Module 7

Highly Qualified Teachers

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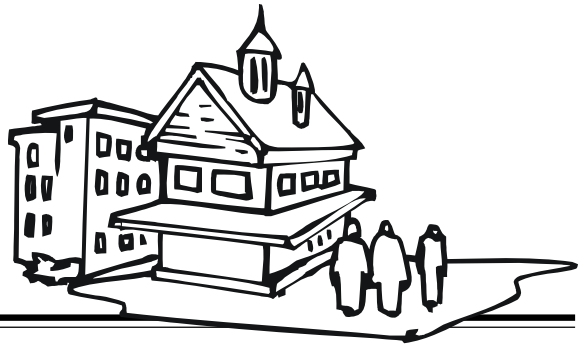

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This training curriculum is designed and produced by NICHCY, the National Dissemination Center for Children with Disabilities, at the request of our funder, the Office of Special Education Programs (OSEP) at the U.S. Department of Education.

We have a tremendous amount of information available on our Web site, in our library, and in the combined expertise of our staff. Please feel free to contact NICHCY for the latest information and connections in research and disabilities. We'd also love for you to visit our Web site and help yourself to all that's there.

This module is part of a training package on the 2004 Amendments to the Individuals with Disabilities Education Act, developed by NICHCY for the Office of Special Education Programs at the U.S. Department of Education (Department). The training curriculum is entitled *Building the Legacy*; this module is entitled *Highly Qualified Teachers*.

How This Discussion Section is Organized

As with the other modules in this curriculum, this discussion section is organized by overhead. A thumbnail picture of each overhead is presented, along with brief instructions as to how the slide operates. This is followed by a discussion intended to provide trainers with background information about what's on the slide. Any or all of this information might be appropriate to share with an audience, but that decision is left up to trainers.

Introduction

In 1975, Congress passed, and President Gerald Ford signed, Public Law (P.L.) 94-142, known as the Education for All Handicapped Children Act. This law required that a free appropriate public education (FAPE) be made available to every eligible child with disabilities between the ages of 6 and 18, including special education and related services designed to address their individual needs arising from the disability. School systems were required to include the child's parents in the education decision-making process and to develop an individualized education program (IEP) for each child with a disability.

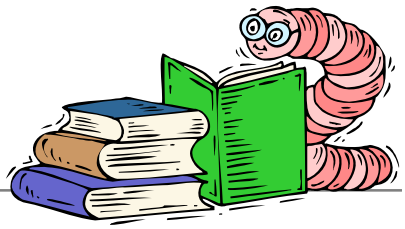
P.L. 94-142 has been amended several times over the years, each time revising and refining the original mandate, extending services and rights to infants and toddlers with disabilities, broadening the age range from birth to age 21, including transition services to help young adults with disabilities progress smoothly from secondary school into the postsecondary world, and much more. In 1990, the law became known as the Individuals with Disabilities Education Act (IDEA).

The latest reauthorization occurred in 2004 and, therefore, is commonly referred to as IDEA 2004.[1] This training module examines in some detail a new set of requirements brought to the law with IDEA 2004 and its final Part B regulations: provisions establishing the skills and qualifications that special education teachers must have. IDEA now requires that the special educators who teach our children with disabilities meet certain standards of "highly qualified teachers," parallel to similar standards established in a separate education law—the No Child Left Behind Act (NCLB).

No Child Left Behind

In 2001, Congress passed Public Law 107-110, also known as the Elementary and Secondary Education Act (ESEA) or No Child Left Behind (NCLB). President George W. Bush signed NCLB into law in 2002. The intent of the law was to close the gap between high- and low-performing children, especially the achievement gap between minority and non-minority children, and between disadvantaged children and their more advantaged peers.

The term, "highly qualified teacher" (HQT), is found and defined in NCLB and will be discussed in this curriculum module. *Highly qualified* is also found in the language of the 2004 reauthorization of the IDEA. How IDEA's requirements for HQT are similar to, and different from, NCLB's requirements will also be discussed here.



Trainer's Note

Throughout this training module, all references in the discussion section for a slide are provided at the *end* of that slide's discussion.

State educational agencies (SEAs), local educational agencies (LEAs), parents, and community members have many questions and concerns about the requirements for highly qualified teachers. State and local agencies must develop ways to recruit and retain teachers with those qualifications, as well as encourage existing employees meet the requirements and become highly qualified. Parents and community members want the assurance that their children are receiving instruction from appropriately trained teachers. HQT is seen as integral in helping States to meet NCLB's requirements for adequate yearly progress (AYP) and, above all, to improve results for our children with and without disabilities.

This Module in Time and Space

This module on HQT falls within the umbrella topic of **IDEA and General Education,** Theme B of *Building the Legacy*. (All the themes of the curriculum are shown in the box on the right.) Within Theme B's broad area, there are six modules in all, as follows:

- *NCLB and IDEA*, on hold pending reauthorization of NCLB, will provide an overview of the No Child Left Behind Act and how many of IDEA's provisions have been aligned purposefully to NCLB.
- *Statewide and Districtwide Assessments*, also on hold pending reauthorization of NCLB, will take a closer look at IDEA's provisions that require children with disabilities to participate in large scale assessment programs.
- *Disproportionality and Overrepresentation* focuses on IDEA's provisions addressing the overidentification of specific racial and ethnic groups for special education.
- *Early Intervening Services and Response to Intervention* examines two new sets of provisions in IDEA intended to allow districts to identify learning or behavior problems early and to permit methods of identification of children with specific learning disabilities that focus on children's responses to appropriate instruction in regular education.
- *Highly Qualified Teachers* (*this* module) provides an overview of another new area within IDEA that comes to us from NCLB and that sets new standards of quality for special educators.
- *NIMAS*, also new in IDEA, discusses a set of accessibility standards that will greatly improve access to the general education curriculum for children with print disabilities.

All of these modules are intended for general audiences. The background materials (what you're reading right now) and *Resources for Trainers* include substantial additional information that trainers can use to adapt training sessions to specific audience needs and the amount of time available for training.

You are currently reading the background section and discussion in the module on *Highly Qualified Teachers*.

Themes in
Building the Legacy

Theme A
Welcome to IDEA

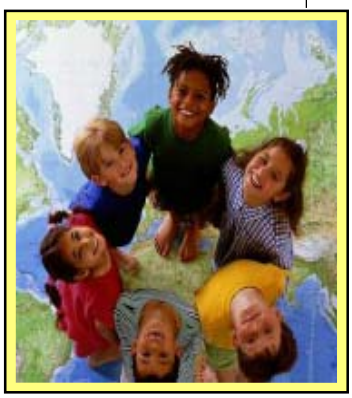
Theme B
IDEA
and General Education

Theme C
Evaluating Children
for Disability

Theme D
Individualized Education
Programs (IEPs)

Theme E
Procedural Safeguards

Available online at:
www.nichcy.org/training/
contents.asp



Files You'll Need for This Module

Module 7 includes the following components provided in separate files. If you need or want the entire module, be sure to download each of the components in either Word® or PDF format.

- **Discussion.** The discussion text describes how the slides operate and explains the content of each slide, including relevant requirements of the statute passed by Congress in December 2004 and the final regulations for Part B published in August 2006. The discussion is also available separately in three (3) PDF files, which are available online at: www.nichcy.org/training/contents.asp

  PDF of Discussion for Slides 1-11
  www.nichcy.org/training/7-discussionSlides1-11.pdf

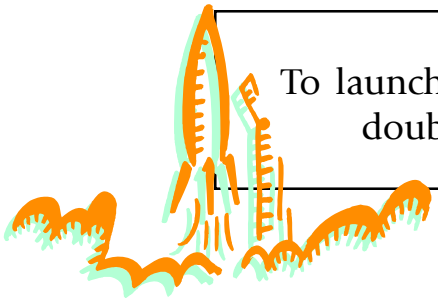
  PDF of Discussion for Slides 12-end
  www.nichcy.org/training/7-discussionSlides12-end.pdf

- **Handouts in English.** The handouts for this module are provided within an integrated package of handouts for the entire umbrella topic of **IDEA and General Education**, which includes the five modules described earlier. If you've already downloaded the handouts for other modules in **Theme B**, then you have what you need for this module, too. If not, then find Word® and PDF versions of these handouts as follows:

  Word® version of Handouts
  www.nichcy.org/training/B-handouts.doc

  PDF version of Handouts
  www.nichcy.org/training/B-handouts.pdf

- **PowerPoint® slide show.** NICHCY is pleased to provide a slide show (produced in PowerPoint®) around which trainers can frame their presentations and training on highly qualified. *Important note:* You do NOT need the PowerPoint® software to use the slide show. It's set to display, regardless.



To launch the PowerPoint presentation, double-click the **PLAY.bat** file.

To download the ZIP folder of all files in slide show, go to: www.nichcy.org/training/7slideshow.zip

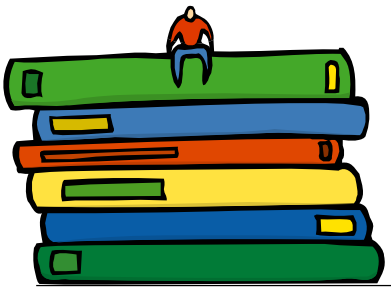
Within the three Discussion files (one of which you're reading right now), all slides are described, along with how the slides operate.

Thanks to the Author and OGC Reviewer of This Module

NICHCY would like to express its appreciation for the hard work and expertise of:

Marion Morton Crayton, Office of Special Education Programs, U.S. Department of Education, who is the primary author of this module.

Suzanne Sheridan, Office of General Counsel, U.S. Department of Education, for her thoughtful and comprehensive review of this module for its legal sufficiency with the statute and final Part B regulations of 2004 Amendments to IDEA.



[1] Assistance to States for the Education of Children with Disabilities and Preschool Grants for Children with Disabilities, Final Rule, 71 Fed. Reg. 46540 (August 14, 2006) (codified at 34 C.F.R. pt. 300). Available online at:

- www.nichcy.org/reauth/IDEA2004regulations.pdf
- http://idea.ed.gov

Looking for IDEA 2004?

The Statute:
- www.nichcy.org/reauth/PL108-446.pdf
- http://idea.ed.gov

Final Part B Regulations:
- www.nichcy.org/reauth/IDEA2004regulations.pdf
- http://idea.ed.gov

Finding Specific Sections of the Regulations: 34 CFR

As you read the explanations about the final regulations, you will find references to specific sections, such as §300.173. (The symbol § means "Section.") These references can be used to locate the precise sections in the federal regulations that address the issue being discussed. In most instances, we've also provided the verbatim text of the IDEA regulations so that you don't have to go looking for them.

The final Part B regulations are codified in Title 34 of the *Code of Federal Regulations*. This is more commonly referred to as 34 CFR or 34 C.F.R. It's not unusual to see references to specific sections of IDEA's regulations include this—such as 34 CFR §300.173. We have omitted the 34 CFR in this training curriculum for ease of reading.

Citing the Regulations in This Training Curriculum

You'll be seeing a lot of citations in this module—and all the other modules, too!—that look like this: 71 Fed. Reg. at 46738

This means that whatever is being quoted may be found in the *Federal Register* published on August 14, 2006—Volume 71, Number 156, to be precise. The number at the end of the citation (in our example, 46738) refers to the page number on which the quotation appears in that volume. Where can you find Volume 71 of the *Federal Register*? NICHCY is pleased to offer it online at:

www.nichcy.org/reauth/IDEA2004regulations.pdf

Slide 1 Introductory Slide

How to Operate the Slide:

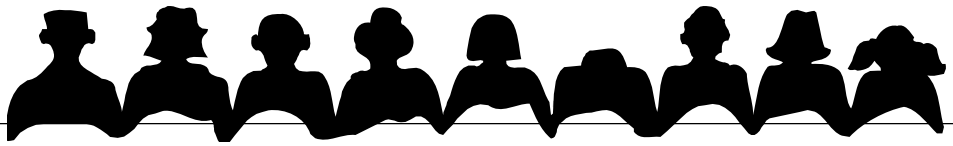
No clicks necessary.
Slide self-presents.

CLICK to advance to next slide.

Use Slide 1 (above) to orient your audience to what this training will be about: IDEA's requirements regarding Highly Qualified Teachers, or HQT. Note that throughout this module HQT will often be used interchangeably with the phrase "highly qualified teachers."

In conjunction with the opening slide, or immediately preceding it, have participants turn to **Handout B-12** and complete the activity there, called "Reflecting on Our Best Teachers." The activity is described on the next page and involves answering the following questions:

1. The best teacher I ever had was named...
2. If I had to list a few reasons why she or he was my best teacher, I'd have to say...
3. Name the top 3 qualifications you think every *general education* teacher should have.
4. Name the top 3 qualifications you think every *special education* teacher should have.



Opening Activity for Module 7

Purpose: To have participants reflect upon the qualities of effective and motivating teachers.

Total Time Activity Takes:
15-20 minutes.

Group Size:
Individual work, then work in pairs.

Materials:
Handout B-12
Flip chart, or note taker.

Instructions

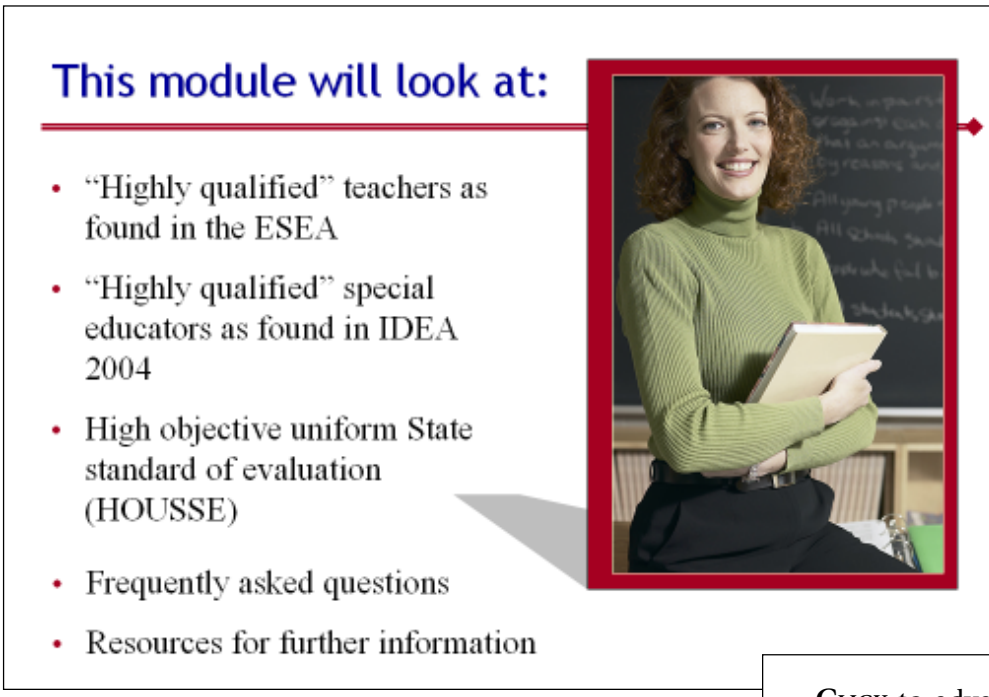
1. Refer participants to **Handout B-12**. Indicate that this is the activity sheet they have to complete. They will have 5 minutes to work individually (of course, you may give them longer, if you'd like or have sufficient time allotted for the training session).

2. At the end of the time allotted for individual work, have the audience split into pairs, working with the person on their right (or using whatever other strategy you'd prefer). Give the pairs 5 minutes (or more) to share their answers, then call the audience back to large-group focus.

3. Take 5-10 minutes to have pairs or individuals share their reflections on their best teachers. Write key traits they identify on a flip chart or have someone take notes. Don't have a full report-out from the groups. Mix it up, jump around the groups, get input in a free-form, call-out-your-answer fashion.

4. In closing the activity, focus for a moment on the characteristics and qualifications the audience felt that general educators and special educators should have. How are these the same, and how are they different? This information can be usefully woven into the training when looking at the HQT requirements in NCLB and in IDEA.

Slide 2 Agenda



Slide loads fully. No clicks are necessary except to advance to the next slide.

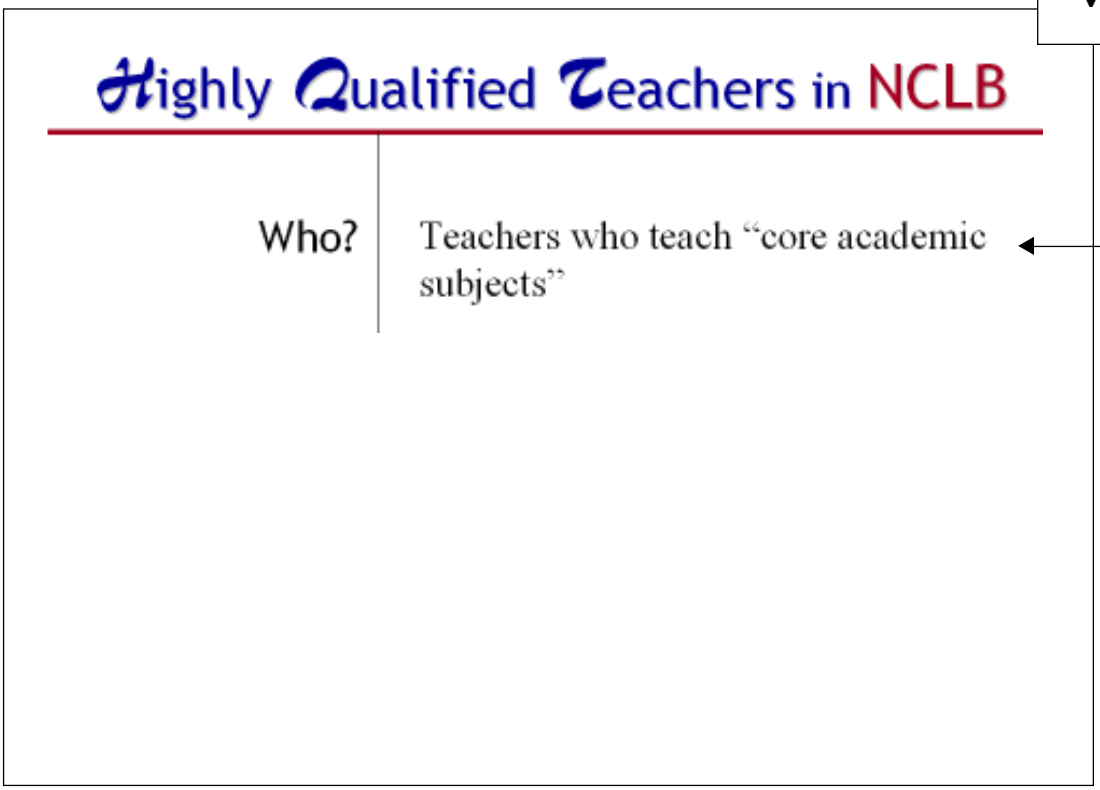
CLICK to advance to next slide.

Slide 2 is an advance organizer for the audience as to what content they're going to hear and discuss in this module. It's a good opportunity to have the audience share what they already know about HQT. Engage participants in a short conversation, asking questions and eliciting their responses, perhaps writing some of their ideas on the flip chart.

- What does ESEA (or NCLB, as it's more commonly referred to now) mean when it says "highly qualified teachers?"
- What does IDEA mean by HQT, and how similar are the two laws in terms of what qualifications teachers need to have in order to be considered highly qualified?
- Ever heard of HOUSSE? Anyone know what this means? What is your State doing in terms of HOUSSE?
- Frequently asked questions…what questions do you have that you'd like to see answered in this training session? (This gives you a fine opportunity to make a list on the flip chart and then refer back to it at the end of the session to make sure you've answered the questions noted there.)

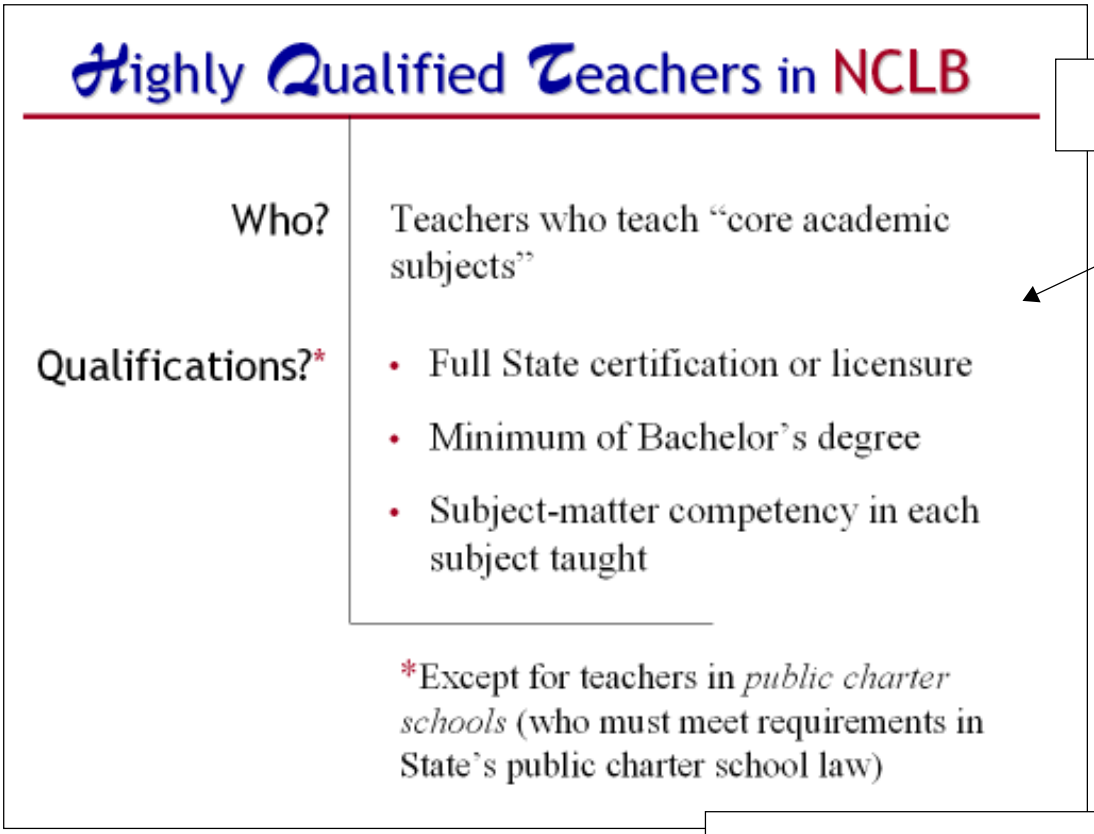
Slide 3 Highly Qualified Teachers in NCLB

View 1



Slide loads with this view.

Click 1



Click 1: "Qualifications" appears on left. All 3 bullets load, one at a time. Finally, the "exception" at the bottom appears.

CLICK AGAIN to advance to next slide.

(discussion on next page)

Slide 3: Background and Discussion

1 Click

Slide 3 launches into the HQT requirements in NCLB by first identifying "who" we're talking about—teachers who teach "core academic subjects"—and what qualifications NCLB establishes for those teachers to be considered highly qualified. As part of NCLB's intention to improve teacher quality and, thus, outcomes for children, it requires LEAs to ensure that *all* teachers hired to teach core academic subjects in Title I programs are highly qualified. In general, a "highly qualified" teacher is one with full certification, a bachelor's degree, and demonstrated competence in subject knowledge and teaching.

The actual definition and teacher requirements of highly qualified teacher can be found in §9101 of the Elementary and Secondary Education Act (ESEA). We've provided it in the box on the next page and on **Handout B-13**.

Discussing the Definition

NCLB's definition is quite long and extensive, isn't it? It's not necessary to delve into the definition line by line (which might take up all the time you've allotted for this training), but do go over the slide and how it captures the essence of NCLB's provisions in the box.

Some discussion points to consider:

- Are these the types of qualifications that participants identified in the opening activity, *Reflecting On Our Best Teachers*?
- Point out the importance of each State's certification standards in the definition of "highly qualified." NCLB establishes this minimum, but how it plays out in each State is determined by the State. Who establishes those standards? What do participants know about their State's processes or requirements?
- Core academic subjects will be discussed in the next two slides, but as an advance organizer, talk with participants about what subjects might be considered "core academics." Make a quick list and then look back at it when you get to the next two slides.
- Offering a brief summary of NCLB may be order, depending on the expertise and interests of your audience. Title 1? What's that? Many participants may not know, so consider a bit of explanation about NCLB before going any further in this training session. The briefest of summaries and four sources of additional NCLB information are provided below.

Describing NCLB

One of NCLB's most prominent goals is to improve the performance of elementary, middle, and secondary schools in the U.S. by establishing rigorous standards of accountability for States, schools districts, and schools. The law has 10 titles, as follows:

- Title I, Improving the Academic Achievement of the Disadvantaged
- Title II, Preparing, Training, and Recruiting High Quality Teachers and Principals
- Title III, Language Instruction for Limited English Proficient and Immigrant Students
- Title IV, 21st Century Schools
- Title V, Promoting Informed Parental Choice and Innovative Programs
- Title VI, Flexibility and Accountability
- Title VII, Indian, Native Hawaiian, and Alaska Native Education
- Title VIII, Impact Aid Program
- Title IX, General Provisions
- Title X, Repeals, Redesignations, and Amendments to Other Statutes

continued on page 7-13 ⟶

Definition of "Highly Qualified" as found in §9101 of the Elementary and Secondary Education Act (ESEA)

(23) HIGHLY QUALIFIED—The term 'highly qualified'—

(A) when used with respect to any public elementary school or secondary school teacher teaching in a State, means that—

(i) the teacher has obtained full State certification as a teacher (including certification obtained through alternative routes to certification) or passed the State teacher licensing examination, and holds a license to teach in such State, except that when used with respect to any teacher teaching in a public charter school, the term means that the teacher meets the requirements set forth in the State's public charter school law; and

(ii) the teacher has not had certification or licensure requirements waived on an emergency, temporary, or provisional basis;

(B) when used with respect to—

(i) an elementary school teacher who is new to the profession, means that the teacher—

(I) holds at least a bachelor's degree; and

(II) has demonstrated, by passing a rigorous State test, subject knowledge and teaching skills in reading, writing, mathematics, and other areas of the basic elementary school curriculum (which may consist of passing a State-required certification or licensing test or tests in reading, writing, mathematics, and other areas of the basic elementary school curriculum); or

(ii) a middle or secondary school teacher who is new to the profession, means that the teacher holds at least a bachelor's degree and has demonstrated a high level of competency in each of the academic subjects in which the teacher teaches by—

(I) passing a rigorous State academic subject test in each of the academic subjects in which the teacher teaches (which may consist of a passing level of performance on a State-required certification or licensing test or tests in each of the academic subjects in which the teacher teaches); or

(II) successful completion, in each of the academic subjects in which the teacher teaches, of an academic major, a graduate degree, coursework equivalent to an undergraduate academic major, or advanced certification or credentialing; and

(C) when used with respect to an elementary, middle, or secondary school teacher who is not new to the profession, means that the teacher holds at least a bachelor's degree and—

(i) has met the applicable standard in clause (i) or (ii) of subparagraph (B), which includes an option for a test; or

(ii) demonstrates competence in all the academic subjects in which the teacher teaches based on a high objective uniform State standard of evaluation that —

(I) is set by the State for both grade appropriate academic subject matter knowledge and teaching skills;

(II) 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;

(III) provides objective, coherent information about the teacher's attainment of core content knowledge in the academic subjects in which a teacher teaches;

(IV) is applied uniformly to all teachers in the same academic subject and the same grade level throughout the State;

(V) takes into consideration, but not be based primarily on, the time the teacher has been teaching in the academic subject;

(VI) is made available to the public upon request; and

(VII) may involve multiple, objective measures of teacher competency.

continued from page 7-11

Investigating NCLB quickly reveals that the law and its regulations establish a number of priorities and initiatives that, in combination, are intended to improve educational outcomes in our nation's schools. These priorities include:

- *Standards.* NCLB emphasizes the setting of high standards for student learning. Now, all States are required to adopt challenging academic standards in the core academic areas of mathematics, science, and reading/language arts.

- *Assessment of students*. In order to determine whether or not students are achieving to established standards, NCLB has increased the frequency with which students are assessed. The law requires all schools to measure student achievement yearly in reading and math in grades 3–8, and at least once during the high school years.

- *Accountability*. The standards that each State establishes for student learning and the regular assessment of students together provide the data so that States can judge how well they are doing in teaching students to those standards. States must set goals for what is known as "Adequate Yearly Progress"—AYP—as a way of tracking their progress.

- *Adequate Yearly Progress*. The Education Trust[1] describes AYP as "a signaling system" that tells schools whether or not they are on track in teaching students what they need to know (p. 6). Under NCLB, schools include the performance of low-income students, those from racial and ethnic minority groups, students with a limited proficiency in English, and—of great relevance to your audience, no doubt—students with disabilities. If any of these subgroups in a school don't make AYP, then the school has not made AYP. If a school hasn't made AYP two years in a row, it's considered a "school in need of improvement."

- *Teacher Quality*. NCLB requires that States establish high standards for what it means to be a qualified teacher. It is the first federal law to do so.

- *Parent Involvement*. NCLB provides a strong foundation upon which to increase parent involvement via its public reporting requirements (which mean that parents have access to data on student performance in schools and in the State), its requirement that school districts receiving Title I funds must have a written parent involvement policy that is developed in collaboration with parents, and the unprecedented information that's provided about the qualifications of teachers working in the schools.

- *School Choice*. NCLB gives parents the right to change schools, if the school their child attends has not made met AYP for two years in a row and has been identified as a "school in need of improvement."

Much more can be said about NCLB's major emphases, but this summary should make two things very clear: NCLB has established a multifaceted system of standards by which to raise student achievement and educational outcomes of our children. Relevant to this training module are the high standards it sets for teacher qualifications and the role that such

[1] Education Trust. (n.d.). *No Child Left Behind fact sheets*. Washington, DC: Author. (Available online at: www2.edtrust.org/EdTrust/Product+Catalog/Fact+Sheets)

standards are expected to play in improving educational results and student learning, including those with disabilities. IDEA 2004 has been purposefully aligned in many ways with NCLB, as is explored in **Theme B, IDEA and General Education**, and in this module.

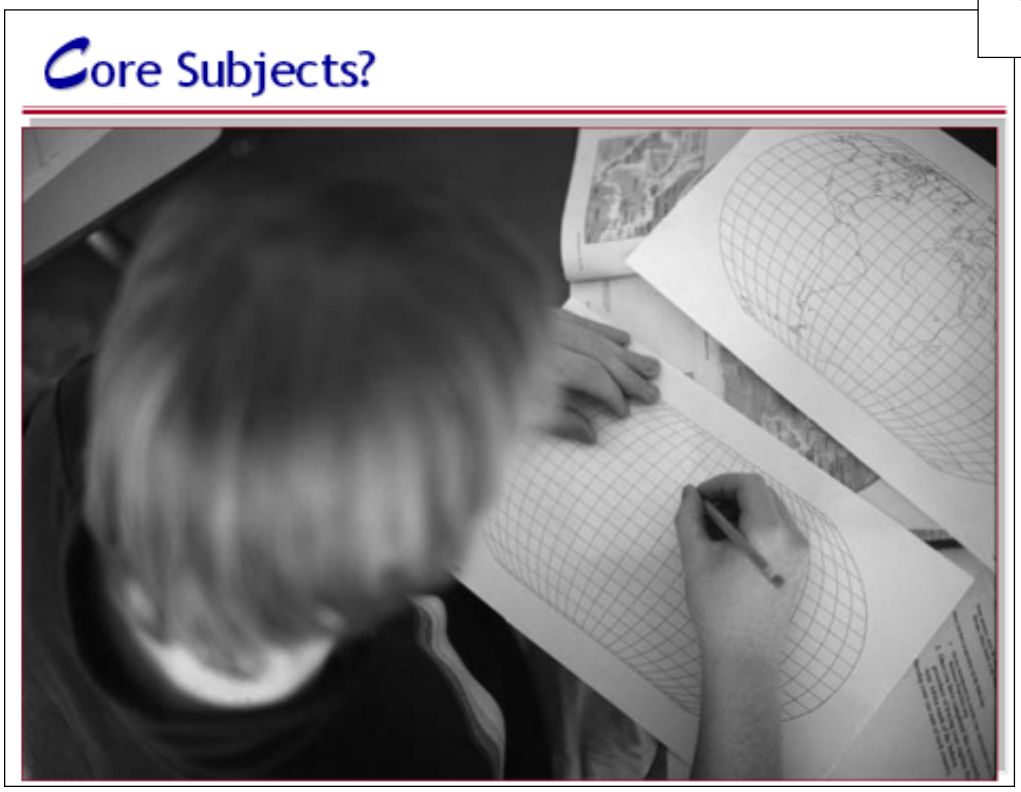
For More Information on NCLB

While it's beyond the scope of this module to delve deeply into NCLB, a veritable ton of information is available on this important federal law. Here are four resources that will connect you with yet more.

- U.S. Department of Education
  http://www.ed.gov/nclb/landing.jhtml
- *NICHCY Connections to…The No Child Left Behind Act*
  http://www.nichcy.org/resources/nclb.asp
- Education Commission of the United States (ECS)
  http://nclb2.ecs.org/Projects_Centers/Index.aspx
- Council of Chief State School Officers (CCSSO)
  http://www.ccsso.org/federal_programs/NCLB/index.cfm

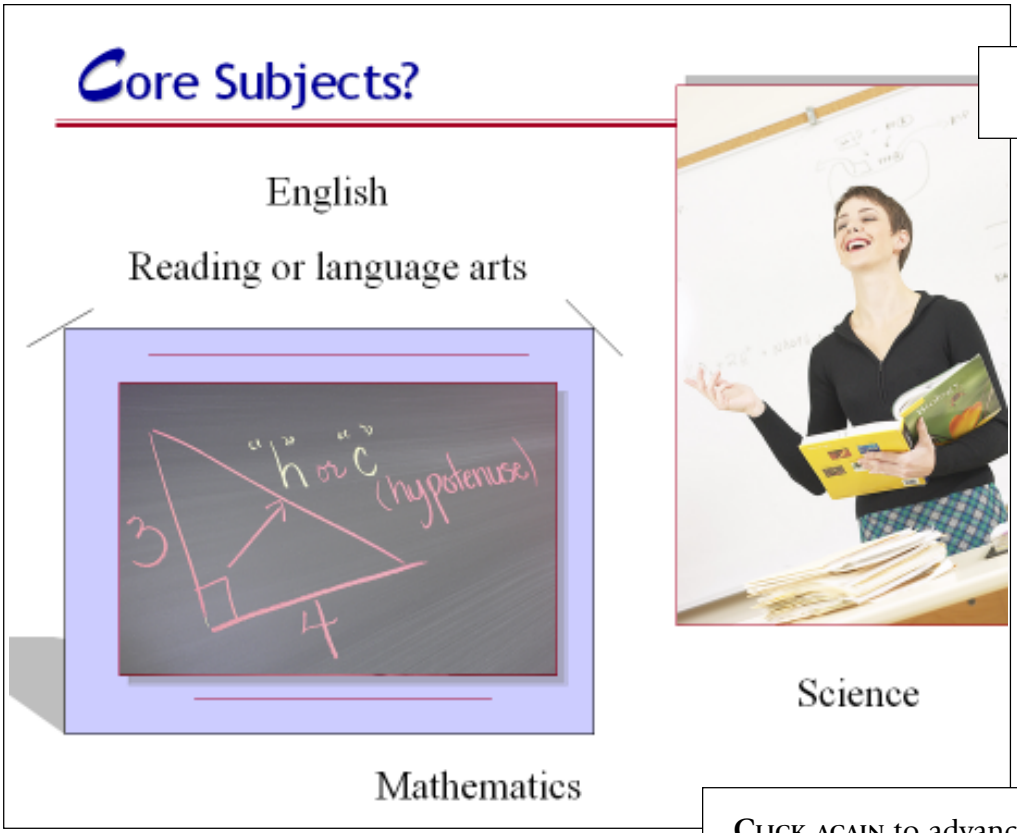
Slide 4 Core Subjects *(Slide 1 of 2)*

View 1



Slides loads with this view.

Click 1



Click 1:
Picture lifts away and this view appears, listing four of the core subjects.

CLICK AGAIN to advance to next slide.

(discussion on next page)

1 Click

And here we are at the first of two slides about "core academic subjects." This is information that can be covered rapidly, or spun out into a more fulsome discussion. On point in this slide are: English, reading or language arts, mathematics, and science. (The next slide will add in foreign languages, civics and government, economics, the arts, history, and geography.)

NCLB called for all teachers of these core academic subjects (teaching in Title I programs or elsewhere) to be highly qualified by the end of school year 2005-2006—a timeline that has clearly come and gone. IDEA has assumed NCLB's definition of core academic subjects (at section 9101) and provides that definition at §300.10, presented in the box below.

More on Reading

NCLB stresses reading as an indispensable basic skill that all students need to have; similarly, reading has been included in IDEA as a core academic subject. When you look at current statistics on how well students in the U.S. read (see the box below), there's no mystery why one purpose of NCLB is to ensure that every student can read at grade level or above by the end of grade 3. To that end, the law funds a number of reading initiatives, including the well-known programs:

- Reading First, which provides States and districts with funding for comprehensive, research-based reading instruction for students in grades K-3; and
- Early Reading First, which provides funding that may be used for early literacy programs (with children ages 3-5), professional development, or pre-reading activities that are research-based.

For those interested in connecting with additional resources on reading instruction, research-based methods, NCLB's reading programs, and statistics on how America is reading, here are some starter resources you might share that will lead to an unbelievable amount of more information:

- *Questions and Answers on No Child Left Behind—Reading*
  www.ed.gov/nclb/methods/reading/reading.html
- *No Child Left Behind—Reading/Literacy*
  www.ecs.org/html/issue.asp?issueid=195&subissueid=110
- *NICHCY's Connections to… Literacy*
  www.nichcy.org/resources/literacy2.asp
- *Reading Rockets*
  www.readingrockets.org
- *Reading Resources* of the International Reading Association
  www.reading.org/resources/index.html

Emphasizing Mathematics

NCLB mandates that all public school students in the U.S. will be proficient in math by the year 2013, designates mathematics as a core academic subject, and requires that teachers of math possess the minimum qualifications enumerated on the slide. Math is also to be found in IDEA's definition of core academic subjects. According to the Department of Education (n.d.),[1] only a quarter of our 4th- and 8th-graders are performing at or above *Proficient* levels in math. According to the National Assessment of Educational Progress

§ 300.10 Core academic subjects.

Core academic subjects means English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography.

NAEP), student performance at or above the *Basic* level of proficiency looks like this:

- 80% of 4th graders
- 69% of 8th graders

- Both scores are up from the 1990 NAEP, where 50% of 4th graders and 52% of 8th graders scored at the *Basic* level of proficiency in math.[2]

The federal government has been busy since the passage of NCLB working to improve mathematics teaching and student performance. Here's just a sampling of their activities:

- In February 2003, the Secretary held a Summit on Mathematics, with two follow-up meetings. The Summit led to the release of *Teacher Knowledge Action Plan: Mathematics* and several working papers, all of which are available at: http://www.ed.gov/rschstat/research/progs/mathscience/index.html

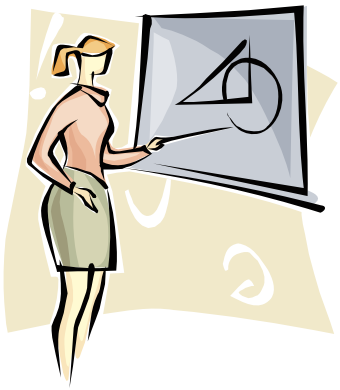
Selected Reading/Literacy Statistics

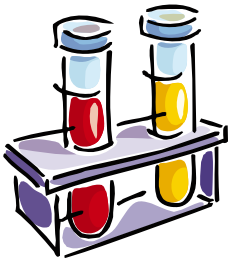
- Only 32% of the nation's 4th graders are performing at or above the "proficient" level.[3]
- There was no significant difference in the percentage of 4th-grade students performing at or above *Basic* proficiency level in reading in 2005 compared to 1992, but the percentage performing at or above the *Proficient* level increased during that time period, from 29% to 31%.[3]
- By age 17, only about 1 in 17 seventeen year olds can read and gain information from specialized text, for example the science section in the local newspaper. This includes:
    - o 1 in 12 White 17-year-olds,
    - o 1 in 50 Latino 17-year-olds, and
    - o 1 in 100 African-American 17-year-olds.[4]
- Disadvantaged students in the 1st grade have a vocabulary that is approximately half that of an advantaged student (2,900 and 5,800, respectively). [5]
- Over 1 million children drop out of school each year, costing the nation over $240 billion in lost earnings, tax revenues, and expenditures for social services.[5]
- The average student learns about 3,000 words per year in the early school years (8 words per day).[3]
- Dyslexia affects 1 out of every 5 children—10 million in America alone. [5]
- Nearly half of America's adults are poor readers, or "functionally illiterate." They can't carry out simply tasks like balancing check books, reading drug labels or writing essays for a job. [5]
- 21 million Americans can't read at all, 45 million are marginally illiterate and one-fifth of high school graduates can't read their diplomas. [5]
- 19% of children ages 5–17 speak a language other than English at home.[6]
- Minority students make up 43% of public school enrollment. [6]

- In February 2006, the American Competitiveness Initiative was launched and includes the Math Now program that will focus on strengthening math education in the early grades and middle school so that students enter high school ready to take challenging coursework. Find out more about the initiative and Math Now at: http://www.ed.gov/about/inits/ed/competitiveness/math-now.html

- In 2006, President Bush created the National Mathematics Advisory Panel whose purpose is to advise the President and Secretary of Education on the best use of scientifically based research on the teaching and learning of mathematics. The Panel's preliminary report was released in January 2007 and is available online at: http://www.ed.gov/about/bdscomm/list/mathpanel/pre-report.pdf

- The Department's Institute of Education Sciences funds the What Works Clearinghouse, which has reviewed and reported on math curricula designed for use in elementary schools as well as math curricula for middle schools, which offers math teachers, school districts, and States valuable research-based guidance. Numerous reviews on the effectiveness of various math curricula are available at: www.w-w-c.org/





- The Department operates the Mathematics and Science Partnership (MSP), a formula grant program intended to increase the academic achievement of students in mathematics and science by enhancing the content knowledge and teaching skills of classroom teachers. Partnerships between high-need school districts and the science, technology, engineering, and mathematics (STEM) faculty in institutions of higher education are at the core of these improvement efforts. Other partners may include SEAs, public charter schools or other public schools, businesses, and nonprofit or for-profit organizations concerned with mathematics and science education. More information about these grants is available at: www.ed.gov/programs/mathsci/index.html

- The Mathematics and Science Partnership has flowered into MSPnet, an electronic learning community for the Partnership implemented by the National Science Foundation (http://hub.mspnet.org/).

The National Council of Teachers of Mathematics (NCTM) also has much to contribute to improving both student and teacher proficiency in mathematics—among other things, its *Principles and Standards for School Mathematics*[7] and *A Research Companion to Principles and Standards for School Mathematics*.[8] This can be, and has been, a valuable tool for States in developing their own academic standards for students in math.

And speaking of State policies with respect to mathematics instruction—visit the Education Commission of the States for *Mathematics and Science Education in the States*, which identifies components of state policies most likely to positively impact teachers and students of mathematics and science at the high school level. Online at: http://www.ecs.org/clearinghouse/68/73/6873.htm

Science Achievement and Initiatives

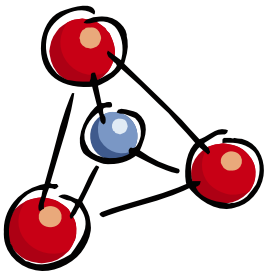
Have a look at what achievement levels our students are reaching in science, drawn from the 2005 NAEP.[9]

- Compared to middle and high school students, younger students are making the most progress in science.

- The number of 4th graders performing at or above the *Basic* achievement level rose from 63% in 1996 and in 2000 to 68% in 2005. Only 29% of 4th graders performed at or above the *Proficient* level on the 2005 NAEP.

- 8th graders, on the other hand, have shown no overall improvement over the same period of time. On the 2005 NAEP, 59% of students scored at or above the *Basic* level, and 29% performed at or above the Proficient level.

- The average score for 12th graders has declined since 1996. In 2005, 54% scored at or above the *Basic* level, and only 18% performed at or above the *Proficient* level.



As with math, lots of hard work is going on to improve student performance, including the highly influential element of teacher proficiency in the subject matter. This includes Mathematics and Science Partnership mentioned above and its spin-off, MSPnet. Here's a quick rundown of other selected initiatives that your participants may be interesting in learning more about:

- Much work was done before NCLB was on the scene, such as the work of the National Science Education Standards by the National Research Council in 1996. These are available online at: http://books.nap.edu/readingroom/books/nses/

- The National Science Teachers Association (NSTA) is part of an ongoing effort to implement the standards in classrooms throughout the country. NSTA offers all sorts of information, professional development opportunities (including Institutes and Web seminars), and connections, at: http://www.nsta.org

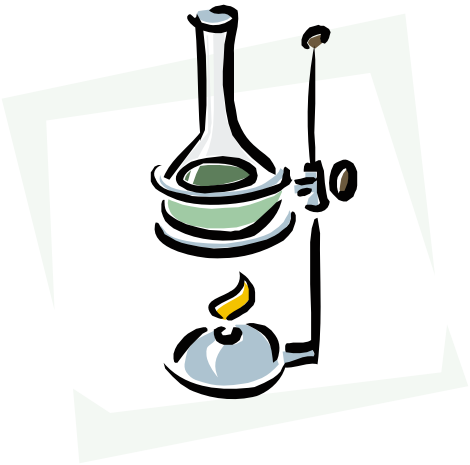
- The National Institutes of Health (NIH) are getting into the swing, too. NIH offers the *NIH Curriculum Supplement Series*, interactive teaching units that combine science research discoveries from NIH with state-of-the-art instructional materials. Each supplement is a teacher's guide to two weeks of lessons on science and human health. The series is free (to science teachers and school administrators), consistent with the National Science Education Standards, targeted at grades K-12, and full of real scientific data. Read about these supplements at: http://science.education.nih.gov/customers.nsf/supplements

- Federal Resources for Educational Excellence (FREE) offers a wide range of science materials to teachers and student for free, organized by the areas of: earth sciences, life sciences, space sciences, and physical sciences. See what's available at: http://www.free.ed.gov/subjects.cfm?subject_id=41

- Visit the Education Commission of the States for *Mathematics and Science Education in the States,* which identifies components of state policies most likely to positively impact teachers and students of mathematics and science at the high school level. Online at: http://www.ecs.org/clearinghouse/68/73/6873.htm

Access to the General Education Curriculum

The 1997 Amendments to IDEA (IDEA '97) strongly emphasized access to the general education curriculum for children with disabilities. In borrowing heavily from NCLB's definitions of core academic subjects, highly qualified, and other elements (e.g., scientifically based research), the 2004 Amendments to IDEA have build upon, and added to, that emphasis. This is especially evident at §300.320(a), which requires that each child's IEP include annual goals to enable the child to be involved in and make progress in the general education curriculum, and a statement of the special education and related services and supplementary aids and services to enable the child to be involved and make progress in the general education curriculum (71 Fed. Reg. at 56552). It's important to point out this connection to the audience, in case members haven't yet participated in training sessions on the IEP or the alignment of IDEA with NCLB.



In Conclusion

We've included the information above about these core academic subject areas, Federal activities, student achievement levels, and additional resources for you to use flexibly in responding to your audience's interests, needs, and amount of time available for the training session. Use—don't use—as you see fit. And if you find that links no longer work or resources once available online have disappeared (or you just can't find 'em!), please do give NICHCY a call at 1.800.695.0285 (or visit our Web site, at www.nichcy.org). We would be pleased to assist you, if we can. Web information changes so quickly that it's difficult to maintain the currency of such information in a written document such as this. We stand ready to update the info, as time will tell and the need arises.

References

[1] U.S. Department of Education. (n.d.) *The facts about…math achievement*. Retrieved May 1, 2007, from www.ed.gov/nclb/methods/math/math.html

[2] Perie, M., Grigg, W., & Dion, G. (2005). *The nation's report card: Mathematics 2005* (NCES 2006–453). Washington, DC: U.S. Department of Education, National Center for Education Statistics. (Available online at: http://nces.ed.gov/nationsreportcard/pdf/main2005/2006453.pdf)

[3] Perie, M., Grigg, W., & Donahue, P. (2005). *The nation's report card: Reading 2005* (NCES 2006–451). Washington, DC: U.S. Department of Education, National Center for Education Statistics. (Available online at: http://nces.ed.gov/nationsreportcard/pdf/main2005/2006451.pdf)

[4] Haycock, K., & Huang, S. (2001). Are today's high school graduates ready? *Thinking K-16, 5*(1), 3-17. (Available online at: www2.edtrust.org/NR/rdonlyres/85897615-327E-4269-939A-4E14B96861BB/0/k16_winter01.pdf)

[5] The Literacy Company. (2007). *Reading, literacy, and education statistics*. Retrieved May 1, 2007, from www.readfaster.com/education_stats.asp

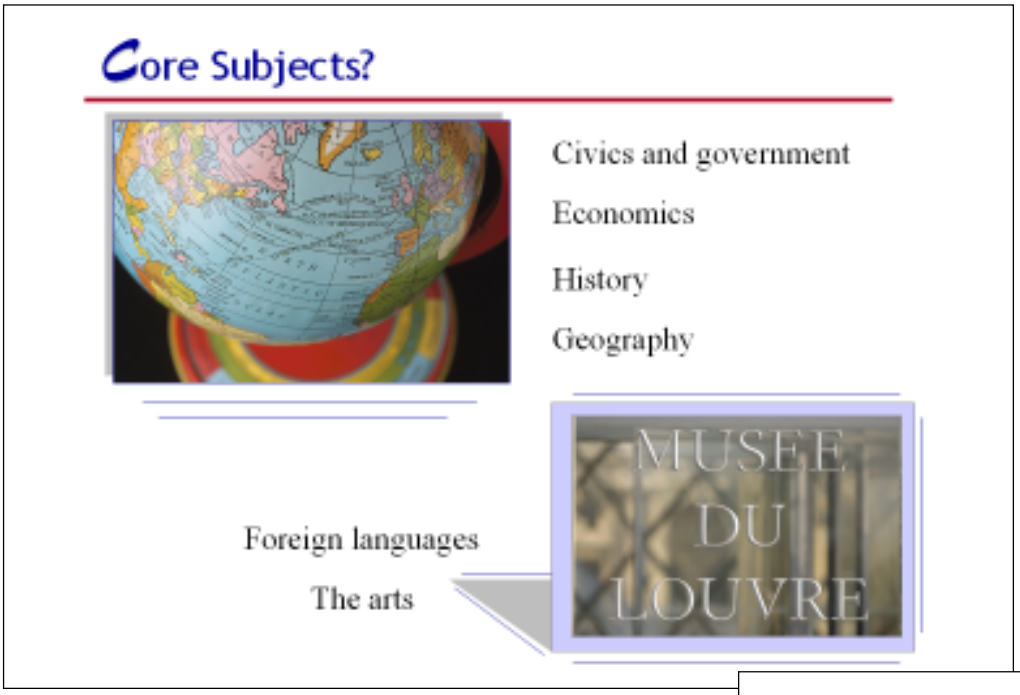
[6] National Center for Education Statistics. (2006). *The condition of education 2006* (NCES 2006-071). Washington, DC: Author. (Available online at: http://nces.ed.gov/pubs2006/2006071.pdf)

[7] National Council of Teachers of Mathematics. (2000). *Principles and standards for school mathematics.* Reston, VA: Author. (More information is available online at: http://standards.nctm.org/)

[8] Kilpatrick, J., Martin, W.G., & Schifter, D. (Eds.). (2003). *A research companion to Principles and Standards for School Mathematics*. Reston, VA: National Council of Teachers of Mathematics.

[9] Grigg, W., Lauko, M., & Brockway, D. (2006). *The nation's report card: Science 2005* (NCES 2006-466). Washington, DC: U.S. Department of Education, National Center for Education Statistics. (Available online at: http://nces.ed.gov/nationsreportcard/pdf/main2005/2006466.pdf)

Slide 5 Core Subjects *(Slide 2 of 2)*



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Slide 5 is the second of two identifying the subjects included in NCLB's and IDEA's definitions of core academic subjects. In focus on this slide are foreign language, civics and government, economics, the arts, history, and geography. Quite a bunch, eh? Were they on the list the audience projected earlier in this training session?

We won't examine these subjects in the same level of detail as just was done on Slide 4, although each, as a core academic subject, comes with its own set of standards within the overall goal of student achievement and highly qualified teachers. At the end of this slide's discussion we've listed resources that will lead to additional information about each content area mentioned on this slide, should you wish to share that type of information with your participants.

You may wish to note that, although IDEA and NCLB both use the same definition of core academic subjects, a State's definition may actually go beyond the federal definition, as the Department notes in response to public comments following release of IDEA's Part B regulations in draft.

> We believe it is unnecessary to change the definition to include additional subjects that particular States consider to be core academic subjects. However, there is nothing in the Act or these regulations that would prevent a State from including additional subjects in its definition of "core academic subjects." (71 Fed. Reg. at 46552)

Additional "Content Area" Resources

Please note that the "national standards" listed below are not necessarily the same as the standards of instruction and achievement that any one State may prescribe. The national standards we've listed have typically been developed by the professional organization(s) associated with a subject, often in collaboration with other key organizations in the field. These may guide work in that profession, but for the purposes of IDEA and NCLB, the standards that a State establishes for teaching and learning are essential to understand. The organizations below may keep track of individual State requirements or be able to put participants in touch with the State agency who can provide the details about State content standards.

Foreign Languages

- *National Standards for Foreign Language Education*
  American Council on the Teaching of Foreign Languages (ACTFL)
  http://www.actfl.org/i4a/pages/index.cfm?pageid=3392

- *State Standards and Curriculum Frameworks for Foreign Languages*
  Education Commission of the States
  http://www.ecs.org/clearinghouse/39/41/3941.htm

Civics and Government

- *National Standards for Civics and Government*
  Center for Civic Education
  www.civiced.org/index.php?page=national_standards_for_civics_and_government

- *Civics or Citizenship Education Standards and Curriculum Frameworks,* a report highlighting selected state standards and/or curriculum frameworks with an explicit link to civics or citizenship education
  http://mb2.ecs.org/reports/Report.aspx?id=117

- *State Citizenship Education Policies*
  Education Commission of the States
  www.ecs.org/clearinghouse/48/84/4884.doc

Economics

- *Voluntary National Content Standards in Economics*
  National Council on Economic Education (in partnership with the National Association of Economic Educators and the Foundation for Teaching Economics)
  www.ncee.net/ea/program.php?pid=19

- *The Economics**America**® Program*
  National Council on Economic Education
  http://www.ncee.net/ea/

- *The Economics Classroom: A Workshop for Grade 9-12 Teachers*
  Anneberg Media
  www.learner.org/resources/series159.html

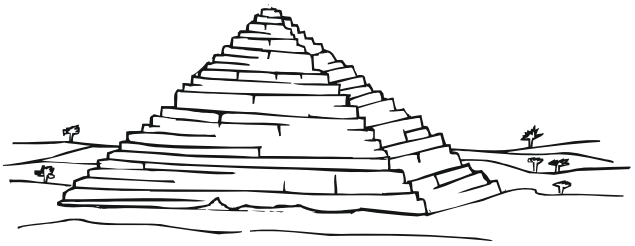
The Arts

- *A Guide to Teaching Arts*
  TeachingArts.org
  www.teachingarts.org/stories/storyReader$115

- *The Art of Teaching the Arts: A Workshop for High School Teachers*
  An 8-part professional development workshop for use by high school dance, music, theatre, and visual art teachers. Other workshop titles addressing the teaching of the arts are also available
  Anneberg Media
  www.learner.org/resources/series202.html

- *National Organizations Involved in Teaching the Arts*
  Many different organizations can be grouped under the umbrella of "Teaching the Arts," each with its own standards. To find out what those area, you have to visit each individual professional organization. TeachingArts.org makes a list of these organizations available, with links to their Web sites
  www.teachingarts.org/weblist

- *State Policies Regarding Arts in Education*
  Education Commission of the States
  www.ecs.org/clearinghouse/63/92/6392.pdf



History

- *National Standards for History*
  National Center for History in the Schools
  http://nchs.ucla.edu/standards.html

- *State Standards and Curriculum Frameworks for World History/Geography*
  Education Commission of the States
  www.ecs.org/clearinghouse/39/42/3942.htm

- *Federal Resources for Educational Excellence (FREE)* offers a wide range of history materials to teachers and student for free, organized by the areas of: U.S. history topics, U.S. history time periods, and world studies
  www.free.ed.gov/HandSS.cfm

- *How Students Learn: History in the Classroom*
  National Academies Press, 2004
  www.nap.edu/catalog.php?record_id=11100

- The *Teaching American History Grant* program is a discretionary grant program funded under Title II-C of NCLB. The program supports competitive grants to local educational agencies, with grants used to improve the quality of history instruction by supporting professional development for teachers of American history
  www.ed.gov/programs/teachinghistory/index.html

- *Presidential Academies for Teachers of American History and Civics Education*, which offer workshops for both veteran and new teachers of American history and civics to strengthen their knowledge and preparation for teaching these subjects
  www.ed.gov/programs/ahc/index.html

- *The Center for Teaching History with Technology*
  The Center aims to help K-12 history and social studies teachers incorporate technology effectively into their courses. The Center provides a multitude of free online resources as well as workshops and consultation services
  http://thwt.org/index.html

Geography

- *Geography for Life: National Geography Standards*
  National Council for Geographic Education
  www.ncge.org/geography/standards/teacher/

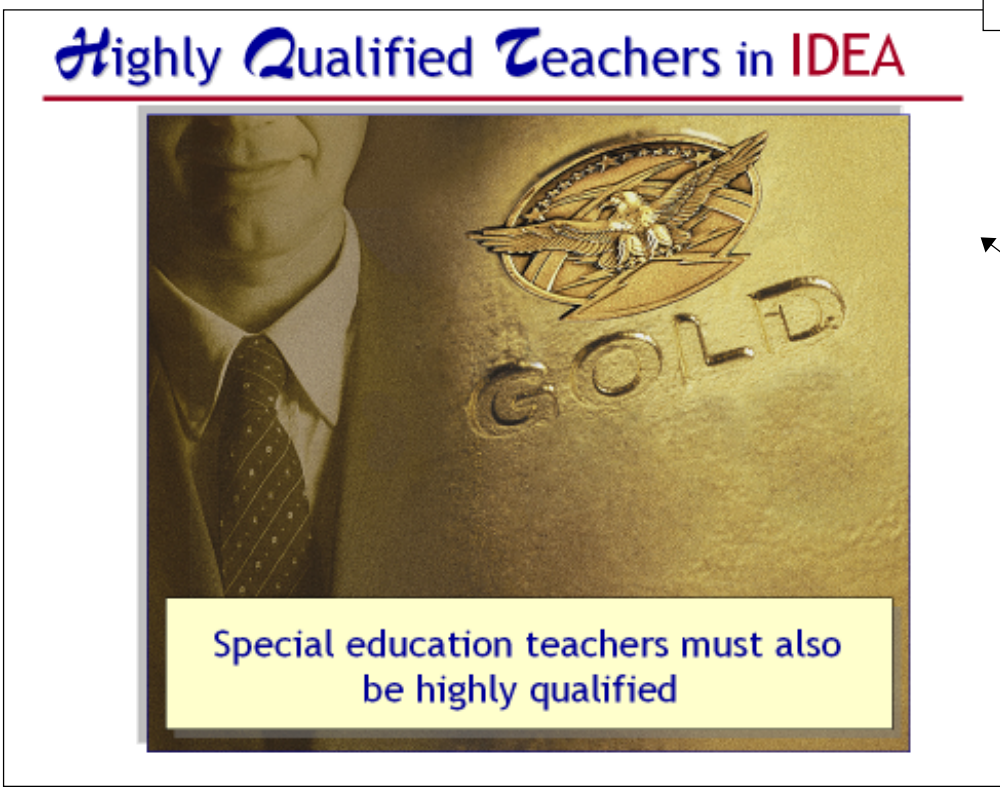
- *Teaching Geography.*
  Annenberg Media
  www.learner.org/channel/workshops/geography/

- *State Standards and Curriculum Frameworks for World History/Geography*
  www.ecs.org/clearinghouse/39/42/3942.htm

Slide 6

Highly Qualified Teachers in IDEA *(Slide 1 of 12)*

View 1



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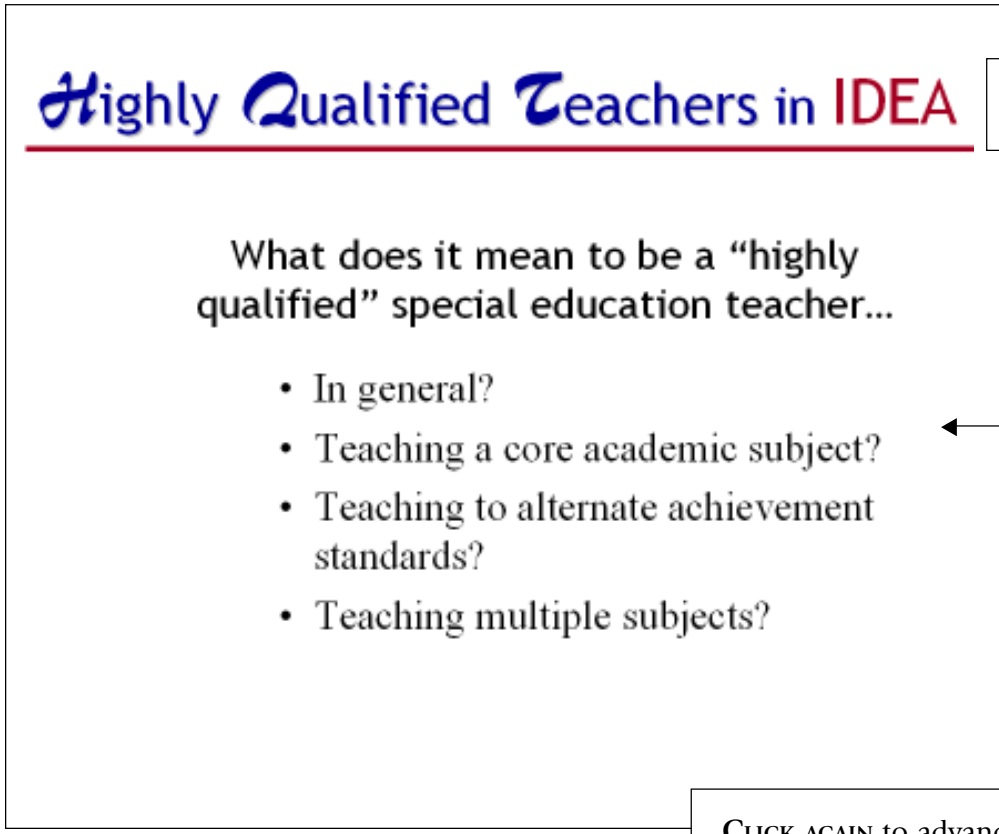

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CLICK AGAIN to advance to next slide.

(discussion on next page)

Slide 6: Background and Discussion

1 Click

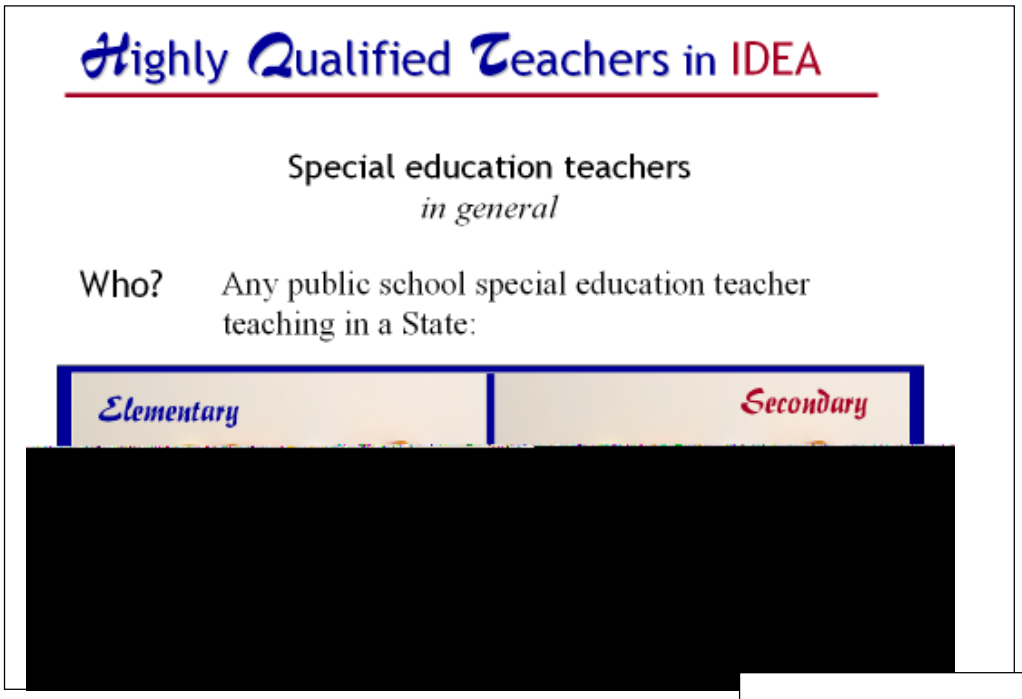
Slide 6 is the first slide of 12 examining IDEA's HQT requirements. As such, it's the transition slide that moves the focus away from NCLB's HQT requirements and definitions to IDEA's requirements.

Before taking up the subject in detail, it will be helpful to participants to have an understanding of how IDEA's HQT provisions are *grouped*. The upcoming 11 slides will mirror that grouping, moving by type of special educator through the regulations, until IDEA's HQT provisions at §300.18(a) through (d) have been presented. The slide illustrates the way in which IDEA has grouped its HQT provisions.

Direct participants' attention to **Handout B-14** where IDEA's HQT provisions can be found. Have them find the italicized phrases in §300.18 at (a), (b), (c), and (d) and compare them to the slide, so they'll get an immediate sense that the upcoming slides will track the types of special educators mentioned in the regulations. The order isn't actually the same (we chose to look at "highly qualified special education teachers in general" first), but the groupings are.

Having presented the audience with this advanced organizer to the upcoming content, move on to the next slide and dig in.

Slide 7 Highly Qualified Teachers in IDEA *(Slide 2 of 12)*



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Slides 7-10 examine IDEA's HQT requirements for special education teachers in general. These are found at §300.18(b) and on **Handout B-14**. The box below presents only the section of §300.18(b) that corresponds to this slide's content, which describes what kind of teachers IDEA means when it refers to "special education teachers in general."

Who's a "Special Education Teacher… in General?"

As the slide indicates, in IDEA, the phrase "special education teachers in general" refers to "any public school special education teacher teaching in a public elementary school or public secondary school in the State." The emphasis here is on "*public elementary* school" and "*public secondary* school" in a State.

Clarifying the Scope

Several additional points can be made to clarify the scope of IDEA's description of a special education teacher in general.

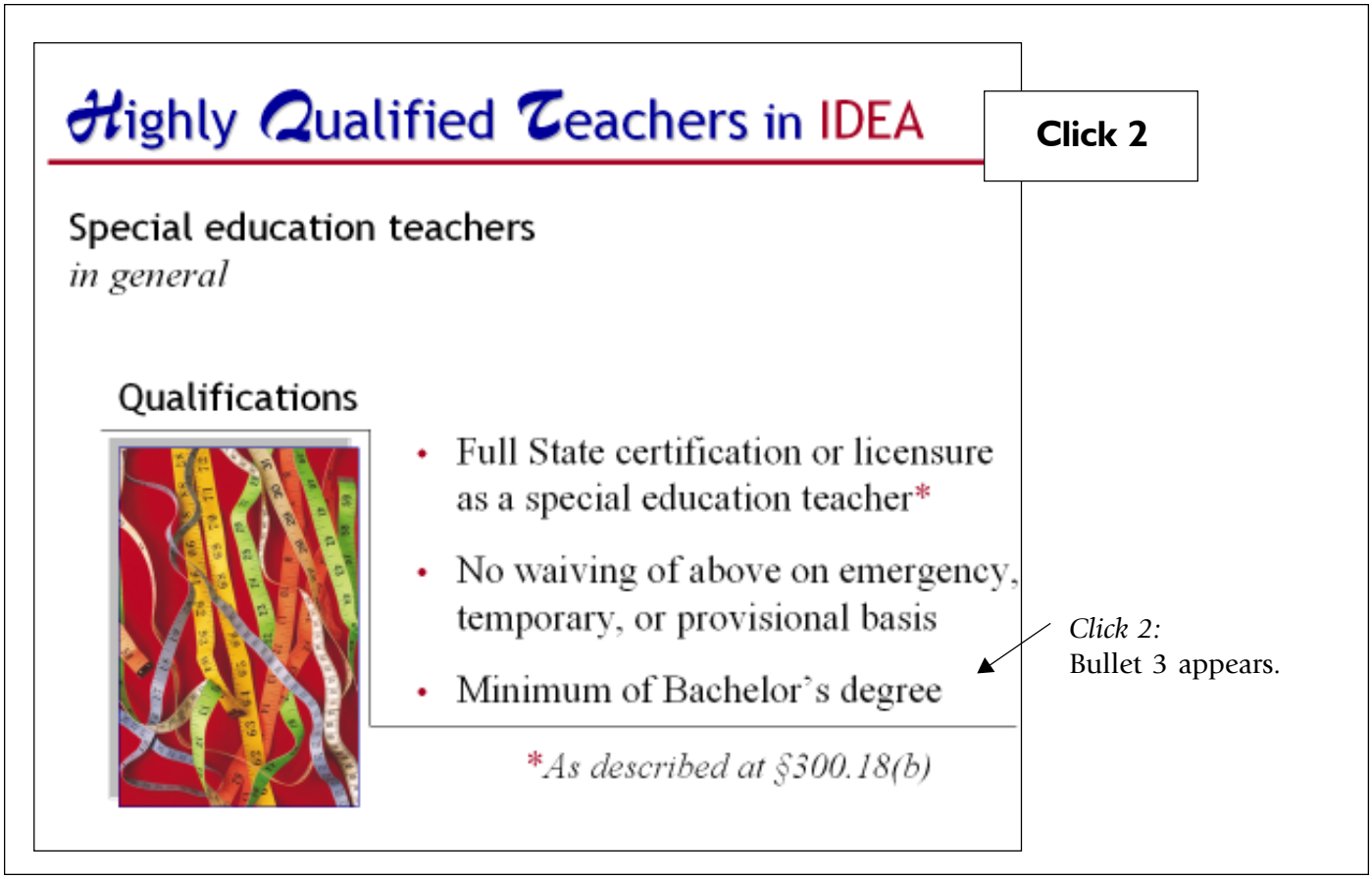
What about special education teachers who teach in publicly-funded early childhood or preschool settings? Given that IDEA specifically states "elementary" and "secondary," this question may naturally arise—and did, during the public comment period following release of the Part B regulations in draft. The answer is that it depends on the State's policy regarding those settings. The Department's response:

> The highly qualified special education teacher requirements apply to all

IDEA's Regulations at §300.18(b)

(a) *Requirements for special education teachers teaching core academic subject…*

(b) *Requirements for special education teachers in general.* (1) When used with respect to any public elementary school or secondary school special education teacher teaching in a State, highly qualified requires that…



Slide 8: Background and Discussion

2 Clicks

Slide 8 summarizes the qualifications that special education teachers in general are required to have, in order to be considered highly qualified under IDEA. As the slide notes, these qualifications are described at §300.18(b). Participants will find them on **Handout B-14**. The box on the next page presents *only* the section of §300.18(b) that corresponds to this slide's content. You'll note that, in the verbatim regulatory provision cited in the box, part of §300.18(b)(1)(i) is dimmed. This is the part of the provision that pertains to teachers in public charter schools, for whom different HQT requirements exist, as will be discussed on the next slide.

While the regulations are clear as to the qualifications that a special education teacher in general must have, it's useful to break them down and examine specific elements, especially noting the discussion in the Analysis of Comments and Changes.

What It Means To Obtain Full State Certification or Licensure

To be considered a highly qualified special education teacher (in general), an individual must be certified by the State in which he or she is teaching, although there are multiple ways in which a teacher might reach that goal. The regulation at §300.18(b)(1)(i) shows that there are "many roads to Rome" in this regard, including obtaining full State certification as a special education teacher through traditional preservice teacher preparation programs or through an alternative route to certification (discussed below). Passing the State's special education teacher licensing exam is also acceptable, as long as the individual obtains a license to teach in the State as a special educator.

These variable paths speak to the reality of teacher certification as a *State* responsibility. As the Department notes:

States are responsible for establishing certification and licensing standards for special education teachers. Each State uses its own standards and procedures to determine whether teachers who teach within that State meet its certification and licensing requirements…It is not the role of the Federal government to regulate teacher certification and licensure. (71 Fed. Reg. at 46554)

So, while the regulation may seem a bit cumbersome in its phrasing, in fact it is so phrased to allow for the State role in determining what it means for a special educator to be considered "certified" or "licensed" in that State.

Reciprocity Between States

Given that States define their own standards for teacher certification or licensure, the concern naturally arises that a teacher might be certified in one State but not in another. This can make it difficult for teachers who move from one State to another (are they certified in the new State?) and for the recruitment efforts of States facing chronic teacher shortage. The Department acknowledges that "[t]eacher qualifications and standards are consistent from State to State to the extent that States work together to establish consistent criteria and reciprocity agreements" (*Id.*).

And that begs the question: *Are* States working together?

Yes, indeed, they are. If this is a topic of interest to you or audience participants, several resources of additional information are listed in the box at the end of this discussion.

IDEA's Regulations at §300.18(b)

(a) *Requirements for special education teachers teaching core academic subject…*

(b) ***Requirements for special education teachers in general.*** (1) When used with respect to any public elementary school or secondary school special education teacher teaching in a State, highly qualified requires that—

(i) The teacher has obtained full State certification as a special education teacher (including certification obtained through alternative routes to certification), or passed the State special education teacher licensing examination, and holds a license to teach in the State as a special education teacher, except that when used with respect to any teacher teaching in a public charter school, highly qualified means that the teacher meets the certification or licensing requirements, if any, set forth in the State's public charter school law;

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

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

What About a National Standard of Certification?

Because States individually determine the certification/licensure requirements for their teachers, at present there is no national standard. The audience has probably heard of National Board Certification, though, a voluntary national certification system for K-12 teachers provided by the National Board for Professional Teaching Standards (NBPTS). All States recognize National Board Certification, many offer special benefits to nationally certified teachers, and many allow these teachers to carry a license from one State to another. More information is available from NBPTS, including complete standards information for each of the 24 certificates currently offered by NBPTS. Visit NBPTS at: www.nbpts.org

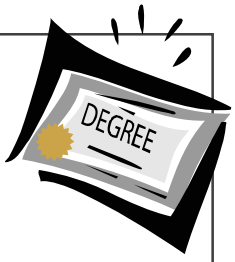
HQT and the Prohibition on Waiving of Licensure

Another element in IDEA's requirements for special education teachers in general is that such teachers may *not* have had "special education certification or licensure requirements waived on an emergency, temporary, or provisional basis" [§300.18(b)(1)(ii)]. This point requires its own scrutiny.

The waiving of certification and licensure requirements has long been an area of concern in both general and special education. The practice is largely a result of critical teacher shortages, a difficult reality for States and school districts to address and one that leads some States to extend temporary and emer-

gency licenses that bypass State licensing requirements.[1] According to State data collected by OSEP, "certification or licensure requirements have been waived for eight percent of special education teachers, or approximately 30,000 teachers" (71 Fed. Reg. at 46744). However, given the "strong evidence that students taught by fully certified teachers achieve at higher levels than those with teachers who are certified but teaching out-of-field, or who hold emergency certification,"[2] it's not surprising that special education teachers working with emergency, temporary, or provisional licensure cannot be considered "highly qualified" under IDEA.

More on Teacher Certification



Certification Requirements in 50 States
http://www.uky.edu/Education/TEP/usacert.html

Certification and Licensure State Policy Database
http://mb2.ecs.org/reports/reportTQ.aspx?id=1137

National Association of State Directors of Teacher Education and Certification NASDTEC's resources include *NASDTEC State Reports*, which describe each State's willingness to accept certification from other States
http://www.nasdtec.org/agreement.tpl

Interstate New Teacher Assessment and Support Consortium (INTASC)
A consortium of SEAs and national educational organizations working to reform the preparation, licensing, and ongoing professional development of teachers
www.ccsso.org/Projects/Interstate_New_Teacher_Assessment_and_Support_Consortium/

What States Can Do To Address Teacher Shortages and Still Meet HQT Requirements

In the Department's summary of costs and benefits associated with implementing the IDEA regulations (included in the Analysis of Comments and Changes that accompanied publication of the final Part B regulations), a number of strategies are discussed that States may find helpful in addressing teacher shortages in the face of IDEA's HQT requirements for special educators. The Department's analysis is interesting and informative, and has been provided in its entirety in the *Resources for Trainers* for Theme B. See **Resource B-2**.

The Department also points out that that specific funding is available to States, districts, and others to meet IDEA's HQT standards.

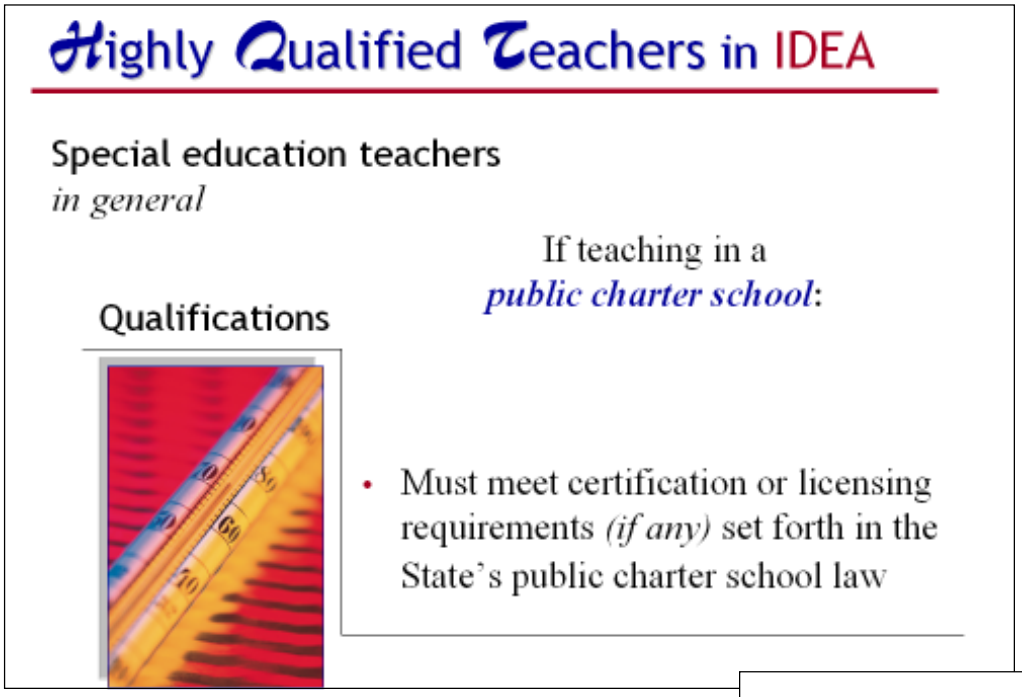
> … section 651 of the Act authorizes State Personnel Development grants to help States reform and improve their systems for personnel preparation and professional development in early intervention, educational, and transition services in order to improve results for children with disabilities. In addition, section 662 of the Act authorizes funding for institutions of higher education, LEAs, and other eligible local entities to improve or develop new training programs for teachers and other personnel serving children with disabilities. (71 Fed. Reg. at 46555)

References

[1] All Education Schools. (2007). *Common Q&A: Teacher certification and licensure*. Retrieved May 2, 2007, from www.alleducationschools.com/faqs/certification.php

[2] Education Commission of the State. (2005, December). *Eight questions on teacher licensure and certification: What does the research say?* Denver, CO: Author. (Quote from page x.) (Available online at: www.ecs.org/ecsmain.asp?page=/html/educationIssues/teachingquality/tlcreport/home/index.asp

Slide 9 Highly Qualified Teachers in IDEA *(Slide 4 of 12)*



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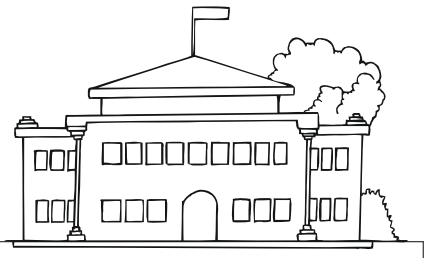
As promised, Slide 9 discusses the text that was "dimmed" in IDEA's regulation at §300.18(b) on Slide 8, and dims all the rest, so that only the section of §300.18(b) corresponding to this slide's content is highlighted (see the box at the right).

As is clear from the slide, in order for a public charter school special education teacher to be considered "highly qualified" under IDEA, that teacher must meet the certification or licensing requirements (if any) set forth in the State's public charter school law. These may differ from the HQT requirements for teachers in other public schools, but "[t]he Department does not have the authority to change State charter school laws to require charter school teachers to meet the same requirements as all other public school teachers" (71 Fed. Reg. at 46556). The Department goes on to add:

> In addition to the certification requirements established in a State's public charter school law, if any, section 602(10) of the



IDEA's Regulations at §300.18(b)

(b) ***Requirements for special education teachers in general.*** (1) When used with respect to any public elementary school or secondary school special education teacher teaching in a State, highly qualified requires that—

(i) The teacher has obtained full State certification as a special education teacher (including certification obtained through alternative routes to certification), or passed the State special education teacher licensing examination, and holds a license to teach in the State as a special education teacher, except that **when used with respect to any teacher teaching in a public charter school, highly qualified means that the teacher meets the certification or licensing requirements, if any, set forth in the State's public charter school law…**

Act requires charter school special education teachers to hold at least a bachelor's degree and, if they are teaching core academic subjects, demonstrate competency in the core academic areas they teach. We will add language in §300.18(b) to clarify that special education teachers in public charter schools must meet the certification or licensing requirements, if any, established by a State's public charter school law. (*Id.*)

A Quick Look at Public Charter Schools

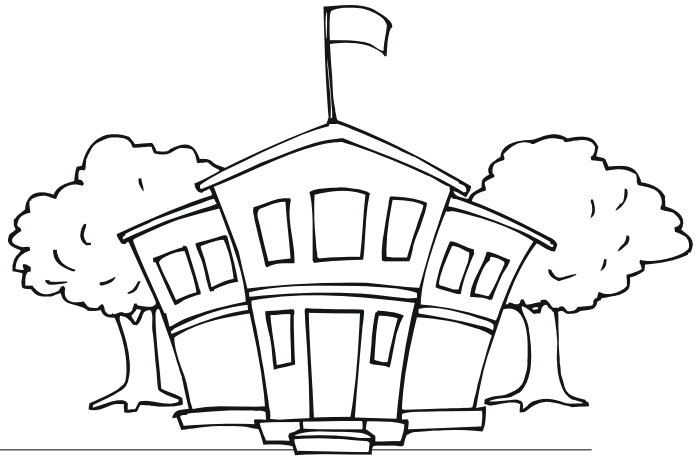
What exactly *are* public charter schools, anyway? Visit US Charter Schools online (www.uscharterschools.org/pub/uscs_docs/index.htm) for the scoop. Unless otherwise noted, the following summary is based upon information on the US Charter Schools Web site.

The charter school movement began in the 1990s when State legislatures began passing charter legislation. NCLB defines "charter school" at section 5210(1). The term "charter" comes from the fact that each such school is established through a performance contract, or charter, that details its mission, program, goals, students served, and so on. The charter to operate the school usually lasts for 3-5 years, at which time the agency or entity granting the charter (usually, a local school board, state university, community college, or the State board of education) may renew it.

Public charter schools operate with freedom from many of the regulations that apply to traditional public schools but are, in turn, held accountable for results. And because charter school law is specific to each State, the charter schools themselves vary from State to State. Not all States have charter schools. At present, there are approximately 3,000 charter schools operating in 40 states and the District of Columbia. Their policies are available online at the National Alliance for Public Charter Schools (http://www.publiccharters.org/), which also makes available the 2006 *Number of Charter Schools and Students: 2005-2006 School Year*, at: www.publiccharters.org/content/publication/detail/1170/

It's important to recognize that, "[b]ecause charter schools are public schools, SEAs are responsible for these schools as they are for any other public schools."[1]

The Department operates the Public Charter Schools Program, which provides financial assistance for the planning, program design, and initial implementation of charter schools, and the dissemination of information on charter schools. Grants are available on a competitive basis to SEAs in States that have charter school laws; SEAs, in turn, make subgrants to developers of charter schools who have applied for a charter. If an eligible SEA elects not to participate or if its application for funding is not approved, the Department can make grants directly to charter school developers.[2]

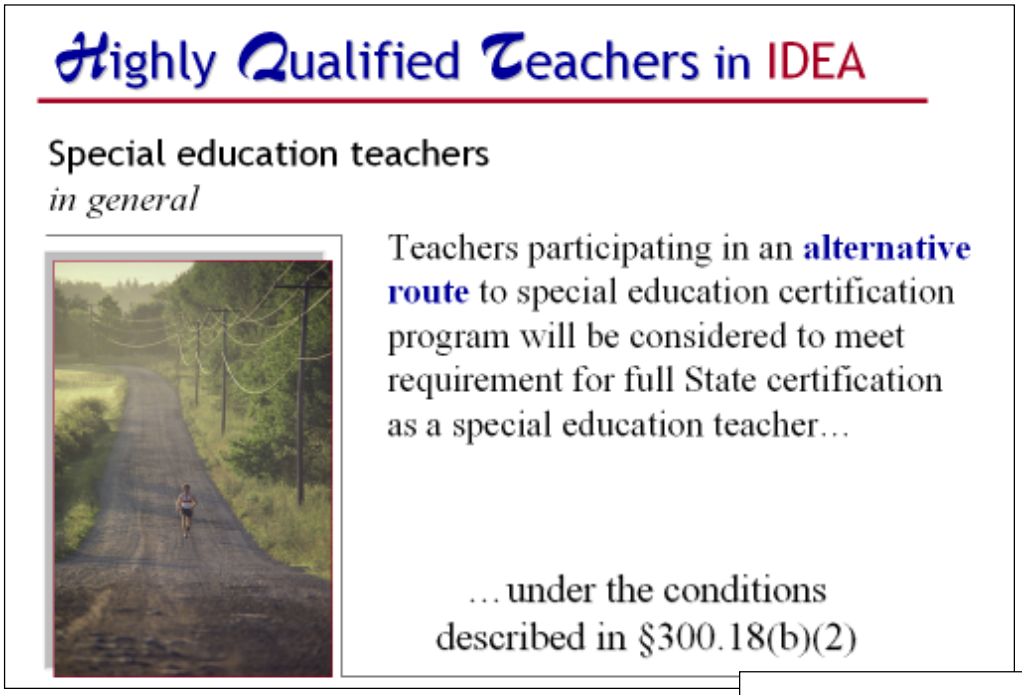


References

[1] US Charter Schools. (2007). *Charter school basics*. Retrieved May 12, 2007, from www.uscharterschools.org/cs/spedp/view/sped_aud/3?section=csbas

[2] See the program's description on the Department of Education's Web site, at: www.ed.gov/programs/charter/index.html

Slide 10 Highly Qualified Teachers in IDEA *(Slide 5 of 12)*



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Slide 10 continues the discussion of IDEA's HQT requirements for special education teachers in general, focusing specifically on how those requirements apply to teachers participating in an alternative route to special education certification.

Relevant IDEA provisions are found at §300.18(b)(2) (provided in the box on the next page and on **Handout B-14**).

Alternative Routes to Certification in Context

Alternative routes to certification are exactly what they sound like: ways that teachers can meet certification and licensing requirements other than through the more traditional teacher preparation path through a State-approved university program. Terms such as *alternative teacher certification* and *alternate routes to teacher certification* are often used interchangeably with alternative routes to certification."[1]

The National Center for Education Information states that what began as a way to ward off projected shortages of teachers has become a "major" player in the "production of highly qualified teachers."[2] NCEI also reports that:

- Approximately 35,000 individuals are entering teaching through alternative teacher certification routes each year.
- In 2005, 47 states, plus the District of Columbia, report 122 alternative routes to teacher certification being implemented by 619 providers of individual programs around the country.
- Nearly half say they would not have become a teacher if the alternate route to certification had not been available.[2]

Alternative Routes and IDEA's HQT Requirements

IDEA's provisions clearly acknowledge the acceptability of an alternative route to certification for special education teachers in general, given the specific conditions listed at §300.18(b)(2). Go over these conditions with participants, referring them to **Handout B-14**. Together, you might compile an abbreviated list of the features of an alternative route that IDEA mentions, such as:

- high-quality professional development;

- sustained, intensive, and classroom-focused professional development;
- having a positive and lasting impact on classroom instruction;
- intensive supervision;
- structured guidance; and/or
- regular ongoing support for teachers or a teacher mentoring program.

IDEA also describes the limitations to this approach to meeting the "highly qualified" teacher standard [as specified in §300.18(b)(1)(i)]. Specifically, individuals taking such an alternative route to certification:

- may not continue to assume the functions of a teacher for more than three years, and
- must demonstrate satisfactory progress toward full certification as prescribed by the State.

Department's Comments on Alternative Routes

Following the release of the draft Part B regulations, the Department received many public comments on alternative routes to certification. We've excerpted many of these in bullet form in the box on the next page, as they illuminate both IDEA's requirements and the value of alternative routes in equipping public schools with highly qualified special education teachers.

continued on next page ⟶

IDEA's Regulations at §300.18(b)(2)

(2) A teacher will be considered to meet the standard in paragraph (b)(1)(i) of this section if that teacher is participating in an alternative route to special education certification program under which—

(i) The teacher—

(A) Receives high-quality professional development that is sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction, before and while teaching;

(B) Participates in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher mentoring program;

(C) Assumes functions as a teacher only for a specified period of time not to exceed three years; and

(D) Demonstrates satisfactory progress toward full certification as prescribed by the State; and

(ii) The State ensures, through its certification and licensure process, that the provisions in paragraph (b)(2)(i) of this section are met.

References

[1] National Center for Alternative Certification. (2007). *FAQs*. Retrieved May 2, 2007, from www.teach-now.org/faq.cfm

[2] National Center for Education Information. (2007*). Alternative routes to teacher certification: An overview*. Retrieved May 2, 2007, from www.ncei.com/Alt-Teacher-Cert.htm

Department's Discussion of Alternative Routes to Certification

Excerpted from the Analysis of Comments and Changes
(71 Fed. Reg. at 46557)

- [T]he Department believes that alternative route to certification programs provide an important option for individuals seeking to enter the teaching profession.
- The requirements in §300.18(b)(2) were included in these regulations to provide consistency with the requirements in 34 CFR §200.56(a)(2)(ii)(A) and the ESEA, regarding alternative route to certification programs.
- To help ensure that individuals participating in alternative route to certification programs are well trained, there are certain requirements that must be met as well as restrictions on who can be considered to have obtained full State certification as a special education teacher while enrolled in an alternative route to certification program.
- An individual participating in an alternative route to certification program must (1) hold at least a bachelor's degree and have demonstrated subject-matter competency in the core academic subject(s) the individual will be teaching; (2) assume the functions of a teacher for not more than three years; and (3) demonstrate satisfactory progress toward full certification, as prescribed by the State. The individual also must receive, before and while teaching, high-quality professional development that is sustained, intensive, and classroom-focused and have intensive supervision that consists of structured guidance and regular ongoing support.
- It was the Department's intent to allow an individual who wants to become a special education teacher, but does not plan to teach a core academic subject, to enroll in an alternative route to certification program and be considered highly qualified, provided that the individual holds at least a bachelor's degree.
- Consistent with §300.18(b)(2)(ii), States are responsible for ensuring that the standards for alternative route to certification programs in §300.18(b)(2)(i) are met. It is, therefore, up to each State to determine whether to require specific qualifications for the teachers responsible for supervising teachers participating in an alternative route to certification program.

Slide 11 Highly Qualified Teachers in IDEA *(Slide 6 of 12)*

Highly Qualified Teachers in IDEA

View 1

Special education teachers
who teach core academic subjects

The slide loads with this view, showing the subject will be special educators "who teach core academic subjects."

Highly Qualified Teachers in IDEA

Click 1

Special education teachers
who teach core academic subjects

They must:

- Meet requirements for special education teachers in general
- Demonstrate subject-matter competency in each subject taught

Click 1:
Picture disappears. "They must" and 2 Bullets appear.

CLICK AGAIN to advance to next slide.

(discussion on next page)

1 Click

Slide 11 opens the next chapter in IDEA's HQT requirements: the qualifications that special education teachers who teach *core academic subjects* must meet. You can summarize this as "everything that applies to special education teachers in general (all that's been covered to date in this training module) PLUS subject-matter competency in each subject taught."

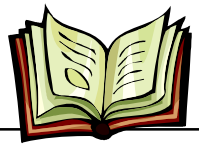
This provides a great opportunity to review IDEA's (and NCLB's) definition of "core academic subjects." Can participants name all these subjects without referring to their notes or handouts? Take a moment and have them work with a partner to quickly list as many as they can think of, then work in large-group format to compile a complete list (see the box at the right).

Looking at IDEA's Provisions

The box below highlights IDEA's relevant provisions for highly qualified special education teachers teaching core academic subjects. Participants will find these on **Handout B-14**.

A bit of explanation about the references in these provisions to other sections of other laws:

- Section 9101 of the ESEA is NCLB *statute's* definition of "highly qualified" teachers. This is included in the handouts as **Handout B-13**.
- 34 CFR §200.56 is how this term is defined in NCLB's *regulations*. We've quoted selected provisions below in the discussion of how teachers demonstrate competency in the core academic subjects they teach. The entire regulatory definition is available online at: http://www.ed.gov/legislation/FedRegister/finrule/2002-4/120202a.html
- "Paragraph (b) of this section" refers to IDEA's HQT provisions for special education teachers in general (discussed in Slides 7-10).
- "Paragraphs (c) and (d) of this section" refers to information on upcoming slides—specifically, Slides 12 and 13, which talk about special educators teaching to alternate achievement standards; and Slides 14-16, which talk about special educators teaching multiple subjects.



Core Academic Subjects

- English
- Reading or language arts
- Mathematics
- Science
- Foreign languages
- Civics and government
- Economics
- The arts
- History
- Geography

Putting It All Together

With all the references to other provisions, it may be difficult to understand precisely what IDEA 2004 requires before special educators who teach core academic subjects can be considered highly qualified. The slide summarizes the *basic* requirements for such teachers. Additional considerations exist for specific types of special education teachers as described on upcoming Slides 12 and 13 (special educators teaching to alternate achievement standards) and Slides 14-16 (special educators teaching multiple subjects). Make participants aware that discussing these aspects of HQT requirements will be postponed until we get to those slides.

For now, can the audience name the three primary HQT requirements for special education teachers in general? After all the previous slides, we hope so! Any of this sound familiar?

- Full State certification or licensure as a special education teacher as described at §300.18(b);
- No waiving of above on emergency, temporary, or provisional basis; and
- Minimum of Bachelor's degree.

To this list, add:

- Subject-matter competency.

Together, these four elements constitute IDEA's basic requirements for considering special education teachers of core academic subjects as "highly qualified."

How Does a Teacher Demonstrate Subject-Matter Competency?

NCLB—and, with it, IDEA—requires that teachers demonstrate their subject-matter competency before they may be considered "highly qualified" to teach a core academic subject. How such competency is demonstrated depends on a number of factors, including: (a) whether the teacher is engaged at the elementary, middle, or secondary school level; (b) whether the teacher is new to the profession or a "veteran;" (c) what the State requires (e.g., that the teacher must pass a rigorous State academic test in each core subject area taught); and (d) what criteria the State has established for its HOUSSE (High Objective Uniform State Standard of Evaluation). HOUSSE will be discussed on Slide 18 but is basically an option by which veteran (and some new) teachers can demonstrate competency in subjects taught.

IDEA's HQT Provisions at §300.18(a): Special Educators Teaching Core Academic Subjects

(a) *Requirements for special education teachers teaching core academic subjects.* For any public elementary or secondary school special education teacher teaching core academic subjects, the term *highly qualified* has the meaning given the term in section 9101 of the ESEA and 34 CFR 200.56, except that the requirements for highly qualified also—

(1) Include the requirements described in paragraph (b) of this section; and

(2) Include the option for teachers to meet the requirements of section 9101 of the ESEA by meeting the requirements of paragraphs (c) and (d) of this section.

Thus, how subject-matter competency is demonstrated is not easily pinpointed; it will vary from State to State and by elementary, middle, and secondary school focus, among other things. The selected provisions from NCLB at §200.56, cited in the box below, are included here to illustrate the components to be considered in determining the subject-matter competency of either a general education teacher or a special educator.

The Department encourages States to examine, for each core academic subject, the degree of rigor and technicality of the subject matter that a teacher needs to know in relation to the State's content standards and academic achievement standards. Teachers, the Department recommends, should contact their State Department of Education for more information about meeting the highly qualified teacher definition in the subjects they teach. [1]

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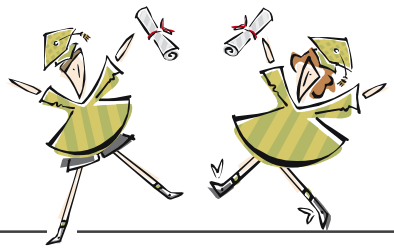


References

1 U.S. Department of Education. (2004, March). *Fact sheet: New No Child Left Behind flexibility: Highly qualified teachers*. Washington, DC: Author. (Available online at: www.ed.gov/nclb/methods/teachers/hqtflexibility.pdf)

See also: U.S. Department of Education (n.d.). *No Child Left Behind: A toolkit for teachers*. Retrieved May 2, 2007, from www.ed.gov/teachers/nclbguide/toolkit_pg10.html

Determining Subject-Matter Competency: Selected Provisions of NCLB at §200.56

Section 200.56 Definition of highly qualified teacher.

To be a "highly qualified teacher," a teacher covered under §200.55 must meet the requirements in paragraph (a) and either paragraph (b) or (c) of this section.

(a) *In general*….

(b) *Teachers new to the profession*. A teacher covered under §200.55 who is new to the profession also must—

(1) Hold at least a bachelor's degree; and

(2) At the public elementary school level, demonstrate, by passing a rigorous State test (which may consist of passing a State certification or licensing test), subject knowledge and teaching skills in reading/language arts, writing, mathematics, and other areas of the basic elementary school curriculum; or

(3) At the public middle and high school levels, demonstrate a high level of competency by—

(i) Passing a rigorous State test in each academic subject in which the teacher teaches (which may consist of passing a State certification or licensing test in each of these subjects); or

(ii) Successfully completing in each academic subject in which the teacher teaches—

(A) An undergraduate major;

(B) A graduate degree;

(C) Coursework equivalent to an undergraduate major; or

(D) Advanced certification or credentialing.

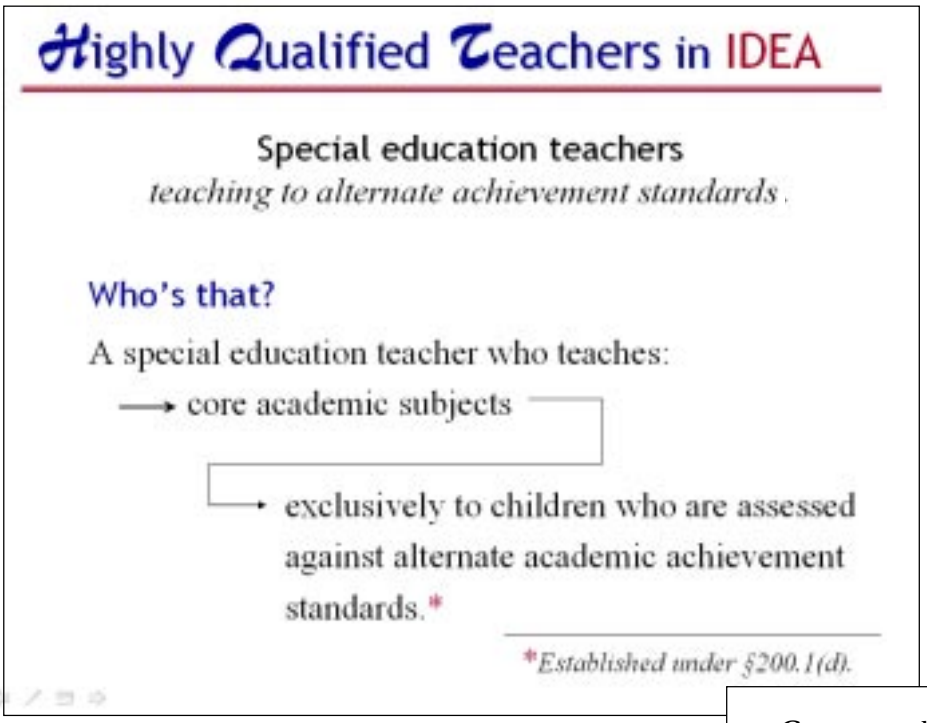
(c) *Teachers not new to the profession*. A teacher covered under §200.55 who is not new to the profession also must—

(1) Hold at least a bachelor's degree; and

(2)(i) Meet the applicable requirements in paragraph (b)(2) or (3) of this section; or

(ii) Based on a high, objective, uniform State standard of evaluation in accordance with section 9101(23)(C)(ii) of the ESEA, demonstrate competency in each academic subject in which the teacher teaches.

Slide 12 Highly Qualified Teachers in IDEA *(Slide 7 of 12)*



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This is the 7th slide in the series of 12 looking at IDEA's HQT requirements for special educators. This slide shifts the focus to special educators *teaching to alternate achievement standards*, identifying the population of teachers to which IDEA refers. Direct participants to the lead-in paragraph for §300.18(c) on **Handout B-14**. Relevant provisions to be discussed are shown below in the box.

The "Who" in Focus

This slide identifies the group of special education teachers IDEA is talking about as those who teach "core academic subjects exclusively to children who are assessed against alternate achievement standards" as established in NCLB's regulations at §200.1(d). While that's fairly straightforward, let's take a quick look at those two main aspects: NCLB's regulations at §200.1(d) and alternate academic achievement standards.

NCLB at §200.1(d)

This NCLB regulatory provision reads:

(d) *Alternate academic achievement standards*. For students under section 602(3) of the Individuals with Disabilities Education Act with the most significant cognitive disabilities who take an alternate assessment, a State may, through a documented and validated standards-setting process, define alternate academic achievement standards, provided those standards—

IDEA's HQT Provisions at §300.18(c): Special Educators Teaching to Alternate Achievement Standards

(c) ***Requirements for special education teachers teaching to alternate achievement standards.*** **When used with respect to a special education teacher who teaches core academic subjects exclusively to children who are assessed against alternate achievement standards established under 34 CFR 200.1(d)**, highly qualified means the teacher, whether new or not new to the profession, may either…

(1) Are aligned with the State's academic content standards;

(2) Promote access to the general curriculum; and

(3) Reflect professional judgment of the highest achievement standards possible.

Assessing Children via Alternate Achievement Standards

In addition to the above provision, the Department provided an excellent explanation of how content standards, achievement standards, and assessment instruments go together.

> Three critical elements—academic content standards, academic achievement standards, and assessments aligned to those standards—provide the foundation for an accountability system ensuring that students with disabilities reach high standards. State assessments are the mechanism for determining whether schools have been successful in teaching students the knowledge and skills defined by the content standards. States are required to hold all students to the same standards except that these regulations permit States to measure the achievement of students with the most significant cognitive disabilities based on alternate achievement standards. (71 Fed. Reg. at 68698)[1]

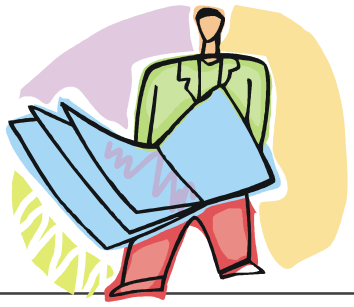
Alternate assessments based on alternate academic achievement standards, then, are intended for children with the most significant cognitive disabilities. The Department describes this group as:

> …that small number of students, who are (1) within one or more of the 13 existing categories of disability (e.g. autism, multiple disabilities, traumatic brain injury, etc.), and (2) whose cognitive impairments may prevent them from attaining grade-level achievement standards, even with the very best instruction. (71 Fed. Reg. at 68704)[1]

In general, the Department "expects that no more than 9.0 percent of students with disabilities will participate in an assessment based on alternate achievement standards" (71 Fed. Reg. at 68700).[1] While this type of alternate assessment must be linked to grade-level content, it typically does not fully represent grade-level content, only a sampling of it. Moreover, States may define these content standards in grade clusters (e.g., grades 3-5), which they may not do with the other types of assessment.

This is the type of alternate assessment with which your audience may be most familiar. It's the "1% cap in NCLB" people are always talking about—which we will *not* talk about in this module. What we are going to talk about are the special educators who teach core academic subjects to the children who are assessed against alternate academic achievement standards. Connecting the dots, this means that we're talking about the special educators who teach the children with the most significant cognitive disabilities. For a special educator to be considered in that group, he or she must be teaching only students whose IEP teams have determined that assessing the students against alternate academic achievement standards is the appropriate tool for measuring their academic achievement.

Now let's see what IDEA requires in order for these teachers to be considered "highly qualified."



References

1 This posting in the *Federal Register* is available online at: http://www.ed.gov/legislation/FedRegister/finrule/2003-4/120903a.pdf

Slide 13

Highly Qualified Teachers in IDEA *(Slide 8 of 12)*

View 1

Highly Qualified Teachers in IDEA

Special education teachers
teaching to alternate achievement standards

Additional Qualifications

- Subject matter competency in each academic subject taught as under NCLB, *or*

Slide loads with this view, including Bullet 1.

Highly Qualified Teachers in IDEA

Clicks 1-2

Special education teachers
teaching to alternate achievement standards

Additional Qualifications

- Subject matter competency in each academic subject taught as under NCLB, *or*
- Subject matter knowledge appropriate to the level of instruction being provided and needed to effectively teach to those standards
- As additionally described at §300.18(c)

Click 1: Bullet 2 loads.

Click 2: Bullet 3 loads.

CLICK AGAIN to advance to next slide.

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2 Clicks

Having described in the previous slide the group of teachers IDEA is talking about, what are the qualifications these teachers need in order to be considered highly qualified by IDEA (and NCLB). The relevant provisions within IDEA are found at §300.18(c) and are provided below and on **Handout B-14**.

Again, we have a case of multiple references to other provisions of law within NCLB and IDEA, which may make it difficult to understand at a glance what qualifications are actually required for the teachers in question to be highly qualified. Luckily, the explanation provided under the discussion of Slide 11 applies here as well—what's being referenced, in large part, is NCLB's definition of highly qualified teachers. The current slide distills what these provisions mean when applied to special education teachers who teach core academic subjects to children with the most severe cognitive disabilities.

What's readily apparent on this slide is that such teachers must either demonstrate:

- subject-matter competency in each academic subject taught as under NCLB—as was discussed on Slide 11; *or*
- subject matter knowledge appropriate to the level of instruction being provided and needed to effectively teach to those standards.

The latter bullet refers to the level of subject-matter knowledge necessary to teach to the alternate academic content and achievement standards established by the State as appropriate for children with the most significant cognitive disabilities. Because those standards must be aligned with grade-level standards but are typically only a sampling of what's expected of children at that grade-level, the "subject-matter knowledge" a teacher needs to possess for these children would be adjusted as well—hence, the use of (and the implied difference between) the terms subject-matter *competency* and subject-matter *knowledge*.

The Department's discussion in the Analysis of Comments and Changes helps to illuminate the dimensions of these HQT requirements.

An alternate achievement standard sets an expectation of performance that differs in complexity from a grade-level achievement standard. Section 602(10)(C)(ii) of the Act, therefore, allows special education teachers teaching exclusively

IDEA's HQT Provisions at §300.18(c): Special Educators Teaching to Alternate Achievement Standards

(c) *Requirements for special education teachers teaching to alternate achievement standards.* When used with respect to a special education teacher who teaches core academic subjects exclusively to children who are assessed against alternate achievement standards established under 34 CFR 200.1(d), **highly qualified means the teacher, whether new or not new to the profession, may either—**

(1) Meet the applicable requirements of section 9101 of the ESEA and 34 CFR 200.56 for any elementary, middle, or secondary school teacher who is new or not new to the profession; or

(2) Meet the requirements of paragraph (B) or (C) of section 9101(23) of the ESEA as applied to an elementary school teacher, or, in the case of instruction above the elementary level, meet the requirements of paragraph (B) or (C) of section 9101(23) of the ESEA as applied to an elementary school teacher and have subject matter knowledge appropriate to the level of instruction being provided and needed to effectively teach to those standards, as determined by the State.

children who are assessed against alternate achievement standards to meet the highly qualified teacher standards that apply to elementary school teachers. In the case of instruction above the elementary level, the teacher must have subject matter knowledge appropriate to the level of instruction being provided, as determined by the State, in order to effectively teach to those standards. (71 Fed. Reg. at 46558)

But what does it mean to have subject-matter knowledge "appropriate to the level of instruction being provided?" The Department also discussed this and provided an example as well:

> The purpose of this requirement is to ensure that teachers exclusively teaching children who are assessed based on alternate academic achievement standards above the elementary level have

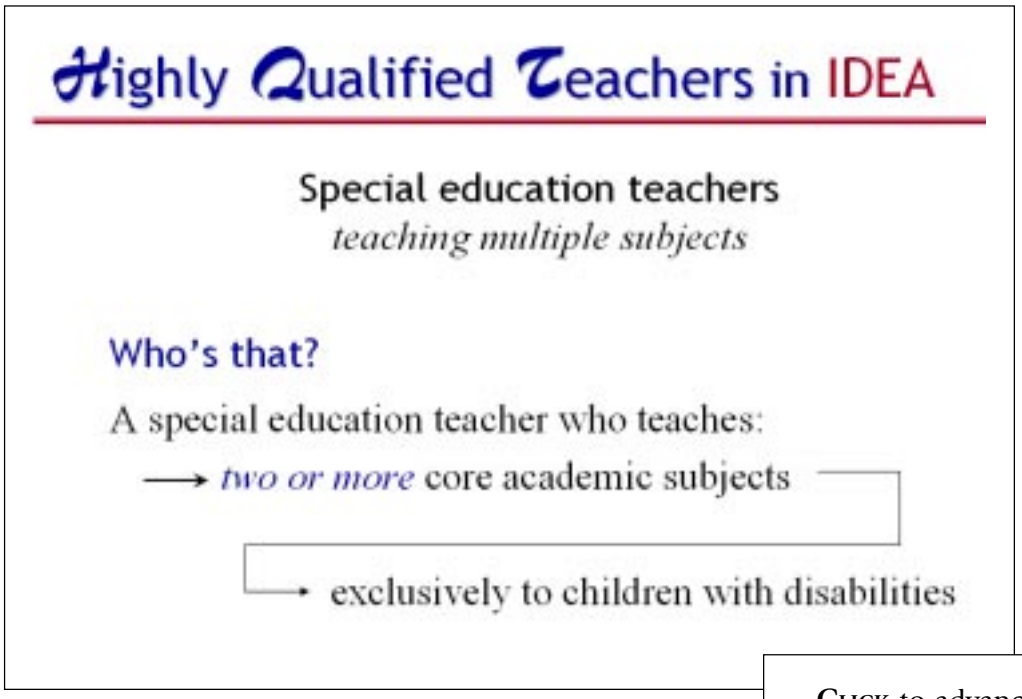
> sufficient subject matter knowledge to effectively instruct in each of the core academic subjects being taught, at the level of difficulty being taught. For example, if a high school student (determined by the IEP Team to be assessed against alternate achievement standards) has knowledge and skills in math at the 7th grade level, but in all other areas functions at the elementary level, the teacher would need to have knowledge in 7th grade math in order to effectively teach the student to meet the 7th grade math standards. (71 Fed. Reg. at 46558-9)

Additional Requirements

The current slide also indicates that there are additional elements at §300.18(c) to be considered in determining whether a special educator teaching core academic subjects exclusively to children being assessed based on alternative academic achievement standards meets the definition of highly qualified. These elements correspond to the variety of factors discussed under Slide 11 (e.g., whether a teacher is working at the elementary, middle, or secondary school level; whether the teacher is new to the profession or not; and State-determined criteria for demonstrating subject-matter knowledge or competency).

Slide 14

Highly Qualified Teachers in IDEA *(Slide 9 of 12)*



Slide loads fully. No clicks are necessary except to advance to the next slide.

CLICK to advance to next slide.

Slide 14 sets up a discussion (continued across the next two slides) of IDEA's HQT requirements for special education teachers teaching multiple subjects. Relevant provisions appear at §300.18(d) and on **Handout B-14.** The box below presents only the part of those provisions corresponding to this slide, whose purpose is to identify what IDEA means by "special education teachers teaching multiple subjects."

Multiple Subjects?

IDEA (not to mention the current slide) indicates that "special education teachers teaching multiple subjects" means special educators who teach "two or more core academic subjects exclusively to children with disabilities."

Now, let's see what HQT requires of this group of teachers.

IDEA's HQT Provisions at §300.18(d):
Special Educators Teaching Multiple Subjects

(d) ***Requirements for special education teachers teaching multiple subjects.*** **Subject to paragraph (e) of this section, when used with respect to a special education teacher who teaches two or more core academic subjects exclusively to children with disabilities,** highly qualified means that the teacher may either—

Slide 15

Highly Qualified Teachers in IDEA *(Slide 10 of 12)*

Slide loads fully. No clicks are necessary except to advance to the next slide.

CLICK to advance to next slide.

IDEA divides HQT requirements for special educators teaching multiple subjects into two groups: requirements for those who aren't new to the profession and requirements for those who *are* new. These provisions appear on **Handout B-14** at §300.18(d) and in the box at the right.

IDEA's HQT Provisions at §300.18(d): Special Educators Teaching Multiple Subjects

(d) *Requirements for special education teachers teaching multiple subjects.* Subject to paragraph (e) of this section, when used with respect to a special education teacher who teaches two or more core academic subjects exclusively to children with disabilities, highly qualified means that the teacher may either—

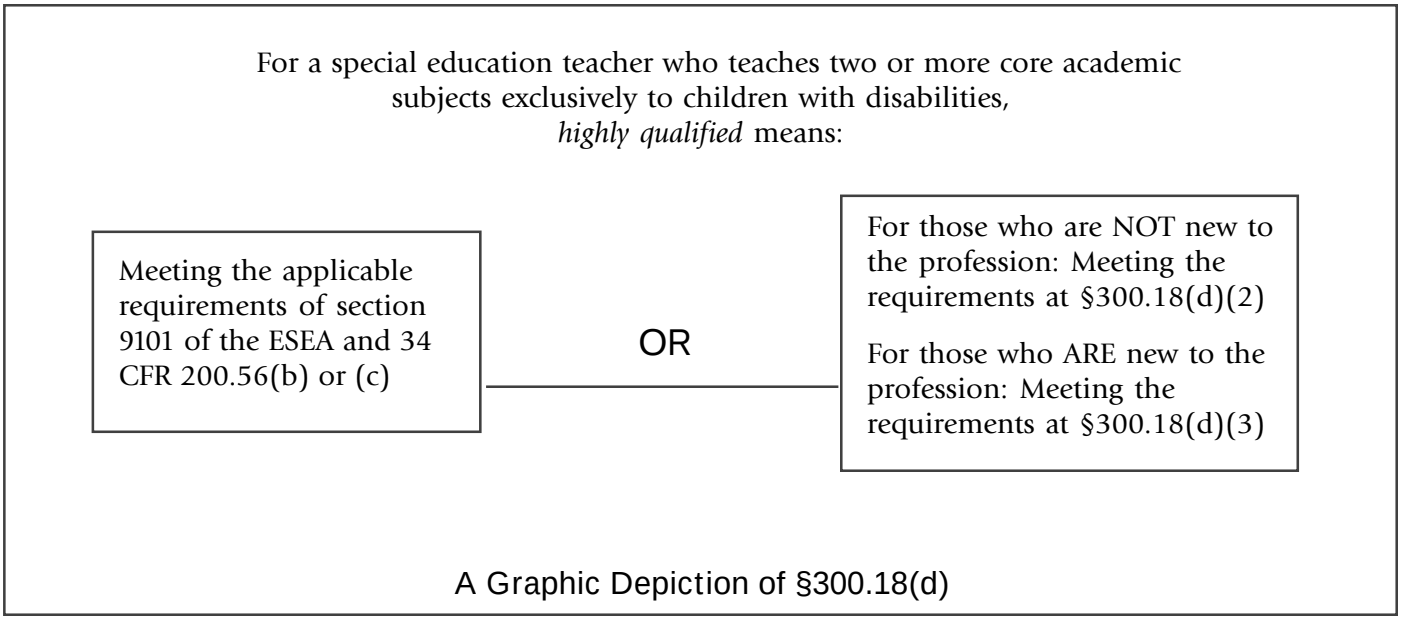
(1) Meet the applicable requirements of section 9101 of the ESEA and 34 CFR 200.56(b) or (c);

(2) In the case of a teacher who is not new to the profession, demonstrate competence in all the core academic subjects in which the teacher teaches in the same manner as is required for an elementary, middle, or secondary school teacher who is not new to the profession under 34 CFR 200.56(c) which may include a single, high objective uniform State standard of evaluation (HOUSSE) covering multiple subjects; or

(3) In the case of a new special education teacher who teaches multiple subjects and who is highly qualified in mathematics, language arts, or science, demonstrate, not later than two years after the date of employment, competence in the other core academic subjects in which the teacher teaches in the same manner as is required for an elementary, middle, or secondary school teacher under 34 CFR 200.56(c), which may include a single HOUSSE covering multiple subjects.

A Graphic Depiction of §300.18(d)

Although the above sounds like these teachers have three options for being considered highly qualified, in reality there are only two options, which becomes more apparent when the provisions are reorganized as a flow chart. The chart would look something like what we've shown on the next page.



Requirements for teachers new or not new to the profession (what's on the right of the chart) will be discussed in a moment. First, let's take a look at what is involved in "meeting the applicable requirements of section 9101 of the ESEA and 34 CFR 200.56(b) or (c)."

ESEA Requirements

Handout B-13 contains section 9101 of the ESEA. NCLB's regulatory provisions at §200.56(b) and (c) were presented under Slide 11's discussion. Rather than repeat them here, how about an easier-to-read list of bullets emphasizing the key elements? If you want to see NCLB's verbatim regulatory language, please refer back to Slide 11.

To meet the applicable requirements at §200.56(b) or (c), all special educators teaching multiple subjects at the *elementary school level* must:

- Have at least a Bachelor's degree; and
- Pass a rigorous State test that demonstrates their subject knowledge and teaching skills in reading/language arts, writing, mathematics, and other areas of the basic elementary school curriculum.

All special educators teaching multiple subjects at the *middle or secondary school level* must:

- Have at least a Bachelor's degree; and
- Comply with HQT requirements as specified for whichever of the two options describes them—are they *new* to the profession and *not new*?

The requirements for teachers new to the profession and those who are not new are strikingly similar. The only difference is that teachers not new to the profession have one more option for meeting highly qualified requirements—HOUSSE (to be discussed on Slide 15). There's a side by side comparison on the next page, which will make that easier to see.

IDEA's Requirements

As the graphic depiction above shows, special educators teaching multiple subjects may also be considered highly qualified if they meet the criteria specified at §300.18(d)(2) or (3), which divides the question into criteria for those not new to the profession [§300.18(d)(2)] and those who are new [§300.18 (d)(3)]. Not surprisingly, IDEA's requirements largely track NCLB's (although not entirely), including:

- stipulating that teachers not new to the profession must demonstrate competence in all the core academic subjects they teach "in the same manner as is required for an elementary, middle, or secondary school teacher who is not new to the profession" under §200.56 (i.e., NCLB's provisions, which we just discussed); and
- allowing teachers not new to the profession to demonstrate competence via the HOUSSE

the State has established. (A brief explanation of HOUSSE is offered further below, a topic that will be examined in more detail on Slide 17.)

Additionally, the provision at §300.18(d)(3)—which is discussed on the next slide—allows teachers who *are* new to the profession (and who are already highly qualified in mathematics, language arts, or science) to utilize the State's HOUSSE as a mechanism for demonstrating subject-matter competency in the other core academic subjects they teach not later than two years from the date of employment. As the Department summarizes:

> Section 300.18(d)(2) and (3) allows teachers who are new and not new in the profession to demonstrate competence in all the core academic subjects in which the teacher teaches using a single, high objective uniform State standard of evaluation (HOUSSE) covering multiple subjects. (71 Fed. Reg. at 46559)

What's HOUSSE? A Brief Explanation

HOUSSE stands for "single, high objective uniform State standard of evaluation." It's basically a mechanism that allows some teachers—especially those who are not new to the profession—to demonstrate their subject-matter competency via the criteria a State may establish. This may include meeting HQT requirements through a combination of teaching experience, professional

continued on page 7-50 ⟶

A Side-by-Side Comparison of HQT Requirements for Teachers New and Not New to the Profession

§200.56(b): For Teachers New to the Profession	§200.56(c): For Teachers NOT New to the Profession
At the middle and high school levels	*At the middle and high school levels*
• Demonstrate a high level of competency by: o Passing a rigorous State test in each academic subject in which the teacher teaches, OR o Successfully completing in each academic subject taught *one* of these: —an undergraduate major; —coursework equivalent to an undergrad major; —a graduate degree; OR —advanced certification or credentialing.	• Demonstrate a high level of competency by: o Passing a rigorous State test in each academic subject in which the teacher teaches, OR o Successfully completing in each academic subject taught *one* of these: —an undergraduate major; —coursework equivalent to an undergrad major; —a graduate degree; OR —advanced certification or credentialing. OR • Demonstrate competency in each academic subject through a HOUSSE.

continued from page 7-49

development, and subject-matter knowledge gained through working the field. In many States, "[a] teacher may choose this route instead of demonstrating competency through examination, college major, college major equivalency, graduate degree, or advanced certification in the core content area taught" (National Evaluation and Technical Assistance Center for the Education for Children and Youth Who Are Neglected, Delinquent or At Risk, n.d.).[1]

Who is Considered a New Teacher?

An inescapable question comes with these provisions and their reference to whether a special educator is new to the profession or not new: What's considered "new?"

IDEA does not define this term. "States have the authority to define which teachers are new and not new to the profession," the Department writes in the Analysis of Comments and Changes. "However, those definitions must be reasonable." (71 Fed. Reg. at 56560) And as stated in its non-regulatory guidance on improving teacher quality:

> [T]he Department strongly believes that a teacher with less than one year of teaching experience is "new" to the profession (see Question A–6). (The guidance is available at *http://www.ed.gov/programs/teacherqual/guidance.doc*). This guidance is applicable to determinations of when a person is new or not new to the profession under …§300.18(c) and (d)(2). (*Id.*)

Summary

IDEA clearly aligns its HQT requirements for special educators teaching multiple subjects with the HQT requirements of NCLB. The provisions at §300.18(d) "provide flexibility for teachers who teach multiple core academic subjects exclusively to children with disabilities" (71 Fed. Reg. at 46559). One additional element, however, must be examined and is the focus of the next slide.

[1] National Evaluation and Technical Assistance Center for the Education for Children and Youth Who Are Neglected, Delinquent or At Risk. (n.d.). *What is HOUSSE?* Retrieved May 4, 2007, from www.neglected-delinquent.org/nd/resources/legislate/HQT/HOUSSE.asp

Slide 16

Highly Qualified Teachers in IDEA *(Slide 11 of 12)*

View 1

Highly Qualified Teachers in IDEA

Special education teachers
teaching multiple subjects

New special education teachers who teach multiple core academic subjects and are highly qualified in *mathematics*, *language arts*, or *science* at the time they are hired…

Slide loads with this view.

Click 1

Highly Qualified Teachers in IDEA

Special education teachers
teaching multiple subjects

New special education teachers who teach multiple core academic subjects and are highly qualified in *mathematics*, *language arts*, or *science* at the time they are hired…

… have two additional years from the date of hiring to become highly qualified in other academic subjects they teach

Click 1: Conclusion of sentence appears.

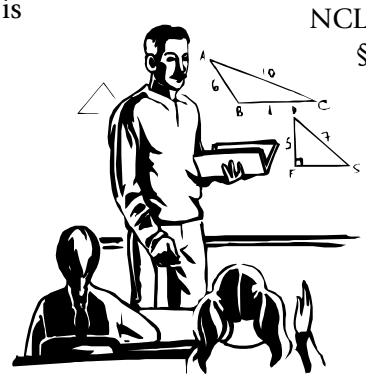
CLICK AGAIN to advance to next slide.

(discussion on next page)

1 Click

Slide 16 closes the conversation on HQT requirements for special educators who are teaching multiple subjects by taking a look at §300.18(d)(3), which appears on **Handout B-14** and reads as follows:

> (3) In the case of a new special education teacher who teaches multiple subjects and who is highly qualified in mathematics, language arts, or science, demonstrate, not later than two years after the date of employment, competence in the other core academic subjects in which the teacher teaches in the same manner as is required for an elementary, middle, or secondary school teacher under 34 CFR §200.56(c), which may include a single HOUSSE covering multiple subjects.



The audience will no doubt recognize many familiar phrases in this provision, including "in the same manner as is required…" and "a single HOUSSE." What's at issue in this provision is how a new special educator of multiple subjects who is already highly qualified in mathematics, language arts, or science demonstrates subject-matter competency in the other core academic subjects he or she teaches. The provision gives these teachers two years after the date of employment to do so. And, as the familiar phrases indicate, they do so in the same manner as is required under NCLB's regulations at §200.56, which may include using the mechanism established in a State's single HOUSSE covering more than two subjects.

Clarifying "Two Years After…"

Responding to questions received during the public comment period following release of draft regulations for Part B included, the Department clarifies that the phrase "two years after the date of employment" is interpreted as meaning "2 years after employment as a special education teacher" (71 Fed. Reg. at 46561).

Slide 17

Highly Qualified Teachers in IDEA *(Slide 12 of 12)*

View 1

Highly Qualified Teachers in IDEA

Special education teachers
who support regular instruction

Slides loads with this view.

Click 1

Highly Qualified Teachers in IDEA

Special education teachers
who support regular instruction

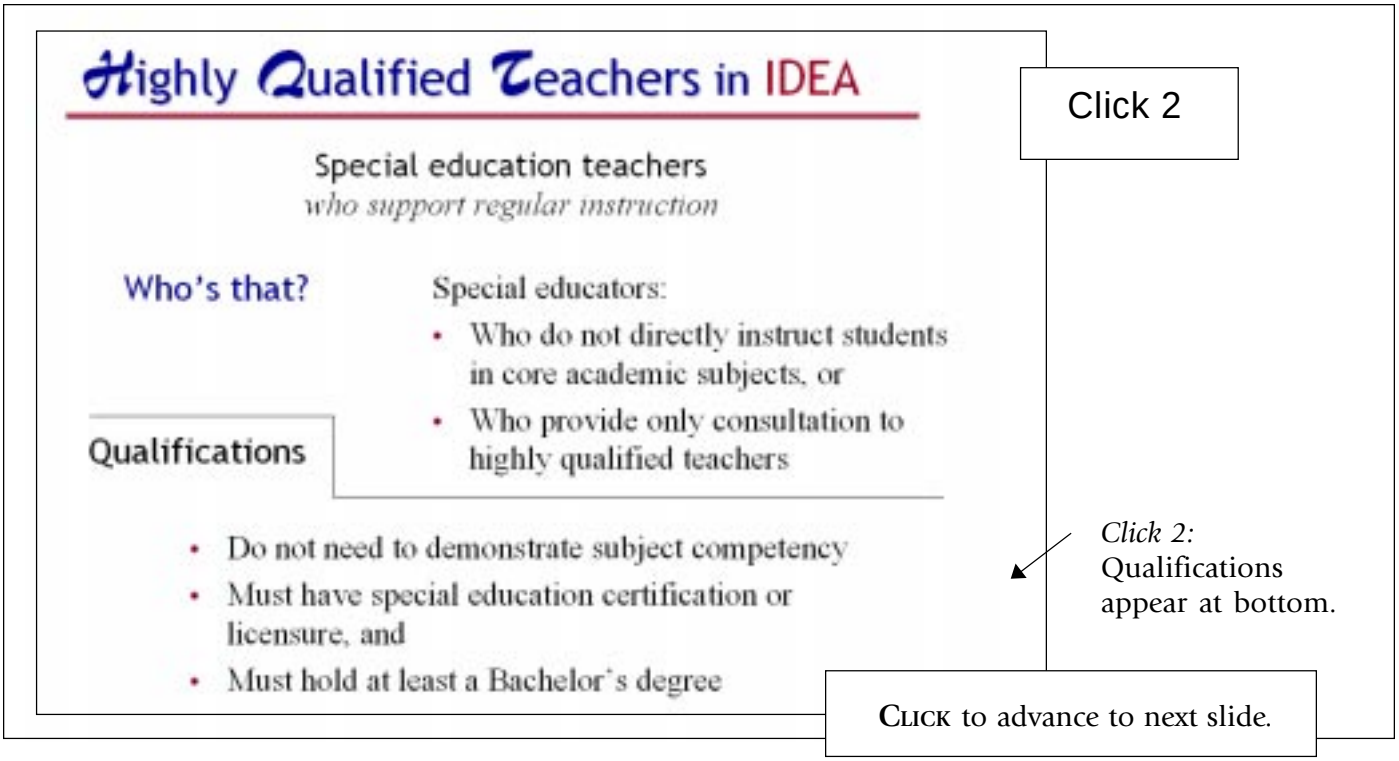
Who's that?

Special educators:

- Who do not directly instruct students in core academic subjects, or
- Who provide only consultation to highly qualified teachers

Click 1:
Picture lifts away and this view appears, describing the type of teacher in focus.

(discussion on next page)



Slide 17: Background and Discussion

2 Clicks

Slide 17 is the last slide in the series of 12 on IDEA's HQT requirements for special educators. So far, we've look at what's required of special educators:

- in general;
- who teach core academic subjects;
- who teach in public charter schools;
- who teach to alternate achievement standards; and
- who teach multiple subjects.

What about special educators who *support* regular instruction? What teachers does this include, and what qualifications must they meet?

Who They Are

As the slide indicates, we're talking about teachers who do not directly instruct children in core academic subjects or those who only provide consultation to highly qualified teachers. IDEA does not define "consultative services" and, as the Department notes, that definition and "whether a special education teacher provides consultation services are matters best left to the discretion of each State" (71 Fed. Reg. at 46558). However, examples are useful here, and the Department sketches a picture of common activities in which such teachers might be engaged.

> These special educators could provide consultation services to other teachers, such as adapting curricula, using behavioral supports and interventions, or selecting appropriate accommodations for children with disabilities. They could also assist children with study skills or organizational skills and reinforce instruction that the child has already received from a highly qualified teacher in that core academic subject. (71 Fed. Reg. at 46557-8)

What IDEA Requires

While IDEA does not require that these teachers demonstrate their subject-matter competency, it does require them to hold at least a Bachelor's degree and have special education certification or licensure in the State in which they teach. These are recognizably two of IDEA's basic requirements for special educators in general.

Slide 18

Meeting Highly Qualified Requirements: HOUSSE

View 1

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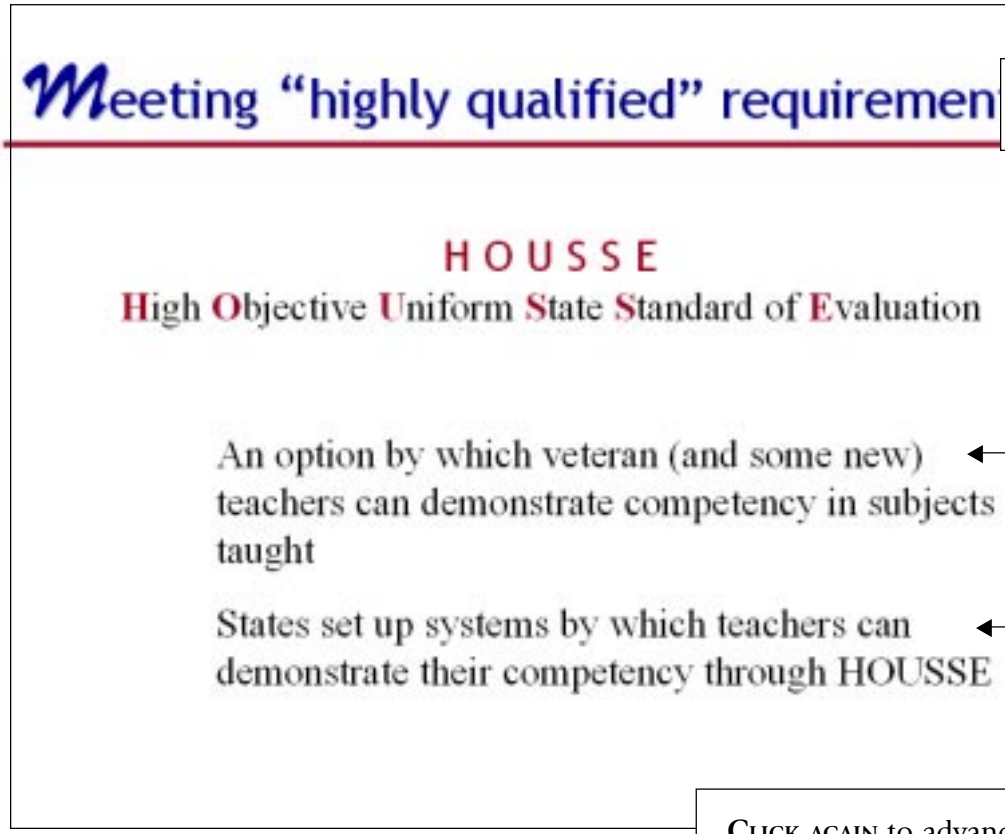


Clicks 1-2

Click 1:
Paragraph 1 appears.

Click 2:
Paragraph 2 appears.

CLICK AGAIN to advance to next slide.

(discussion on next page)

2 Clicks

At last, we get to the topic of HOUSSE. It's conceptually easy to understand, although it plays out differently from State to State, as befits each State's needs and design.

Defining HOUSSE

The slide provides a summary of what HOUSSE means and the role it can play in permitting teachers to demonstrate their competency in each subject they teach for the purposes of being considered highly qualified. Under NCLB, States are given the option of developing a HOUSSE for this purpose. IDEA has aligned its own HOUSSE provisions with those in NCLB and gives States the option to develop a "separate HOUSSE for special education teachers" (71 Fed. Reg. at 46559).

HOUSSE is essentially an evaluation mechanism, with its minimum criteria established in section 9101(23)(C)(ii) of the ESEA. State have flexibility in developing their HOUSSE evaluation as long as these criteria are met. The criteria, as provided by the Department in the Analysis of Comments and Changes, are cited in the box at the right.

The ESEA also permits States to include multiple, objective measures of teacher competency in their HOUSSE. For each measure, however, a standard that is high, objective, and uniform must be established; this is the standard that "the candidate is expected to meet or to exceed" (71 Fed. Reg. at 46559). Furthermore, "[t]hese standards for evaluation must be applied to each candidate in the same way" (*Id.*).

HOUSSE for Special Education

The Department believes that it is appropriate and consistent with the Act for the final Part B regulations to permit States to develop a separate HOUSSE for special education as a method by which special educators can demonstrate subject-matter competency. (*Id.*) Accordingly, §300.18(e) states:

> (e) *Separate HOUSSE standards for special education teachers.* Provided that any adaptations of the State's HOUSSE would not establish a lower standard for the content knowledge requirements for special education teachers and meets all the requirements

HOUSSE Criteria Established in ESEA Section 9101(23)(C)(ii)

As summarized in the Analysis of Comments and Changes a ccompanying publication of the final Part B regulations (71 Fed. Reg. at 46559), the criteria included in a State's HOUSSE must:

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

for a HOUSSE for regular education teachers—

(1) A State may develop a separate HOUSSE for special education teachers; and

(2) The standards described in paragraph (e)(1) of this section may include single HOUSSE evaluations that cover multiple subjects.

These provisions appear on **Handout B-14**. It's important to note that any adaptations a State might make to the State HOUSSE for regular educators in order to create a separate HOUSSE for special education may not lower the standard for the content knowledge that special educators must possess in order to be considered highly qualified.

An additional observation: While IDEA permits States to establish a separate HOUSSE for special education, this does not mean that the HOUSSE may establish separate procedures or requirements for teachers who teach children with a specific type of disability. This would not be appropriate, the Department states, nor is it necessary:

> All children with disabilities, regardless of their specific disability, should have teachers with the subject matter knowledge to assist them to achieve to high academic standards. (71 Fed. Reg. at 46560)

States' HOUSSE Policies

You can find out more about each State's HOUSSE policies—and HQT requirements, for that matter—by visiting the Education Commission of the States, which has been tracking this element of teacher quality for several years. This information is available at: www.ecs.org/ecsmain.asp?page=/html/educationissues/teachingquality/housse/houssedb_intro.asp

The Department of Education, of course, collects quite specific information from State as well and makes much of this available online. Resources in which you or your audience may be interested include:

- The revised State plans for highly qualified teachers http://www.ed.gov/programs/teacherqual/hqtplans/index.html
- Fact sheet on results of peer review of revised State plans http://www.ed.gov/nclb/methods/teachers/stateplanfacts.html

The Future of HOUSSE

In September 2006, the Secretary of Education, Margaret Spellings, wrote a key policy letter to the Chief State School Officers that began:

> To meet the goal that all students will be on grade level in reading and mathematics by 2014, we need to pick up the pace in our efforts to ensure that all core academic subjects are taught by highly qualified and effective teachers.[1]

Part of that letter discussed the role of HOUSSE in allowing teachers to become highly qualified, and all of the letter reflected the Department's dissatisfaction with the process. For example:

> … as a matter of policy and good education practice, we continue to strongly encourage States to eliminate the use of HOUSSE procedures to the extent practicable. As noted above, too many States have HOUSSE procedures that provide relatively weak indicators of a teacher's attainment of subject-matter knowledge. In particular, the Department is concerned about the practice of allowing teachers who have been assigned to teach new subjects, for which they have had little preparation, to use non-rigorous HOUSSE procedures to quickly demonstrate subject-matter competency. I urge you to reexamine your HOUSSE procedures to ensure that this is not the case in your State. Our students and parents deserve no less. (*Id.*)

The Secretary also referenced an earlier letter sent to the Chief State School Officers, this one by Assistant Secretary Henry Johnson (on March 21, 2006), wherein each State was asked to describe in a resubmitted State plan how "the SEA would limit the use of HOUSSE procedures for teachers hired after the end of the 2005-06 school year to three situations." (*Id.*) Those three situations were:

- secondary school teachers teaching multiple subjects in eligible rural districts who were highly qualified in one subject at the time of hire;
- special education teachers teaching multiple subjects who were highly qualified in language arts, mathematics, or science at the time of hire; and
- teachers from other countries teaching here on a temporary basis.

The States accordingly resubmitted plans, which were subjected to a rigorous peer review process that involved a team of 31 teacher quality experts and administrators who measured the plans against a six-point protocol of success. The Department was "very encouraged" by the results. Drawing from Secretary Spellings' letter to the Chiefs, here are some of those results.

- Nine States (Kansas, Louisiana, Maryland, Nevada, New Jersey, New Mexico, Ohio, South Carolina, and South Dakota) prepared plans that, according to the peer review, comprehensively addressed all of the required components the Department had identified.
- Many States proposed actions consistent with the request to limit the use of HOUSSE procedures.
- Given that most States are committed to limiting or eliminating the use of HOUSSE procedures, the Department intends to pursue the further phaseout of HOUSSE procedures through the reauthorization of the No Child Left Behind Act (NCLB).
- In the interim the Department will focus on the very important requirement in the Title I statute of ensuring that "poor and minority" children have the same access to highly qualified teachers as all other children.

The two Department Web site addresses given above under "States' HOUSSE Policies" will lead you to the revised State plans and a fact sheet on the results of the peer review, respectively. Secretary Spellings' letter can be found online at: http://www.ed.gov/policy/elsec/guid/secletter/060905.html

Because NCLB is currently in the process of reauthorization—the Administration released its "blueprint" for a reauthorized law in January 2007—HOUSSE policies in law, regulation, and operation are obviously going to be affected, especially if HOUSSE *is* phased out in NCLB. Stay tuned to reauthorization "happenings" via the Department's online page on the subject, at: http://www.ed.gov/nclb/overview/intro/reauth/index.html

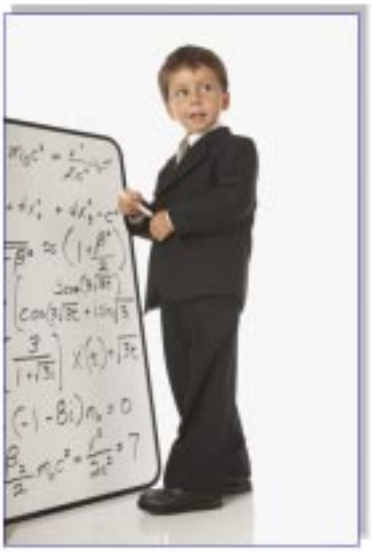
1 Spellings, M. (2006, September 5). *Key policy letters signed by the Education Secretary or Deputy Secretary:*

Slide 19

Frequently Asked Questions *(Slide 1 of 3)*

Frequently Asked Questions

Q: If a veteran regular education teacher becomes certified in special education and is re-assigned as a special educator, is that teacher considered a "new" special educator under IDEA?



View 1

The slide loads Question 1.

Frequently Asked Questions

Q: If a veteran regular education teacher becomes certified in special education and is re-assigned as a special educator, is that teacher considered a "new" special educator under IDEA?

Q: If a special education teacher taught in State 1 and now teaches in State 2, is he or she considered "new" in State 2?

Click 1

Click 1: Now for Question 2.

CLICK AGAIN to advance to next slide.

(discussion on next page)

1 Click

We're in the homestretch now, entering the last slides, which pose (and answer) several frequently asked questions (FAQ).

Question 1: Regular to Special Educator

This FAQ is: If a veteran regular education teacher becomes certified in special education and is re-assigned as a special educator, is that teacher considered a "new" special educator under IDEA?

Answer: Yes. Reference the Department's Q&A on Highly Qualified Teachers—specifically, Question A-2—available online at: http://idea.ed.gov/explore/view/p/%2Croot%2Cdynamic%2CQaCorner%2C2%2C

Experienced general education teachers may become newly certified in special education as part of their professional development and career plans. Under §300.18(g)(2) (see box below and **Handout B-14**, when they are first hired as a special educator, they are considered a new special educator.

Question 2: When a Teacher Moves to Another State

The 2nd FAQ on Slide 19 is: If a special education teacher taught in State 1 and now teaches in State 2, is he or she considered "new" in State 2?

Answer: No. As the Department responds in its Q&A on HQT:

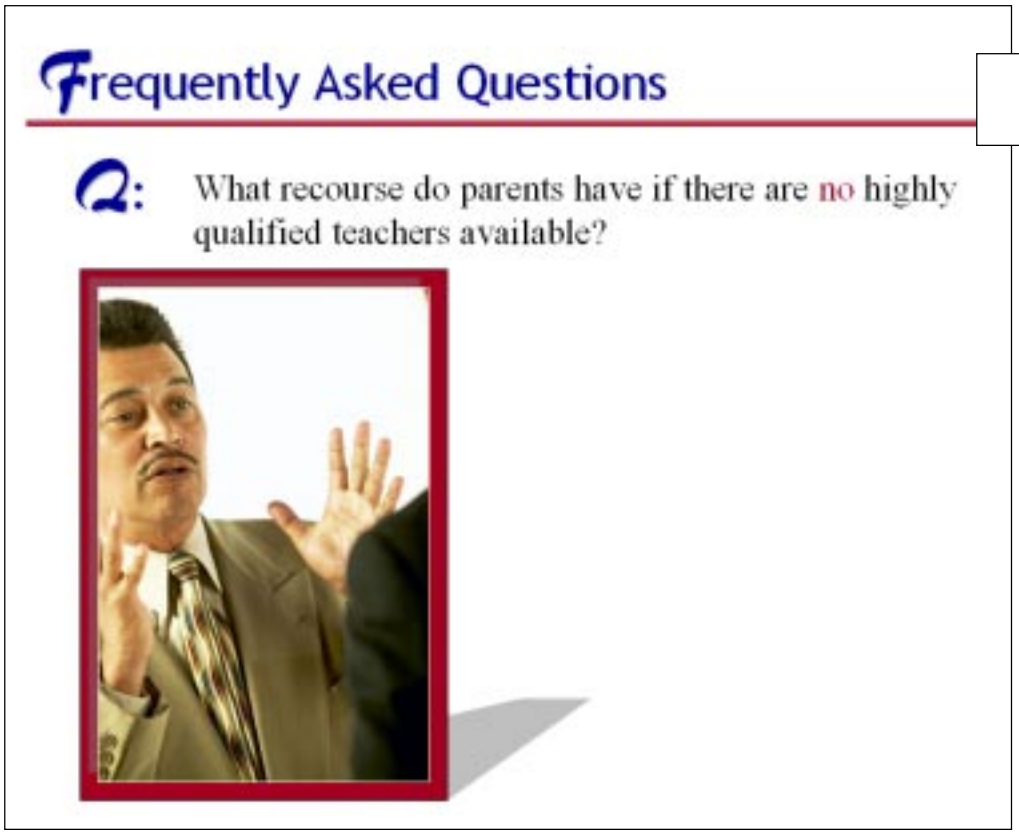
> A special education teacher who has been teaching in one State and begins teaching in a different State is not considered "new to the profession." States may choose to honor another State's licensure or certification and determination of competence in core academic subjects based on the other State's High Objective Uniform State Standards of Evaluation (HOUSSE) procedures. On the other hand, a State may choose to require teachers from other States to satisfy its own certification or licensure requirements, and to demonstrate competency in the core academic subjects that they teach under the new State's standards and procedures.[1]

IDEA's HQT Provisions at §300.18(g)(2)

(2) For purposes of §300.18(d)(3), a fully certified regular education teacher who subsequently becomes fully certified or licensed as a special education teacher is a new special education teacher when first hired as a special education teacher.

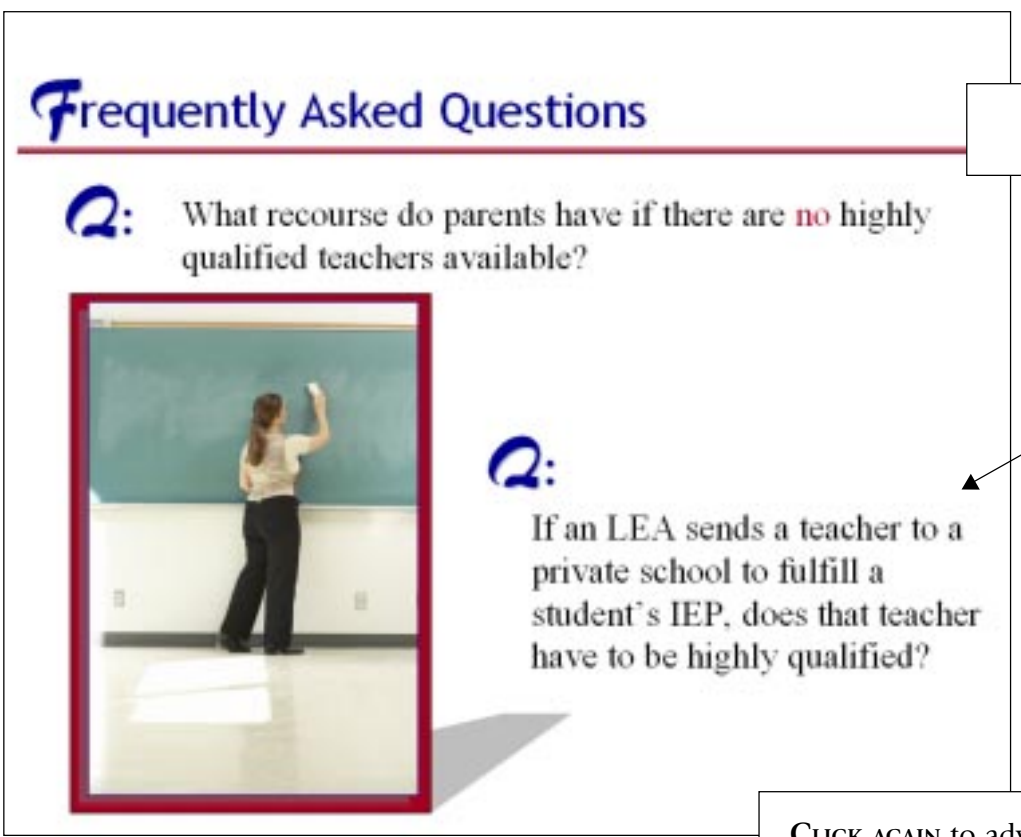
1 U.S. Department of Education. (2007, January). *Questions and answers on highly qualified teachers serving children with disabilities*. Washington, DC: Author. Available online at: http://idea.ed.gov/explore/view/p/%2Croot%2Cdynamic%2CQaCorner%2C2%2C

Frequently Asked Questions *(Slide 2 of 3)*



View 1

The slide loads Question 1.



Click 1

Click 1: Now for Question 2.

CLICK AGAIN to advance to next slide.

(discussion on next page)

1 Click

Slide 20 takes up two more frequently asked questions about the HQT requirements in IDEA.

Question 1: Parent Recourse

This FAQ is: What recourse do parents have if there are no highly qualified teachers available?

Answer: Here again, we'd like to reference the Department's Q&A of January 2007 (see Question C-1).[1] A similar question was asked, and the answer is very relevant. The Department said:

> Questions about whether a teacher is highly qualified are not ones on which parents or students can get any relief through a due process hearing. See 34 CFR §§300.18(f) and 300.156(e). The language in the regulation that 'nothing in this part shall be construed to create a right of action' means that a claim that a teacher is not highly qualified may not serve as a basis for relief for an individual student or class of students under IDEA.[1] (p. 5)

So what's a parent to do, then? Again, from the Department's Q&A:

> If concerns arise about whether a special education teacher is highly qualified, the Department encourages parents to try to resolve issues at the school level. It would make sense for them to talk to their child's principal first, before doing anything else, to find out what the school is doing to ensure that the teacher gets the training that he or she needs to meet the highly qualified standards. If they are not satisfied with the steps the LEA is taking, they could file a complaint with the State educational agency (SEA). An organization or an individual other than a parent of a child served under IDEA may also file a complaint about staff qualifications with the SEA, consistent with the State complaint procedures in 34 CFR §§300.151 through 300.153. (*Id.*)

Question 2: Private School Teachers

This FAQ is: If an LEA sends a teacher to a private school to fulfill a child's IEP, does that teacher have to be highly qualified?

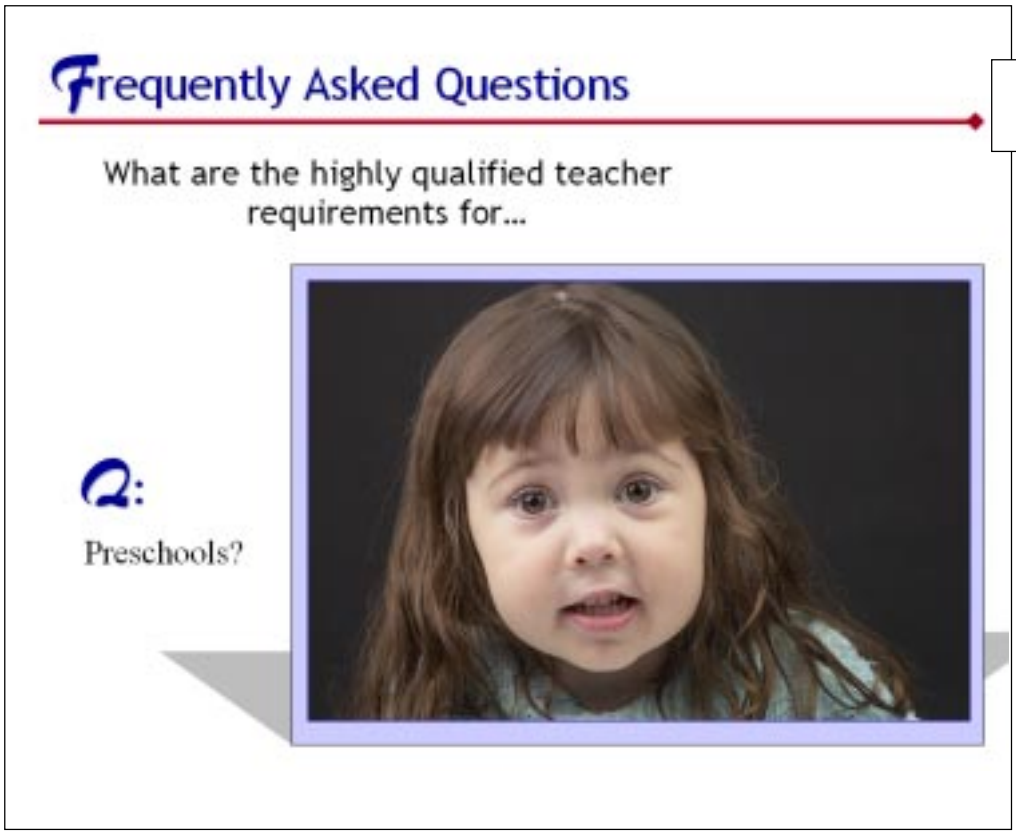
Answer: Yes, any public elementary or secondary school teacher must meet the highly qualified requirements under both NCLB and IDEA. (*Id.*, Question H-2, p. 10)

Note: The provisions regarding highly qualified special education teachers and private schools are found at §§300.18(h), 300.138, and 300.146(b). Participants have the first of these on **Handout B-14**. The module on parentally-placed private school children with disabilities (Module 16) extensively discusses both §§300.138 and 300.146(b); the handouts for Theme D include them.

[1] U.S. Department of Education. (2007, January). *Questions and answers on highly qualified teachers serving children with disabilities*. Washington, DC: Author. Available online at: http://idea.ed.gov/explore/view/p/%2Croot%2Cdynamic%2CQaCorner%2C2%2C

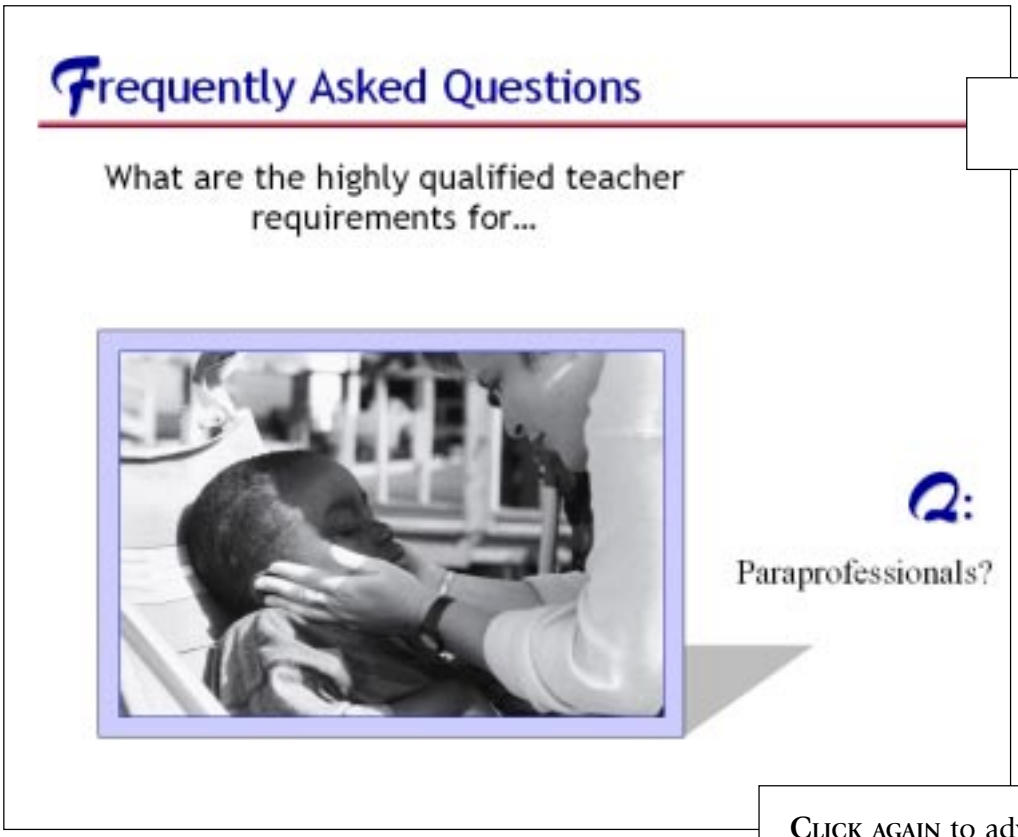
Slide 21

Frequently Asked Questions *(Slide 3 of 3)*



View 1

The slide loads Question 1: HQT requirements for preschools.



Click 1

Click 1: Now for Question 2: HQT requirements for paraprofessionals.

CLICK AGAIN to advance to next slide.

(discussion on next page)

1 Click

Slide 21 takes up the last two FAQs in this training module on the HQT requirements in IDEA.

Question 1: HQT for Preschool

This FAQ is: What are the highly qualified teacher requirements for… preschool?

Answer, again from the Department's January 2007 Q&A:

> The highly qualified special education teacher requirements apply to all public elementary and secondary school special education teachers, including early childhood or preschool teachers if a State includes the early childhood or preschool programs as part of its elementary and secondary school system. If the early childhood or preschool program is not a part of a State's public elementary and secondary school system, the highly qualified special education teacher requirements do not apply.[1] (Question E-1, p. 7)

Question 2: HQT for Paraprofessionals

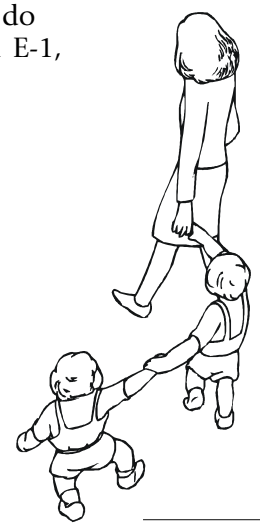
This FAQ is: What are the highly qualified teacher requirements for…paraprofessionals?

Answer, yet again from the Department's January 2007 Q&A:

> Qualifications for paraprofessionals must be consistent with any State-approved or State-recognized certification, licensing, registration, or other comparable requirements that apply to the professional discipline in which those personnel are providing special education or related services. Paraprofessionals and assistants may be used to assist in the provision of special education and related services to children with disabilities if they are appropriately trained and supervised, in accordance with State law, regulation, or written policy. (*Id.*, Question I-1, p. 11)

The Department also discussed this matter in the Analysis of Comments and Changes that accompanied publication of the final Part B regulations. In addition to answer the question in the same way, the Department went on to say:

> In addition, the ESEA requires that paraprofessionals, including special education paraprofessionals who assist in instruction in title I-funded programs, have at least an associate's degree, have completed at least two years of college, or meet a rigorous standard of quality and demonstrate, through a formal State or local assessment, knowledge of, and the ability to assist in instruction in reading, writing, and mathematics, reading readiness, writing readiness, or mathematics readiness, as appropriate. Paraprofessionals in title I schools do not need to meet these requirements if their role does not involve instructional support, such as special education paraprofessionals who solely provide personal care services. For more information on the ESEA requirements for paraprofessionals, see 34 CFR 200.58 and section 1119 of the ESEA, and the Department's nonregulatory guidance, *Title I Paraprofessionals* (March 1, 2004), which can be found on the Department's Web site at: *http:// www.ed.gov/policy/ elsec/guid/paraguidance.pdf*.
>
> We believe these requirements are sufficient to ensure that children with disabilities receive services from paraprofessionals who are appropriately and adequately trained. (71 Fed. Reg. at 46554)



[1] U.S. Department of Education. (2007, January). *Questions and answers on highly qualified teachers serving children with disabilities.* Washington, DC: Author. Available online at: http://idea.ed.gov/explore/view/p/%2Croot%2Cdynamic%2CQaCorner%2C2%2C

Slide 22

Resources of More Information on HQT

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CLICK to advance to next slide.

Throughout this module we've provided an extensive listing of resources. We haven't included these in the handouts because trainers know their audiences best and are, therefore, in the best position to decide which of these resources—or others they identify, including State-level ones—they'd like to share with participants.

Use this slide to talk about resources of most interest and relevance to your audience. Consider providing a handout of your own design for folks to carry away for later reference, information gathering, and connection.

Slide 23 Round-Up! *(Last Slide)*

Slide loads fully. No clicks are necessary except to END the slide show.

CLICK to END the slide show.

Use this slide for a review and recap of your own devising, or open the floor up for a question and answer period. You may even wish to add questions of your own (and answer them!), drawing from the Department's Q&A as we did. Depending on how much time you have available for this training session, you can have participants work in small groups to make a quick list of what information they've gleaned from this session; or once again revisit the opening activity and the list of qualifications they'd like to see regular and general educators have. Emphasize the local or personal application of the information presented here.