



No Child Left Behind Fact Sheet on Highly Qualified Provider

What is the No Child Left Behind Act of 2001?

The *No Child Left Behind (NCLB) Act of 2001* is a major legislative reform of the *Elementary and Secondary Education Act (ESEA)*—the principal federal law affecting education from kindergarten through high school) that is designed to improve student achievement and change the culture of America's schools. Enacted on January 8, 2002, the 2003-2004 school year is the second year of implementation of NCLB. Title 1 of the Act focuses on improving the academic achievement for the disadvantaged.

What are the principal components of NCLB?

The objectives of NCLB are built on four themes: (1) accountability for results; (2) an emphasis on doing what works based on scientific research; (3) expanded parental options; and (4) expanded local control and flexibility. Issues that significantly impact speech-language pathologists and audiologists in school settings include:

- ∄ “highly qualified” teachers and paraprofessionals;
- ∄ use of accommodations, modifications, and alternate assessments for students with disabilities;
- ∄ assessment of English language learners;
- ∄ sanctions for schools identified as in need of improvement, including the provision of supplemental services; and
- ∄ accountability and adequate yearly progress.

Why does NCLB include provisions on teacher qualifications?

Recent studies offer compelling evidence that teacher quality is one of the most critical components of how well students achieve. For instance, studies in both Tennessee and Texas found that students who had effective teachers greatly outperformed those who had ineffective teachers. In the Tennessee study, students with highly effective teachers for three years in a row scored 50 percentage points higher on a test of math skills than those whose teachers were ineffective (Sanders and Rivers, 1996). In recognition of the importance of having effective teachers, NCLB includes provisions stating that all teachers in core academic areas must be “highly qualified” by the end of the 2005–2006 school year. It also requires that newly hired teachers, those hired after the first day of the 2002–2003 school year, in Title I programs or schools be “highly qualified” immediately. However, in Title I targeted assistance schools, only those teachers paid with Title I funds need to be “highly qualified” immediately.

“Highly qualified” is a specific term defined by NCLB. The law outlines a list of minimum requirements related to content knowledge and teaching skills that a “highly qualified” teacher would meet. However, recognizing the importance of state and local control of education, the law provides the flexibility for each state to develop a definition of “highly qualified” that is consistent with NCLB as well as with the unique needs of each state. States must include in their plans annual, measurable objectives that each local school district and school must meet in moving toward the goal. They must also report on their progress in annual report cards.

Additionally, a district receiving Title I funds must send a notification to parents, informing them of their right to request information on the qualifications of their child's teacher.

Which teachers are covered by NCLB?

Any public school teacher, elementary or secondary, who teaches a core academic subject (English, reading or language arts, math, science, history, civics and government, geography, economics, the arts, and foreign language) must be "highly qualified" in the subject(s) they teach. Each state can determine its own definition of terms, such as "the arts." Special education teachers and teachers of English language learners must be "highly qualified" if they teach core academic subjects to their students. Speech-language pathologists and audiologists who teach a core academic subject(s) must also be "highly qualified" in the subject they teach, according to NCLB.

How do states determine their "highly qualified" teacher provisions?

In general, under NCLB, a "highly qualified" teacher must have:

- € a bachelor's degree;
- € full state certification (no emergency certification) and licensure as defined by the state; and
- € demonstrated competency, as defined by the state, in each core academic subject he or she teaches.

The state has freedom to define certification as it sees fit, and can use this opportunity to streamline its certification requirements to the essential elements. It can also create alternate routes to certification. States are provided with flexibility to design ways to demonstrate competence in the subjects the teacher teaches, especially for core academic teachers with experience. There are also requirements within the law to consider the differences between elementary, middle, and high school teachers, as well as between newly hired teachers and those with experience.

New Elementary School Teachers

Elementary school teachers who are new to the profession must demonstrate competency only by passing a rigorous state test on subject knowledge and teaching skills in reading or language arts, writing, mathematics and other areas of the basic elementary school curriculum.

New Middle and High School Teachers

At the middle and high school levels, new teachers must demonstrate competency either by passing a rigorous state test in each subject they teach, or by holding an academic major or course work equivalent to an academic major, an advanced degree, or advanced certification or credentials.

Elementary, Middle, and High School Teachers with Experience

Teachers with experience must either meet the requirements for new teachers, or they may demonstrate competency based on a system designed by each state. NCLB recognizes that many teachers who have experience may already have the qualifications necessary to be deemed "highly qualified." The law allows teachers to take a subject matter test (as determined by the state) or demonstrate competency through the state system of "high, objective, uniform state standard of evaluation (HOUSSE)." In addition, middle and high school teachers may demonstrate competency if they have a major (or its equivalent) or advanced credentials in the subject they teach. Under the new guidelines, states may streamline this evaluation process by developing a method for current, multi-subject teachers to demonstrate through one process that

they are highly qualified in each of their subjects and maintain the same high standards in subject matter mastery.

Do long- and short-term substitute teachers need to meet the “highly qualified” requirements?

Substitutes take the place of the teacher, and therefore play a critical role in the classroom and the school. It is vital that they be able to perform their duties well. Although short-term substitutes do not need to meet the “highly qualified” teaching requirements in NCLB, the U.S. Department of Education strongly recommends that a long-term substitute teacher meet the requirements for a “highly qualified” teacher as defined in the law. In addition, as states and districts establish a definition for a long-term substitute, they should bear in mind that the law requires that parents must be notified if their child has received instruction for four or more consecutive weeks by a teacher who is not “highly qualified.”

What are the requirements in NCLB for paraprofessionals or teachers’ aides?

No Child Left Behind states that teachers' aides may provide instructional support services only under the direct supervision of a teacher. In addition, the law allows teachers' aides to facilitate instruction only if they have met certain academic requirements. They must have at least an associate's degree or two years of college, or they must meet a rigorous standard of quality through a formal state or local assessment --knowledge of, and the ability to assist in instructing, as appropriate. New paraprofessionals covered under NCLB regulations who are hired after January 8, 2002 must meet these requirements. Paraprofessionals who were hired on or before January 8, 2002 must meet these requirements no later than January 8, 2006.

Paraprofessionals or aides do not need to meet the requirements if their role does not involve facilitating instruction. A paraprofessional does not need to meet these requirements if the paraprofessional is proficient in English and a language other than English, and acts as a translator to enhance the participation of limited English proficient children; or has instructional-support duties that consist solely of conducting parental involvement activities.

Additional Resources:

U.S. Department of Education Web site on NCLB

(<http://www.nclb.gov>)

State Department of Education Web site:

(http://www.nasdse.org/state_departments_of_education.htm)