



JUNE 2003 AGENDA

SUBJECT Paraprofessional Requirements (No Child Left Behind)	X	ACTION
	X	INFORMATION
		PUBLIC HEARING

Recommendation:

Formal recommendations will be made in a supplemental memorandum.

Summary of Previous State Board of Education Discussion and Action

Recommendations on paraprofessional requirements from the NCLB Liaison Team were submitted as an information item at the March 2003 meeting.

Summary of Key Issue(s)

The CDE is requesting policy direction from the State Board of Education regarding the implementation of federal NCLB requirements for paraprofessionals working in programs supported by Title I funds. Paraprofessionals must meet the requirements through one of three options: An AA degree, two years of college, or passing a formal State or local assessment. CDE staff estimates that approximately 50,000 currently employed veteran paraprofessionals will need to complete these requirements by 2005-06, with many electing to use the assessment option. The key issue is to determine the balance between SBE direction and local flexibility in terms of the development or selection of assessments. Attachment #1 lists specific issues that need to be clarified for California Local Education Agencies (LEAs), and presents options (with background information) for implementing these NCLB requirements.

Fiscal Analysis (as appropriate)

LEAs would incur costs associated with administering assessments to each paraprofessional employed or hired. Title I and Title II funds may be used to provide professional development to assist paraprofessionals in meeting NCLB requirements.

The SEA would incur significant costs only if a state test were to be developed or if a formal process for approving local assessments was adopted.

Attachment(s)

- [1. California Options for Meeting NCLB Paraprofessional Requirements](#)

Policy Options for
Title I Paraprofessional Requirements
Prepared for State Board of Education, June 2003

No Child Left Behind Requirements:

Title I paraprofessionals whose duties include instructional support and who were hired after January 8, 2002, must have (1) completed two years of study at an institution of higher education; (2) obtained an associate's (or higher) degree; or (3) met a rigorous standard of quality and be able to demonstrate, through a formal State or local academic assessment, knowledge of and the ability to assist in instructing reading, writing, and mathematics (or, as appropriate, reading readiness, writing readiness, and mathematics readiness) Section 1119(c) and (d).

Paraprofessionals hired on or before January 8, 2002, and working in a program supported with Title I funds must meet these requirements by January 8, 2006.

All Title I paraprofessionals must have a secondary school diploma or its recognized equivalent.

Based on requests for clarification and guidance from school districts and CDE staff analysis, the following issues have been identified, with options for addressing each issue:

I. Definition of "two years of study"

The Title I Paraprofessionals Draft Non-Regulatory Guidance defines two years of study as the equivalent of two years of full-time study, according to the State definition of "full-time study", citing that in some states that may mean 12 credit hours per semester (for a total of 48), and in others, 15 units a semester (for a total of 60). In California, some districts are interpreting the requirement to mean 48 units, others are announcing that 60 units are required, and still others have not specified a particular number of credit units, but have requested state clarification. The options for addressing this issue include:

Credit Hours Option 1: That the number of credit hours required be standardized statewide at 60 units, equivalent to one-half the 120 units needed for a four-year degree.

Credit Hours Option 2: That the number of credit hours required be standardized statewide at 56 semester units, equivalent to standing as a transfer/junior at CSUs .

Credit Hours Option 3: That the number of credit hours required be standardized statewide at 48 semester units. (Recommendation of the NCLB Liaison Team)

Credit Hours Option 4: That the number of credit hours required be left to local judgment.

II. Required Coursework for “Two Years of College”

The USDE suggests that the State determine what requirements, if any, it may choose to place on the coursework taken during the two years of study. California school districts currently make hiring decisions based on the particular requirements of each paraprofessional position, and have flexibility in determining what coursework they consider relevant to that position.

Coursework Option 1: That the State allow local flexibility in the coursework required. (Recommendation by the NCLB Liaison Team)

Coursework Option 2: That the coursework to be taken to fulfill the paraprofessional requirements be defined or described by the CDE.

III. Paraprofessional Assessment

If a paraprofessional does not meet the NCLB requirements by having an Associate’s degree or two years of college, he/she may demonstrate the appropriate knowledge and ability to assist in instruction by passing an assessment. The law does not require a paper-pencil test but the assessment must be valid and reliable and the results be documented.

It is the responsibility of each LEA, working in tandem with the State to ensure that the assessment meets the NCLB requirements. The assessment must ensure that more than just basic skills are being assessed

The Title I Paraprofessional Non-Regulatory Guidance offers recommendations for SEAs in approving assessments and communicating that information as follows:

SEAs and LEAs have flexibility to determine the content and format of the assessment.

The content of the assessment should reflect both the State academic standards and skills expected for a child at a given school level as well as the ability to assist in instruction.

The Guidance further suggests that an SEA may wish to establish and communicate certain policies related to the assessment of paraprofessionals.

Assessment Selection Option 1: That the SEA issue guidelines for the development of local assessments that meet the requirements for paraprofessional assessment.

Assessment Selection Option 2: That the SEA review and determine which commercially available tests appear to meet the requirements for paraprofessional assessment.

Option 2A: That the SEA recommend a list of commercially available tests
Option 2B: That LEAs may use commercially available tests that they determine meet the NCLB requirements

Assessment Selection Option 3: That the development or selection of an assessment be a decision to be determined locally.

Assessment Selection Option 4: That the CDE explore the use of a structured observation process for determining paraprofessional knowledge and skills. (Recommendation by the NCLB Liaison Team)

Option 4A: That the SEA recommend a combination of written exam, structured observation, and/or structured interview for meeting the NCLB paraprofessional requirements.

Background Information for Considering Assessment Options

In California, Education Code governing the assessment of teacher aides' proficiency in basic skills has been in effect since 1982. EC 45361.5 states that "no person shall be initially assigned to assist in instruction for work as an aide for instructional purposes in kindergarten and grades 1 through 12 unless the person has demonstrated proficiency in basic reading writing and mathematics skills up to or exceeding that required by the employing district for high school seniors...."

Senate Bill 1405 (O'Connell) added clarifying language to the Education Code, including Section 45330, as follows:

- (i) A paraprofessional who was hired on or before January 1, 2003, and who has previously demonstrated, through a local assessment, knowledge of, and an ability to assist in, instructing reading, writing, and mathematics, is deemed to have met the proficiency exam requirements of paragraph (3) of subdivision (c).
- (j) A school district may use an existing proficiency assessment or may develop a new proficiency assessment to meet the requirements of paragraph (3) of subdivision (c).

The federal Title I regulations make it clear that states and local education agencies have considerable flexibility in how they design and administer the paraprofessional assessments. The assessment, therefore, could be a written exam, but also could be a demonstration, performance, observation, or oral exam. However, there must be evidence that the assessment is valid and reliable. Also the assessment results must be documented, i.e., there needs to be a record of the assessment and the individual's performance on that assessment.

Discussions are currently underway regarding the use of an observation/review process for determining veteran teachers' status in meeting the NCLB "highly qualified teacher" definition. A similar process could be developed or adopted for paraprofessionals, particularly for those who have already passed a written exam (if that exam meets the standard of rigor required by the law) that documents their knowledge and skills in the subject areas of reading, mathematics, and writing. If a local proficiency test were determined by the LEA to meet the rigor, reliability, and validity required under NCLB, those paraprofessionals who had previously passed the exam ("veteran paraprofessionals") may be in no need of further assessment. If a local proficiency test met the standard for knowledge of the subject areas, but not the ability to "assist in instruction," a successful rating through a structured observation process could complete the requirement for those veteran paraprofessionals.

Incorporating the NCLB and the California Education Code requirements for paraprofessionals, the following options could be considered for assessing the qualifications of instructional aides for employment in Title I programs:

Written Assessment

1). Commercial tests

There are a variety of commercially available exams that appear to meet the criteria set forth by the USDE for assessing the skills and knowledge of paraprofessionals.

2). Locally Developed tests

An LEA may choose to use locally developed tests if the test has been determined by the LEA to meet the rigor, reliability, and validity required under NCLB.

Structured Interview

Some LEAs in California are choosing to use a structured interview for determining the skills and knowledge of paraprofessionals, and when used in combination with a written exam (such as a proficiency exam given prior to NCLB that meets the standard of rigor required by the federal law), this process could adequately meet NCLB requirements. The structured interview could cover both content (core subject knowledge) and the

ability to assist in instruction (learning strategies, behavior management, etc.) without the addition of a written exam, if the LEA has determined that it meets the federal requirements.

Structured Observation

Some LEAs in California are also choosing to use a structured observation to assess the skills and knowledge of currently employed paraprofessionals, in addition to a written exam (such as a proficiency exam given prior to NCLB that meets the standard of rigor required by the federal law). The structured observation should be designed to provide consistent, reliable data that demonstrates both content knowledge (reading, mathematics, and writing) and skills in assisting in instruction. LEAs may develop their own structured observation process, or adopt an existing tool (there are commercially available instruments). The determination of who (site administrator, teacher, etc.) performs and documents the observation is a local decision.

IV. "Portability" of a paraprofessional's qualifications

The USDE has indicated that a State may, at its discretion, establish a policy whereby qualified paraprofessionals have reciprocity between LEAs within the State. Since the form and process of determining the qualifications of paraprofessionals will probably vary from district to district, it would be difficult to establish statewide reciprocity.

Reciprocity Option 1: That the State establish a policy of reciprocity for all LEAs within the State if there is one statewide assessment or if there is a process for determining which assessments meet the statutory requirements.

Reciprocity Option 2: That reciprocity with other LEAs be determined at the discretion of each LEA. (Recommendation by the NCLB Liaison Team)

Resources:

Title I Regulations, December 2, 2002, available at
<http://www.ed.gov/offices/OESE/SASA/cepprogressp.html#reg>

Draft Non-regulatory Guidance, November 15, 2002, is available at
<http://www.ed.gov/offices/OESE/SASA/paraguidance.pdf>

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