



MEETING NCLB'S HIGHLY QUALIFIED GUIDELINES

An NEA-AFT Publication



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Great Public Schools for Every Child

AFT AMERICAN
FEDERATION OF
TEACHERS
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AFT and NEA Leaders:

AFT and NEA share a common commitment to ensuring that every student has a high quality teacher. Our organizations have worked diligently to establish and promote high standards for the teaching profession. We are the voice of America's teachers.

The No Child Left Behind Act of 2001—the newly reauthorized Elementary and Secondary Education Act (ESEA)—has received much attention lately from teachers, paraprofessionals, school administrators, and the media. This legislation has established significant requirements that teachers be “highly qualified.” Since the beginning of the 2002-03 school year, each district receiving money under Title I must ensure that all newly hired teachers of core academic subjects in programs supported with Title I funds are “highly qualified.” All teachers who teach core academic subjects, not just Title I teachers, must be “highly qualified” by the end of the 2005-06 school year.

Our organizations recognize the importance of working together to provide member support on issues of significance. We have joined together to produce the attached resources: *Highly-Qualified Teachers Flowchart* (NEA) and *Questions & Answers for Teachers* (AFT). The documents are designed to **help teachers understand** the requirements of the law. Also, they are intended to serve as tools for leaders, staff, and policymakers responding to ESEA on the front lines—in their schools, communities, and states—about the interpretation and application of the ESEA requirements. **It is our goal that these resources will help ensure** the correct and fair implementation of ESEA.

If you have any questions or need additional assistance, please contact: Rob Weil, AFT Deputy Director (800-238-1133 ext. 6953), or Joel Packer, NEA Manager for ESEA Policy (202 822-7329).

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Are You Highly Qualified Under ESEA?

Follow the flow chart below to determine how the federal Elementary and Secondary Education Act (ESEA) provisions on teacher quality may affect you.



Timelines

Do your students receive core content credit from you in English, reading, language arts, mathematics, science, foreign language, civics and government, economics, arts, history, or geography?

YES
Were you "newly hired" after the first day of the 2002-03 school year?

NO
You are NOT required to be "highly qualified" under ESEA

YES
Are you working in a program supported with Title I funds?

NO
You must be "highly qualified" by the end of the 2005-06 school year
Go to LICENSURE/CERTIFICATION section

YES
You must be "highly qualified" in order to be hired
Go to LICENSURE/CERTIFICATION section

NO
You must be "highly qualified" by the end of the 2005-06 school year
Go to LICENSURE/CERTIFICATION section



Competency

Do you have a bachelor's degree?

YES
Do you teach elementary or middle/high?

NO
You are NOT "highly qualified" and cannot be hired in a program supported with Title I funds

ELEMENTARY
Have you demonstrated competence in content and teaching skill by passing a state (licensure) test in reading, writing, mathematics, and other elementary curriculum areas?

MIDDLE/HIGH
Have you passed a state content (licensure) test in EACH of the subjects you teach?

NO
Do you have an academic major or coursework equivalent to a major in each of the subjects you teach?

YES
You are "highly qualified"

NO
Are you "new" to the profession?

YES
You are "highly qualified"

YES
You are NOT "highly qualified" and cannot be hired in a program supported with Title I funds

NO
Have you met your state's HOUSE** requirements?

YES
You are "highly qualified"

NO
Do you have a graduate degree in each of the subjects you teach?

YES
You are "highly qualified"

NO
Do you have advanced certification (e.g., National Board Certification)?

YES
You are "highly qualified"

NO
Are you "new" to the profession?

YES
You are "highly qualified"

NO
You are NOT "highly qualified" and have until 2005-06 to pass test or meet HOUSE requirements

YES
You are NOT "highly qualified" and cannot be hired in a program supported with Title I funds

NO
Have you met your state's HOUSE** requirements?

YES
You are "highly qualified"

NO
You are NOT "highly qualified" and have until 2005-06 to become highly qualified

Licensure/Certification

Do you have "full certification" (no waivers on emergency, temporary, or provisional basis)?

YES
Go to COMPETENCY section

NO
Have you passed the state licensing test?

YES
Go to COMPETENCY section

NO
Do you teach in a charter school that, under your state's charter school law, exempts you from teacher licensing/certification?

YES
Go to COMPETENCY section

NO
Are you in an "alternative route" program?

YES
You must be making progress and complete full certification within three years

NO
You have until 2005-06 to obtain "full certification" or meet criteria for "alternative route"

In addition you must:

- Receive high quality professional development
- Participate in a teacher mentoring program or receive intensive supervision
- Assume functions as a teacher for a specified period of time, not to exceed three years
- Demonstrate satisfactory progress toward full certification as prescribed by the state

Go to COMPETENCY section



Questions and Answers

About Teacher Quality for Teachers

The No Child Left Behind Act of 2001—the newly reauthorized Elementary and Secondary Education Act (ESEA)—has been getting a lot of attention lately from teachers, paraprofessionals, school administrators, and the media. This law requires teachers who teach core academic subjects to be “highly qualified.” The law defines a highly qualified teacher as an individual who:

- Has obtained full state certification (including alternative certification) *or* has passed the state teacher licensing exam; and
- Holds a license to teach in the state; and
- Has not had certification or licensure requirements waived on an emergency, temporary, or provisional basis.

In addition, there are requirements for demonstrating subject-matter knowledge that differ depending on whether you are an elementary, middle, or high school teacher, and whether you’re a teacher new to the profession or a veteran teacher. Because of the new requirements in the federal law, many states are re-examining and revising their certification and licensure systems.

The AFT has prepared this series of questions and answers to help teachers apply the new requirements to their own situation and to understand any necessary steps they should take to comply with the law.

Q1: How do I know if the new law applies to me?

A1: States are in the process of incorporating the new federal requirements into their teacher certification and licensure systems. In some states, the existing certification and licensure requirements meet the federal requirements. However, in other states, changes to the system will be necessary, and you may be required to fulfill additional requirements to show that you are “highly qualified” as defined by the law. The requirements will depend on whether you are an elementary, middle, or high school teacher, and whether you’re a teacher new to the profession or a veteran teacher. It’s a good idea to check with your union for more information.

Q2: What does it mean to be a teacher who is “new to the profession”?

A2: The federal law does not provide a definition for a teacher who is “new to the profession.” Your state will define this term so that you will know how to fulfill the new federal requirements.

Q3: What is the time frame for all of this? When do these requirements go into effect?

A3: All teachers of “core academic subjects” hired after the first day of the 2002-03 school year who teach in a program supported by Title I funds must be highly qualified. By the end of the 2005-06 school year, all teachers of core academic subjects must be highly qualified.



Q4: What does it mean to be a teacher teaching in a program “supported by Title I funds”?

A4: Teachers teaching in a program supported by Title I funds are teachers: (1) in targeted assistance schools paid with Title I Part A funds; (2) in Title I schoolwide program schools; and (3) employed by districts to provide Title I services to eligible private school students.

Q5: What are the “core academic subjects”?

A5: The core academic subjects are English, reading, language arts, mathematics, science, foreign languages, civics, government, economics, arts, history, and geography.

Therefore, if you are a teacher teaching one of these core subjects, this federal law applies to you. If you are a special education teacher, see Q8. If you teach English Language Learners, see Q9.

Q6: Are art and/or music considered “core academic subjects”?

A6: The law includes “the arts” as a core academic subject, but does not provide a definition. Your state will determine its definition of the “arts.”

Q7: I’m a vocational education teacher. Do I have to meet the “highly qualified” definition?

A7: No, unless you teach a core academic subject. For example, if a vocational education teacher only teaches a trade, such as auto mechanics, she would not need to meet the highly qualified teacher requirements, because auto mechanics is not a core academic subject. However, a vocational teacher who teaches a course such as applied physics, for which students receive a science credit, must meet the highly qualified definition.

Q8: I’m a special education teacher. Does this law apply to me?

A8: The U.S. Department of Education has indicated through its comments on Title I regulations that special education teachers who are providing instruction in core academic subjects must meet the “highly qualified” definition in all subjects they teach.

On the other hand, special educators who do not directly instruct students on any core academic subject or who only provide consultation to highly qualified teachers of core academic subjects in adapting curricula, using behavioral supports and interventions, and selecting appropriate accommodations, do not need to meet the same “highly qualified” subject-matter competency requirements that apply under NCLB to teachers of core academic subjects.

Q9: I teach English Language Learners (ELLs). Do I have to meet the “highly qualified” definition? If my program is funded by Title III, do I have to meet additional requirements?

A9: The U.S. Department of Education has indicated through its comments on Title I regulations that ELL teachers must meet the “highly qualified” definition in all subjects they teach. In addition, if you teach in a program funded by Title III, you must be fluent in English and any other language used for instruction, including having written and oral communication skills.

Q10: I'm a new teacher. How do I know if I meet the new "highly qualified" definition?

A10: To meet the definition, teachers who are new to the profession must hold at least a bachelor's degree and demonstrate a high level of subject-matter competence.

- Elementary school teachers who are new to the profession must demonstrate subject knowledge and teaching skills in reading, writing, mathematics, and other areas of the basic elementary school curriculum by passing a rigorous test. Your state certification or licensure test may count toward meeting this requirement.
- Middle and high school teachers who are new to the profession must demonstrate a high level of competency in each of the academic subjects they teach by passing a subject matter test in each subject or by successfully completing an academic major, a graduate degree, coursework equivalent to an undergraduate major, or advanced certification or credentialing. Again, your state certification or licensure test may count toward meeting this requirement.

Q11: I've been teaching for years. What steps do I need to take to make sure I meet the "highly qualified" definition?

A11: Veteran teachers are required to hold at least a bachelor's degree and be licensed by the state. They must also either meet the requirements for teachers new to the profession (see Q10) or demonstrate competence in each academic subject they teach based on a "high, objective uniform state standard of evaluation." Each state will determine what this evaluation option will look like. States could use peer observations, documentation of work such as a portfolio, a professional development plan, or some combination of the three. Check with your local union president, district office, or state department of education to find out the evaluation option being offered in your state.

Q12: What is the "high, objective, uniform state standard of evaluation"?

A12: The law identifies seven characteristics of a teacher evaluation system that meets the definition of a high, objective, uniform state standard of evaluation. Such a system:

- Is set by the state for both grade-appropriate academic subject-matter knowledge and teaching skills;
- Is aligned with challenging state academic content and student academic achievement standards and developed in consultation with core content specialists, teachers, principals, and school administrators;
- Provides objective, coherent information about the teacher's attainment of core content knowledge in the academic subjects in which a teacher teaches;
- Is applied uniformly to all teachers in the same academic subject and the same grade level throughout the state;
- Takes into consideration, but is not based primarily on, the time the teacher has been teaching in the academic subject;
- Is made available to the public upon request; and
- May involve multiple, objective measures of teacher competency.

Each state will determine what the high, objective state standard of evaluation will look like. Check with your union, district office, or state department of education for more information.

Q & A

Q13: *I am a veteran middle school teacher. I passed the state generalist exam in math, science, English, and social studies, but was not required by the state to take separate subject-matter tests. Am I “highly qualified”?*

A13: No, unless you also have one of the following for each of the subjects you teach:

- An academic major;
- A graduate degree;
- Coursework equivalent to an undergraduate academic major; or
- Advanced certification or credentialing.

If you don’t have one of these credentials, you must either pass a rigorous state subject test in each of the academic subjects you teach, or demonstrate subject-matter competence based on a “high, objective, uniform state standard of evaluation.” (see Q12).

The state department of education will determine how you may meet this requirement. Check with your local union president, district office, or the state department of education.

Q14: *I am a veteran middle school teacher who is fully licensed, with a B.A. and an academic minor in the subject area I teach. Am I “highly qualified”?*

A14: No, having an academic minor does not make you highly qualified. See the answer to the previous question to find out what steps you need to take.

Q15: *I teach seventh grade in a school that has been designated by the state as a K-8 school. Do I have to meet the “highly qualified” requirements for elementary school teachers or for middle school teachers?*

A15: Because the state has designated your school as an elementary school, you must meet the requirements for elementary school teachers. However, if the upper elementary grades in your school have been designated as a middle school, per the “school-within-a-school” concept, then you must meet the requirements for middle school teachers.

Q16: *I am a middle school teacher who is new to the profession. I passed the state generalist exam in math, science, English, and social studies, but was not required by the state to take a subject exam. Am I “highly qualified”?*

A16: No, unless you also have one of the following for each of the subjects you teach:

- An academic major;
- A graduate degree;
- Coursework equivalent to an undergraduate academic major; or
- Advanced certification or credentialing.

If you don’t have one of these credentials, you must pass a rigorous state subject test in each of the academic subjects you teach. The state department of education will determine how you may meet this requirement. Check with your local union president, district office, or the state department of education.

Q17: I am participating in an alternative route to certification program. How do the federal requirements apply to me?

A17: To be “highly qualified,” you must have a four-year college degree, have demonstrated subject-matter competence, and be enrolled in an alternative-route program that includes the following four provisions:

- Includes high-quality professional development that is sustained, intensive, and classroom-focused;
- Requires intensive supervision consisting of structured guidance and regular ongoing support or teacher mentoring;
- Allows you to assume the functions of a teacher for not more than three years; and
- Requires that you demonstrate satisfactory progress toward full certification as prescribed by the state.

It is up to your state department of education to determine if your alternate-route program meets these provisions.

Q18: What is high-quality professional development?

A18: The federal law includes a detailed description of high-quality professional development. States and districts must ensure that the professional development offered to all teachers, including teachers in an alternate-route program, meets this definition.

Q19: I’m teaching on an emergency credential. What do I need to do to keep my job?

A19: You need to take steps to become fully certified and meet the new requirements of the law. The specifics of what you are required to do and when you need to do it depend on the subject you are teaching, how long you have been teaching, and whether or not you teach in a Title I school. Please read through the previous questions to find out the specific steps you need to take.

Q20: If I’m not “highly qualified” under this law and need additional training, are there resources available to help me?

A20: Yes. The federal government has provided professional development funds to states and districts to help teachers become highly qualified through Title I and Title II.

Check with your local union president, principal, or district office to find out what funds are available at your school.

