

# Title IIA Update: Spring Edition

For District Staff Responsible for Title II, Part A Programs and the federal No Child Left Behind (NCLB) Highly Qualified (HQ) Teacher Requirements



Massachusetts Department of  
ELEMENTARY & SECONDARY  
EDUCATION

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Read the U.S. Department of Education's 2010 Highly Qualified Teachers and Improving Teacher Quality State Grants (ESEA Title II, Part A) Monitoring Report for Massachusetts at:

<http://www2.ed.gov/programs/teacherqual/hqt07/index.html#ma>

For more information on the HQ requirements or the contents of this newsletter, please visit the ESE's HQ website, located at:

<http://www.doe.mass.edu/nclb/hq/>

Please see our HQ FAQs, located on this website at:

[http://www.doe.mass.edu/nclb/hq/hq\\_faq.html](http://www.doe.mass.edu/nclb/hq/hq_faq.html)

You can also email your HQ-related questions to us anytime at: [HQTHelp@doe.mass.edu](mailto:HQTHelp@doe.mass.edu).

## Introduction

This newsletter provides reminders, guidance and updates on school districts' responsibilities under Title IIA. This newsletter provides updates and guidance on the Highly Qualified (HQ) teacher and paraprofessional requirements of the federal No Child Left Behind (NCLB) regulations, as well as the requirements for Title IIA and MA licensure waivers. It also highlights areas of concern identified by the U.S. Department of Education (USED) in its monitoring report for activities under the program for the 2009-2010 school year. We urge you to read this update carefully and make revisions to your district's implementation of these requirements, as necessary. As always, staff at DESE stand ready to answer any questions or offer additional guidance and assistance on these provisions. See the end of the newsletter for staff contact information.

## 1 HQ Teacher Requirements

### What Does the Law Say?

Under Section 9101(23) of the Elementary and Secondary Education Act (ESEA), NCLB requires all students to be taught by highly qualified teachers in core academic subjects. Per §9101(11), the core academic areas are defined as: English, reading/language arts, mathematics, science, foreign languages, civics and government, economics, history, geography and the arts (visual art, theater, music and dance).

As noted in Section 1119(a)(1) of the ESEA, all Title I teachers hired after the first day of the 2002-2003 school year must be highly qualified at the time of hire.

### What Must Districts Do?

In Massachusetts, the NCLB HQ designation is made by the principal and/or superintendent of a MA public school or district. As it is up to districts to deem their educators as HQ, the districts must provide documentation to educators denoting their HQ status; in addition, districts are responsible for keeping an attestation on file confirming the HQ status of their core content area teachers. Districts can access ESE's sample HQT status certificate, available at:

<http://www.doe.mass.edu/nclb/hq/statuscert.doc>.

Massachusetts' school districts must base their HQ designations on the following three federal requirements of teachers: (1) possession of a Bachelor's degree; (2) possession of a valid and active *Massachusetts* teaching license; and (3) demonstration of subject matter competency in each of the core subject areas taught.

What Must Districts Do? (cont.)

The Superintendent or Principal must make a teacher's HQ determination. Therefore, the following is a list of the current options available to demonstrate subject matter competency:

Elementary Teachers

- Pass both subtests – multi-subject and mathematics – of the General Curriculum Massachusetts Test for Educator Licensure (MTEL); or
- Complete a HOUSSE plan; available **ONLY** to:
  - ✓ **Special Education** teachers HQ in language arts, math, or science at the time of hire; and
  - ✓ **English as a Second Language** teachers with at least 1 year of experience teaching ESL and who are HQ in language arts, math, or science at the time of hire.

Middle/Secondary Teachers

- Pass the appropriate MTEL subject matter test; or
- Complete an appropriate undergraduate degree, graduate degree, or coursework equivalent to an undergraduate academic major (at minimum 30 credits); or
- Obtain National Board Certification in the appropriate subject(s); or
- Complete a HOUSSE plan; available **ONLY** to:
  - ✓ **Special Education** teachers HQ in language arts, math, or science at the time of hire; and
  - ✓ **English as a Second Language** teachers with at least 1 year of experience teaching ESL and who are HQ in language arts, math, or science at the time of hire.

*Unlike MA licensure requirements, there is no 20% rule in meeting the federal HQ requirements. ESE requires that the teacher **MUST** demonstrate subject matter competency in the core content area regardless of the percentage of time taught.*

*ESE has created a subject matter competency chart, available at:  
<http://www.doe.mass.edu/nclb/hq/smc.doc>*

*The ESE has created a sample HOUSSE, log, available for download at:  
[http://www.doe.mass.edu/nclb/hq/hq\\_fa.html?section=HOUSSE](http://www.doe.mass.edu/nclb/hq/hq_fa.html?section=HOUSSE)*

## 2 HQ Paraprofessional Requirements

### What Does the Law Say?

As defined in §1119(c) of the ESEA, all Title I Instructional Paraprofessionals must meet the NCLB HQ requirements for paraprofessionals. As a reminder, a Title I Instructional Paraprofessional must possess the following:

1. A secondary school diploma or its recognized equivalent; AND
2. At least one of the following:
  - a. Two years of completed study at an institution of higher education; OR
  - b. An associate's degree; OR
  - c. Meet a rigorous standard of conduct and be able to demonstrate, through formal academic assessment, knowledge of and the ability to assist in instructing reading, writing, and mathematics, through the completion of one of the formal Massachusetts-endorsed assessments: ParaPro or WorkKeys.

### What Must Districts Do?

In general, Title I districts must ensure that all paraprofessionals working in Title I Schoolwide programs and those paid in part or full by Title I in Targeted Assistance programs meet the qualification requirements above.

#### Specific Actions:

1. Review detailed Title I paraprofessional qualification requirements posted on the Department's Web site at:  
<http://www.doe.mass.edu/nclb/hq/?section=paraproreq>.
2. Ensure that all Title I paraprofessionals work under the direct supervision of qualified teachers.
3. Move any paraprofessional that does not meet the qualification requirements to a non-Title I position immediately.
4. Ensure that the district ONLY hires or retains for the 2011-12 school year and thereafter paraprofessionals that meet the qualification requirements, if the paraprofessional is to work in a Title I Schoolwide program or is to be paid in part or full by Title I.

*For more information on the ParaPro test, please visit the ETS website, located at:*

<http://www.ets.org/parapro>.

*For more information on the WorkKeys test, please visit the ACT website, located at:*

<http://www.act.org/workkeys/>.

### 3a MA Waiver Requirements

#### What Does the Law Say?

The Regulations for Educator Licensure and Preparation Program Approval, provide that, to be eligible for employment by a school district in any position covered by 603 CMR 7.00, a person must have been granted a license by the Commissioner that is for the role or be serving under an exemption as provided by law for that role.

#### What Must Districts Do?

In the instance that a district's search to hire a qualified and appropriately licensed candidate is not successful, it must apply for a waiver from the Commissioner exempting the school district for one school year from the requirement to employ appropriately licensed personnel.

As a reminder, teachers on waivers cannot be considered HQ until they possess an appropriate license and demonstrate subject matter competency in the core content area(s) they teach.

*This Title IIA Update describes findings from ED's 2010 monitoring visit to Massachusetts. Please read it carefully and adjust your district's Title IIA programs as necessary.*

*For more information regarding Hiring Educational Personnel: Legal Requirements and Careful Hiring Practices, please see the Commissioner's memo dated August 20, 2010, at: <http://www.doe.mass.edu/news/news.aspx?id=5685>*

### 3b Teacher Waiver Data on Report Cards

#### What Does the Law Say?

Section 1111(h)(1)(C)(viii) of the ESEA requires that the state must publish an annual report card with the required teacher information, including the percentage of teachers on emergency or provisional credentials. Additionally, Section 1111(h)(2)(B) of the ESEA states that districts publish annual report cards with the required teacher information for both the district and for the schools the district serves. ESE has compiled the waiver percentage for academic teachers by district, issued during the 2009-2010 school year, to be included in the 2010 State and District Report Cards. Therefore, beginning with the 2010-11 school year, NCLB Report Cards for school districts and Horace Mann charter schools will display the percentage of public elementary and secondary school teachers issued academic licensure waivers during the 2009-10 school year at the state and district level. The ESEA also requires that ESE report school level teacher waiver data, and we are working to establish reporting procedures for complying with this requirement. We will notify districts when these are ready to be implemented.

*For more information about licensure waiver data, please refer to the [State Report Card](#)*

Calculations were based on the total number of individual teachers issued academic waivers divided by the total number of teachers in the district, as reported in the October 2009 EPIMS data collection. This data reflects academic waivers and it does not include critical shortage waivers.

## 4 Title IIA: Needs Assessment, Class Size Reduction

### What Does the Law Say?

Under §2122(c) of the ESEA, the Title IIA district Needs Assessment should take into account the activities that provide teachers and administrators with the instructional, content area, and leadership skills necessary to improve student achievement.

Per §2123(a)(2)(B) of the ESEA, federal guidance states that districts can use Title IIA funds to pay teacher salaries only for new teachers or teachers hired under the former federal Class-Size Reduction program who meet the HQ teacher requirements.

### What Must Districts Do?

Districts should use the Needs Assessment to propose activities that address areas of need in recruiting and retaining HQ teachers. The Needs Assessment is a required component of the district's Title IIA grant application.

Districts proposing to use Title IIA funds to support the hiring of teachers under Class Size Reduction must list the names, license numbers and teaching assignments of these teachers in their Needs Assessment.

*For more information on the district Needs Assessment, please visit ESE's Grants page, available at: <http://www.doe.mass.edu/nclb/grant/>*

*For technical assistance on HQT requirements, please email [HQThelp@doe.mass.edu](mailto:HQThelp@doe.mass.edu)*

## 5 Section 2141 of the ESEA

### What Does the Law Say?

The statutory provisions of Section 2141 of the ESEA outline the following:

§2141(a) Improvement Plans - Districts that fail to meet HQT requirements for two consecutive years are required to develop improvement plans. In Massachusetts, those plans are known as the Teacher Effectiveness and Quality Improvement Plan (TEQIP).

*Note: TEQIPs are required annually of all districts, regardless of §2141 status or HQT percentage.*

§2141(b) Technical Assistance - During the development of the Improvement Plans described above and throughout implementation of these plans, ESE shall provide technical assistance to the district and, if necessary, to schools served by the district in meeting the 100% HQT goal.

§2141(c) Funding Agreement – This section mandates that when a district does not meet HQT and AYP requirements for a third consecutive year, ESE must develop an agreement with the district that defines how the district will spend its Title IIA funding. In addition, §2141(c) also restricts the use of Title IA funds for hiring additional (new) paraprofessionals unless the district can demonstrate that the hiring is due to the following: to fill the vacancy created by the departure of another paraprofessional funded under Title I and the new paraprofessional satisfies the HQ requirements; there has been a significant influx of population has substantially increased student enrollment; or there is an increased need for translators or assistance with parental involvement activities.

The Department determines each district's Title IIA District Accountability 2141(c) status through compilation of Education Personnel Information Management System (EPIMS) for HQT and Adequate Yearly Progress (AYP) data. The 2009-10 school year marked the Department's third full data collection of EPIMS for all districts and indicated each district's progress in meeting 100% HQT. Accordingly, 2009-2010 was the first year the Department has been able to make determinations of compliance mandated under the statute.

### What Must Districts Do?

In fulfilling the statutory requirements under §2141(a) and §2141(b), *all* districts are expected to complete a TEQIP each year by the designated deadline, and work with the Title IIA reviewers in getting their TEQIPs approved before the review of their Title IIA grant application.

Districts in 2141(c) status – this year, and going forward – must enter into a formal funding agreement with the Department regarding their intended use of Title IA and Title IIA funds effective the associated fiscal year. Districts in this status will receive a notification informing them of their 2141c status, and will include specific instructions outlining the requirements necessary in fulfilling their statutory obligation.

*For more information on the statutory provisions outlined under Section 2141 of the ESEA, please visit: <http://www2.ed.gov/policy/elsec/leg/esea02/pg24.html#sec2141>*

*For technical assistance on HQT requirements, please email [HQThelp@doe.mass.edu](mailto:HQThelp@doe.mass.edu)*

## 6 ESE Monitoring

### What Does the Law Say?

ESE district monitoring is required under the statutory requirements in Title I, Part A and Title IX of the ESEA governing highly qualified teachers, as well as those that govern the ESEA Title II, Part A program. As such, ESE will complete an annual review of district compliance with Title II, Part A requirements and district implementation of the Highly Qualified teacher requirements during the same year in which a district is scheduled for a Coordinated Program Review (CPR).

*This Title IIA Update describes findings from ED's 2010 monitoring visit to Massachusetts. Please read it carefully and adjust your district's Title IIA programs as necessary.*

### What Must Districts Do?

This monitoring will require that districts:

- Ensure that all teachers hired after the first day of the 2002-2003 school year to teach in Title I programs were highly qualified at the time of hire [§1119(a)(1)];
- Ensure the accuracy of HQ designations for all teachers who teach core subjects as well as Title I instructional paraprofessionals [§9101(23)];
- Ensure that a copy of a HOUSSE log is maintained in each applicable teacher's file, and that each log includes the appropriate number of content-relevant PDPs and sign-off from the Superintendent and/or Principal;
- Ensure that all unlicensed teachers and/or teachers working more than 20% of their time outside of their licensure area are under valid and approved waivers [603 CMR 7.00];
- Ensure that all schools that receive Title I funds notify parents when their children are taught by teachers who are not highly qualified for four consecutive weeks throughout the school year [§1111(h)(6)(B)(ii)]; and
- Ensure that (*applicable districts only*): (1) all representatives of non-public schools have been informed, in a timely manner, of the availability of Title II, Part A services and the value of the services available; (2) non-public school officials have been consulted with during the design, development and implementation of the district's professional development needs assessment; (3) all Title IIA funds made available to non-public schools are managed and controlled by the district; (4) records of the district's efforts to resolve any complaints made by the non-public school representatives have been maintained; and (5) all communication with non-public schools has been documented [§9501].

*The ESE has created a sample HOUSSE log, available for download at: [http://www.doe.mass.edu/nclb/hq/hq\\_faq.html?section=HOUSSE](http://www.doe.mass.edu/nclb/hq/hq_faq.html?section=HOUSSE)*

*The ESE has published a working draft on private school student and educator participation in ESEA/NCLB programs, located at: [http://www.doe.mass.edu/nclb/news03/ese\\_a\\_memo.html](http://www.doe.mass.edu/nclb/news03/ese_a_memo.html)*

## 7 Conclusion

Through the information and examples presented in this newsletter, ESE hopes to provide districts with the knowledge needed to implement Title IIA, MA licensure waiver and the highly qualified teacher requirements.

## Additional Resources

### Title II, Part A

For more complete information regarding Title IIA program administration, please visit:

[http://www.doe.mass.edu/nclb/title\\_ia.html](http://www.doe.mass.edu/nclb/title_ia.html)

<http://finance1.doe.mass.edu/Grants/grants11/rfp/140.html>

### Massachusetts Tests for Educator Licensure (MTEL)

For more information regarding MTEL, please visit:

<http://www.doe.mass.edu/mtel/testrequire.html>

<http://www.doe.mass.edu/mtel/>

<http://www.mtel.nesinc.com/>

### NCLB

For more information regarding Massachusetts NCLB policy guidance, please visit:

<http://www2.ed.gov/policy/elsec/leg/esea02/index.html>

[http://www.doe.mass.edu/nclb/hq/paraprof\\_policy.pdf#search=%22Title%22](http://www.doe.mass.edu/nclb/hq/paraprof_policy.pdf#search=%22Title%22)

### Licensure

For more information regarding licensure, please visit:

[http://www.doe.mass.edu/Educators/e\\_license.html?section=k12](http://www.doe.mass.edu/Educators/e_license.html?section=k12)

For more information regarding learning the requirements for a particular license, please visit:

<https://www4.doemass.org/elar/licensurehelp/LicenseRequirementsCriteriaPageControl.ser>

For more information regarding accessing the regulations, guidelines and forms, please visit:

<http://www.doe.mass.edu/educators/resources.html>

For more information regarding licensure waiver information, please visit:

[http://www.doe.mass.edu/educators/waiver\\_setup.html](http://www.doe.mass.edu/educators/waiver_setup.html)

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For Title IIA questions: [TitleIIAGrants@doe.mass.edu](mailto:TitleIIAGrants@doe.mass.edu)

For HQT-related questions: [HQTHelp@doe.mass.edu](mailto:HQTHelp@doe.mass.edu)