

MEMORANDUM

To: Regional Superintendents
District Superintendents
Directors of Special Education Cooperatives and Joint Agreements

From: Randy Dunn
State Superintendent of Education

Re: Applicability of Title I Requirements Relating to the Qualifications of Paraprofessionals
under the No Child Left Behind Act of 2001

Date: December 30, 2004

This memorandum is intended to clarify the application of the requirements under the No Child Left Behind Act of 2001 (NCLB) to paraprofessionals. The federal regulations that implement the provisions of NCLB apply to paraprofessionals working in a program supported with funds under subpart A of Title I. As you know, Title I monies are directed to schools that offer “targeted assistance” and those that have “school-wide programs.” Therefore, a paraprofessional who is “working in a program supported with funds under subpart A” of Title I is: (a) a paraprofessional in a targeted assistance school who is paid with such funds, or (b) any paraprofessional in a school-wide program school.

All paraprofessionals newly hired after January 8, 2002, in programs supported with funds under subpart A of Title I must meet the requirements set forth in NCLB. All other paraprofessionals working in programs supported with Title I funds and covered under NCLB must meet the requirements by January 8, 2006.

The requirements set forth in NCLB for paraprofessionals working in programs supported with Title I funds provide that they shall have:

- Completed at least two years of study at an institution of higher education; or
- 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/language arts, 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.

All paraprofessionals must have at least a secondary school diploma or its equivalent.

Paraprofessionals are defined as individuals who provide instructional support. Under the proposed regulations, instructional support includes:

- 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;

- assisting in classroom management;
- assisting in computer instruction;
- conducting parent involvement activities;
- providing support in a library or media center;
- acting as a translator; or
- providing instruction support services under the direct supervision of a teacher.

A paraprofessional is considered to be working under the direct supervision of a teacher if:

- (a) the teacher plans the instructional activities that the paraprofessional carries out,
- (b) the teacher evaluates the achievement of students with whom the paraprofessional is working; and
- (c) the paraprofessional works in close and frequent physical proximity to the teacher.

Individuals who have only non-instructional duties, such as providing technical support for computers, providing personal care services or performing clerical duties are not included in the definition of paraprofessionals under the NCLB. If a paraprofessional working in a program supported with Title I funds has both instructional and non-instructional duties, then that paraprofessional must meet the requirements set forth under NCLB.

For a description of the qualifications required of paraprofessionals covered under the NCLB, please see www.isbe.net/nclb. See also the guidance provided by the United States Department of Education at www.ed.gov/policy/elsec/guid/paraguidance.doc

In summary:

- Newly hired paraprofessionals who provide instructional support and were hired after January 8, 2002, must meet the requirements set forth in NCLB, if they are working in Title I-funded targeted assistance programs or in a Title I-funded school-wide program school.
- The requirements apply to newly hired paraprofessionals who work in targeted assistance schools if those paraprofessionals are paid with Title I, subpart A, funds.
- The requirements also apply to all newly hired paraprofessionals working in school-wide program schools regardless of the funding source.
- Paraprofessionals who are proficient in English and a language other than English and who primarily act as translators in programs supported with Title I funds to enhance the participation of limited-English-proficient children are exempt from NCLB requirements. Paraprofessionals who solely conduct parental involvement activities are also exempt.

If you have questions, please contact: Dennis Williams at (217) 782-7702.