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# Status of No Child Left Behind (NCLB) Highly Qualified Teacher Requirements

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**Date: Wednesday, August 08, 2012**

**TO THE ADMINISTRATOR ADDRESSED:**

## Subject: Status of No Child Left Behind (NCLB) Highly Qualified Teacher Requirements

Section 1119 of the No Child Left Behind Act (NCLB) requires that all core academic subject area teachers should have met the highly qualified (HQ) teacher requirements by the end of the 2006-2007 school year. Based on the Texas Education Agency's (TEA or agency) review of the 2011-2012 local education agency (LEA) highly qualified teacher data, the state is close to meeting this goal but it has not been met statewide. Section 2141 of NCLB requires the implementation of interventions with LEAs that have not yet met this goal.

The attachments listed below are provided to update you on the status of the highly qualified teacher requirements and the agency's plans for continued implementation and improvement toward this NCLB requirement.

Attachment 1: Campus Reporting of Highly Qualified Teacher Compliance Report as of September 17, 2012 (2012-2013 Highly Qualified Teacher Data)—Due Date November 15, 2012

Attachment 2: LEA Public Reporting of Progress in Meeting Highly Qualified Teacher Requirements (2012-2013 Highly Qualified Teacher Data)—Due Date December 15, 2012

Attachment 3: Principal's Attestation of Highly Qualified Teacher Requirements (2012-2013 Highly Qualified Teacher Data)—Due Date December 15, 2012

Attachment 4: LEA Consequences for Not Reaching 100% Highly Qualified Teachers Section 2141 Interventions

Attachment 5: Completing the Highly Qualified Teacher Focused Data Analysis (HQTFDA) and Highly Qualified Teacher Continuous Improvement Plan (HQTICIP)

Attachment 6: Validation of 2012-2013 Highly Qualified Data Submitted by LEA Campuses

Attachment 7: Districts That Miss Both Highly Qualified Teacher Targets and Adequate Yearly Progress Section 2141 Interventions

Attachment 8: School Improvement Campus Consequences for Not Reaching 100% Highly Qualified Teachers

Attachment 9: Documentation of Highly Qualified Teacher Requirements

The agency will continue to provide updated information on highly qualified requirements through the NCLB Update listserv that is disseminated to school districts each week via electronic mail. To subscribe to the NCLB Update, go to <http://www.tea.state.tx.us/list> and select "No Child Left Behind" from the dropdown box and click on the "Join or Leave" button. At the second screen, enter your email address and name and click on the "Join the List" button.

If you have questions regarding this highly qualified information, please contact the Highly Qualified Teacher Unit in the Division of Educator Initiatives at (512) 936-9831.

Sincerely,  
  
Viviana Lopez  
Director  
Division of Educator Initiatives

[Attachments](#)

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**Attachment 1: Campus Reporting of 2012-2013 Highly Qualified Teacher Compliance Report -  
Initial Due Date November 15, 2012**

The 2012-2013 Highly Qualified Teacher Compliance Report will be available for all campuses to complete and submit electronically to the Texas Education Agency through the eGrants system beginning September 17, 2012. The Highly Qualified Teacher Compliance Report is to reflect the campus' beginning of the school year highly qualified status **as of September 17, 2012**. The report must be initially certified and submitted by **November 15, 2012**.

Campuses are required to amend the highly qualified teacher compliance report throughout the school year as the status of any teacher changes. This includes a teacher becoming highly qualified as well as vacancies that may occur that cannot be filled mid-semester with a highly qualified teacher. In the event that such a vacancy does occur, the campus report must be amended at such time that a parental notice is required due to the students not having a highly qualified teacher for twenty (20) consecutive days or four weeks.

Although the campus should amend at the time there is a change in current highly qualified status, the agency will remind campuses and LEAs to amend at the end of each semester. This will allow the campus, the LEA, and the state to have more accurate up-to-date reporting of teacher status. The agency will take a snapshot of the highly qualified data on the following dates for beginning-of-year and end-of-year reporting purposes.

- Beginning-of-year status as of September 17, 2012 -- November 15, 2012
- End-of-year status -- June 15, 2013

The beginning-of-year status report will be used by the agency for reporting of the beginning of year status to USDE and for determining which LEAs are required to complete and submit the Highly Qualified Teacher Focused Data Analysis (HQTFDA) and Highly Qualified Teacher Continuous Improvement Plan (HQTCIP). (See Attachment 5 for more information.) The end-of-year report will be used by the agency for reporting end of year status to USDE and for collecting data for the NCLB initial compliance review (ICR) indicators used in calculating the compliance desk audit results.

Data from these 2012-2013 compliance reports will be validated by the agency. See Attachment 6.

**Attachment 2: LEA Public Reporting of Progress in Meeting Highly Qualified Teacher Requirements (2012-2013 Highly Qualified Teacher Data)—Due Date December 15, 2012**

NCLB requires each LEA to publicly report progress of the LEA and its campuses toward meeting the HQ teacher requirements as defined by the state’s measurable highly qualified teacher objectives. The 2012-2013 Highly Qualified Teacher Reports for LEAs and individual campuses will be available on the Texas Education Agency (TEA) NCLB web site at <http://burluson.tea.state.tx.us/ReportInterface> after all the campus level reports are received by the agency by the respective report due dates. Please note that there will be three applicable reports for each LEA and one report per campus.

- Highly Qualified Teachers Report (by LEA and Campus)
- Highly Qualified Teachers Report by LEA—High Poverty Quartile Campuses
- Highly Qualified Teachers Report by LEA—Low Poverty Quartile Campuses

This public reporting process is to occur no later than **December 15, 2012**.

NCLB requires that the LEA publicly report the annual progress of the LEA and each campus served by the LEA in meeting the state’s measurable highly qualified teacher objectives. The annual targets of these objectives are as follows:

Annual Targets	Percentage of Classes Taught by HQ Teachers (State Aggregate)	Percentage of Classes Taught by HQ Teachers (High-Poverty Schools)	Percentage of HQ Teachers (State Aggregate)	Percentage of Teachers receiving high-quality professional development (State Aggregate)
2006-2007 and beyond Target	100.0%	100.0%	100.0%	100.0%

The LEA should compare the data reported by the LEA to these state annual targets to determine the LEA’s progress in these areas. The LEA must report both campus and LEA data in comparison to targets for the 2012-2013 school year.

The data for calculating the percentage of teachers receiving high-quality professional development are found in Part B of the LEA’s 2011-2012 Title I, Part A Compliance Report. Only 2011-2012 data are required to be reported for this one indicator related to professional development.

Required Interventions

If the LEA has failed to meet one or more of the targets for two consecutive years, the agency is required by statute to provide technical assistance in the development of an improvement plan that will enable the LEA to meet these objectives and that specifically addresses the issues that prevented the LEA from meeting the objectives. TEA will identify those LEAs not making progress toward the 100% highly qualified teacher targets based on the data reported through the campus highly qualified teacher compliance reports. LEAs will be contacted when an improvement plan is required to be submitted to TEA. Technical assistance from the regional education service center will also be available to identified districts. Additional information on the statutorily required interventions may be found in Attachment 4.

**Attachment 3: Principal's Attestation of Highly Qualified Teacher Requirements  
(2012-2013 Highly Qualified Teacher Data)—Due Date December 15, 2012**

The principal of each Title I, Part A campus must annually attest in writing whether the campus is in compliance with NCLB, Section 1119 [Teacher and Paraprofessional Qualifications]. Copies of these attestations must be maintained at each Title I, Part A campus and at the central office of the LEA and must be available to any member of the general public on request.

A sample of a principal's attestation format may be accessed through the agency's NCLB web site at: [http://www.tea.state.tx.us/index4.aspx?id=4749&menu\\_id=798](http://www.tea.state.tx.us/index4.aspx?id=4749&menu_id=798).

In order to align with the beginning-of-the-year Highly Qualified Compliance Report submission timeline, the principal attestation must provide the status of Section 1119 as of the beginning of the school year and coincide with the 2012-2013 highly qualified data reported to TEA.

The attestation must be on file by **December 15, 2012**, and may be written in a way that also covers prospective hiring in the event that the campus' status changes during the school year.

#### **Attachment 4: LEA Consequences for Not Reaching 100% Highly Qualified Teachers Section 2141 Interventions**

Section 2141 of NCLB requires LEAs that have not met the Highly Qualified Teacher Targets, as discussed in Attachment 2, to complete an improvement plan. In addition, the state's plan for teacher quality, approved by USDE, requires any LEA that did not report 100% of classes taught by highly qualified teachers to complete and submit an improvement plan to TEA. TEA will identify those LEAs not meeting the 100% highly qualified teacher targets based on the data reported through the campus Highly Qualified Teacher Compliance Reports. LEAs will be contacted when an improvement plan is required to be submitted to TEA. Training and technical assistance from the regional education service centers will also be available to identified districts.

If the LEA does not have 100% of its core academic subject area classes taught by highly qualified teachers at the beginning of the 2012-2013 school year as reported in the Highly Qualified Teacher Compliance Report (reported as of September 17, 2012, and due November 15, 2012), it must complete a Highly Qualified Teacher Continuous Improvement Planning process. Under this process, the LEA must submit a Highly Qualified Teacher Focused Data Analysis (HQTFDA) and a Highly Qualified Teacher Continuous Improvement Plan (HQTCIP). All of the required documents must be submitted to the Texas Education Agency for review by **December 15, 2012**. Failure to submit the plan by the deadline will cause the LEA's Initial Compliance Review (ICR) score and subsequent compliance interventions to be elevated in the 2012-2013 NCLB desk audit process.

Any LEA who has not met the 100% highly qualified teacher requirement and subsequently is subject to the Section 2141 interventions, solely due to teachers who are eligible for the multi-subject new special education teacher or multi-subject rural teacher flexibility, will not be required to submit the interventions to the agency by the December deadline for review. The interventions will be maintained locally and made available to the agency upon request. However, if the LEA intends to use either of these flexibility provisions, it must send a letter to the Division of Educator Initiatives indicating that the LEA is exercising this flexibility in lieu of completing the HQTCIP and HQTFDA. In addition, any LEA that has met the 100% requirement by the December 15, 2012, submission deadline must amend their campus report(s) and submit a letter to the Division of Educator Initiatives indicating the 100% requirement has been met in lieu of completing the HQTCIP and HQTFDA.

The HQTCIP will be submitted to the TEA using a prescribed format. The strategies and activities identified in the HQTCIP plan must also be incorporated into the LEA's District Improvement Plan. LEAs that are required to develop and implement a HQTCIP will receive training on the process and format of the plan from the regional ESCs.

#### Equitable Distribution of Highly Qualified Teachers

NCLB statute requires LEAs to ensure that there is an equitable distribution of highly qualified and experienced teachers on high-poverty campuses as compared to low-poverty campuses and on high-minority campuses as compared to low-minority campuses. Part I of the HQTFDA includes a process for LEAs to complete an equity analysis to review equitable distribution within their LEA.

An LEA must complete this section if it 1) has multiple attendance areas; and 2) demonstrates a significant poverty gap between its low- and high-poverty schools or a significant minority gap between its low- and high-minority schools. The LEA will receive notification from the Division of Educator Initiatives in October 2012 if it meets the criteria above and is required to complete this section of the HQTFDA. This communication will be sent to the LEA's superintendent and copied to the LEA's federal programs director and human resources director. The notification will contain a Poverty Equity Distribution Report and/or Minority Equity Distribution Report, as well as a Report Explanation document to be used in completing this section of the HQTFDA. An LEA may also contact its regional Education Service Center (ESC) highly qualified contact for additional information, training, and technical assistance.

## **Attachment 5: Completing the Highly Qualified Teacher Focused Data Analysis (HQTFDA) and Highly Qualified Teacher Continuous Improvement Plan**

When completing the Highly Qualified Teacher Focused Data Analysis (HQTFDA) and Highly Qualified Teacher Continuous Improvement Plan (HQTICIP) templates, the LEA should take special care to follow the instructions for each template. Instructions for completing the 2012-2013 HQTFDA and HQTICIP will be available on the NCLB Program Coordination website in late September at <http://www.tea.state.tx.us/index2.aspx?id=4650>, under the item titled "LEA Highly Qualified Teacher Continuous Improvement Plan Process".

### Highly Qualified Teacher Focused Data Analysis (HQTFDA)

When reporting core subject areas in which less than 100 percent of classes were taught by highly qualified teachers, LEAs should enter only one subject area per box in the assignment column on the HQTFDA. In 2011-2012, some LEAs entered multiple subject areas in a single box in the assignment column. If the LEA has multiple subject areas where classes were taught by non-highly qualified teachers, each subject area should be entered in a separate box. Multiple grades and campuses may be entered for the same core subject area as applicable.

Data entered on the HQTFDA for classes taught by non-highly qualified teachers should match the data reported by the LEA in the 2012-2013 Highly Qualified Teacher Compliance Report (PR1100). If the information reported on the PR1100 for any campus has changed prior to the December 15, 2012, deadline for submitting the HQTFDA, the LEA should amend its report, following the procedures described in Attachment 1.

### Highly Qualified Teacher Continuous Improvement Plan (HQTICIP)

When completing the Highly Qualified Teacher Continuous Improvement Plan (HQTICIP), the LEA should keep the following points in mind:

- The LEA's HQTICIP must address all seven objectives shown on the template. Information that must be included on the HQTICIP for each objective includes strategies/activities, person(s) responsible for the strategy, the measurable evidence of improvement, and the target completion date.
- The boxes for all objectives contained in the HQTICIP must be checked, even those that do not apply to the LEA. Objectives on the HQTICIP which may not to apply to an LEA are Objective 4 and Objective 5. These two objectives are shown below:
  - Objective 4 – Ensure low-income and minority students are not taught at higher rates than other student groups by inexperienced, out-of-field, or non-highly qualified teachers. (If this objective does not apply, the LEA may indicate in the strategy column that it did not receive a High Poverty/Minority Equity Analysis Report, check the Objective 4 box , and enter N/A in the remaining columns)
  - Objective 5 – Increase the percentage of core academic subject area classes taught by highly qualified teachers on high-poverty campuses to 100%. (If this objective does not apply, the LEA may indicate that it does not have any high-poverty campuses identified by the state, check the Objective 5 box, and enter N/A in the remaining columns.)

## Attachment 6: Validation of 2012-2013 Highly Qualified Data Submitted by LEA Campuses

In compliance with the U.S. Department of Education's (USDE) peer review process of the state's revised highly qualified teacher plan, the agency continues to conduct a validation process of the highly qualified teacher data submitted by campuses.

The 2012-2013 data validation processes will be implemented by the Division of NCLB Program Coordination from a random sample of LEAs stratified by ESC region and size of LEA.

Highly qualified data validation will include the following two processes with a separate random sample generated for each process. An LEA selected for validation will only be selected to participate in one process.

- I. Teacher Status Validation - The agency will require submission of the 2012-2013 beginning of year highly qualified teacher documentation for a number of teachers on a selected campus from a sample of LEAs. Agency staff will verify the highly qualified teacher determinations of the LEA and require amendments to the campus data as deemed necessary.
- II. Public Reporting Validation - The agency will require a sample of LEAs to certify and to submit the 2012-2013 LEA Public Reporting of Progress in Meeting Highly Qualified Teacher Requirements for the LEA. The documentation requested will include the actual public notice(s) and the methods of reporting implemented by the LEA.

Each LEA randomly selected for a validation process will be notified by letter to the LEA superintendent. The 2012-2013 Teacher Status Validation (Item I above) will begin in October; and the Public Reporting Validation (Item II above) will occur after the December 15<sup>th</sup> deadline.

Failure to submit the data required by the validation process by the deadline will cause the LEA's Initial Compliance Review (ICR) score and subsequent compliance interventions to be elevated in the 2012-2013 NCLB desk audit process.

**Attachment 7: Consequences for LEAs Missing HQT Targets and Adequate Yearly Progress (AYP)  
Section 2141 Interventions**

For LEAs that have not reached 100% highly qualified status by the beginning of the 2012-2013 school year and also have not met AYP for three consecutive years (Final 2010, Final 2011, and Preliminary 2012 AYP Releases), the TEA will implement the following additional corrective actions required by Section 2141 statute:

1. LEAs will be required to implement an Accountability Agreement with TEA and jointly develop a professional development program;
2. TEA will require professional development to meet the needs of the campuses;
3. TEA will provide Title II, Part A funds directly to campuses to meet identified needs; and
4. TEA will prohibit LEAs from hiring additional paraprofessional FTEs.

LEAs meeting both these criteria will be notified by the Division of NCLB Program Coordination after the December 2012 Final AYP Release. The Accountability Agreement and professional development plan (including professional development to meet the identified needs of the campuses impacted) will be due to the agency by March 1, 2012, for implementation in the spring of 2013 and continuing into the 2013-2014 school year. Interventions #3 and #4 above will be implemented in the 2013-2014 school year. These Section 2141 requirements will be in effect, at a minimum, through the 2013-2014 school year regardless of the HQT and AYP statuses released in 2013.



**Attachment 8: School Improvement Campus Consequences  
for Not Reaching 100% Highly Qualified Teachers**

In addition to the campus level participation in the LEA consequences outlines in Attachment 4, campuses in Title I School Improvement will be required to implement the following specific consequences.

1. Stage 1 School Improvement Program (SIP) campuses have a TEA-required administrative mentor as part of the state's school support program to schools identified for needing improvement. These mentors are required to review the campus' HQTICIP and provide any necessary technical assistance in revising the plan as needed.
2. As a component of the LEA's HQTICIP submission, Stage 2 and above Title I SIP campuses will submit their campus HQTICIP to TEA for review. The deadline to submit HQTICIPs to TEA will be December 15, 2012. Failure to submit the plan by the deadline may cause an adverse impact to the campus' Title I School Improvement funding and will result in the LEA's Initial Compliance Review (ICR) score and subsequent compliance interventions to be elevated in the 2013-2014 NCLB desk audit process. TEA will conduct a review of the plans and provide technical assistance to the campuses and LEAs as needed.

## Attachment 9: Highly Qualified Documentation Requirements

It is the responsibility of the LEA to determine which teachers are required to meet the highly qualified teacher requirements based on individual job responsibilities. TEA staff will not make these determinations for LEAs since TEA staff have the responsibility for validating the accuracy of the LEA's determinations. Highly Qualified teacher determinations must be documented and maintained locally and submitted to TEA for validation purposes upon request.

The TEA is providing LEAs with Highly Qualified Teacher worksheets to use as a tool to facilitate the LEA requirement to determine the highly qualified status of all core academic subject area teachers. Using this form is not a requirement, but rather a resource to assist the LEA in this process. The worksheets are available on the TEA website at <http://www.tea.state.tx.us/index4.aspx?id=2147485438>.

Limited Uses of House: As of the beginning of the 2008-2009 school year, the continued use of HOUSE procedures was limited to the seven areas described on pages 29-30 of the TEA guidance document (<http://www.tea.state.tx.us/index4.aspx?id=4650>).

***Experienced Secondary Teacher Eligibility (Number 6) has been expanded beyond the 2012-2013 school year and includes all courses accepted by the Texas State Board of Education for required graduation credit.***

In response to a 2009 change in USDE interpretation, an LEA may continue to document highly qualified teacher determination that use the **elementary** HOUSE option for experienced teachers who were eligible to implement HOUSE during the 2009-2010 school year. All activities to count as points toward such HOUSE options must have been completed by June 1, 2010.

- The teachers affected by this option must have already completed all activities for meeting the HOUSE option. This flexibility allows them time to compile and submit the documentation for review to an LEA at any time that HOUSE remains in statute. HOUSE is expected to remain in statute, at a minimum, until reauthorization of the NCLB statute.
- To be eligible, the teacher must have completed a minimum of one documented year of teaching experience (as defined by the TEA guidance document) prior to the 2009-2010 school year and been eligible to use HOUSE options during 2009-2010.
- This allows additional time for administrators, teachers not currently teaching, or teachers not currently teaching in the general elementary curriculum—but who have completed all the necessary points for HOUSE options—to document their highly qualified status using HOUSE. No points for HOUSE options may be counted after June 1, 2010, but the documenting of the HOUSE option was not required to be completed by June 1, 2010.

Portability: While the determination of a teacher's highly qualified status is an LEA or charter school decision, the Agency's intent is that such determinations are to be portable between all LEAs and charter schools within the state. It is the responsibility of the teacher to provide a hiring LEA with documentation of highly qualified status in teaching assignments as verified by a previous employing school district or charter school.

NOTE: Such highly qualified teacher determinations made by charter schools may not be portable to a public school district due to the differing certification requirement in highly qualified for charter school teachers than public school teachers.