

FLORIDA DEPARTMENT OF EDUCATION



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MEMORANDUM

TO: District School Superintendents
Directors of Title I Programs
District Certification Contacts
Directors of Personnel

FROM: Betty Coxe *BC*

SUBJECT: No Child Left Behind - Highly Qualified Teacher Requirements

The No Child Left Behind (NCLB) Act of 2001 makes significant changes in educational programs including a strong focus on effective personnel and quality instruction. The act stipulates requirements and time lines for ensuring that all public elementary, middle, and secondary teachers of core academic subjects meet the federal definition of a "highly qualified" teacher no later than the 2005-2006 school year. However, the highly qualified requirements for all teachers of core academic subjects in Title I school-wide programs and teachers of core academic subjects paid with Title I funds in targeted assistance programs are effective beginning with the first day of school in the 2002-2003 school year. Many school districts have indicated that teaching assignments are being made for the Title I positions with a basic awareness of the new requirements.

This document and the accompanying charts are sent to reflect interpretations and decisions that have been made regarding the new federal highly qualified teacher requirements and their application to the Florida system for certification under Florida Statutes and State Board of Education Rules. It is hoped that many of your questions will be answered and implementation issues clarified. Please note that there are areas still under review and that further information relating to these federal personnel requirements may be forthcoming.

If you have questions relating to teacher certification issues, please direct those to Beverly Gregory, Chief, Bureau of Educator Certification. Questions relative to specific program issues are to be directed to your established Department program contact person(s). We hope this guidance will help us achieve our goal of having the best and the most highly qualified teacher possible for each of Florida's classrooms.

NCLB “Highly Qualified” Implementation Questions and Answers

1. What is the definition of a “new” teacher?

A new teacher is a teacher who is hired after the first day of the 2002-2003 school year. The first day of the school year is the first day students report per the district standard calendar.

2. What is the definition of a “not new” teacher?

A not new teacher is a teacher who was hired before or on the first day of school in the 2002-2003 school year.

3. What is the definition of “full state certification” for Florida?

Florida requires that the subject area content requirements be met for issuance of the level I Temporary Certificate. Thus, full state certification is a valid Florida Temporary Certificate or a valid Professional Certificate.

4. Does a teacher employed pursuant to Rule 6A-1.0503, FAC., as a noncertificated teacher meet the NCLB highly qualified requirement?

No, a noncertificated teacher does not meet the NCLB highly qualified requirement.

5. Do the provisions of Section 231.095, Florida Statutes, allowing school boards to qualify personnel infield based on a minor in a subject or subject area expertise demonstration meet the NCLB highly qualified requirement?

Neither a minor in a subject nor the subject area expertise provision of Section 231.095, Florida Statutes, satisfies the highly qualified requirements.

6. What are the “core academic subjects?”

The core academic subjects are: English, mathematics, reading, language arts, science, foreign languages, civics, government, economics, arts, history, and geography.

7. What is the time line for teachers of core academic subjects in programs supported by Title I, Part A funds to be highly qualified?

All teachers of core academic subjects in Title I school-wide programs or teachers of core academic subjects paid with Title I funds in targeted assistance programs are to be “highly qualified” beginning the 2002-2003 school year.

8. What is the time line for all teachers of core academic subjects to be highly qualified?

By the 2005-2006 school year, all public school elementary and middle/secondary teachers of core academic subjects in the state are to be highly qualified.

9. Do the NCLB highly qualified requirements apply to teachers in charter schools?

Yes, teachers of core academic subjects in charter schools are required to be highly qualified. The time line is dependent, as with all other public schools, upon whether the charter school receives Title I, Part A funds for school-wide or targeted assistance programs.

10. Do the NCLB highly qualified requirements apply to vocational teachers?

The NCLB highly qualified requirements do not apply to teachers of vocational nondegree non-academic subjects. The NCLB highly qualified requirements apply to vocational teachers only if a core academic subject is taught by a teacher holding one of the five degreed vocational certification coverages. See question #12.

11. How is the core academic subject determined?

The actual subject area (course) taught is the basis for determining the core academic subject not the course for which credit may be substituted.

12. How are the appropriate certification coverage and instructional level determined?

The Course Code Directory (CCD) is to be used in determining the appropriate certification coverage(s) and instructional level(s) that are to be combined with the NCLB requirements as shown on the attached chart. For example, these factors include requirements such as subject area testing or satisfactory performance evaluations. There may be instances that a teacher may meet the Florida requirements for being designated as an infield qualified teacher but may not be considered highly qualified consistent with the NCLB requirements. An out-of-field teacher will not be designated as highly qualified. Also, there will continue to be ESOL training requirements pursuant to the Consent Decree that are in addition to the state and federal requirements for educator certification and the NCLB highly qualified requirements. The Consent Decree training requirements do not impact the reporting for NCLB highly qualified requirements.

Note: The acceptability of the “any field” designation for the NCLB requirement is under review.

13. Does the Florida CLAST or General Knowledge exam qualify as the highly qualified subject area test requirement?

No, the basic skills test does not meet the subject area test requirement.

14. Are teachers who are participating in an approved district or state alternate certification program reported as highly qualified?

Yes, all teachers who are participating in the approved Florida alternative certification programs are reported as highly qualified.

15. Do speech-language teachers have to meet the highly qualified requirement?

Yes, if the speech-language teacher is the teacher of record for a core academic subject. There are two options by which the teacher may be designated as highly qualified:

- a) A state-issued professional license in Speech Language Pathology. The license is based on a master's or higher degree in speech pathology and subject testing, or
- b) A state Educator Certificate in Speech-Language Impaired in combination with the other NCLB requirements for meeting the highly qualified requirements.

16. Are pre-kindergarten teachers subject to the highly qualified teacher elementary level requirements of NCLB?

Yes, if the prekindergarten program is funded by Title I, Part A funds.

Note: The NCLB requirements for prekindergarten programs funded through other sources and located on the campuses of Title I schools designated as school-wide programs are under review and requirements are yet to be determined.

17. What are the NCLB reporting requirements to parents of teachers who are not designated as highly qualified?

Beginning the 2002-2003 school year, the parent(s) must be notified in writing under the following conditions:

- 1) If a student is taught by a teacher, who is not designated as highly qualified, for four or more consecutive weeks in a core academic subject in a Title I school-wide program, or
- 2) If a student is taught by a teacher, who is not designated as highly qualified, for four or more consecutive weeks in a core academic subject in a targeted assistance program and that teacher is paid with Title I funds.

Beginning the 2005-2006 school year, the parent(s) of each student taught by a teacher in any core academic subject must be notified in writing if that teacher is not designated as highly qualified and has taught the class for four or more consecutive weeks.

Section 1111(h)(6), Parents Right-to-know also addresses additional parent notification required of a local education agency receiving funds under Title I, Part A. The parents of each student attending a school receiving Title I, Part A funds shall be informed that a parent may request the following information relating to the qualifications of a student's classroom teacher(s):

- 1) Whether the teacher meets the state requirements for certification for the appropriate grade level and subject for the teaching assignment(s),
- 2) Whether the teacher is teaching under an emergency or provisional status or has had certification requirements waived,
- 3) The baccalaureate degree major and any other graduate certification or degree held, and the field of discipline of the certification or degree and,
- 4) Whether the student is provided services by paraprofessionals and, if so, their qualifications.

18. Are teachers who are providing instruction in core academic subjects in DJJ facilities employed by a third party contractor required to meet the NCLB requirements for highly qualified teachers?

The requirements for teachers employed by third party contractors are under review. Information will be provided at a later date.