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MEMORANDUM

TO: School District Superintendents

FROM: Hershel Lyons

DATE: March 3, 2017

Contact Information

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DPS: 2017-34

SUBJECT: Updating Qualifications for Assignment of Instructional Personnel

As you recall from the department's [June 2016 Every Student Succeeds Act \(ESSA\) FAQs](#), one of the changes brought forth by ESSA is that the term and definition of "Highly Qualified Teacher" (HQT) are no longer in effect. ESSA also changed provisions of the Individuals with Disabilities Education Act (IDEA) requiring states to demonstrate that teachers of students with disabilities have appropriate content expertise.

Department staff have reviewed Rule 6A-1.0503, Florida Administrative Code (F.A.C.), *Definition of Qualified Instructional Personnel*, and the Course Code Directory (Rule 6A-1.09441, F.A.C.), and have started rule development to update qualifications through these two rules. A rule development workshop will be held on March 13, 2017, from 2:00-3:00 pm Eastern Time for Rule 6A-1.0503, F.A.C. Details can be found at <https://app1.fldoe.org/rules/default.aspx>.

The greatest impact to certification requirements will likely be for exceptional education courses and Dropout Prevention, Teenage Parent and Department of Juvenile Justice programs. We recommend that a review of teachers who are assigned to these courses and programs is prioritized as you prepare to make staffing decisions for the 2017-2018 school year. Additionally, some teachers may have met the HQT status by passing a certification exam, but not adding it to their teaching certificate. Through rule development, potential policy changes may cause some teachers to be reported as out-of-field in the course subject area while they work toward full subject area certification. Existing policy allows teachers to teach in an out-of-field status while actively earning college credit or inservice training to meet requirements toward appropriate certification.

A presentation will be made to the State Board of Education at the March 22, 2017, meeting, with both rules presented for approval in April or May 2017. Proposed rules will provide an effective date and timeline for implementation. Your comments during the rule development process are requested.

HL/he

cc: School District Deputy Superintendents
School District Assistant Superintendents
School District Human Resource Directors
School District Educator Certification Contacts
School District Exceptional Student Education Contact
School District MIS Contacts

HERSHEL LYONS
CHANCELLOR OF PUBLIC SCHOOLS