



800 Troy-Schenectady Road  
Latham, New York 12110-2455  
1-800-342-9810 ♦ 518-213-6000  
FAX: 518-213-6450

**NO CHILD LEFT BEHIND ACT OF 2001:  
REAUTHORIZATION OF ELEMENTARY  
AND SECONDARY EDUCATION ACT**

**RESEARCH AND EDUCATIONAL SERVICES**

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## FACT SHEET 4: IMPROVING TEACHER QUALITY – STATE GRANTS

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### STATUTORY SUMMARY —

Title II–Part A of the reauthorized Elementary & Secondary Education Act (ESEA) provides grants to increase student academic achievement through strategies such as improving teacher and principal quality and increasing the number of highly qualified principals and assistant principals in schools to hold LEAs and schools accountable for improvements in student academic achievement. New York’s allocation for 2009-09 is \$227,484,226 million in Title II- Part A.

The statute provides funds to states to make grants to local school districts and to partnerships between institutions of higher education and high need local educational agencies as well as to carry out state level activities. States must allocate 95% of these funds to local school districts and 2.5% to higher education partnerships. The balance of the funds can be used to support state activities. School districts will be allocated an amount equal to the previous year’s allocation, plus a share of additional funds that are to be distributed on the basis of poverty (80%) and student population (20%).

To receive Title II- Part A funds from the state, a school district must submit a grant application that describes the activities to be carried out, how these are aligned with state standards and assessments, and how student achievement will improve. Funds must be targeted to schools with the lowest proportion of highly qualified teachers, have the largest average class-size, or are identified for school improvement under Title I. Districts are required to conduct a professional development needs assessment and provide evidence that they collaborated with teachers (and others) in developing these planned activities. In addition, private school teachers are eligible to participate in Title II programs.

The new program provides districts with more flexibility in the use of funds than the two programs it replaces (i.e., Eisenhower and Class Size Reduction Programs). Under the provisions of the new Title II, school districts may use these funds to reduce class sizes, and are not limited to reductions in grades 1 through 3, as required under the former class-size program. The funds are to be used to supplement, not supplant, district funds.

Districts may use funds for one or more permitted activities such as:

- ▶ Assist in recruiting and hiring highly qualified teachers.
- ▶ Reducing class size, particularly early grades.
- ▶ Providing professional development for teachers, principals, and paraprofessionals.
- ▶ Promote retention of teachers and principals (e.g., mentoring, etc.).
- ▶ Programs designed to improve the quality of the teacher force (e.g., use of technology, merit pay, testing teachers, etc.).
- ▶ Programs designed to improve the quality of principals and superintendents.
- ▶ Initiatives, programs, and activities that promote professional growth.

Under a separate section of ESEA (Title VI, Part A – Flexibility Provisions) states and local districts are allowed to transfer or consolidate funds across programs. School districts that have not been identified as in need of improvement or corrective action under Title I may shift up to 50% of their funds among Part A of Title II (Teachers), Part D of Title II (Technology), Part A of Title IV (Safe and Drug-Free Schools) and Part A of Title IV (Innovative Programs block grants). Districts may also transfer up to 50% of the funds received from these programs to Title I, Part A, activities. School districts are required to notify SED, at least 30 days prior to the transfer, of its intent to transfer funds and must provide SED with a copy of modified plans.

School Districts and Charter Schools Allocations for 2009-2010: [www.emsc.nysed.gov/nclb/allocations/](http://www.emsc.nysed.gov/nclb/allocations/)  
Title I Parts A and D: NCLB & NYSED: [www.emsc.nysed.gov/nclb/allocations/0910/titleiallocfinal](http://www.emsc.nysed.gov/nclb/allocations/0910/titleiallocfinal)

## — FREQUENTLY ASKED QUESTIONS —

### 1. *Question: What is the definition of a “highly qualified” teacher in NCLB?*

**Answer:** Under No Child Left Behind (NCLB), a highly-qualified teacher must have:

- ▶ A bachelor’s degree
- ▶ Full state certification and licensure as defined by the state
- ▶ Demonstrated competency, as defined by the state, in each core academic subject he or she teaches
- ▶ Teachers who are hired after school year 2002-2003 must meet the requirements at the time they are hired

Elementary and secondary school teachers who are new to the profession must hold at least a bachelor’s degree and demonstrate a high level of competence by passing a “rigorous state test.” Elementary teachers must demonstrate subject knowledge and teaching skills in reading, writing, mathematics, and other areas of the basic elementary school curriculum. Middle and high school teachers must demonstrate a high level of competency in each of the academic subjects they teach by passing a subject matter test in each subject **or** by successfully completing (in each of the academic subject areas in which the teacher teaches) an academic major, graduate degree, coursework equivalent to an undergraduate major, or advanced certification or credentialing. **(For both elementary and secondary teachers, state-required licensing exams in subject areas count toward meeting this requirement.)**

Teachers not new to the profession must hold at least a bachelor’s degree and be licensed by the state. These teachers must also meet the requirements for new teachers or demonstrate competence in each academic subject they teach based on a high, objective, and uniform standard of evaluation (HOUSSE) that is set by the state. The New York State Education Department has determined that the (HOUSSE) is an evaluation conducted after August 1, 2003 as part of a (1) pre-employment review or (2) Annual Professional Performance Review (APPR) as required by Section 100.2(o) of Commissioner’s Regulations. For more information on HOUSSE, see NYSUT Information Bulletin # 200808.

### 2. *Question: What are the provisions in ESEA to support teacher quality?*

**Answer:** Title II, Part A of ESEA provides grants to state and school districts (local educational agencies or LEAs), state agencies for higher education, and eligible partnerships for improving teacher and principal quality. States are authorized to use the funds for professional development programs; implementing mentoring programs; teacher retention and recruitment programs; supporting the training of teachers to better integrate technology; and providing assistance to teachers to meet certification, licensure or other requirements—including the National Board for Professional Teaching Standards. States may also use the funds to reform teacher and principal certification or licensure requirements and tenure. Although tenure reform, development of merit-based performance systems, and teacher testing are specifically mentioned as allowable uses of funds, there is no federal requirement.

### 3. *Question: Is a school district required to target its Title II, Part A funds?*

**Answer:** Yes. Districts must assure in their Title II plan to the state that funds are targeted to schools that have the lowest proportion of “highly qualified” teachers, have the largest average class-size, or are identified for school improvement under Title I.

## — ADVICE TO LOCAL LEADERS —

1. Title II states that teachers and paraprofessionals must collaborate in the planning of Title II activities. Seek meaningful teacher involvement in determining how your district plans to spend Title II funds. Exercise your right to be involved in the development of the application to be sent to SED. Appoint teachers with planning and negotiations skills to planning committees.
2. Insist that the planning for all professional development activities financed through NCLB be a required part of the school district’s Professional Development Plan. Be sure that the district’s professional development committee provides the leadership and support for meeting the Title II requirements regarding professional development, including the local needs assessment. See NYSUT IB #200806, Professional Development Plans, for further assistance.
3. Determine which of the permitted activities listed on page 1 can be funded through Title II and strongly advocate for the inclusion of these in your district’s grant application.