

Bulletin No. 02.04

revised February 7, 2003  
revised January 9, 2004  
revised March 17, 2008

## Topic: ESEA Provision for Highly Qualified Teachers

The reauthorization of the Elementary and Secondary Education Act (ESEA), also known as the No Child Left Behind Act, will have significant impact on emergency licenses for teachers working in school programs across the state.

The act refers to “highly qualified teachers” in both Title I and Title II. Title I law requires that all public school teachers teaching “core academic subjects” are to be “highly qualified” by the end of the 2005-06 school year (section 1119). Title II funds may be used to ensure that all teachers meet these requirements through professional development or through partnerships with colleges or universities. In addition, in Title I schools, Title I funds may be used for this purpose.

The act defines “highly qualified” (in part) as follows (Section 9101):

The term “highly qualified” -- when used with respect to any public elementary school or secondary school teacher teaching in a state -- means that “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.”

The Wisconsin definition for “highly qualified” is:

A highly qualified teacher meets all of the requirements of PI 34 for the subjects and levels that he/she is teaching. The requirements include, but are not limited to, a bachelor’s degree, completion of an approved licensing program, and a rigorous exam in the subjects being taught. In addition, a highly qualified teacher may be a teacher of record who is enrolled in a state-approved alternative teacher-training program.

The act applies this requirement to the “core academic subjects,” which are defined as follows:

The term “core academic subjects” means English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography. (Section 9101)

The language in the act further defines what it means to be “highly qualified” for new teachers and provides ways for existing staff to fall under the definition. The new program approval and licensing rules in Chapter PI 34 are adequate for new hires after 2004. Teachers entering the field fully licensed will have the evidence necessary to meet the ESEA requirements.

It is clear from this language that districts must work to ensure that all district teachers of core academic subjects are “highly qualified” by the end of 2005-06. The federal definition of “highly qualified teacher” may include those with emergency licenses and permits in Wisconsin, since these credentials require enrollment in a certification program at a college, university, or other approved alternative education provider. However, the federal requirements exceed the state requirements for emergency licenses. In

order to be considered “highly qualified,” emergency license holders must have training before taking on the role of teacher, have continued high quality professional development throughout their teaching, complete the program in three years or less, be supervised or mentored, and have the program approved by the state.

The requirements for teachers enrolled in alternative preparation programs are very specific. For ESEA purposes, we define “alternative licensing program” as DPI-approved license programs provided by colleges, universities, or other entities that enroll teachers who are on emergency special licenses or permits. Teachers who are enrolled in these programs and who meet the criteria listed above are considered highly qualified under ESEA regulations. They cannot be considered highly qualified until they have had some preparation and are receiving intensive supervision and mentoring. Supervision and mentoring also can be provided through Title I and Title II funds. By DPI interpretation of the regulations, teachers on emergency special licenses have met the “before” requirement but must be enrolled in an approved program and receive supervision or mentoring. Permit holders do not qualify until they have had some preparation. We recommend, but do not require, the “before” requirement be met by six or more credits relevant to the teaching assignment as determined by the school district

Who does this include? The state interpretation of this federal mandate is that all elementary classroom teachers must be fully licensed for the grade assigned, all secondary teachers, both middle and high school, must be fully licensed in the specialty areas listed, and all special education teachers at all levels must hold the appropriate licensure for their assignments. We believe USDE Title II nonregulatory guidance implies a narrow interpretation of “highly qualified” teachers at the middle school and high school levels. We do not think this narrow interpretation is the intent of the policy language in ESEA, nor should it be the intent of the U.S. Department of Education interpretation of the legislation. One recent interpretation that has given cause for concern is the analysis of qualifications for middle school teachers, particularly for teachers trained as generalists who teach core academic subjects in grades six, seven, or eight.

We feel the test we have selected to use in this state, which is a generalist test for middle level teachers in language arts, mathematics, science and social studies, meets the requirement for “a rigorous state subject test” for middle school teachers new to the profession. Secondly, we feel teachers not new to the profession and teaching core academic subjects based on a minor in the middle and high school grades have met the competence requirement by meeting the “high objective uniform State standard of evaluation” [Section 9101(23) (C) (ii)] through the approved program that led to licensure.

Why special education? Special education teachers do teach in the core academic subjects, especially reading or language arts and mathematics. Additionally, Title II (section 2123) references the need to “...train and hire highly qualified teachers of special needs students, as well as teaching specialists in core academic subjects...”

Emergency license holders in core academic subjects, including special education, must give evidence of enrollment in an approved certification program, and continuing staff on emergency licenses must complete the requirements for full licensure by the end of the 2005-06 school year. Part of the state Title II allocation will be set aside to create partnerships and to investigate means for accomplishing this task. Districts also must adhere to these rules when hiring for the 2002-03 school year and beyond.

Targets must be set for districts with teachers on emergency licenses to come into full compliance with these rules. In addition, districts must report to the public each year, beginning in 2002-03, the progress made in meeting the license requirements (Section 1119).

Specific questions related to this bulletin should be directed to:

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Link:

Title II Non-regulatory Guidance: Improving Teacher Quality State Grants  
<http://www.ed.gov/programs/teacherqual/guidance.pdf>