Highly Qualified Teacher, NCLB-Style

This exercise has the following objectives:

1. to demonstrate understanding of course content by applying it to the "highly qualified teacher" aspects of NCLB, especially as they pertain to English Language Learners;
2. to integrate creatively different parts of English Language Learner education that we have covered in this course; and
3. to use course content to engage in real-world policy shaping

**********************************************

Scenario: One of your best friends from college now lives in Washington, working for Congressman George Miller who is Chairman of the House Education and Labor Committee. The Committee continues to work on the reauthorization of No Child Left Behind (NCLB), and your friend, though being new, is asked to organize a committee hearing on the issue of teacher qualifications, especially as they pertain to teachers of English Learners. Since California is considered “advanced” as a state in this regard with the CLAD/BCLAD certification, you are asked for advice into what might go into such a hearing.

Your friend says that he will be coming to the Bay Area soon, and that he would like to bring Congressman Miller to Stanford to get your advice on how to put together the most productive and informative hearing possible. You should know that Miller does not like hype; he's totally about substance, so you should organize accordingly. He is also author of NCLB – it’s his baby, and so even though he is aware of some of its weaknesses, his interest is to mend it, not end it.

Create a poster that you would use in outlining your proposal for how the committee hearing could be organized. What topics should be covered--and why? How would you cover these topics? What sorts of individuals would you invite to testify--and why? Be sure to include elements from the course, if only to make the instructors of the course happy, because some of them know George Miller. What should a highly qualified teacher of English Learners know and be able to do, and how can you help Rep. Miller and his committee come to an adequate understanding of this most effectively in a public hearing? Be creative!

The hearing will be two hours long, and will be broadcast on C-SPAN (which can result in an invitation to be on the Daily Show). Hearings usually include a string of witnesses or testimonies and can include demonstrations and videos. Usually, you are told, it is good to include a mix of experts, educators, parents, and advocates.

The materials you have are:
• A brief account of NCLB reauthorization and the highly qualified teacher provision, from Education Week.
• California State Department of Education’s interpretation of NCLB on teacher qualifications.
• California Teacher Preparation Standards (taken from your syllabus for Ed. 388; see Course Goals) – examples of some of these standards may come in handy in your orchestration of the hearings.
Holes Found in U.S. Rules on Teachers

‘Highly qualified’ definitions differ broadly across states.

By Debra Viadero

New reports looking at how the teacher-quality provisions of the No Child Left Behind Act are playing out in the nation’s classrooms suggest that, while compliance with the 5½-year-old federal law is widespread, problems and inequities persist and, in the end, labeling a teacher “highly qualified” is no guarantee of effectiveness.

“I think the high compliance rate suggests there were states that set the bar low and, in a way, grandfathered in a lot of teachers,” said Kerstin Carlson Lefloch, a primary author of “Teacher Quality Under NCLB: Interim Report,” a large-scale study released last week by the U.S. Department of Education. “To get to the real story, you have to look below the surface, and that’s where we’re still seeing variation and still seeing inequities.”

Under the wide-ranging federal law, which is up for congressional reauthorization, states had until the end of this past school year to ensure that they were staffing 100 percent of their core academic classes with highly qualified teachers. Such teachers are defined as those who have a bachelor’s degree, are fully certified, and can show mastery of the subjects they teach, either by completing coursework, passing state subject-matter tests, or meeting some other state-set criteria.

By the close of the 2005-06 year, no state had hit the 100 percent mark, according to the Education Department’s latest tally of state reports, which came out in July. On average, states reported that highly qualified teachers were teaching 92 percent of the classes that the law targets that year.

In a July 23 letter to chief state school officers, U.S. Secretary of Education Margaret Spellings said the department would continue its policy of not penalizing states that fell short of 100 percent as long as they were making “good faith” efforts to follow the law.

The studies trickling out now find relatively high compliance rates in schools and districts, as
well as in states. Though based on surveys from the 2004-05 school year, Ms. LeFloch’s report suggests that 90 percent of teachers met their states’ “highly qualified” definition, whether they knew it or not. Nearly a quarter of the teachers did not know their status under the law.

Conducted for the department by the Washington-based American Institutes for Research and the RAND Corp. of Santa Monica, Calif., that report drew on surveys of nearly 13,000 teachers, special educators, paraprofessionals, and administrators in 300 districts across the country.

Another survey, this one taken over the 2006-07 school year and published Aug. 22 by the Center on Education Policy, found 83 percent of 342 districts reporting that they either were already in full compliance with the law or they expected to be by summer vacation. ("NCLB ‘Highly Qualified’ Rules for Teachers Seen as Ineffective," Aug. 29, 2007.)

The Washington-based research and advocacy group also turned up spottier levels of compliance at the state level, though. Officials in 17 of the 50 states polled said they expected to reach their federal teacher-quality targets by this past June—a lower level than states’ official reports to the federal government would suggest.

Standards Vary

States were still having some problems, though, in developing the data systems they needed to accurately determine teachers’ job qualifications and report to parents when their children were being taught by teachers who fall short of that mark, according to the CEP and the AIR-RAND reports.

Also, despite the seemingly widespread attempts to follow the law, the two reports and the Education Department’s figures found that highly qualified teachers were harder to find in some categories and settings than in others. Chief among those areas are special education and instruction of English-language learners; secondary school mathematics and sciences classes; and middle schools, rural schools, and schools with high percentages of children from low-income families and minority students.

Some districts, in fact, faced a double whammy in that regard, researchers said. In the AIR/RAND study, for example, researchers said the percentage of high-minority districts that struggled to attract and retain highly qualified applicants was nearly double that of districts with low-minority enrollments. And a higher proportion of those disadvantaged districts were offering financial incentives and alternative-certification options to attract teachers to their schools—sometimes in competition with other schools and districts in similar straits, the AIR-RAND study notes.

That study also found, however, that state policies for determining what counts as highly qualified vary widely from state to state. For instance, although all but two states had tests of teachers’ content knowledge in place three years after the passage of the NCLB law, the minimum

Counting Coursework
States vary in the amount of subject-matter coursework they consider equivalent to a college major in order for new secondary teachers to meet the content-mastery requirements under the
passing scores spanned a wide range. On the Praxis II teacher test in middle school mathematics, for example, the cutoff ranged from 139 of a maximum score of 200 in South Dakota to 163 in Virginia.

The researchers also found that 47 states had adopted an option under the law—known as the High Objective Uniform State Standard of Evaluation, or HOUSSE provision—that allows them to set their own criteria for determining whether teachers already on the job met the highly qualified standard. The standards differ from state to state in the degree to which teachers get credit for their years on the job vs. credit for measures aimed more directly at assessing their knowledge and practical skills.

One result of that state-to-state variation: “Highly qualified” often meant something different in schools where a high percentage of students were poor than it did in better-off schools.

In the former group, the report found, “highly qualified teachers” tended to be less experienced and less likely to have a degree in the subjects they taught than such teachers in more affluent schools.

“The AIR-RAND report very clearly shows that the federal government has given very poor direction and a variety of mixed signals to states on a whole range of highly qualified teacher provisions,” said Barnett Berry, the president of the Center for Teaching Quality, a research and advocacy group based in Hillsborough, N.C. Rural schools, in particular, needed more resources to attract skilled teachers and boost the subject-matter expertise of existing teachers, he added.

Wrong Criteria?

But Robert C. Pianta, the dean of the education school at the University of Virginia in Charlottesville, said the variation the researchers found might also suggest that federal policymakers are measuring teacher quality the wrong way.

“If almost everybody is already meeting those standards, and we’re still not seeing large achievement gains, then that should give us pause as to whether or not we’re using the right metrics,” Mr. Pianta said in an interview.

For a study published in March in the journal Science, Mr. Pianta and his research partners conducted detailed observations of 5th grade teachers in 20 states. They found that teachers who were labeled “highly qualified” were no more likely than colleagues without that
designation to use effective teaching practices. ("Study Casts Doubt on Value of `Highly Qualified' Status," April 4, 2007.)

Mr. Pianta favors rating teachers on the extent to which they use education practices proven to be scientifically sound as a measure of their highly qualified status.

In the CEP's surveys of the administrators in charge of implementing NCLB’s teacher-quality provisions in 50 states and 349 districts, those officials called the highly-qualified-teacher definition’s focus on content knowledge “too narrow” for accurately identifying good teachers.

“Some of them say whether teachers like kids and can improve the skills of diverse students also are important,” explained Jack Jennings, CEP’s president and chief executive officer. “But that’s hard to measure.”

Other critics, most notably the Commission on No Child Left Behind, a bipartisan panel formed by the Washington-based Aspen Institute to make recommendations for improving the law, would use analyses of student gains on state tests to determine teachers’ highly qualified status.

No study has yet determined whether students learn more from teachers deemed to be “highly qualified” under the current law. In the CEP report, most administrators expressed skepticism that the law had led to student-achievement gains in their schools.

“That’s the big question out there,” said the AIR’s Ms. LeFloch, and one that neither the AIR-RAND nor the CEP study was designed to address.

That AIR-RAND study also found that, while nearly all teachers took part over the 2004-05 school year in the kind of content-focused professional development in reading and mathematics that the federal law promotes, only one-fifth of them had received 24 hours or more of training—the equivalent of a one-week in-service program. Instead, most teachers’ training had totaled six hours or fewer for that year.

The new studies are timely, coming as congressional leaders begin to float ideas for revising the NCLB law. A draft reauthorization plan released last week by House education committee leaders put forth no major proposals for improving the teacher-quality provisions, but U.S. Rep. George Miller, the California Democrat who chairs that committee, said such plans are forthcoming.

Coverage of education research is supported in part by a grant from the Spencer Foundation.
What is the No Child Left Behind Act of 2001?

The No Child Left Behind Act of 2001 (NCLB) reauthorizes the Elementary and Secondary Education Act (ESEA) of 1965 and expands on major reforms, particularly in the areas of state academic standards, assessment, accountability, and school improvement. The new federal law requires states to develop assessments linked to these standards for all students. The largest single program in NCLB is Title I, Part A, which provides local educational agencies (LEAs), or school districts, with additional resources to help improve instruction in high-poverty schools and ensure that poor and minority children have the same opportunity as other children to meet challenging State academic standards.

NCLB sets out several key performance goals for states:

- All students will be taught by highly qualified teachers by the end of the 2005-06 school year
- All students will attain “proficiency” in reading and mathematics by 2014, including students with disabilities and English learners
- All English learners will become proficient in English
- All students will learn in schools that are safe and drug free
- All students will graduate from high school

What is the purpose of this NCLB Teacher Requirements Resource Guide?

This guide has been developed to clarify the federal requirements for the NCLB goal of providing all students with “highly qualified teachers” and to provide practical information for California school districts as they implement them. In general, the federal act requires that teachers:

- Have a bachelor’s degree,
- Have state certification and
- Demonstrate subject matter competence for each core subject they teach.

The guide is intended to provide information for principals, teachers, and district office personnel to help them determine which California teachers currently meet the federal requirements and what steps need to be taken to assist all California teachers in meeting the federal requirements. The steps for making this determination are presented in this guide, including options for demonstrating subject matter competence in the core subject areas. In addition, for teachers who do not yet meet the federal requirements, resources are identified that may assist local educational agencies to ensure that they are in compliance by the end of the 2005-06 school year.

March 1, 2004. The California Department of Education and the California State Board of Education will continue to update this Guide as information becomes available, so please check back periodically for the most current information.
SECTION 1
No Child Left Behind Teacher Requirements and LEA Responsibilities

1.1 What are the NCLB requirements for teachers?

One key goal of the federal reauthorization of the Elementary and Secondary Education Act (ESEA), also known as the No Child Left Behind (NCLB) Act of 2001, is that all students are taught by highly qualified teachers by the end of the 2005-06 school year. To this end, each local educational agency (LEA) must develop a plan to ensure that all elementary, middle and high school teachers who are assigned to teach core academic subjects meet the NCLB requirements to ensure they are highly qualified.

To implement the teacher requirements of the NCLB Act, changes are necessary in order to align current statewide credentialing and professional development practices with NCLB goals. The State Board of Education (SBE), the California Department of Education (CDE), and the California Commission on Teacher Credentialing (CCTC) will work closely with LEAs to provide support for full compliance with NCLB teacher requirements.

It should be noted that some teachers will feel caught in the middle of this change. It is important for those teachers to understand that, while not preferable, they can still be hired even if they have not yet demonstrated compliance with NCLB. LEAs will work with them to ensure NCLB compliance. LEAs are responsible for meeting their annual measurable objective regarding teacher quality. Section One is organized to share the critical information necessary to assist LEAs with compliance.

NCLB provides funding to assist LEAs in meeting their goals of providing every classroom with an NCLB compliant teacher. In particular, Title II of NCLB, Preparing, Training, and Recruiting High Quality Teachers and Principals, requires LEA assurances that professional development funds will be targeted to schools that have the lowest proportion of NCLB compliant teachers; have the largest average class size; or are identified for school improvement (Title II, Sec. 2122). LEAs must give priority to the use of Title I, Part A, funds together with other federal, state and local funds to upgrade the teaching staff and the entire educational program.

1.2 What are the timelines for compliance?

Due to the pressing need to provide NCLB compliant teachers to our Title I schools, there are two timelines related to teacher requirements. Any teacher in a Title I school, or program teaching a core academic subject, who has been hired by the district after the first day of school in 2002-2003, should have been NCLB compliant when hired. All other public school teachers who are teaching core academic subjects must be NCLB compliant by the end of the 2005-06 school year.

1.3 What are the three requirements for NCLB teacher compliance?

A teacher of core academic subjects must have: (1) a bachelor's degree; (2) a state credential or have an Intern Certificate/Credential for no more than three years, and (3) demonstrated core academic subject matter competence.
1.4 What are the core academic subject areas?

NCLB defines core academic subject areas as: English, reading/language arts, mathematics, science, foreign languages, civics/government, economics, arts, history, and geography. Elementary school teachers must demonstrate competence in reading, writing, mathematics and other core academic subject areas of the elementary school curriculum.

1.5 What are the classifications and types of teachers under NCLB?

NCLB recognizes two classifications of teachers: “New” and “Not New”. A “New” to the profession teacher holds a California Credential or a California Intern Credential/Certificate issued on or after July 1, 2002. A “Not New” to the profession teacher holds a California Credential or a California Intern Credential/Certificate issued before July 1, 2002. NCLB recognizes two types of teachers: elementary or middle/high school. The options available for demonstrating subject matter competency differ for each classification and type of teacher (see Chart 1). Note: Under the Title 5 regulations, out-of-state teachers may transfer their NCLB compliance to California, including completion of the original state’s HOUSSE option. Because many teachers are transferring to California before that process has been completed in their original state, it is clear that an interim process is needed to establish NCLB compliance in California for “not new” teachers from out of state. We anticipate that Title 5 regulations will be revised to provide this process.

1.6 What are the options for demonstrating core academic subject competence for “New” teachers?

"New" elementary teachers must pass a California Commission on Teacher Credentialing (CCTC) approved subject matter examination in order to demonstrate subject matter competence. "New" middle/high school teachers have several options to demonstrate subject matter competence. They may pass a CCTC approved subject matter examination or complete one of these coursework options in the core academic subject area: A) a CCTC approved subject matter program, or B) a major, or C) a major equivalent, (32 semester units or the equivalent) or D) possess a graduate degree (see Chart 1, or Diagram 1 and Diagram 2).

1.7 What is the examination process for new elementary teachers and where can that information be found?

NCLB requires all “New” to the profession elementary teachers who receive a Multiple Subject Teaching Credential or a Multiple Subject Intern Credential or Certificate to demonstrate subject matter competency by exam. To conform with NCLB and the California State Board of Education’s State Plan, the CCTC has enacted a timeline for requiring passage of the exam for candidates enrolled in liberal studies programs. Teacher candidates who enroll in a CCTC accredited teacher preparation program on or after July 1, 2004 must pass a CCTC approved exam, currently the California Subject Examination for Teachers (CSET) Multiple Subjects, in order to receive a multiple subjects credential. (For the complete action see CCTC Coded Correspondence 03-0025 at www.ctc.ca.gov).

For NCLB compliance, however, all “New” teachers who received a multiple subjects Preliminary or Professional Clear or an Intern Certificate or Credential on or after July 1, 2002 must pass a CCTC approved subject matter exam to become NCLB compliant (even though they were not required to do so in order to receive a credential). Currently the CSET is the only CCTC approved exam for "New" elementary teachers. The MSAT exam may be used if it was passed within five years of the issuance date for credentialing purposes.
If a special education teacher provides only consultation services to the teacher of core academic subjects, or only delivers special instructional assistance within the classroom where the core academic subject is taught, they do not have to be NCLB compliant. These teachers may carry out activities such as adapting curricula, using behavioral supports and interventions, or selecting appropriate accommodations for students. Additionally, the special education instructor does not have to meet NCLB requirements if he or she assists students with study skills or organizational skills and reinforces instruction that the child has already received from a teacher who is NCLB compliant.

Additional definitions and substantial guidance are anticipated in the re-authorization of the Individuals with Disabilities Education Act (IDEA).

2.5 **Must physical education teachers comply with NCLB teacher requirements?**

No. Currently, NCLB does not define physical education as a core academic subject. Only physical education teachers who teach core academic subject classes, such as the arts (dance) are required to demonstrate NCLB compliance in that subject area. It should be noted that, although physical education is not considered a core academic subject under NCLB, California still requires physical education teachers to be fully credentialed.

2.6 **Must vocational education teachers comply with NCLB teacher requirements?**

Vocational education teachers who teach core academic courses are required to meet the NCLB teacher requirements. The term core academic subjects is defined in NCLB as: English, reading/language arts, mathematics, science, foreign languages, civics/government, economics, arts, history, and geography.

2.7 **Are adult education teachers required to meet the NCLB teacher qualification requirements?**

No. The requirement that teachers be highly qualified applies to public elementary or secondary school teachers who teach a core academic subject. Therefore, because the law applies specifically to elementary or secondary teachers, teachers in adult education do not have to meet the highly qualified definition under NCLB.

2.8 **How will teachers of English learners comply with NCLB teacher requirements?**

Teachers of English learners assigned to teach core academic subjects must meet the same NCLB requirements as other teachers of core academic subjects.

There are additional requirements for teachers hired with funds from NCLB, Title III Language Instruction for Limited English Proficient and Immigrant Students, Part A sub-grants. LEAs receiving Title III funds must certify that all teachers are fluent in English and any other language used for instruction, including having written and oral communications skills. (Title III, Section 3116(c)).

In California, the possession of a Bilingual, Crosscultural, Language and Academic Development (BCLAD) credential or equivalent, authorizes a teacher to provide instruction to English learners in a language other than English, though this is not a requirement for a teacher to meet the definition of “highly qualified teacher” under NCLB.
California Teacher Preparation Program Standards

1. Identify the historical, political, and legal development of bilingual education, and the impact of English Learner placements and instructional programs. (13c)

2. Understand the philosophy, design, goals and characteristics of instructional models and programs designed to meet the needs of English Learners, and explore how each contributes to their language and academic development. (13a)

3. Explore factors related to first and second language acquisition and discuss ways in which they impact teaching and learning in ELD, SDAIE, and mainstream classrooms. Acquire general knowledge of how first language literacy connects to second language development. (13d)

4. Understand how to interpret assessment of English Learners with particular emphasis on the California English Language Development Test (CELDT). Use appropriate measures for initial, progress and summative assessment of English Learners. (13g)

5. Become familiar with materials, methods, and strategies for English Language Development that are responsive to students’ primary language and assessed level of English proficiency. (13b,g)

6. Develop practical experience with designing instruction for English Learners that promotes English language and literacy development, and makes grade-appropriate or advanced curriculum comprehensible. (13e,f)

7. Recognize ways to integrate English learners’ personal experiences, and family and community backgrounds with academic content. (13h)

8. Understand the relationship between programs for English Learners and the state-adopted content standards and frameworks. (13a)

9. Critically examine the attitudes and knowledge of decision-makers, educators, and people in various U.S. communities toward bilingual education. (NCATE)

10. Examine issues of teacher advocacy and student empowerment. (13h)