

**State of New Mexico**  
**LEGISLATIVE EDUCATION STUDY COMMITTEE**

**REPRESENTATIVES**

Rick Miera, Vice Chair  
Joni Marie Gutierrez  
Dianne Miller Hamilton  
Mimi Stewart  
Thomas E. Swisstack  
W. C. "Dub" Williams

State Capitol North, 325 Don Gaspar, Suite 200  
Santa Fe, New Mexico 87501  
PH: (505) 986-4591 FAX: (505) 986-4338  
<http://legis.state.nm.us/lcs/lesc/lescdefault.asp>

**SENATORS**

Cynthia Nava, Chair  
Gay G. Kernan  
Mary Kay Papen  
William E. Sharer

**ADVISORY**

Ray Begaye  
William "Ed" Boykin  
Kandy Cordova  
Roberto J. Gonzales  
Jimmie C. Hall  
John A. Heaton  
Harriet I. Ruiz  
Sheryl M. Williams Stapleton  
Richard D. Vigil  
Teresa A. Zanetti



**ADVISORY**

Vernon D. Asbill  
Mark Boitano  
Carlos R. Cisneros  
Dianna J. Duran  
Mary Jane M. Garcia  
John Pinto  
Leonard Tsosie

D. Pauline Rindone, Ph.D., Director  
Frances R. Maestas, Deputy Director

November 14, 2005

**MEMORANDUM**

**TO:** Legislative Education Study Committee

**FR:** Sonja Halsey

**RE: STAFF BRIEF: TEACHER QUALITY: NCLB HIGHLY QUALIFIED  
TEACHERS: STATUS REPORT**

---

The 2005 Interim Workplan of the Legislative Education Study Committee (LESC) includes a report on the status of highly qualified teachers in New Mexico, as defined by the federal *No Child Left Behind Act of 2001* (NCLB).

During the 2004 legislative interim, the LESL requested the Office of Education Accountability (OEA) to report to the LESL on the progress that school districts were making toward meeting the NCLB requirement that all teachers must be highly qualified by the end of school year 2005-2006. The OEA submitted a written report to the LESL in January 2005. (See Background for information contained in that report.)

In June 2005, the LESL requested OEA to update the information contained in the January 2005 report, and in addition to that information also add: a definition of a high-poverty district; for each district and Regional Education Cooperative, the amount of funds, by source, used to provide professional development activities to ensure that teachers meet the NCLB requirements; and information concerning any flexibility measures granted to the state by the US Department of Education (USDE) in regard to high-quality teachers and whether that flexibility has made a difference in the state's ability to meet the NCLB requirements. This presentation includes the updated report.

## Issues:

- According to NCLB, all teachers of core academic subjects must be highly qualified by the end of school year 2005-2006. NCLB defines core academic subjects as: English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography. To be considered highly qualified, a teacher of one of these core subjects must have full certification, a bachelor's degree, and demonstrated competence in subject knowledge and teaching.
- Within the above requirements, the federal law allows certain flexibility for teachers in rural areas, science teachers, and teachers of multiple subjects, as well as for middle school and special education teachers. The USDE recently expanded its explanation of areas of flexibility in a Fact Sheet (see Attachment 1).
- The reauthorization of the *Individuals with Disabilities Education Improvement Act of 2004* (IDEA 2004) aligns the requirements of special education teachers to NCLB. Some requirements differ depending on the grade level taught, on whether a teacher is new to the profession or a veteran teacher, or on the level of disability of the children being taught (see Attachment 2). In general, a highly qualified special education teacher:
  - must hold at least a bachelor's degree;
  - must have full certification/licensure for special education; and
  - must not have their certification or license waived on an emergency, temporary, or provisional basis.

An important area of flexibility for special education teachers is that, for those who provide only consultative services (such as in the "inclusion" model), they are not required to be highly qualified in each subject being taught.

- According to NCLB, states must take steps "to ensure that minority children and children from low-income families are not taught at higher rates than other children by inexperienced, unqualified, or out-of-field teachers." Federal regulations also require local school districts to develop plans for the same purpose through incentives for voluntary transfers, professional development, recruitment programs, or other strategies.
- In a letter dated October 21, 2005 (see Attachment 3), US Secretary of Education Margaret Spellings addressed the issue of possible consequences for not achieving full compliance for having highly qualified teachers by the deadline. In her letter, the Secretary explains that states will not lose funding if they are "making a good-faith effort" to reach this goal "as soon as possible." The USDE will determine a good-faith effort on the basis of the following:
  - States must have defined "highly qualified teachers" in terms consistent with NCLB and evaluate all of its teachers by these definitions. Special education teachers must meet the federal guidelines described in IDEA 2004.

- States and districts must report (to the public as well as to parents) the number and percentage of core academic subjects taught by highly qualified teachers. Schools receiving Title I funds must report to parents (upon request) the qualifications of their children's teachers. These schools are also required to notify parents if their children are taught for four or more weeks by a teacher who is not highly qualified.
- States must also report the number and percentages of core academic classes being taught by highly qualified teachers in high- and low-poverty areas, and describe the types of core academic classes that do not have highly qualified teachers. These data must be reported to USDE as part of the NCLB Consolidated State Performance Report, in which states submit data on program activities.
- States must "take action to ensure that inexperienced, unqualified, or out-of-field teachers do not teach poor or minority children at higher rates than other children."

States that have not achieved their highly qualified teacher requirement, but that have demonstrated by the above criteria that they are making a good-faith effort, will be requested by the USDE to submit by May 31, 2006, a revised plan for reaching this goal in school year 2006-2007.

### **Background:**

- As early as 1998, the LESC heard testimony about the impending shortage of high-quality teachers and since that time the committee has demonstrated its continued interest in the issue by endorsing successful legislation to recruit and retain high-quality teachers which include: the *Beginning Teacher Mentorship Program*; the *Teacher Loan for Service Act*; *Alternative Educational Certification*; and the *Return to Work Law*.
- Also endorsed by the LESC, the public school reform legislation enacted by the 2003 Legislature created a three-tiered teacher licensure evaluation and salary system intended to increase student achievement by recruiting and retaining high-quality teachers and to align with the "highly qualified teacher" requirements of NCLB. According to PED, the evaluation system has two components: the professional development dossier and the local annual performance evaluation. The purpose of the dossier is to assemble evidence to support a teacher's advancement within the three-tiered licensure system. The local annual performance evaluation, based upon the professional development plan that each teacher develops in collaboration with the school principal, is intended to ensure that teachers are not only "highly qualified" under both state and federal law but also "highly effective" in the classroom.
- On October 29, 2004, the LESC requested that the OEA submit a report on the following: the status of New Mexico's teacher pool; the level of compliance with the highly qualified teacher requirements of NCLB among the 89 school districts; and the way in which school districts are using NCLB professional development funds to assist teachers to meet this requirement. The January 2005 report to the LESC, submitted by the OEA in compliance with this request, reports the following:

- The status of New Mexico’s teacher pool indicates the following changes from school year 2000-2001 to school year 2003-2004: teachers on waivers statewide has been reduced from 8.4 percent to 4.7 percent; the teachers on waivers in New Mexico’s high poverty schools has been reduced from 15.7 percent to 8.2 percent; and the “teacher quality” gap between high poverty schools and the statewide average has been reduced from 7.3 percent to 3.5 percent.
- The level of compliance with the NCLB highly qualified teacher requirement measured from the 120<sup>th</sup> day of school year 2003-2004 to the 40<sup>th</sup> day of school year 2004-2005 indicates that the percentages of classes taught by highly qualified teachers increased as follows: for elementary schools, from 75.1 percent to 87.5 percent; for middle schools, from 54.6 percent to 55.1 percent; and for high schools, from 78.5 percent to 80.2 percent.
- NCLB requires each school district that receives Title I funds to reserve not less than 5.0 percent of the funds for professional development activities to ensure that teachers who are not highly qualified become so by the end of school year 2005-2006. According to the report, for FY 04 and FY 05, school districts in New Mexico received a total of approximately \$209.0 million in Title I funds, 5.0 percent of which would be approximately \$10.0 million. The report contains a breakdown of the amount of Title I funds available for professional development to each school district; however, there is no information on how these funds were used.

**Presenters:**

Dr. Peter Winograd, Director, OEA, will update the committee on progress, which has been made since the January 2005 report, toward meeting NCLB requirements for highly qualified teachers.

Mr. James Ball, Assistant Secretary, Educator Quality Division, PED, will address this issue from the perspective of his department.

**Questions the committee may wish to consider:**

1. If New Mexico applies for and receives an extension of the deadline for highly qualified teachers, as described in the October 2005 letter from Secretary Spellings, what does PED anticipate including in its revised plan due in May 2006?
2. What efforts are being made at the state level to ensure that minority children and children from low-income families are not taught at higher rates than other children by inexperienced, unqualified, or out-of-field teachers?
3. According to the January 2005 report from OEA, the majority of school districts appear to have their lowest percentage of highly qualified teachers working at the middle school level. What steps, if any, are being taken by PED to address this disparity?



## FACT SHEET



### NEW NO CHILD LEFT BEHIND FLEXIBILITY: HIGHLY QUALIFIED TEACHERS

States are now preparing to meet the 2005-06 deadline for ensuring all of their teachers are highly qualified. Ahead of that deadline, the Department is providing three new areas of flexibility for teachers to demonstrate that they are highly qualified. This flexibility will benefit teachers, local and state administrators, and most importantly—students.

#### NEW FLEXIBILITY

##### I. Rural Teachers

Approximately one-third—or almost 5,000—of all school districts in the United States are considered rural. As Department officials have traveled the country listening to teachers and state and district officials, they frequently have heard that the highly qualified teacher provisions of the *No Child Left Behind* law don't adequately accommodate the special challenges faced by teachers in small, rural districts. Often, the teachers in these areas are required to teach more than one academic subject. This new flexibility is designed to recognize this challenge and provide additional time for these teachers to prove that they are highly qualified.

- Under this new policy, teachers in eligible, rural districts who are highly qualified in at least one subject will have three years to become highly qualified in the additional subjects they teach. They must also be provided professional development, intense supervision or structured mentoring to become highly qualified in those additional subjects.

##### II. Science Teachers

Science teachers, like rural teachers, are often needed to teach in more than one field of science. Some states allow such science teachers to be certified under a general science certification, while others require a subject-specific certification (such as physics, biology or chemistry). In science, where demand for teachers is so high, the Department is issuing additional flexibility for teachers to demonstrate that they are highly qualified.

- Now, states may determine—based on their current certification requirements—to allow science teachers to demonstrate that they are highly qualified either in "broad field" science or individual fields of science (such as physics, biology or chemistry).

##### III. Current Multi-subject Teachers

**Current teachers do not have to return to school or take a test in every subject to demonstrate that they meet highly qualified requirements.** *No Child Left Behind* allows states to create an alternative method (High, Objective, Uniform State Standard of Evaluation or HOUSSE) for teachers not new to the field—as determined by each state—to certify they know the subject they teach. But, for multi-subject teachers, this alternate process could become unnecessarily protracted and repetitive as they go through the HOUSSE process for each subject.

- Under the new guidelines, states may streamline this evaluation process by developing a method for current, multi-subject teachers to demonstrate through one process that they are highly qualified in each of their subjects and maintain the same high standards in subject matter mastery.

## EXISTING FLEXIBILITY

A common theme emerged from frequent meetings, visits and listening sessions with teachers and state and local officials across the country: States haven't been taking full advantage of flexibility (in requirements and in funding) already at their disposal through No Child Left Behind. Outlined below are some of these untapped areas:

### I. HOUSSE for Current Teachers

No Child Left Behind does not require current teachers to return to school or get a degree in every subject they teach to demonstrate that they are highly qualified. The law allows them to provide an alternate method (HOUSSE) for experienced teachers to demonstrate subject-matter competency that recognizes, among other things, the experience, expertise, and professional training garnered over time in the profession.

### II. Middle School Teacher Requirements

Importantly, states have the authority to define which grades constitute elementary and middle school. States may determine, by reviewing the degree of technicality of the subject matter being taught and the rigor of knowledge needed by the teacher, whether demonstrating competency as an elementary or as a middle school teacher is appropriate. In addition, states may approve rigorous content-area assessments that are developed specifically for middle school teachers aligned with middle school content and academic standards.

### III. Testing Flexibility

NCLB provides flexibility in developing assessments for teachers to demonstrate subject-matter competency. States may tailor teacher tests to the subjects and level of knowledge needed for effective instruction.

### IV. Special Education Teachers

The highly qualified teacher requirements apply only to teachers providing direct instruction in core academic subjects. Special educators who do not directly instruct students in core academic subjects or who provide only consultation to highly qualified teachers in adapting curricula, using behavioral supports and interventions or selecting appropriate accommodations, do not need to demonstrate subject-matter competency in those subjects.

Congress, in the context of the Individuals with Disabilities Education Act (IDEA) reauthorization, is considering modifying how the highly qualified teacher provisions of NCLB apply to special education teachers. The Department looks forward to working with Congress in addressing this need.

## TERMS TO KNOW: HIGHLY QUALIFIED TEACHERS

- **Highly Qualified Teachers:** To be deemed highly qualified, teachers must have: 1) a bachelor's degree, 2) full state certification or licensure, and 3) prove that they know each subject they teach.
- **State Requirements:** NCLB requires states to 1) measure the extent to which all students have highly qualified teachers, particularly minority and disadvantaged students, 2) adopt goals and plans to ensure all teachers are highly qualified and, 3) publicly report plans and progress in meeting teacher quality goals.
- **Demonstration of Competency:** Teachers (in middle and high school) must prove that they know the subject they teach with: 1) a major in the subject they teach, 2) credits equivalent to a major in the subject, 3) passage of a state-developed test, 4) HOUSSE (for current teachers only, see below), 5) an advanced certification from the state, or 6) a graduate degree.
- **High, Objective, Uniform State Standard of Evaluation (HOUSSE):** NCLB allows states to develop an additional way for current teachers to demonstrate subject-matter competency and meet highly qualified teacher requirements. Proof may consist of a combination of teaching experience, professional development, and knowledge in the subject garnered over time in the profession.

## ATTACHMENT 2

The following table is included in *Individuals with Disabilities Education Act (IDEA): Analysis of Changes Made by P.L. 108-446*, written by Richard N. Apling and Nancy Lee Jones, Congressional Research Service, Library of Congress:

### Summary of Requirements to Be a Highly Qualified Special Education Teacher

Category of special education teachers	Requirements under P.L. 108-446
All special education teachers	<p>Hold at least a B.A.</p> <p>Must obtain full state special education certification or equivalent licensure</p> <p>Cannot hold an emergency or temporary certificate</p>
New or veteran <b>elementary school</b> teachers teaching one or more core academic subjects only to children with disabilities held to alternative academic standards ( <b>most severely cognitively disabled</b> )	In addition to the general requirements above, may demonstrate academic subject competence through “a high objective uniform State standard of evaluation” (the HOUSSE process)
New or veteran <b>middle or high school</b> teachers teaching one or more core academic subjects only to children with disabilities held to alternative academic standards ( <b>most severely cognitively disabled</b> )	In addition to the general requirements above, may demonstrate “subject matter knowledge appropriate to the level of instruction being provided, as determined by the State, needed to effectively teach to those standards”
<b>New</b> teachers of <b>two or more academic subjects</b> who are highly qualified in either mathematics, language arts, or science	In addition to the general requirements above, has two-year window in which to become highly qualified in the other core academic subjects and may do this through the HOUSSE process
<b>Veteran</b> teachers who teach <b>two or more core academic subjects</b> only to children with disabilities	In addition to the general requirements above, may demonstrate academic subject competence through the HOUSSE process (including a single evaluation for all core academic subjects)
<b>Consultative teachers</b> and other special education teachers who do not teach core academic subjects	Only meet general requirements above
Other special education teachers teaching core academic subjects	In addition to the general requirements above, meet relevant ESEA requirements for new elementary school teachers, new middle/high school teachers, or veteran teachers



THE SECRETARY OF EDUCATION  
WASHINGTON, DC 20202

SECRETARY OF EDUCATION

RECEIVED

NOV 09 2005

October 21, 2005

OCT 27 2005

LESC

Refer to \_\_\_\_\_

Dear Colleague:

On January 8, 2002, President George W. Bush and the U.S. Congress agreed to a plan to eliminate our Nation's significant academic achievement gaps, especially in mathematics and reading. This plan, embodied in the *No Child Left Behind Act of 2001* (NCLB), recognizes that teacher quality is one of the most important factors in improving student achievement and eliminating these achievement gaps. As a result, the law set the important goal that all students be taught by a "highly qualified teacher" (HQT) who holds at least a bachelor's degree, has obtained full State certification, and has demonstrated knowledge in the core academic subjects he or she teaches. In addition, the Individuals with Disabilities Education Improvement Act of 2004 (IDEA) reinforced this goal by aligning the requirements for special education teachers with the NCLB requirements.

Early in the 2005-06 school year, I am pleased to tell you that NCLB is working at the national, State, and local levels. The National Assessment of Educational Progress (NAEP) shows that achievement gaps in reading and mathematics between white and African American 9-year-olds and between white and Hispanic 9-year-olds are closing. We have made more progress closing these gaps in the last five years than in the previous 30 years combined. There is also evidence that States are improving the quality of their teaching forces. School districts are changing their policies to prohibit hiring teachers who do not meet the HQT requirements, and States are now reporting that a significant majority of their teachers are highly qualified. Districts are taking steps to ensure that highly qualified teachers are distributed equitably among classrooms with students from affluent and disadvantaged families by offering extra training or financial incentives to teach in hard-to-staff schools. States are raising standards for teacher preparation programs, and nearly every State now requires beginning teachers to demonstrate knowledge of the subjects that they will be teaching.

However, despite the progress we are making, there is still a lot of work to do to ensure that each State can meet the goal that every child is taught by a highly qualified teacher by the end of the 2005-06 school year. In our ongoing visits and communications with State and local officials, we are often asked what will happen if, despite their best efforts, districts cannot hire a highly qualified teacher for every class in a core academic subject by the end of the 2005-06 school year. Personnel decisions are made at the State and local levels, and the law relies on education leaders in the States to make the best educational decisions for improving student achievement. The purpose of my letter today is to assure you that States that do not quite reach the 100 percent goal by the end of the 2005-06 school year will not lose federal funds if they are implementing the law and making a good-faith effort to reach the HQT goal in NCLB as soon as possible.

## **REASONABLE APPROACH TO IMPLEMENTATION**

The U.S. Department of Education (Department) will determine whether or not a State is implementing the law and making a good-faith effort to reach the HQT goal by examining four elements of implementation of the HQT requirements: (1) the State's definition of a "highly qualified teacher," (2) how the State reports to parents and the public on classes taught by highly qualified teachers, (3) the completeness and accuracy of HQT data reported to the Department, and (4) the steps the State has taken to ensure that experienced and qualified teachers are equitably distributed among classrooms with poor and minority children and those with their peers. In addition, the Department will look at States' efforts to recruit, retain, and improve the quality of the teaching force. If States meet the law's requirements and the Department's expectations in these areas but fall short of having highly qualified teachers in every classroom, they will have the opportunity to negotiate and implement a revised plan for meeting the HQT goal established in statute and regulation by the end of the 2006-07 school year. However, for States that either are not in compliance with the statutory HQT requirements or are not making a good-faith effort to meet the goal of having all teachers highly qualified, the Department reserves the right to take appropriate action such as the withholding of funds.

As a first requirement in a State's effort to implement the law, it must have a definition of a "highly qualified teacher" that is consistent with the law, and it must use this definition to determine the status of all of its teachers. For new elementary teachers, States must have a test in place to assess subject-area knowledge in the key subjects in the standard elementary school curriculum. Further, for new middle and high school teachers, a State must either test content knowledge or require those teachers to have a college major, a major equivalent, or an advanced degree or credential, in each subject taught, in order to be considered highly qualified. If a State has charter schools, teachers who teach in these schools must have bachelor's degrees and must demonstrate subject-area competence in the same manner as other teachers do before they can be considered highly qualified, but certification requirements can be waived, if permitted by State law. For teachers of special education, States must meet the requirements established in Section 601(10) of IDEA.

The Department has released and periodically updated non-regulatory guidance explaining the HQT provisions, visited every State to provide technical assistance in implementing the provisions, and, thus far, monitored over 30 States' implementation of these provisions. As a result, we are confident that States understand and can faithfully implement the law, set satisfactory definitions of "highly qualified," and make accurate determinations of which teachers meet or do not meet the HQT requirements.

As a second requirement, States and districts must provide parents and the public with accurate, complete reports on the number and percentage of classes in core academic subjects taught by highly qualified teachers. States and districts must provide these data to parents through school, district, and State report cards. In addition, parents of students in schools receiving Title I funds must be notified that they may receive information regarding the professional qualifications of their children's teachers upon request, and they must be notified if their children have been assigned to or taught for four or more consecutive weeks by a teacher who is not highly qualified. We will monitor States' procedures for ensuring that districts implement fully the parents' "right to know" standards.

Complete and accurate reporting of HQT data to the Department is the third requirement. In January 2006, States must submit complete and accurate data to the U.S. Secretary of Education on their implementation of the HQT requirements as part of their Consolidated State Performance Report (CSPR). In addition to reporting the number and percentage of core academic classes being taught by highly qualified teachers in all schools, States must report on the number and percentage of core academic classes being taught in "high-" and "low-poverty" schools. In addition, they must have plans in place to ensure that disadvantaged and minority students are not taught by teachers who are not highly qualified at greater rates than other students. States must also provide additional information in the CSPR that describes the types of classes that still do not have a highly qualified teacher (see enclosure). Accurate data will ensure that teachers and principals know which teachers need additional support and will enable policymakers to determine whether or not resources are being used effectively to address real problems. States that do not submit the required HQT data as part of the CSPR in a timely manner will be out of compliance.

The fourth requirement is that States take action to ensure that inexperienced, unqualified, or out-of-field teachers do not teach poor or minority children at higher rates than other children. The Department, through its State monitoring, is reviewing the steps States are taking to ensure that highly qualified and experienced teachers are distributed equitably between disadvantaged students and their more affluent peers. Given the evidence that teachers are a critical factor in improving student achievement, it is in the best interest of each State to ensure that students who need the most academic support receive instruction from the most effective teachers. The Department will determine whether or not each State is making a good-faith effort in this area.

#### **DATA-BASED PLANNING AND SUPPORT**

Findings from our monitoring visits and discussions with State officials indicate that States have the capacity to report accurately, in the CSPR, on the status of their teachers' qualifications. The Department will offer a series of regional data workshops to support States in collecting the additional data on teachers who are not highly qualified that must be submitted in the January 2006 CSPR. States are accountable for producing complete and accurate data on the qualifications of their teaching forces and for using the data to identify areas that pose persistent challenges to having a highly qualified teacher in every classroom. The Department will monitor and verify the accuracy of the CSPR data throughout February and March of 2006.

After the States submit their CSPR data in January 2006, the Department will carefully review the accuracy of the data and determine each State's progress in meeting the HQT goal. If a State is falling short of the HQT goal, but meets all four of the requirements discussed above, the Department will request that the State submit, by May 31, 2006, a revised plan, based on its data, for reaching the HQT goal in the 2006-07 school year.

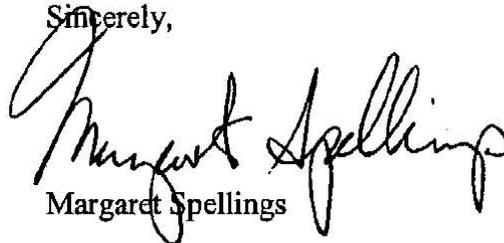
We know that there are circumstances in which having a highly qualified teacher in every classroom will be a continuing challenge to many States and districts, including, but not limited to, small rural schools, self-contained special education classes, and hard-to-fill advanced secondary courses. For some States and districts, the effects of Hurricanes Katrina and Rita will also have a significant and lingering impact on this work, and the Department will certainly take that into consideration. The revised plan should include detailed information on the activities the

State and districts will undertake to ensure that teachers who are not highly qualified become so as quickly as possible, including the steps the State will take to ensure that disadvantaged and minority students are not taught by unqualified teachers at greater rates than are other students, as required by law. It is up to the States and districts to do everything possible to ensure that teachers who are not highly qualified can become highly qualified as soon as possible.

We know that States and districts have made a concerted effort to meet the NCLB goal of ensuring that all teachers of the core academic subjects are highly qualified. Much good work has been done to provide teachers with the training and professional development they need to become highly qualified, and we will continue to share the best practices we have seen in both States and districts. Despite these efforts, we have real concerns that not all States have established appropriate definitions for what a highly qualified teacher is, provided parents and the public with appropriate information on the qualifications of teachers in Title I schools and districts, and reported complete and accurate HQT data to the Department. Therefore, I am establishing the new requirements set forth above.

We look forward to working with you to ensure that all children are taught by highly qualified teachers and to tracking progress toward that goal in the current school year and beyond. As a first step we have invited all of the States to participate in regional data quality workshops, the first of which occurred on October 19 in Chicago, Illinois. We are also available to provide individual technical assistance to States, as necessary, to help them develop the capacity to collect and report complete and accurate teacher qualifications data. If you have any additional questions about the issues discussed in this letter, please contact M. René Islas in the Office of Elementary and Secondary Education at 202-205-8871. Thank you for your continued commitment to providing a quality education for each child in our Nation.

Sincerely,

A handwritten signature in black ink, appearing to read "Margaret Spellings". The signature is written in a cursive style with a large initial "M".

Margaret Spellings

Enclosure

## Consolidated State Performance Report Information

The Consolidated State Performance Report will collect information on the percentage of classes taught by teachers who are not highly qualified for the following reasons:

- **Regular elementary school classes** taught by certified teachers who did not pass a subject-knowledge test and have not yet demonstrated subject-matter competency through the High, Objective, Uniform State Standard of Evaluation (HOUSSE);
- **Special education elementary school classes** taught by certified teachers who did not pass a subject-knowledge test OR have not yet demonstrated subject-matter competency through HOUSSE;
- **Elementary school classes** taught by teachers on emergency certificates or waivers;
- **Regular secondary school classes** taught by certified teachers who have not demonstrated subject-matter knowledge in those subjects (i.e., out-of-field teachers) **and are not eligible for “rural flexibility”**;
- **Regular secondary school classes** taught by certified teachers who have not demonstrated subject-matter knowledge in those subjects (i.e., out-of-field teachers) **who are eligible for rural flexibility**;
- **Secondary school classes taught by certified special education teachers** who have not demonstrated subject knowledge **and are eligible for flexibility under IDEA or rural flexibility**;
- **Secondary school classes taught by certified special education teachers** who have not demonstrated subject knowledge **and are no longer eligible for flexibility under either IDEA or rural flexibility**;
- **Secondary school classes** taught by teachers on emergency certificates or waivers; and
- **Others** (please explain).