

“Highly Qualified” Certification Questions and Answers Under the Every Student Succeeds Act (ESSA)

Updated September 1, 2016

The Every Student Succeeds Act (ESSA) eliminates Highly Qualified Teacher (HQT) requirements beginning with the 2016-17 school year. However, Pennsylvania certification and staffing policies, statutes and regulations remain in effect, and the Department is required to ensure that all teachers and paraprofessionals in schools receiving federal funding fulfill state certification and licensure requirements. Consequently, the data elements that informed HQT calculations—course and faculty listings tied to student rosters—will continue to be utilized for both federal and state purposes. Therefore, local education agencies (LEAs) must continue reporting PIMS data elements associated with HQT; this will allow PDE to avoid making multiple revisions to data collection requirements in the future.

This document provides LEAs with guidance that will ensure appropriate staffing assignments are made for the upcoming school year as a result of the changes made by ESSA. Please contact the [Bureau of School Leadership and Teacher Quality](#) if you have additional specific staffing or certification questions.

1. Must a State continue to ensure that all core content teachers are “highly qualified,” as defined in section 9101 of the ESEA, and amended by NCLB, in the 2016-2017 school year?

No. The ESSA amended the Elementary and Secondary Education Act of 1965 (ESEA) and removed the Highly Qualified Teacher requirements of section 1119 as amended by NCLB. Accordingly, a State is no longer required to ensure that core content teachers are “highly qualified” as previously defined by NCLB beginning with the 2016-2017 school year. However, all educators in Commonwealth public schools must continue to meet Pennsylvania’s statutory and regulatory requirements related to appropriate certification of school personnel.

2. If “highly qualified” as defined in NCLB is no longer applicable, what are the certification requirements for teachers in Title I schools?

Per section 1111(g)(2)(J) of ESEA, as amended by ESSA, all teachers teaching in a program supported with Title I funding must meet appropriate state certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification.

3. Must a State continue to ensure that special education teachers are “highly qualified,” as defined in section 9101 of the ESEA, as amended by NCLB, in the 2016-2017 school year?

No. ESSA amended ESEA and the Individuals with Disabilities Education Act (IDEA) by removing the definition of “highly qualified” in section 602(10) and the requirement in section 612(a)(14)(C) that special education teachers be “highly qualified”.

Accordingly, a state is no longer required to ensure that special education teachers are “highly qualified” beginning with the 2016-2017 school year.

4. Why must I have content certification to obtain a Special Education Instructional certification?

See Question 10.

5. Is a teacher considered “highly qualified” under the new ESSA if they hold a special education certificate without a content certificate and they are the teacher of record for a CORE subject area?

“Highly qualified” is no longer required under ESSA.

6. With the discontinuation of the use of “Highly Qualified” under ESSA, what are the Pennsylvania certification requirements for special education teachers of core content?

Special education teachers who teach core content must possess a valid Pennsylvania Special Education certificate in accordance with the appropriate age and grade limitation of the certificate or obtain a grade exception from the Secretary of Education in accordance with 22 Pa. Code § 49.85(d).

7. Are there circumstances where a teacher certified K-8 in special education is permitted to teach in grades 7-12 in Pennsylvania?

Yes. A school entity may request an exception to the grade limitations from the Department of Education in accordance with 22 Pa. Code § 49.85 (d).

8. Is the Bridge program still in effect in Pennsylvania?

No, PDE no longer grants access to a Bridge pathway to certification. Special education teachers that obtained certification in content areas through the Bridge program are appropriately certified in that content and will retain their certificate.

9. Is the HOUSSE program still in effect in Pennsylvania?

No, PDE will no longer grant the HOUSSE designation. ESSA removed the Highly Qualified Teacher requirements created by NCLB, therefore it is no longer necessary to use HOUSSE to establish content mastery. However, special education teachers that obtained the designation in content areas through the HOUSSE program will continue to see the designations on their TIMS profile and on the public website.

10. What are the current Pennsylvania requirements for issuance of an Instructional Certificate to be certified in Special Education?

Under current state law, in order to obtain an Instructional Certificate in Special Education, an applicant must complete an approved special education certification

program and complete a program in a content area or hold an appropriate content certificate.

A person issued a valid Pennsylvania certificate for Special Education PreK-8 (age 3-14) must obtain or possess one of the following certificates: Grades PreK-4, Grades 4-8, Early Childhood N-3, Elementary K-6, or Reading Specialist K-12 Instructional certificate.

A person holding a valid Pennsylvania certificate for Special Education 7-12 (ages 11-21) must obtain or possess a valid a secondary (7-12) subject area or Reading Specialist K-12 Instructional certificate.

11. What are the certification requirements for charter school special education staff?

IDEA 34 CFR § 300.156 requires that each person employed as a public school special education teacher meet the State certification requirements for special education. In accordance with Pennsylvania law, 22 Pa. Code § 711.5, special education teachers in charter schools must hold appropriate special education certification and cannot be a member of the charter school's 25 percent uncertified staff.

12. With ESSA's discontinuation of the use of the "Highly Qualified" designation, what are the Pennsylvania certification requirements for other professional staff who teach core content subjects in a Charter School?

In accordance with Pennsylvania's Charter School law, 75 percent of professional staff members of a charter school must hold appropriate state certification for their assignment. (24 P.S. § 17-1724-A) The remaining 25 percent may be uncertified in accordance with 24 P.S. § 17-1724-A(b). Additional information can be found under [Announcements](#).

13. What are the "Highly Qualified" requirements for special education paraprofessionals under ESSA?

Under ESSA, there are currently no specific federal requirements for special education paraprofessionals. However, there continues to be requirements for paraprofessionals utilized in Title I funded programs. (See Question 15 related to Title I paraprofessional requirements.)

Regardless, special education paraprofessionals must meet Pennsylvania's regulatory requirements contained in 22 Pa. Code §14.105, which include the following:

- a. Have completed at least two years of postsecondary study.
- b. Possess an associate degree or higher.
- c. Meet a rigorous standard of quality as demonstrated through a State or local assessment.

d. Instructional paraprofessionals, each school year, shall provide evidence of 20 hours of staff development activities related to their assignment.

These requirements remain in effect and districts must continue to comply with Chapter 14 requirements related to paraprofessionals.

14. What requirements apply to the hiring of other paraprofessionals to work in a Title I, Part A program in the 2016-2017 school year?

Section 1111(g)(2)(M) of the ESEA, as amended by ESSA, requires each state to have “professional standards for paraprofessionals working in a program supported with funds under [Title I, Part A], including qualifications that were in place on the day before the date of enactment of the [ESSA].”

Accordingly, states and its LEAs must continue to ensure that each paraprofessional who is hired by the LEA and works in a program supported by Title I, Part A funds has a secondary school diploma or its recognized equivalent and has completed at least two years of study at an institution of higher education, obtained an associate’s or higher degree, or met a rigorous standard of quality and can demonstrate, through a formal State or local academic assessment, knowledge of, and the ability to assist in instructing, reading, writing, and mathematics.

15. Because the definition of “highly qualified” is no longer applicable for the 2016-17 school year, what are the Pennsylvania state certification requirements for teachers who teach students identified as English Learners (ELs) in English Language Development (ELD) daily instruction?

To teach students identified as EL in ELD daily instruction an educator must hold a Pennsylvania Instructional I or II certificate (in any content area) and a Program Specialist ESL certificate. These educators may teach EL identified students and perform the duties listed in CSPG #68.

16. Must LEAS continue to report Highly Qualified data elements for 2016-2017?

Yes, nothing in the course/HQT data collection is changing in the 2016-17 reporting year. LEAs must continue to submit Course/HQT data elements in PIMS because this data supports more than HQT reporting. PDE will change the reference to this collection to remove HQT status going forward as federal law no longer requires such a designation.