

ESEA Alert

November 4, 2003

California Teachers Association

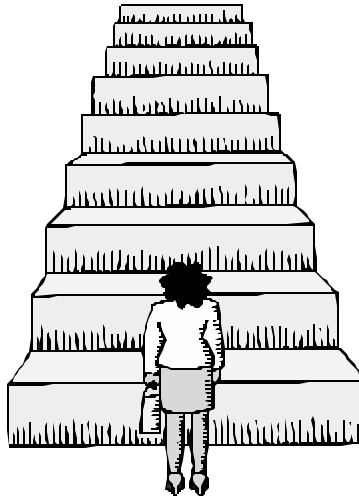
Highly Qualified Teacher Compliance Process Will Impact Virtually All California Teachers

After months of internal debate and input from interested parties, including CTA, the California Department of Education (CDE) has released a draft document entitled *NCLB Teacher Requirements Resource Guide*.

In its final form, this booklet will serve as a blueprint for school districts as they work to implement one of the most controversial provisions of the ESEA. That requirement states that all U.S. teachers of academic core subjects be "highly qualified" by the end of the 2005-06 school year.

To that end, CDE and the State Board of Education have wrestled with a definition that meets the federal mandate but does not disqualify large numbers of veteran teachers.

There are three progressive steps to support all teachers to NCLB compliance. All teachers, "New" and "Not New," will need to complete Form 1: Certificate of Compliance.



The compliance process is for all teachers of core academic subjects: English; Reading & Language Arts; Mathematics; Economics; Science; Civics; Geography; History; Foreign Language; Arts and Self-Contained/Elementary Multiple Subjects.

Many teachers will be done at this point.

For those "Not New" teachers unable to demonstrate subject matter competency through Form 1, the next step involves completion of California's High Objective Uniform State Standard of Evaluation (HOUSSE)- Part 1.

This involves an assessment of the teacher's qualifications and/or experience. As part of this Form 2, teachers will complete a personalized checklist to accumulate 100 points to demonstrate subject matter competency.

If a "Not New" teacher has not accumulated 100 points on HOUSSE-Part 1, they may use HOUSSE-Part 2 to gain the rest of the points necessary to reach 100 points.

On this Form 3, the teacher will select either Direct Observation or Portfolio Assessment in order to demonstrate evidence of competence in the K-12 content standards pertaining to the teacher's assignment .

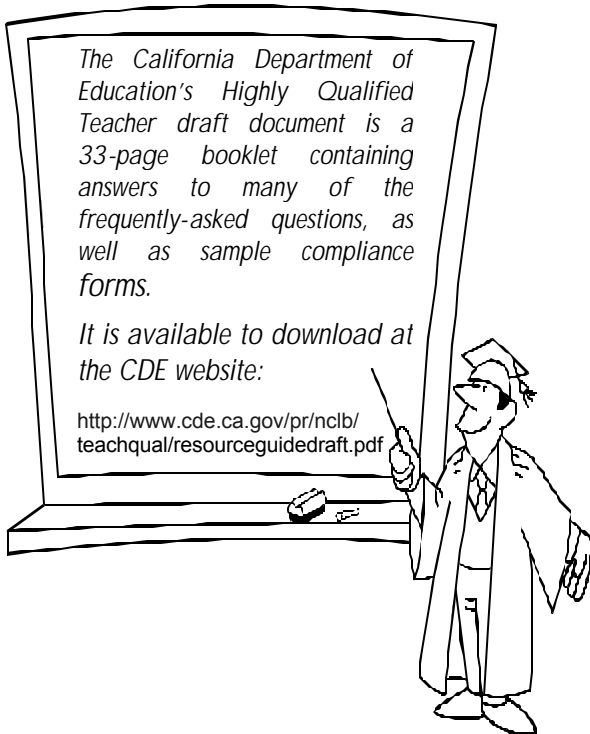
What Are the NCLB Requirements for Teachers?

Under the 2001 reauthorization of the ESEA, by the end of the 2005-2006 school year, teachers of core academic subjects must have: (1) a bachelor's degree; (2) a state credential, and (3) demonstrated core academic subject matter competence.

- *An elementary teacher must demonstrate compliance, only once, for the elementary grade span.*
- *A middle/high school teacher must demonstrate compliance, only once, in each core academic subject area that they are assigned to teach.*
- *NCLB compliance is a one-time demonstration of competence and is transferable to any LEA in California.*
- *It is estimated that 90% or more of California's teachers will become Highly Qualified through the completion of Forms 1 & 2 and fewer than 10% will be required to complete Form 3.*

California Teachers Association

www.cta.org



The Road Ahead...

While the NCLB Highly Qualified Teacher compliance process is a massive statewide undertaking, it will fall to local Associations to monitor how the process is working in their own districts.

NODD will have sample language when the process is finalized by CDE in December. In addition, the new on-line **ESEA/IIUSP Bargaining Guide** is available for your use now at www.cta-search.org.

We encourage local leaders to work closely with district administrators to present a clear and consistent message to our teachers. This process is a real opportunity to work in a cooperative way with our school districts.

Please keep your CTA primary contact staff informed of any HQT discussions you have with your district administration or any local activities related to ESEA implementation in a broad sense.

Bargaining Implications

While the compliance process for highly qualified teachers is governed by the CA State Department of Education, its local implementation will involve work-related issues that should be agreed upon through bargaining. CTA urges local Associations to begin discussions with district administration in any or all of the following areas:

- * **Access to Information**– Communications to/from the CDE, funds for compliance, LEA plans & site plans
- * **Dissemination of Information**– Joint presentations to staff regarding HQT information and/or parental notification requirements
- * **Compliance Process**– Local timeline for completion and availability of assistance to meet training, testing, and credentialing needs of teachers
- * **Demonstration of Competency**– Insuring the teachers' right to choose among options and multiple opportunities to provide evidence, designation of responsible district party to sign-off on forms
- * **Transfers & Reassignments**– HQT status as a factor in such transfers; prohibition on District reassigning teacher to a class in which they are not HQT compliant
- * **District-Approved Lists**– Development of the lists of approved professional development and/or leadership and service activities acceptable under HOUSSÉ– Part 1

When is an evaluation, not an evaluation?

Association leaders should insist that this one-time HQT "compliance" be completed by a management or supervisory employee of the district. As with our PAR programs, bargaining unit members should **not** be evaluating other unit members.

This means that our members who are knowledgeable regarding content standards, such as BTSA support providers, mentors, consulting teachers, coaches, etc., should be limited in their role as consultants so they do not actually "evaluate" their teaching colleagues.

This distinction is provided for under 1975's collective bargaining law, the Educational Employment Relations Act (EERA).