**24:05:16:16.04.  Requirements for qualified special education teachers -- General.** For any public elementary school or secondary school special education teacher teaching in this state, being qualified requires that:

(1)  The teacher has obtained full state certification as a special education teacher, or passed the state special education teacher licensing examination, and holds a license to teach in the state as a special education teacher;

(2)  The teacher has not had special education certification or licensure requirements waived on an emergency, temporary, or provisional basis; and

(3)  The teacher holds at least a bachelor's degree.

Any public elementary school or secondary school special education teacher teaching in this state who is not teaching a core academic subject is qualified if the teacher meets the requirements in this section.

**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.