



Exception for an Orderly Transition: Highly Qualified Teachers

[Recent communications](#) from the USDOE have clarified that section 1119 of NCLB, which requires all teachers of core academic subjects in the State to be “highly qualified,” is among the provisions of the ESEA, as reauthorized by NCLB, that States are **not** required to implement in the 2016-17 school year in order to facilitate an orderly transition to the ESSA. Highly qualified is a term that originated and was defined in NCLB. Information on this definition and how requirements have been implemented in Colorado can be found at http://www.cde.state.co.us/fedprograms/tii/a_hqt.

Special Education

Although States will not be required during the 2016-17 school year to ensure that teachers, including special education teachers, are highly qualified, the ESSA maintains the requirement that a person employed as a special education teacher in elementary school, middle school, or secondary school has:

- obtained full certification as a special education teacher (including certification obtained through alternative routes to certification), or passed the State special education teacher licensing examination,
- holds a license to teach in the State as a special education teacher,
- holds a bachelor’s degree.

States must continue to comply with these certification requirements during the 2016-2017 school year and beyond while the current authorization of the Individuals with Disabilities Education Act (IDEA) is in effect.

Teacher Qualifications in ESSA

Section 1112 of the ESSA requires that LEAs ensure that all teachers and paraprofessionals working in a program supported with Title I funds meet applicable State certification and licensure requirements. Section 22-63-201 of article 63 (Teacher Employment, Compensation, and Dismissal) in Colorado prohibits the board of a school district from entering into an employment contract with any person as a teacher “unless such person holds an initial or a professional teacher’s license or authorization issued pursuant to the provisions of article 60.5”. Colorado has no statutory requirements for the qualifications of instructional paraprofessionals.

CDE is encouraging LEAs to continue to prioritize the hiring of appropriately licensed teachers who have demonstrated subject matter competency in their teaching subject area during the 2016-17 school year. Although Colorado law does not require the endorsement subject area on a teacher’s license to match the assigned teaching subject area, ESSA will require States to report percentages of teachers who are in-field and out-of-field. CDE is currently working with stakeholders

(http://www.cde.state.co.us/fedprograms/essa_stateplandevelopment_effectiveinstruction) to define these terms in the ESSA State Plan. Charter schools with waivers from 22-63-201 are encouraged to continue to prioritize the hiring of teachers who have demonstrated subject matter competency in their teaching area during this same time.

Parent Notification

What do LEAs and schools need to let parents know about teacher qualifications?

Notification	NCLB	2016-17	ESSA (Begins 2017-18)
Parents Right to Know	All LEAs receiving Title I funds must notify parents of their right to request information on their child's teacher's qualifications. This is to be done at the beginning of every school year.	LEAs must continue to provide this notification.	Same as NCLB
Four-Week Rule	If a student is being instructed -- for longer than four weeks -- by a teacher/substitute teacher who does not meet HQ requirements, a letter informing the students' parents of this information must be sent in a timely manner.	LEAs may do one of the following: <ul style="list-style-type: none"> • Provide the same notice as was required under NCLB if the LEA is continuing to require teachers to meet NCLB highly qualified requirements. • Prepare to begin providing the 4-week notification required under ESSA. • Begin providing the 4-week notification required under ESSA. 	A school that receives Title I funds must provide timely notice to the parent of any student who has been assigned, or has been taught for 4 or more consecutive weeks by, a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

Templates and examples of the above referenced (NCLB) notifications can be found at http://www.cde.state.co.us/fedprograms/tii/a_hqt.

Data and Reporting

The ESSA, effective July 1, 2017, requires SEAs to annually report to the USDOE the following:

- Information on the professional qualifications of teachers in the State, including information on the number and the percentage of the following teachers:
 - Inexperienced teachers



- Teachers teaching with emergency or provisional credentials
- Teachers who are not teaching in the subject or field for which the teacher is certified or licensed.

LEAs will not be required to report the highly qualified status of any teachers to CDE in the 2016-17 school year. In order to ensure an orderly transition to ESSA, the following data elements related to teacher qualifications will continue to be collected through the Human Resources (General Education) and December Count Staff (Special Education) snapshots:

- Teaching subject area
- Grade level
- Subject area of degree
- 24 semester hours in subject area
- Passage of Colorado State Board approved content exam
- License type
- Subject area of endorsement

The following data elements will no longer be collected as they were unique to NCLB HQT requirements and are not applicable to Colorado State licensure requirements:

- Highly qualified for assignment
- Passed HOUSSE provision (elementary, SpEd, rural)
- Passed NCLB approved out-of-state elementary content exam

The above mentioned snapshots will also include a report to assist LEAs in understanding how their teachers will meet State licensure requirements under ESSA.

Frequently Asked Questions

Q: NCLB highly qualified requirements required Special Education teachers in elementary schools to pass the Elementary PLACE or PRAXIS. Does this requirement go away too?

A: No. Colorado law requires that Special Education Generalists pass both the Special Education and Elementary Education content exams in order to obtain the Special Education Generalist endorsement on their license.

Q: Do these changes mean that my physical education teacher can now teach secondary mathematics?

A: NCLB highly qualified requirements required teachers to have demonstrated subject matter competency in their specific teaching content area. While our state law outlines that all teachers must have a license, our state laws currently do not include such a requirement for hiring. CDE is currently investigating what changes may be needed to meet the new ESSA requirements. Also note that ESSA will require CDE to report the number and percentage of teachers who are teaching out of their endorsed field beginning in 2017-18. CDE encourages districts to continue to prioritize the hiring of teachers who have demonstrated subject matter competency in their teaching subject area.



Q: Do Title I schools still need to provide the 4-week letter if the teacher is not HQ?

A: See the table on the previous page that outlines parent notification requirements during the transition year.

Questions for which CDE is Seeking Answers

- How will qualified charter school teachers be identified in annual reports by States that allow these schools to waive teacher licensure requirements?
- How will qualified paraprofessionals be identified in annual reports by States that do not have statutory requirements for these positions?

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