

Application of NCLB HIGHLY QUALIFIED Definition To Special Education Teachers

Guiding Principles

- Since students with disabilities are expected to meet the same standards as other students, teachers who deliver instruction to special needs students are required to meet the same standards for content knowledge. Students with disabilities are to receive instruction in core academic subjects from a teacher who is highly qualified to teach the core academic subjects. In addition, teachers of students with disabilities must meet the state's special education certification requirements for the grade level that they are teaching in order to be identified as highly qualified. Teachers of students with disabilities holding a non-standard certificate [e.g., a Temporary Authority to Teach (TAT) or an Out-of-Field Authority to Teach (OFAT) do not meet the NCLB definition of highly qualified].

Special Education Teachers Required to Meet the NCLB Highly Qualified Definition

- **Core Academic Teacher Role:** The special education teacher is the primary teacher providing instruction to the student in a core academic subject.
- **Co-Teacher Role:** The special education teacher works in the regular education class alongside a NCLB highly qualified teacher of core academic subjects. The special and general education teacher share responsibilities for the design and delivery of instruction, as well as the evaluation of student performance.

(**NOTE:** For teachers who teach those students who function as though they have a significant cognitive impairment and participate in LEAP Alternate Assessment, NCLB Highly Qualified is defined as meeting the highly qualified standards for either "New Elementary Teachers" or "Not New Elementary Teachers" (in addition to the appropriate special education certification).)

Special Education Teachers NOT Required to Meet the NCLB Highly Qualified Definition

- **Consultant Role:** The special education teacher provides consultation (e.g., adapting curricula, using behavioral support and interventions, and selecting appropriate accommodations) to NCLB highly qualified general education teachers of core academic subjects.
- **Support Role (Scenario A):** The special education teacher provides direct assistance to students with disabilities (e.g., tutoring, reinforcement of content provided in the general education setting) in segregated settings (e.g., resource class setting, self-contained classroom), but the students receive their instruction on core academic subjects from a NCLB highly qualified general education teacher.
- **Support Role (Scenario B):** The special education teacher works within the general education setting wherein NCLB highly qualified general education teachers provide instruction to the class on core academic subjects. The special education teacher provides direct assistance to students with disabilities (e.g., via individualized and/or small group instruction) as a support to the NCLB highly qualified teacher's instruction.
- **Support Role (Scenario C):** The special education teacher provides reinforcement of the core academic instruction (e.g., via management of a Content Mastery Center) to students with disabilities whose core academic subjects are taught by a NCLB highly qualified general education teacher.
- **Non-Core Academic Instruction Role:** The special education teacher provides direct instruction to students with disabilities on non-core academic subjects (e.g., study skills, community-based instruction).

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Suppose a not-new teacher holds a valid Special Education M/M 1-12 certificate, is teaching in a middle school grade level classroom (grades 6-8), and is teaching a core academic subject to special education students participating in the general statewide assessments. Is the teacher eligible for highly qualified status through the HOUSSE definition?

- Yes, the teacher could meet the highly qualified definition through the HOUSSE option. It would be required that the focus of CLUs be in the subject area(s) the teacher is teaching. Special education teachers are expected to meet the same standards for content knowledge as regular education teachers.
- The Individuals with Disabilities Education Act is currently being reauthorized, which may result in further requirements for special education teachers.

Suppose an individual has a valid elementary education certificate, passed PRAXIS 0014, and is hired to teach special education on an OFAT. The teacher's assignment includes working with students identified as having a learning disability in Grades 1-5 and providing them instruction in specific content areas. Does the teacher meet the requirements of the highly qualified definition?

- No. Any teacher on an Out of Field Authority to Teach (OFAT) certificate does not meet the highly qualified definition. If the teacher is on an OFAT for special education and that is the area in which he/she is teaching on an OFAT, the teacher is not highly qualified for that particular teaching assignment. To meet the highly qualified requirements of NCLB, the teacher must hold a valid teaching certificate in the area of assignment.

NOTE:

This document should be used in conjunction with the complete highly qualified definition policy or with either (a) the Louisiana Highly Qualified Definition for New Teachers document or (b) the Not-New Teachers document.

“ Nothing you do for
children is ever wasted. ”

-- Garrison Keillor

