**24:05:16:16.03.  Requirements for qualified special education teachers -- Teaching core academic subjects.** For any public elementary or secondary school special education teacher teaching core academic subjects, the term, qualified, has the meaning given the term in ESSA, except that the requirements for qualified also include:

 (1)  The requirements described in § 24:05:16:16.04; and

 (2)  The option for teachers to meet the requirements of ESSA by meeting the requirements of §§ 24:05:16:16.05 and 24:05:16:16.06.

 The requirements in this section do not apply to teachers hired by private elementary schools or secondary schools, including private school teachers hired or contracted by school districts to provide equitable services to parentally-placed private school children with disabilities under chapter 24:05:32.

 **Source:** 33 SDR 236, effective July 5, 2007; 46 SDR 149, effective July 6, 2020.

 **General Authority:** SDCL 13-37-1.1.

 **Law Implemented:** SDCL 13-37-1.1.