), candidates in collaborative special education teacher (6-12) will also provide transition planning to address academic planning; personal and social development; occupations and careers; and daily living.

~~45.~~ In addition to meeting Rule .34(2)(c)1.(i)-(iii), candidates in deaf and hard of hearing (P-12) will also:

(i) Plan and implement transitions across service continua.

(ii) Integrate language instruction into academic areas.

~~56.~~ In addition to meeting Rule (34)(2)(c)1.(i)-(iii), candidates in visual impairment (P-12) will also:

(i) Have and apply knowledge of the relationship among assessment; development of an individualized education program; and placement as they affect vision-related services.

(ii) Sequence, implement, and evaluate learning objectives based on the expanded core curriculum for individuals with visual impairments.

(iii) Obtain and organize specialized materials to implement instructional goals.

(d) Assessment. Beginning special education professionals use multiple methods of assessment and data-resources in making educational decisions. Prior to program completion:

1. All candidates will:

(i) Select and use technically sound formal and informal assessments that minimize bias.

(ii) Use knowledge of measurement principles and practices to interpret assessment results and guide educational decisions for individuals with exceptionalities.

(iii) Collaborate with colleagues and families to use multiple types of assessment information in making decisions about individuals with exceptionalities.

(iv) Engage individuals with exceptionalities to work toward quality learning and performance and provide feedback to guide them.

2. In addition to meeting Rule .34(2)(d)1.(i)-(iv), candidates in collaborative special education (6-12) will also select and use appropriate assessments for transition planning in the areas of academic needs, personal and social development, occupations and careers; and daily living.

3. In addition to meeting Rule .34(2)(d)1.(i)-(iv), candidates in deaf and hard of hearing (P-12) will also:

(i) Have and apply knowledge of specialized terminology used in assessing individuals who are deaf or hard of hearing.

(ii) Administer assessment tools using the individual's preferred mode and language of communication.

(iii) Develop specialized assessment procedures that allow for alternative forms of expression.

(iv) Collect and analyze spoken, signed, or written communication examples.

4. In addition to meeting Rule .34(2)(d)1.(i)-(iv), candidates in visual impairment (P-12) will also:

(i) Have and apply knowledge of:

(I) Specialized terminology used in assessing individuals with visual impairments.

(II) Alternative assessment techniques for individuals with visual impairments.

(III) Basic terminology related to the function of the human visual system.

(ii) Administer and interpret vision-related assessments.

(iii) Use functional evaluations related to the expanded core curriculum.

(iv) Interpret and apply background information and family history related to the individual's visual status.

(e) Instructional Planning and Strategies. Beginning special education professionals select, adapt, and use a repertoire of evidence-based instructional strategies to advance learning of individuals with exceptionalities. Prior to program completion:

1. All candidates will:

(i) Consider an individual's abilities, interests, learning environments, and cultural and linguistic factors in the selection, development, and adaptation of learning experiences for individuals with exceptionalities. (Instructional strategies include intervention used in academic and specialized curricula.)

(ii) Use technologies to support instructional assessment, planning, and delivery for individuals with exceptionalities.

(iii) Use augmentative and alternative communication systems and a variety of assistive technologies to support the communication and learning of individuals with exceptionalities.

(iv) Use strategies to enhance language development and communications skills of individuals with exceptionalities.

(v) Develop and implement a variety of education and transition plans for individuals with exceptionalities across a wide range of settings and different learning experiences in collaboration with individuals, families, and teams.

(vi) Teach to mastery and promote generalization of learning.

(vii) Teach cross-disciplinary knowledge and skills such as critical thinking and problem solving to individuals with exceptionalities.

2. In addition to meeting Rule .34(2)(e)1.(i)-(vii), candidates in collaborative special education (6-12) will also:

(i) Support students in the development of appropriate skills for independent daily living and social interactions, including personal relationships and workplace interactions.

(ii) Teach and promote self-determination and self-advocacy skills.

3. In addition to meeting Rule .34(2)(e)1.(i)-(vii), candidates in deaf and hard of hearing (P-12) will also:

(i) Have and apply knowledge of visual tools and organizers that support content mastery and retention by individuals who are deaf or hard of hearing.

(ii) Apply strategies to facilitate cognitive and communicative development.

(iii) Implement strategies for stimulating and using residual hearing.

(iv) Facilitate independent communication in all contexts.

(v) Implement strategies for developing spoken language in orally communicating individuals and sign language proficiency in signing individuals.

(vi) Use specialized technologies, resources, and instructional strategies unique to individuals who are deaf or hard of hearing.

(vii) Develop successful inclusion experiences in which students are actively participating in activities in inclusive classrooms and receive educational benefits.

(viii) Develop proficiency in the languages used to teach individuals who are deaf or hard of hearing.

(ix) Provide activities to promote print literacy and content area reading and writing through instruction via spoken language and/or the signed language indigenous to the Deaf community.

(x) Apply first and second language teaching strategies to the instruction of individuals who are deaf or hard of hearing.

(xi) Provide balance among explicit instruction, guided instruction, peer learning, and reflection.

4. In addition to meeting Rule .34(2)(e)1.(i)-(vii), candidates in visual impairment (P-12) will also:

- (i) Have and apply knowledge of:
 - (I) Strategies for teaching visual efficiency skills and use of print adaptations, optical devices, and non-optical devices.
 - (II) Strategies for teaching tactual perceptual skills.
 - (III) Strategies for teaching adapted physical and recreational skills.
 - (IV) Strategies for teaching social, daily living, and functional life skills.
 - (V) Strategies for teaching career-vocational skills and providing vocational counseling.
 - (VI) Strategies to prepare individuals with progressive eye conditions to achieve a positive transition to alternative skills.
 - (VII) Strategies for responding and understanding the implications of non-verbal communication as a substructure of language.
 - (VIII) Strategies for teaching listening and compensatory auditory skills.
- (ii) Teach communication through technology and adaptations specific to visual impairments.
 - (iii) Select and adapt materials in Braille, accessible print, and other formats.
 - (iv) Teach the use of the braillewriter, slate and stylus, and computer technology to produce Braille materials.
 - (v) Teach the use of the abacus, talking calculator, tactile graphic, and adapted science equipment.
 - (vi) Prepare individuals for sighted guide and pre-cane orientation and mobility instruction.

(f) Professional Learning and Ethical Practice. Beginning special education professionals use foundational knowledge of the field and the Professional Ethical Principles and Professional Practice Standards of the Council for Exceptional Children to inform special education practice, to engage in lifelong learning, and to advance the profession. Prior to program completion:

- 1. All candidates will:
 - (i) Use Professional Ethical Principles and Professional Practice Standards to guide their practice.
 - (ii) Understand how foundational knowledge and current issues influence professional practice.
 - (iii) Understand that diversity is a part of families, cultures, and schools, and that complex human issues can interact with the delivery of special education services.
 - (iv) Understand the significance of lifelong learning and participate in professional activities and learning communities.
 - (v) Advance the profession by engaging in activities such as advocacy and mentoring.
 - (vi) Provide guidance and direction to paraeducators, tutors, and volunteers.

2. In addition to meeting Rule 290-3-3-.34(2)(f)1.(i)-(vi), candidates in early childhood special education (P-3) will also understand and apply Alabama standards for pre-school education.

3. In addition to meeting Rule 290-3-3-.34(2)(f)1.(i)-(vi), candidates in deaf and hard of hearing (P-12) will also:

- (i) Have and apply knowledge of:
 - (I) Model programs for individuals who are deaf or hard of hearing.
 - (II) Roles and responsibilities of teachers and support personnel in educational practice for individuals who are deaf or hard of hearing.
 - (III) Professional resources relevant to the field of education for individuals who are deaf or hard of hearing.
 - (IV) Professional organizations in the field of deaf education.
 - (V) Incidence and prevalence data about individuals who are deaf or hard of hearing.
 - (VI) Sociocultural, historical, and political forces unique to deaf education.
 - (VII) Etiologies of hearing loss that can result in additional learning and related challenges.
- (ii) Communicate proficiently in spoken language or the Sign Language indigenous to the Deaf community.
- (iii) Increase proficiency and sustain a commitment to maintaining instructional language competence.
- (iv) Explain historical foundations and research evidence upon which educational practice is based.
- (v) Develop and enrich cultural competence relative to the Deaf community.

4. In addition to meeting Rule 290-3-3-.34(2)(f)1.(i)-(vi), candidates in visual impairment (P-12) will also:

- (i) Have and apply knowledge of:
 - (I) Access rights to specialized equipment and materials for individuals with visual impairments.
 - (II) Historical foundations of education of individuals with visual impairments as related to traditional roles of specialized and public schools.
 - (III) Incidence and prevalence for individuals with visual impairments.
- (ii) Select, adapt, and use instructional strategies to address the impact on additional exceptionalities.
- (iii) Articulate a professional philosophy that draws on specialized knowledge of visual impairment within the continuum of instructional options.
- (iv) Participate in the activities of professional organizations in the field of visual impairment.

(g) Collaboration. Beginning special education professionals collaborate with families, other educators, related service providers, individuals with exceptionalities, and personnel from community agencies in culturally responsive ways to address the needs of

individuals with exceptionalities across a range of learning experiences. Prior to program completion:

1. All candidates will:
 - (i) Use theory and elements of effective collaboration.
 - (ii) Serve as a collaborative resource to colleagues.
 - (iii) Use collaboration to promote the well-being of individuals with exceptionalities across a wide range of settings and collaborators.
2. In addition to meeting Rule .34(2)(g)1.(i)-(iii), candidates in collaborative special education (6-12) will also cooperate with other agencies to address post-school outcomes.
3. In addition to meeting Rule .34(2)(g)1.(i)-(iii), candidates in deaf and hard of hearing (P-12) will also:
 - (i) Have and apply knowledge of services, organizations, and networks that support individuals who are deaf or hard of hearing.
 - (ii) Provide families with support to make informed choices regarding communication modes, philosophies, and educational options.
4. In addition to meeting Rule .34(2)(g)1.(i)-(iii), candidates in visual impairment (P-12) will also:
 - (i) Have and apply knowledge of:
 - (I) Strategies for assisting families and other team members in transition planning.
 - (II) Services, networks, publications for and organizations of individuals with visual impairments.
 - (ii) Structure and supervise the activities of para-educators and others who work with individuals with visual impairments.
 - (iii) Plan and implement literacy and communication and consultative support within the general curriculum and the expanded core curriculum.

(3) Unique Field Experience and Internship Placement Requirements for Candidates in Early Childhood Special Education.

1. Field experiences shall include placements in at least two of the three main types of early education settings (early school grades, child care centers and homes, and Office of School Readiness programs.)
2. The internship shall include a placement with at least two of the following age groups: birth-age 3, age 3-5, age 5 -8.

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Statutory Authority: Ala. Code §§16-3-16; 16-23-14; 16-23-14; 16-6G1 through 16-6G8 (1975).

History: New 12-19-78; amended 12-13-90, effective 02-01-91; repealed and adopted new 01-09-97, effective 07-01-97; amended 06-14-99, effective 07-19-99; repealed and adopted new 09-11-03, effective 10-16-03; repealed and adopted new 07-13-04, effective 08-17-04; repealed and adopted new 04-14-05, effective 05-19-05; repealed and adopted new 08-06-07, effective 09-10-07; repealed and adopted new 08-03-09; effective 10-01-09; repealed and adopted new 08-13-2015, effective 07-01-2016; repealed and adopted new 09-13-18, effective 06-01-2019; amended 08-13-2020, effective 08-13-20.