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No Child Left Behind and the Federal Mandate that all California Teachers Be “Highly Qualified”

The federal No Child Left Behind (NCLB) legislation aims to achieve the laudable national goal of ensuring that every child meets rigorous standards of academic achievement. The devil, as they say however, is in the details, and the implementation of several of the law’s mandates has been contentious in many states, including California.

In particular, California is challenged to meet the NCLB requirement that by 2005-2006, all teachers be “highly qualified,” meaning they must have a bachelor’s degree, state certification (or be working towards a credential through an alternative route certification program), and have demonstrated knowledge in each subject they teach. In compliance with NCLB, California has adopted new regulations for teacher quality. Specifically, only teachers with full credentials or intern certificates/credentials will be considered “highly qualified.”

More than 30,000 Teachers May Not Meet the Requirements of the Law

Unfortunately, as reported previously by the Center for the Future of Teaching and Learning, in 2002-03, California had nearly 30,000 teachers, almost 10 percent of the work force, who were teaching on emergency credentials or pre-intern certificates, and did not meet the basic requirements of the law.

In addition to these 30,000 teachers, many more elementary teachers currently in the work force may not meet the teacher quality provisions. This is because NCLB’s subject matter competency provisions clash with the state’s long-established requirements for elementary teachers. Historically, California teachers have been able to demonstrate subject matter competency either through an approved program of coursework or an examination. However, because federal policy-makers consider coursework alone insufficient for establishing subject matter

competency, California changed its requirements so that all new elementary teachers must pass an approved subject matter test.

But there are thousands of veteran elementary teachers who demonstrated subject matter competency through coursework, who now must once again demonstrate competency by completing the California High Objective Uniform State Standard of Evaluation (HOUSSE). By applying the newly-adopted HOUSSE criteria, local districts will assess all such veteran teachers, taking into account their years of experience, academic coursework, standards-aligned professional development, and leadership and service in their assigned content areas. If their initial assessment is unsatisfactory, these veteran teachers also must undergo a direct observation process or a portfolio assessment to further demonstrate subject matter competence.

New Flexibility in NCLB Teacher Quality Provisions

The U.S. Department of Education has recognized the difficulties states are having in modifying their teacher credentialing programs to align with Washington's mandates and has recently moved to grant states additional flexibility in achieving the teacher quality requirements.

In March 2004, the Department announced changes to address the concerns of state policymakers and education leaders that all teachers of core subjects be "highly qualified," including elementary teachers and those working in rural areas where teachers teach multiple subjects. According to the new guidelines, teachers in rural school districts who are highly qualified in at least one subject will have three years to meet the "highly qualified" requirements in the additional subjects they teach. They are also to be provided with professional development programs, intense supervision and/or structured mentoring to help them develop expertise in those other subjects. The changes also ease the requirements for science teachers to demonstrate they are highly qualified and streamline the law's alternative method for teachers of multiple subjects to meet the "highly qualified" requirement.

New Flexibility is of Little Help to California

The new flexibility granted by the U.S. Department of Education, however, will have little impact on schools and teachers in California.

The new guidelines primarily affect three groups of teachers: rural teachers, science teachers, and multiple-subject teachers. The changes regarding science teachers give states more leeway in defining the qualifications of teachers who teach many subdisciplines—but California already has stricter requirements than NCLB regarding the qualifications of science teachers. The state does not offer a general science credential, now considered acceptable under the new flexibility for teachers of multiple science disciplines, but rather requires teachers to be certified in each specific science field taught, such as biology or chemistry. Similarly, states will have greater flexibility in determining if teachers of multiple subjects are highly qualified in each subject they teach. But again, California had already established a streamlined process for determining the subject area competency of current teachers

(HOUSSE)—and it is unlikely that increased flexibility for current teachers of multiple subjects will have any effect on California teachers.

The new federal flexibility affecting rural teachers will have some, albeit minimal, impact in California. The new flexibility grants rural teachers who are highly qualified in at least one subject three years to become highly qualified in the additional subjects they teach. This is certainly good news for rural high school teachers in California. While most rural teachers have full certification, many fully certified high school teachers are teaching a subject without the proper authorization (see Table 1). However, the total number of high school teachers affected by this policy change is small relative to the statewide teacher population. Only about 450 of the state’s 72,000 high school teachers will be affected by the added flexibility.

The changes though will have no impact on teachers in urban schools —those in large cities and on the urban fringes of large cities. While somewhat higher proportions of rural high school teachers are not authorized to teach their assigned subject, urban educators comprise a much larger percentage of the teacher workforce, nearly three-fourths (71%) of all teachers in California. As we have reported previously, these urban schools are among the state’s lowest-performing with larger numbers of students from poor and minority backgrounds, and higher concentrations of underprepared and inexperienced teachers. It is precisely in these schools where the most help is needed in developing “highly qualified” teaching faculties with the expertise and experience to help students achieve the state’s standards and meet the academic progress requirements of NCLB.

Table 1
Number and Percent of Fully Certified High School Teachers WITHOUT Subject Matter Authorization in Assigned Subject

	Rural	Urban
English	136 (19%)	963 (13%)
Math	107 (20%)	470 (9%)
Physical Science	65 (29%)	449 (23%)
Life Science	29 (14%)	161 (9%)
Social Science	114 (22%)	694 (13%)

Source: California Department of Education, Educational Demographics Unit (2003). Public School Enrollment and Staffing Data Files (CBEDS); SRI analysis.

Exhibit reads: Among fully certified rural high school teachers assigned to teach at least one English class, 136 (or 19%) are not authorized to teach English.

Investing in Teacher Training

While the federal government's new flexibility may be welcome news to predominantly rural states, California's educational challenges are far more complex. The state will need more than marginal modifications that affect a small subset of teachers to ensure all of its students a well qualified and effective teacher. Out-of-field teachers and those without any preparation at all, especially those working in low-performing schools, need financial support and release time to earn appropriate credentials. The state should move immediately to ensure consistent quality in its intern programs and expand the participation of emergency permit holders and other underprepared teachers in these structured programs. These investments are critical as California is running out of time to meet the teacher quality requirements of NCLB.

In short, California needs to invest in strengthening its teacher development system in order to ensure that all who teach are not only highly qualified, but effective in the classroom. The state may want more flexibility from the federal government in implementing NCLB, but there is no shortcut to the urgent work of providing a truly qualified teacher for every California student.