

U.S. DEPARTMENT OF EDUCATION
[DEFERRAL OF PENALTIES FOR NOT MEETING 100 PERCENT HQT GOAL]



July 23, 2007

Dear Chief State School Officers:

As you know, No Child Left Behind (NCLB) recognizes that teacher quality is one of the most important factors in improving student achievement and eliminating achievement gaps between our neediest students and their more advantaged peers. I am pleased to report that States are making progress when it comes to ensuring that all students have access to highly qualified teachers. There is still more work to be done, however.

On October 21, 2005, I sent a letter to Chief State School Officers in which I noted that despite making progress in addressing the qualifications of teachers in our nation's schools, most States were unlikely to reach NCLB's goal of having all core academic subject classes taught by highly qualified teachers (HQT) by the end of the 2005-2006 school year. My letter also assured the Chiefs that States that did not reach the 100 percent goal by the end of the 2005-2006 school year would not lose Federal funds if they were implementing the law and making a good-faith effort to reach the HQT goal as quickly as possible.

The Department then asked States to submit revised plans, outlining actions the State and local educational agencies would take to reach the HQT goal in the 2006-2007 school year and beyond. States submitted their plans, which were reviewed by a panel of experts, and all but one State now has an approved plan. However, despite the advances that have been made, the Consolidated State Performance Reports (CSPR) data States submitted for the 2005-2006 school year indicate no State reached the 100 percent HQT goal. The CSPR data are enclosed for your information [omitted].

The Department continues to expect States to fully implement their approved HQT plans. In the fall, we will also begin a new round of monitoring in all States; this monitoring will focus intensively on State implementation of the HQT plans, including their efforts to ensure that poor and minority children are not taught at higher rates than other students by unqualified, inexperienced, or out-of-field teachers. We will examine how State educational agencies monitor school districts to ensure that districts work with teachers who are not yet highly qualified to become so as quickly as possible. In addition, we will examine the processes by which States provide technical assistance to districts and schools. The Department will continue to assist States in addressing those circumstances in which finding a highly qualified teacher for every classroom is an unusually difficult challenge (for example, small rural schools, special education classes taught by teachers who must become highly qualified in multiple subjects, and hard-to-fill advanced secondary courses).

During monitoring, the Department will pay particular attention to the processes States use to collect and verify the accuracy of HQT data. We know that data collection and verification processes differ widely from State to State and, as a result, we are concerned that the HQT data we receive from States are not always as accurate as they should be. The Department expects States to improve their data collection processes so that accurate HQT data can be reported both to the Department and to parents, as required by law.

I recognize the hard work that has been done by States in ensuring that all students have access to teachers who are highly qualified, and I intend to maintain the policy of not penalizing States financially solely because they have not reached 100 percent HQT. In the course of monitoring, however, if the Department finds that any particular State is not making an adequate effort to reach the goal of having all core academic classes taught by highly qualified teachers, the Department may take appropriate actions. Such actions may include, but are not limited to, imposition of grant conditions or high-risk status, compliance agreements, or withholding of funds. All decisions about sanctions will be made on a case-by-case basis, taking the circumstances of and conditions in individual States into account.

Deferral of HQT Penalties

As always, the Department expects States, local educational agencies, and schools to make the best possible educational decisions for students and to make their best effort to reach the 100 percent HQT goal. Schools should hire the most qualified teachers available; accurately report to the Federal government when classes are taught by teachers who are not highly qualified; inform parents, as required, if their children are taught by teachers who are not highly qualified; and have plans in place to assist teachers without proper qualifications to obtain them as quickly as possible.

We look forward to continuing to work with you to ensure that all students have access to highly qualified teachers. If you have any additional questions about the issues discussed in this letter, please contact Deputy Assistant Secretary Amanda Farris in the Office of Elementary and Secondary Education at (202) 401-0113. Thank you for your continued commitment to providing a quality education for our nation's students.

Sincerely

Margaret S. Spellings
Secretary of Education

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