

## USDE Definition of Highly Qualified Teacher

The following definition of “highly qualified” as applied to a public school teacher is found in Section 9101(23) of the ESEA of 1965, as amended by the No Child Left Behind Act, P.L. 107-110.

- 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.

## **Qualifications and Duties of Paraprofessionals**

The following qualifications for paraprofessionals working in Title I programs and permissible duties are set forth in Section 1119, subsections (c) through (g), of the ESEA of 1965, as amended by the No Child Left Behind Act, P.L. 107-110.

### *Qualifications*

Paraprofessionals working in Title I programs hired after the effective date of the Act (January 8, 2002) shall have:

- Completed at least two years of study at an institution of higher education;
- Obtained an associate's (or higher) degree; or
- Met a rigorous standard of quality and can demonstrate, through a formal State or local academic assessment – (1) knowledge of, and the ability to assist in the instruction of, reading, writing, and mathematics; or (2) knowledge of, and the ability to assist in the instruction of, reading readiness, writing readiness, and mathematics readiness, as appropriate. Paraprofessionals qualifying under this criterion must have a secondary school diploma or its equivalent, but the receipt of a high school diploma is not sufficient to satisfy the requirements for meeting this standard.

Existing paraprofessionals hired before January 8, 2002 and working in Title I programs have 4 years (until January 8, 2006) to meet the foregoing qualifications. Title I paraprofessionals who serve primarily as translators or who solely conduct parental involvement activities, regardless of hiring date, are exempt from these qualifications.

All paraprofessionals working in Title I programs, regardless of hiring date, must have earned a secondary school diploma or its equivalent.

### *Duties*

Paraprofessionals working in Title I programs may be assigned to:

- Provide one-on-one tutoring for eligible students, if the tutoring is scheduled at a time when a student would not otherwise receive instruction from a teacher;
- Assist with classroom management, such as organizing instructional and other materials;
- Provide assistance in a computer laboratory;
- Conduct parental involvement activities;
- Provide support in a library or media center;
- Act as a translator; or
- Provide instructional services, while working under the direct supervision of a teacher.

