

**Response to Technical Assistance Request:
Highly Qualified Teacher Requirements for
Special Education Teachers Under the No Child Left Behind Act**

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Background

In response to a technical assistance request for information on how states address the highly qualified teacher (HQT) requirements for special education teachers under the No Child Left Behind (NCLB) Act, the National Comprehensive Center for Teacher Quality (TQ Center) gathered information on seven states. The request specifically focused on how states collect HQT data for special education teachers. The TQ Center initially selected the following four states based on their data systems to collect HQT information: Alabama, Delaware, Georgia, and New Hampshire. Recommendations from the National Association of State Directors of Special Education guided the selection of these four states. The TQ Center also included Colorado, because it recently developed a new data system to track HQT requirements for special education teachers. In addition, Washington and Wyoming were selected because they are examples of how states in the Northwest region approach this issue.

Note: The information collected from these states is intended to provide an example of how states are implementing the NCLB HQT requirements for special education teachers and should not necessarily be viewed as best practices in the field.

Additional Information

For additional information on HQT requirements under the Individuals with Disabilities Education Improvement Act (IDEA), view the U.S. Department of Education's *IDEA Highly Qualified Teachers* website (idea.ed.gov/explore/view/p/%2Croot%2Cdynamic%2CTopicalArea%2C2%2C).

For additional information on data collection on special education teachers under IDEA, view the 2006 publication of the Office of Special Education Programs: *Questions and Answers on the Part B Personnel Data Collection* (www.ideadata.org/docs/PersonnelQAPtB.doc).

To understand how these seven states implement HQT requirements for special education teachers, the TQ Center focused on the following questions:

- 1. Which special education teachers are subject to the HQT data collection requirements in the NCLB Act?**
- 2. How can special education teachers demonstrate subject matter competency?**
- 3. How are data collected on HQT requirements under the NCLB Act and IDEA for special education teachers?**
- 4. Can individualized education programs (IEPs) or conferences be used to notify parents about special education students being taught by non-HQTs?**

Responses to the first three questions came from telephone conversations with state education agency (SEA) staff in Alabama, Colorado, Delaware, Georgia, New Hampshire, Washington, and Wyoming as well as a review of state policy documents from the seven states. Table 1 lists the contacts from each state and provides information for the following: state policy guidance on HQT requirements under IDEA for special education teachers, data collection related to HQT,

and state data codes for teacher data collection. The response to the fourth question is based on feedback from the U.S. Department of Education, Office of Elementary and Secondary Education, because the question requires interpretation of NCLB's parent notification requirement.

Lessons Learned

Two lessons learned emerged from the discussions about HQT efforts with SEA staff. First, states emphasized the importance of working collaboratively across departments (i.e., special education, licensure, information systems, and federal grant programs) to track HQT requirements for special education teachers. One state described how efforts to track the HQT status of special education teachers led to the collaboration of multiple departments within the SEA that previously had not worked together. Collaboration allows the SEA to identify existing sources of HQT data and jointly develop a plan for producing a comprehensive system of data collection to meet reporting needs.

Second, at least two states cited the importance of training and technical assistance for data collection and HQT requirements. One state highlighted the importance of ensuring that the appropriate local education agency (LEA) staff member(s) participate in the training and assistance. This approach may include staff from multiple offices or departments. Gaining the participation of multiple LEA staff members provides an avenue for sharing consistent information and recognizes the interrelationship between HQT requirements, data collection mandates, and implementation efforts.

Table 1. State Contacts, Policy Guidance, and Data System Documents and Codes Relating to HQT Requirements for Special Education Teachers

State	Contact	HQT Policy Guidance	HQT Data System Information	HQT Data System Codes
AL	Jayne Meyer, Director, Teacher Education and Certification, Alabama Department of Education jmeyer@ALSDE.edu Dr. Mabrey Whetstone, Director of Special Education, Alabama Department of Education mabrey@alsde.edu	Alabama Model for Identifying Highly Qualified Teachers and HQT Guidance and Forms	Data Collection for Alabama Department of Education	Subject and Personnel Codes for State Data System
CO	Lisa Medler, Office of Federal Programs Administration, Colorado Department of Education Medler_L@cde.state.co.us	State HQT Guidance	Information on HQT Special Education Data System	Staff Data Elements and Definitions
DE	Wayne Barton, Director, Professional Accountability, Delaware Department of Education wbarton@doe.k12.de.us Partricia Bigelow Education Associate, Professional Accountability pbigelow@doe.k12.de.us	Revised State HQT Plan	Instructions for Classes Taught by HQT Reporting in eSchoolPlus	Data Entry Manual for Title I Students and Description of Data System (see pp.7–8)
GA	Chuck McCampbell, Director, Computer Services, Georgia Professional Standards Commission	Implementation Guidelines: Criteria for Highly Qualified Teachers and <i>Fact Sheet for Georgia Special Education Teachers</i>	Certified Personnel Data Collection Resources and <i>HiQ Operations Manual</i>	Subject Codes and Job Codes

State	Contact	HQT Policy Guidance	HQT Data System Information	HQT Data System Codes
NH	Anne Davis, New Hampshire Department of Education ADavis@ed.state.nh.us	Procedures and Guidelines Toolkit for New Hampshire’s HQT Requirements and HQT Requirements for Special Education Teachers Frequently Asked Questions	New Hampshire Educator Survey Instructions and New Hampshire Educator Survey	Title IIA Baseline NH Educator Survey (HQT—Highly Qualified Teacher)
WA	Mary Jo Johnson, Director, Title II, Part A, Washington Office of Superintendent of Public Instruction	HQT Workbook	Data Collection Manual and Bulletin on HQT Data Collection	Highly Qualified District Worksheet and Highly Qualified Individual Worksheet
WY	Carol Illian, Title II, A Program Manager Wyoming Department of Education cilia@educ.state.wy.us	Highly Qualified Teacher State Plan and Highly Qualified Workforce Equity Plan	Staffing Manual and Data Collection Guidebook	Data Elements

1. Which special education teachers are subject to the HQT data collection requirements in the No Child Left Behind Act?

The NCLB Act requires states to report HQT data for all core subject classes, whether general education or special education. As a result, special education teachers who are the “teacher of record” in a core class must meet the full HQT definition, which includes demonstrating content knowledge for each core subject taught. Because special education teachers can assume a variety of roles in the classroom, the U.S. Department of Education clarified that a teacher of record provides “direct instruction in a core academic subject” (U.S. Department of Education, 2004, p. 2). Therefore, special education teachers who provide direct instruction in a core subject area need to meet the full HQT requirements by demonstrating subject matter competency. Teachers who assist an HQT—by adapting curriculum, providing behavioral supports or interventions, or selecting appropriate accommodations—do not need to demonstrate subject matter competency (U.S. Department of Education, 2004). Similarly, special educators who “assist students with study skills or organizational skills and reinforce instruction” already received from an HQT are not required to demonstrate subject matter competency (U.S. Department of Education, 2005, p. 15).

Following are descriptions of how the seven states determine whether a special education teacher is subject to the HQT requirements in the NCLB Act.

Alabama

According to the Alabama Department of Education (2006a):

A special education teacher who provides only consultative/support services to a highly qualified general education teacher shall be considered a highly qualified special education teacher if s/he meets the state’s special education certification requirements for the grade level that s/he is assigned to teach. (p. 3)

A special education teacher who provides direct instruction in a core content area needs to meet the HQT requirements for the subject matter area.

Colorado

All elementary special education teachers must meet NCLB HQT requirements. Secondary special education teachers who are the “sole provider of content” in a core content area also must meet NCLB HQT requirements, including the demonstration of subject matter competency. A teacher is a sole provider of content if he or she “introduces core content and provides full lessons on key concepts to students” or “is the exclusive instructional decision-maker for students” (Colorado Department of Education, 2007, p. 4). A special education teacher who “co-teaches with a highly qualified teacher; provides consultation; pre-teaches or re-teaches concepts; or provides additional practice opportunities” is not a sole provider of content (Colorado Department of Education, 2007, p. 4).

Delaware

Special education teachers in Delaware who “deliver instruction” in a core content area must demonstrate competency in the core areas taught. If a general education teacher provides direct instruction and a special education teacher handles accommodations, the special education teacher does not need to meet HQT requirements for the content area. Special education teachers in coteaching arrangements are required to meet HQT requirements (under the NCLB Act and IDEA) if they are teaching content.

Georgia

Core academic concentrations must be listed on the special education teacher’s certification in order for the teacher to serve as the teacher of record for any of the NCLB core subjects. Special education teachers are not required to meet HQT requirements if they are not providing core academic instruction as the teacher of record. However, all students enrolled in Grades K–12 must be provided core academic content instruction by either a special education teacher or one who is certified in the content area.

New Hampshire

All public school teachers in Grades K–12 who provide direct instruction in the core content areas defined by the NCLB Act must meet HQT requirements. This specification includes special education teachers in New Hampshire who provide direct instruction in a core subject area, regardless of the setting of instruction or the number of teachers in the classroom. In a memo to districts, the state clarified that special education teachers do not need to meet the HQT requirements for core content if they adapt curricula for an HQT, use behavioral supports and interventions, select accommodations, reinforce instruction, or assist students with study skills or organizational skills (New Hampshire Department of Education, 2007). In line with IDEA, the state allows special education teachers who exclusively teach students assessed on alternate standards to meet HQT requirements for elementary teachers.

Washington

The determination of whether a special education teacher must demonstrate subject matter knowledge is based on whether the teacher provides direct instruction to students in a core subject area (Washington Office of Superintendent of Public Instruction, 2007). A special education teacher in a consultative role does not need to demonstrate subject matter knowledge. A consultative role describes teachers who adjust the learning environment, modify instructional methods, adapt curricula, use positive behavioral supports, or supporting a general education teacher in the classroom (Washington Office of Superintendent of Public Instruction, 2007).

Wyoming

Teachers who serve as the teacher of record for core academic content are required to meet the HQT requirements. The *teacher of record* is defined as one who “teaches content in a classroom setting and assigns grades and/or credit” (Wyoming Department of Education, 2008, p. 13).

Special education teachers who serve in a consultant role are not required to meet the HQT requirements for core content. They are, however, required to be highly qualified special education teachers.

2. How can special education teachers demonstrate subject matter competency?

Special education teachers who are the teacher of record in a core subject area must demonstrate competency in each core subject they teach. The requirements for demonstrating subject-area competency are generally the same for special education and general education teachers. For example, elementary special education teachers typically are required to pass an elementary education content test; secondary special education teachers must demonstrate competency through content-area tests, coursework, or other methods defined by a state. However, there are two exceptions:

- Special education teachers who solely teach students assessed on alternate standards can demonstrate subject matter knowledge at the elementary level or at a level deemed appropriate for the instruction provided. (IDEA, Title I, Part A, Section 602)
- IDEA provides additional flexibility to demonstrate competency in each subject area for special education teachers who teach multiple subjects. *Existing special education teachers* who teach multiple subjects can demonstrate competency using a high, objective, uniform state standard of evaluation (HOUSSE) procedure that covers multiple subjects. *New special education teachers* who teach multiple subjects and who already are highly qualified in mathematics, language arts, or science also can demonstrate competence in other subjects using HOUSSE within two years of being hired. (See Table 2.)

Table 2. Example of Multiple-Subject High, Objective, Uniform State Standard of Evaluation (HOUSSE)

State	Eligibility for Multisubject HOUSSE	Multisubject HOUSSE Approach	Elements of Multisubject HOUSSE
CO	<ul style="list-style-type: none"> • Secondary special education teachers of multiple subjects who hold a state license with proper special education endorsement. • New teachers who already are highly qualified in language arts, mathematics, or science. 	Rubric, with points earned for three elements (see the next column).	<ul style="list-style-type: none"> • Experience teaching in the subject area at the secondary level • Coursework or professional development in the subject area • Professional services in the subject area

Source: Colorado Department of Education (2007)

3. How are data collected on HQT requirements under the NCLB Act and IDEA for special education teachers?

States must collect data on core content taught by special education teachers to determine whether these teachers meet HQT requirements. Data collection for special education teachers requires collecting information on whether the teachers do the following: provide direct instruction in a core subject area; solely teach students assessed on alternate standards; and, if necessary, have subject matter competency for the core subject. The states selected for this review differed in whether they maintained separate data systems for general education and special education teachers and whether they linked teacher data across multiple databases to track HQT requirements. Some states utilize an online survey for districts or teachers to provide additional information on HQT status of teachers, to review and revise the HQT information collected by the state, or to explain how a non-HQT will meet the requirements.

Data collection for special education teachers also is complicated by the different reporting requirements for IDEA and the NCLB Act. States must report the proportion of core content *classes* not taught by teachers who are highly qualified for NCLB—including special education teachers who serve as the teacher of record—and report the number of full-time equivalent *teachers* who are not highly qualified under IDEA. NCLB reporting can be a challenge for special education teachers who teach multiple subjects within a class or period—a situation that may be more common in smaller, rural districts than in larger, urban districts. The U.S. Department of Education provides the following guidance on how states should define *class*:

A setting in which organized instruction of course content is provided to one or more students (including cross-age groupings) for a given period of time. (A course may be offered to more than one class.) Instruction, provided by one or more teachers or other staff members, may be delivered in person or via a different medium. Classes that share space should be considered as separate classes if they function as separate units for more than 50 percent of the time. (National Center for Education Statistics, 2003, p. 1)

Following are descriptions of how the seven states approach data collection for HQT reporting, with a focus on how states collect and report HQT data for special education teachers. The descriptions includes a discussion of how the states determine the number of classes taught by multiple-subject special education teachers.

Alabama

Alabama has a comprehensive data-management information system known as the Local Education Agency Personnel System (LEAPS), which allows the state to analyze HQT needs at multiple levels. Each district is responsible for entering teacher information into LEAPS, including teacher demographic information, school information, and class schedules. Each teacher schedule includes subject and grade codes for each class or period within a school day. The state has a code for *teacher-collaborative special education* for a “special education teacher who consults with/provides support to the general education teacher” (Alabama Department of Education, 2008, p. 8). The total number of classes or periods varies depending on district scheduling. If a special education teacher at the secondary level teaches more than one subject in

a class or period, the employer codes the subject/grade for both subjects into LEAPS. In addition, the special education teacher must meet HQT requirements for all subjects for which he or she is the teacher of record.

Alabama links LEAPS to the state certification database to determine whether teachers meet HQT requirements (Alabama Department of Education, 2006a). A teacher with multiple subject/grade codes in the LEAPS system must meet HQT requirements for each subject/grade. For example, if a special education teacher teaches four subjects during two classes and meets HQT status for three of the four subjects, the teacher is not highly qualified for 25 percent of the classes. The Alabama Department of Education determines HQT status for each teacher, and teachers who meet HQT status receive a letter from the state superintendent of education indicating that HQT requirements have been met. LEAPS allows the state to target intervention strategies to areas not meeting HQT goals (Alabama Department of Education, 2006b).

Colorado

Colorado recently developed a new data system to track HQT data for special education teachers. The system replicates the state's existing system used to track HQT requirements for general education teachers. The state has an annual collection period, when human resources personnel from each Administrative Unit electronically submit human resources data to the state for special education teachers. The data include demographic information, degree, years of teaching experience, content-area tests passed, and the number of classes taught. The system includes job classification fields that identify when a teacher is the sole provider of core content or is working exclusively with students assessed on alternate standards. After this initial data collection, Administrative Units have access to an online system to verify the status of teachers identified as not meeting HQT requirements and to update records or describe plans that ensure these teachers will become highly qualified. The SEA reviews and must approve each plan for teachers who are not meeting HQT requirements before NCLB funds will be released.

Delaware

The Delaware Department of Education has a comprehensive statewide data system to collect and analyze HQT data at the classroom level. The state relies on two databases—eSchoolPlus, and its certification and licensure database, known as the Delaware Educator Data System (DEEDS)—as well as an online teacher survey to gather data for HQT reporting.

The eSchoolPlus database serves as the primary system that Delaware uses to gather detailed information on every class being taught in a district and on the teachers and students assigned to each class. The data system tracks the subject area, grade level, and required qualifications for each class, as well as the primary teacher assigned to the class, the secondary teacher assigned to the class (if relevant), and the role of each teacher in the class. In addition, eSchoolPlus has information on whether a class includes special education students or special education students assessed on alternate standards and a field to describe the classroom setting (e.g., regular classroom, pullout, or regular classroom with pullout).

Each class period is treated as a separate observation in eSchoolPlus. Thus, a high school teacher who teaches multiple sections of the same class will have multiple entries in the data system for each section. A special education teacher who teaches multiple subjects during the day has a separate entry in the system for each subject area taught. As an example, a high school teacher who teaches mathematics, English, science, and social studies to a class of special education students would have four entries in eSchoolPlus—one for each subject being taught. State guidelines note that two classes meeting at the same time and in the same room can be treated as one class if the classes function as a unit for more than 50 percent of the time.

The role of a special education teacher in a classroom can be described in eSchoolPlus as “teaching content” or “consultative.” Any special education teacher assigned the role of “teaching content” must meet the full HQT requirements by demonstrating subject matter competency, regardless of whether the teacher is the primary or secondary teacher for the classroom (Delaware Department of Education, 2008). This specification includes a special education teacher who serves as a team teacher and is assigned the role of “teaching content” in eSchoolPlus. Special education teachers who are assigned to a class in a “consultative” role in eSchoolPlus are not required to demonstrate subject matter competency in the core content area.

Delaware links eSchoolPlus to the DEEDS database to determine HQT status for each class. DEEDS includes information on teachers’ employment history, years of teaching experience, certification, educational background, and scores on the Praxis assessment. The state can match the teacher data in DEEDS with the classroom assignments in eSchoolPlus to determine whether a core content class is taught by a teacher who meets HQT requirements.

The state also uses an online teacher survey through DEEDS to confirm, revise, and update the data matched by these two systems. The survey is prepopulated with information from the DEEDS data system, and teachers can enter information on their education degrees, academic majors, college coursework, or HOUSSE activities that demonstrates subject matter competency in core content areas -- all of which must be supported by transcripts and other documentation to the certification office. Teachers who meet HQT requirements by passing a subject-area test only need to confirm through the teacher survey that the system accurately reports their testing information. The state offers online tools for districts to monitor completion of the survey by teachers.

Georgia

The Georgia Department of Education relies on two data systems for HQT reporting. First, school districts annually submit data on teachers and teaching assignments to the state’s Certified/Classified Personnel Information (CPI) system. Second, the state imports CPI data into its HiQ2 data system, which is used to manage teacher and teaching assignment data for HQT reporting.

Each year, districts provide teacher-level data for the state’s CPI data system. The system tracks information on each teacher and his or her teaching assignments, including the subject area and grade level of each teaching assignment and the proportion of time a teacher spends on each assignment. Georgia uses a subject-matter code in CPI to indicate the subject area taught by a

teacher. The last digit of the subject-area code indicates the type of instruction being provided, including special education, remedial education, and gifted education. If a special education teacher serves in a consultative role for a teaching assignment, the CPI subject-area code is *special education service—consultative role only*. Job codes in CPI indicate the grade level for a teaching assignment. Several job codes are specific to special education teachers and indicate the type of student taught, such as *teacher of emotional/behavioral disorder students*.

Districts report the proportion of time that a teacher spends on up to six teaching assignments, and the state converts this percentage into the number of classes taught for HQT reporting purposes. The state assumes six class periods in a day. The proportion of time spent on a teaching assignment is multiplied by six to determine the number of classes taught for a particular assignment. For example, a high school teacher who spends 50 percent of her time on a chemistry assignment and 50 percent of her time on a mathematics assignment is considered to teach three classes of chemistry (i.e., 50 percent of six periods) and three classes of mathematics.

This approach provides more flexibility for tracking the number of classes being taught by special education teachers who teach multiple subjects throughout the day. Districts can estimate the proportion of time that a special education teacher spends teaching each subject, and the state converts this percentage into the number of classes for each subject area.

Georgia collects CPI data from districts each fall, links the data to the states certification database, and transfers the data into its HQT reporting system (known as HiQ2). The online data system excludes teachers who are not providing direct instruction and are not included in HQT reporting. Districts use HiQ2 to review the HQT status for teaching assignments, to clarify ambiguous job codes from CPI, and to provide information on teachers who do not meet HQT requirements for one or more assignments. HiQ2 provides reports that allow districts to review a list of teachers who do not meet HQT requirements for all of their teaching assignments. Because some of the CPI subject codes are too broad, such as *teacher of emotional/behavioral disorder students*, districts provide more detailed information on these teaching assignments in HiQ2.

New Hampshire

New Hampshire gathers HQT data from districts each fall using an online survey called the New Hampshire Educator Survey. The survey collects district-level HQT data for elementary grade levels (e.g., kindergarten, Grades 1–3, and Grades 4–6) and for secondary subject areas (such as English, mathematics, biology, and chemistry) in Grades 7–12. For each grade-level grouping and subject area, districts report the number of classes or sections, the number of classes that are taught by teachers who have not met HQT requirements, the number of general education classes taught by teachers who have not met HQT requirements, and the number of special education classes that are taught by teachers who have not met HQT requirements. In addition to requesting information on the number of classes, the survey also obtains the number of teachers for each grade level or subject area and the number of teachers who do not meet HQT requirements. For purposes of HQT reporting, New Hampshire assumes that one teacher is assigned to each class. Districts respond to the survey through the state’s Education Statistics System, and superintendents verify the data before submitting them to the state.

If a special education teacher teaches multiple core subjects to a class of students throughout the day, districts are expected to treat each subject area as a separate class for HQT reporting. If a general education teacher and a special education teacher provide direct instruction to the same class, both teachers are expected to meet HQT requirements. For reporting purposes, the state considers the class to be taught by an HQT as long as one of the teachers meets the full requirements.

New Hampshire is transitioning to a comprehensive data system that will track teacher data at the classroom level.

Washington

Washington currently collects HQT data at the district level. The human resources department within each district determines the number of core academic classes in each school and the number of these classes taught by HQTs. The data collected by districts include classes taught by special education teachers. The state provides a set of guidelines to support LEA staff in determining whether a special education teacher must meet the HQT requirements for teaching core content. Washington is developing a data system that will track information on individual teachers, including their qualifications and the number of classes they teach.

Washington counts each subject area as a separate class if a special education teacher provides direct instruction in multiple subjects during a class period or school day. For teachers who provide instruction in one subject area, each class period serves as a separate class (Washington Office of Superintendent of Public Instruction, 2008). The state also specifies that for a self-contained secondary-grade classroom, each core subject area for which students receive a grade counts as a single class. For example, a high school special education teacher teaching English, mathematics, history, and science in a self-contained classroom is counted as teaching four classes. If the teacher meets HQT requirements for mathematics and history, the state considers two of the four classes to be taught by a HQT.

Wyoming

Wyoming annually gathers data from districts for HQT reporting through an online survey known as the School District Staff Member Collection survey. Districts report each teacher's assignment through the survey using the state's integrated data system, called the Wyoming Integrated Statewide Education Data System (WISE). WISE is a teacher-level data system that can track multiple teaching assignments for each teacher (Wyoming Department of Education, 2007). The system has a teacher-type variable, which indicates whether a teacher is a teacher of record for a teaching assignment, and a field to indicate the proportion of time a teacher spends on the teaching assignment. For special education teachers who teach multiple subjects, the state tracks the proportion of time spent on a teaching assignment.

The teacher survey data (e.g., teacher assignment) provided by districts are linked to certification and HQT records collected by Wyoming's Professional Teaching Standards Board (PTSB) to determine HQT status for each class. The PTSB maintains a certification database that includes subject areas in which every certified teacher in the state meets the definition of HQT (Wyoming

Department of Education, 2007). The state analyzes and cleans the data before reporting back to the districts for verification and the development of teacher HQT plans.

4. Can IEPs or conferences be used to notify parents about special education students being taught by non-HQTs?

As part of the technical assistance request, the TQ Center sought clarification from the U.S. Department of Education regarding the use of IEPs to meet the parent notification requirements in the NCLB Act. Parents of students in Title I schools have a “right to know” about the qualifications of teachers in their school district and can request information about a teacher’s state licensure, certification status (i.e., emergency or provisional status), and undergraduate or graduate major. In addition, LEAs must notify parents of students who are assigned to, or who are taught for four or more weeks by, a non-HQT. The notice and information provided to parents “shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand” (No Child Left Behind Act, Title I, Part A, Section 1111).

One state questioned whether the IEP form or conference could be used to meet this requirement regarding parental notification for parents of special education students. The response from the Office of Elementary and Secondary Education is as follows:

The IEP form and conference do not fulfill parent notification requirements when a student in a Title I school has been taught for four or more consecutive weeks by a teacher who is not highly qualified. The NCLB statutory language on parents’ right to know and the accompanying Title I regulations state that notification to parents must be “uniform.” Because the NCLB Act does not differentiate between core academic subjects taught to students with special needs and to general education students, notification to all parents needs to follow the same format. As a result, any notification through the IEP process, which does not affect general education students, is not allowable. Thus, states need to notify parents of special education students the same way that they notify other parents.

In addition, another potential issue with using the IEP form or conference to notify parents is that notification needs to occur after four weeks. The timing required for parental notification may not coincide with the scheduling of the IEP conference.

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