



Massachusetts Policies for Instructional Paraprofessionals in Title I Programs

Implementation of NCLB's Paraprofessional Requirements

July 2003



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Massachusetts Department of Education

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David P. Driscoll
Commissioner of Education

July 2003

Dear Colleagues:

The Department of Education is pleased to present the Massachusetts Policies for Instructional Paraprofessionals in Title I Programs.

The No Child Left Behind Act of 2001 outlines minimum qualification requirements for paraprofessionals who provide instruction and support for classroom teachers in Title I programs. This document describes those requirements and outlines the various ways in which the requirements can be addressed.

Additional materials related to the implementation of the No Child Left Behind Act of 2001 in Massachusetts may be found on the Department's website at <http://www.doe.mass.edu/nclb/>.

Sincerely,

David P. Driscoll
Commissioner of Education

Table of Contents

<u>Section A: Policy Overview</u>	Page 1
Introduction	
Definition of Instructional Paraprofessional	
Responsibilities of Instructional Paraprofessionals	
Required Qualifications, Skills, and Knowledge	
Timelines for Meeting Paraprofessional Standards	
New Federal Requirements in Relation to Collective Bargaining	
Pathways for Meeting Paraprofessional Qualifications in Massachusetts	
Accountability Provisions for Districts and Charter Schools	
Planning for Paraprofessional Training	
<u>Section B: Guidelines for Creating Local Assessment Programs for Title I Paraprofessionals</u>	Page 7
Program Design	
Paraprofessional Training Points	
Breadth Requirements and Individualized Assessment Plans	
Ongoing Paraprofessional Training	
Process for Implementing Local Assessment Programs	
<u>Section C: Learning Guidelines For Title I Instructional Paraprofessionals</u>	Page 12
Basic Assumptions	
Literacy Domain	
Numeracy Domain	
Instructional Domain	
<u>Appendix A: Formal Standardized Assessment</u>	Page 18
<u>Appendix B: US Department of Education Title I Paraprofessionals Guidance, November 15, 2002</u>	Page 21
<u>Appendix C: NCLB Statutory Language Related to Paraprofessional Requirements</u>	Page 33

Section A: Policy Overview

I. Introduction

The recent reauthorization of the Elementary and Secondary Education Act (ESEA) through the No Child Left Behind Act of 2001 specifies new employment requirements for instructional paraprofessionals working in Title I-funded targeted assistance and school-wide programs. These requirements demand higher levels of education for all entry-level instructional paraprofessionals and will require many paraprofessionals working in Title I schools to upgrade their skills and abilities to help under-achieving students learn complex subject matter.

These requirements will lead to significant changes in the hiring and training practices of most Massachusetts schools. Below, we set forth the policies governing qualification requirements for paraprofessionals in Title I-funded targeted assistance and school-wide programs.

II. Definition of Instructional Paraprofessional

An instructional paraprofessional is an individual who provides instruction and support for classroom teachers. Aides, assistants or tutors who engage in instructional support are considered to be instructional paraprofessionals as defined by NCLB.

Individuals who work solely in non-instructional roles, such as food service, cafeteria or playground supervision, personal care services and non-instructional computer assistance are not considered to be instructional paraprofessionals

Please note that the term instructional paraprofessional, as used throughout this document, refers solely to those instructional paraprofessionals in *Title I-funded targeted assistance or school-wide programs*.

III. Responsibilities of Instructional Paraprofessionals

Section 1119 (g) of ESEA specifies that instructional paraprofessionals may engage in the following activities:

- Provide one-on-one tutoring for eligible students, if the tutoring is scheduled at a time when a student would not otherwise receive instruction from a teacher
- Assist with classroom management, such as organizing instructional and other materials
- Provide assistance in a computer laboratory
- Provide instructional support in a library or media center
- Provide instructional services to students under the direct supervision of a teacher

All instructional paraprofessionals must be supervised directly by teachers; instructional paraprofessionals cannot be supervised by a peer or group of peers.

IV. Required Qualifications, Skills, and Knowledge

Instructional paraprofessionals must possess specific skills and knowledge in reading, writing, mathematics and instruction to be considered qualified to assist in instruction. NCLB outlines requirements that instructional paraprofessionals must meet. These include:

- (1) possessing a high school diploma or its equivalent (e.g., the GED); *AND*
- (2) earning an Associate's (or higher) degree; *OR* one of the following:
 - a. completing at least two years, or 48 credit hours of study at an institution of higher education; or
 - b. taking and passing a formal assessment measuring one's knowledge of and ability to assist classroom teachers in reading, writing and mathematics.

These two requirements apply to all instructional paraprofessionals (including those who work with students with disabilities as tutors or aides) carrying out instructional duties in a **school-wide program**, without regard to whether the positions are funded with federal, state or local funds. In a school-wide program, Title I funds support all teachers and instructional paraprofessionals, by definition.

In a **targeted assistance program**, however, *only* instructional paraprofessionals who are paid with Title I funds must meet the requirements listed above. Again, this applies to paraprofessionals who work with students with disabilities if their positions are wholly or partially funded by Title I.

The following two categories of paraprofessionals need only to possess a high school diploma or equivalent and are not required to meet the additional requirements listed in (2) above:

- Paraprofessionals in Title I programs who serve primarily as *translators* (as long as these paraprofessionals are proficient in English and a language other than English); and
- Paraprofessionals working solely on parental involvement activities.

*Please refer to **Appendix B** of this document, which includes more detailed information about the application of the paraprofessional requirements.*

V. Timelines for Meeting Paraprofessional Requirements

All Title I paraprofessionals must have a high school diploma or its equivalent without regard to the date they were hired. Instructional paraprofessionals hired before January 8, 2002 have until January 8, 2006 to meet the additional requirements listed in (2) above. Instructional paraprofessionals hired after January 8, 2002 must meet the requirements listed in (2) above as a prerequisite of employment.

VI. New Federal Requirements in Relation to Collective Bargaining

School officials in a district that has a collective bargaining agreement covering instructional paraprofessionals should consult with the district's legal counsel about how to implement the new federal requirements consistent with state labor law and the collective bargaining agreement. The federal law applies only to paraprofessionals working in instructional roles who are assigned to Title I school-wide programs or to targeted assistance programs funded with Title I money. Any paraprofessional currently employed in the district who either transfers or is re-assigned to work in a Title I school-wide or targeted assistance program within the district must have a high school diploma or equivalent, and has until January 8, 2006 to meet the new requirements for post-secondary education or assessment.

School officials should review any applicable collective bargaining agreement and work with the appropriate collective bargaining representative(s) in implementing the new requirements for Title I instructional paraprofessionals. In addition, in districts that have a collective bargaining agreement with paraprofessionals, topics subject to bargaining may include:

- the terms and effects of voluntary and involuntary transfers from non-Title I schools to Title I school-wide or targeted assistance programs;
- pay differentials based on educational attainment;
- opportunities for coursework offered through the district or institutions of higher education;
- opportunities for reimbursement for taking courses at institutions of higher education;
- changes in working conditions resulting from implementation of the federal law; and

School districts and charter schools should consult with their legal counsel about collective bargaining requirements as they relate to implementing the new federal law.

VII. Pathways for Meeting Paraprofessional Qualifications in Massachusetts

Instructional paraprofessionals in possession of a *high school diploma or its equivalent* have the opportunity to meet the post-secondary requirements of No Child Left Behind by pursuing one of the three options, or pathways, listed below. Pathways 1 and 2 are available to incumbent and prospective paraprofessionals, while Pathway 3 is only

available to incumbent paraprofessionals who are already working in a district or charter school.

	Pathway 1	Pathway 2	Pathway 3
NCLB Requirements	Associate’s (or higher) Degree; or 2 years/48 credit hours of study at an institution of higher education	Formal Standardized Tests: <ul style="list-style-type: none"> • <i>Parapro</i> • <i>WorkKeys</i> 	Formal Local Assessment: <ul style="list-style-type: none"> • Individual Paraprofessional Training Plans that include end-of-course assessments or products. • Aligned with the <u>Learning Guidelines for Title I Instructional Paraprofessionals and Guidelines for Creating Local Assessment Programs for Title I Paraprofessionals</u>
Pathways Open to <i>Incumbent</i> Paraprofessionals Hired <u>on or before</u> January 8, 2002	Yes	Yes	Yes
Pathways Open to <i>Prospective</i> Paraprofessionals wishing to be hired <u>after</u> January 8, 2002	Yes	Yes	No

Documentation of successful completion of Pathways 1, 2 or 3 will enable an instructional paraprofessional to work in *any* Title I school-wide or targeted assistance program in Massachusetts. School districts and charter schools will be expected to honor this documentation. Requirements met once do not need to be met again if an instructional paraprofessional begins working in a new school district or charter school.

Pathway 1: 48 Credit Hours of Coursework or an Associate's Degree

Incumbent and prospective instructional paraprofessionals may satisfy the federal requirements by obtaining an Associate's (or higher) degree; or by completing at least two years of study (48 credit hours of coursework) at an institution of higher education. This coursework may be completed at an institution of higher education (IHE), or in a district program offered locally in conjunction with an IHE and/or through an educational collaborative working in conjunction with an IHE.

Pathway 2: Formal Standardized Assessment

The Massachusetts Department of Education has selected both the ParaPro Assessment and the WorkKeys Certificate of Proficiency for Teacher Assistants as the formal state-endorsed assessments. These assessments will enable instructional paraprofessionals to meet the NCLB qualification requirements. Please see [Appendix A](#) of this document for additional information.

Pathway 3: Formal Local Assessment

Incumbent paraprofessionals hired on or before January 8, 2002 may also participate in a formal, locally sponsored assessment. To this end, the Department has developed learning guidelines for paraprofessionals in the areas of literacy, numeracy and instruction. These guidelines describe the essential skills and competencies paraprofessionals need to assist classroom teachers working in Title I school-wide or targeted assistance programs. The guidelines will assist districts and charter schools in developing local assessment programs that will formally document and confirm each instructional paraprofessional's ability to work with students receiving Title I services.

Each district and charter school is expected to develop a formal local assessment program that: (1) aligns with the [Guidelines for Creating Local Assessment Programs for Title I Paraprofessionals and Learning Guidelines for Title I Instructional Paraprofessionals](#); (2) fits into the district's or charter school's professional development plan; and (3) adheres to Massachusetts' criteria for high quality professional development. Information about these programs will need to be updated annually as part of state and federal reporting requirements.

VIII. Accountability Provisions for Districts and Charter Schools

As specified in the federal statute, each district and charter school must require principals in schools that operate a Title I-funded targeted assistance or school-wide program to attest annually in writing that his/her school is in compliance with the employment requirements outlined for paraprofessionals. Copies of those assurances shall be maintained at both the school office and the district's central office and made available to the public and the Department upon request (Section 1119 (i)).

IX. Planning for Paraprofessional Training

Once paraprofessionals demonstrate the skills and knowledge required by the NCLB statute, they should be encouraged to continue to participate in professional development opportunities that address the learning guidelines and promote their continued professional growth. Districts are required to offer these opportunities through the district professional development plan, as outlined in Chapter 71, Section 38Q. Districts and charter schools are encouraged to make use of federal funding available through Title IA, Title IIA and D, Title III and Title V to help support local professional development programs.

The Department strongly encourages districts and charter schools to develop short-term and long-range strategies for meeting the new federal requirements. While the *No Child Left Behind Act* affects instructional paraprofessionals in Title I programs, the new rules provide schools and districts an opportunity to develop comprehensive staffing plans for all support personnel – including non-Title I paraprofessionals. Over time, strengthening the qualifications and professional development of all instructional paraprofessionals will eliminate disparities and enhance the quality of education that all students receive.

Section B:
Guidelines for Creating Local Assessments for Title I Paraprofessionals
(Pathway 3)

This section describes the procedures districts and charter schools must follow to make local assessment programs available to incumbent instructional paraprofessionals who intend to complete Pathway 3 to satisfy their educational requirements. While Pathways 1 and 2 are also options, the focus of this section is on Pathway 3.

Divided into five parts, the following section provides: (1) a general overview of how local assessment programs are to be designed; (2) a description of how paraprofessional training points are to be counted and awarded; (3) a description of “breadth” requirements and how districts and charter schools can individualize professional development relative to the student populations served; (4) planning for ongoing professional development; and (5) the process for implementing local assessment programs.

I. Program Design

In 1999, the Commonwealth adopted recertification regulations that focused on strengthening the ongoing professional development of Massachusetts’s educators and aligning individual professional development plans more effectively with school and district improvement plans. The regulations raised the standards for knowledge in the content area; enabled greater decision making at the school and district level; retained some flexibility in the kinds of activities eligible for professional development points for recertification; created options for new ways to assess teacher skills and knowledge; and established a registry of professional development providers. As part of the recertification process, educators are required to work with their supervisor to develop an individual professional development plan that focuses on content, is consistent with the educational needs of the school and/or district and enhances the ability of the educator to improve student learning. Educators are required to earn a specific number of Professional Development Points (PDPs) to recertify. PDPs are earned by demonstrating proficiency through an end-of-course assessment or product.

To implement the NCLB local assessment option for Title I instructional paraprofessionals, districts and charter schools will apply the same premise that underlies the educator recertification system. Local assessment programs will evaluate paraprofessional skills through the development of individual paraprofessional training plans and the issuance of Paraprofessional Training Points (PTPs) for the successful demonstration of proficiency through an end-of-course assessment or product. Through the local assessment programs, districts and charter schools will offer high quality professional development activities that are aligned with the Department’s professional development goals and NCLB’s definition of high quality professional development (sustained, intensive and classroom focused; not one day or short-term workshops or conferences). The professional development should

enable instructional paraprofessionals to attain and demonstrate the skills related to the [Learning Guidelines for Title I Instructional Paraprofessionals](#), meet the goals set forth in their individual plans and successfully meet the NCLB paraprofessional qualification requirements. These professional development activities should be included in the district's annual professional development plan.

II. Paraprofessional Training Points

In order to meet the federal qualification requirements through Pathway 3, paraprofessionals will be required to obtain **360** Paraprofessional Training Points (PTPs). As is the case with the PDPs used by the educator recertification system, PTPs must be earned only for successful completion of a professional development activity (minimum of 10 hours on a topic) with an observable demonstration of learning through an end-of-course assessment or product. Credit hours accumulated through prior university coursework or local district professional development programs are to be counted.

The system for awarding Paraprofessional Training Points is outlined below:

A. Undergraduate Coursework offered through an Institution of Higher Education

1 Credit Hour = 15 Paraprofessional Training Points

B. Graduate Coursework at an Institution of Higher Education

1 Credit Hour = 22.5 Paraprofessional Training Points

C. After-School and Locally Sponsored Training Sessions

1 Instructional Hour = 2 Paraprofessional Training Points

D. Previous Relevant Work Experience Outside Public Education, as Determined by Superintendent or Designee*

1 Month of Successful Employment = 10 Paraprofessional Training Points

Maximum Allowable Points = 60 Paraprofessional Training Points

E. Previous Successful Employment as a Paraprofessional in a Public School, as Determined by Superintendent or Designee*

1 Month of Successful Employment = 10 Paraprofessional Training Points

Maximum Allowable Points = 180 Paraprofessional Training Points

**Previous relevant work experience and successful employment as a paraprofessional need to have occurred prior to January 8, 2002 in order to be considered in an individual's paraprofessional training plan. Previous relevant work experience includes work that has enabled the paraprofessional to demonstrate, through a product or evaluation, elements of the learning guidelines.*

As suggested above, local assessment programs for instructional paraprofessionals can successfully work with the full variety of local professional development course offerings

or locally sponsored offerings arranged through an institution of higher education or other educational organization. Paraprofessional Training Points may be awarded by any organization that is permitted to offer PDPs under the educator recertification system. This includes school districts and charter schools, educational collaboratives, and universities as well as other organizations that are registered professional development providers in Massachusetts. Please refer to the Massachusetts Guidelines for Professional Development Providers (<http://www.doe.mass.edu/pd/providers.pdf>).

Discretion to award PTPs for prior relevant work experience will rest with each district superintendent, charter school leader or his/her designee. Providing latitude to award PTPs for prior work experiences is an important affirmation of the fact that many instructional paraprofessionals come to schools with successful work histories, where literacy and numeracy skills were essential to their jobs. The recognition that many incumbent paraprofessionals have been working successfully as a paraprofessional acknowledges that prior experience in the role has resulted in expertise that is of great value to students. Thus, superintendents are given the discretion to credit prior work experiences where appropriate, and to allow incumbent paraprofessionals to concentrate on those skills where coursework is most needed. However, credit for prior work experiences shall not be unreasonably denied. Disputes regarding credit discretion shall be subject to the appeal process outlined in the last paragraph of the following section.

III. Breadth Requirements and Individualized Paraprofessional Training Plans

To meet the learning guidelines through the local assessment options described above, paraprofessionals will be required to distribute the training activities in their individual training plans across the three content domains outlined in the **Learning Guidelines for Title I Instructional Paraprofessionals**. Accordingly, each paraprofessional must earn 120 PTPs in literacy; 120 PTPs in mathematics; and 120 PTPs in instruction.

<u>Content Domain</u>	<u>Breadth Requirements</u>	<u>PTPs Needed</u>
Literacy		120
Mathematics		120
Instruction		120

However, paraprofessionals who wish to concentrate on either literacy or mathematics coursework will be permitted to lower the number of PTPs earned on teaching methods to 100, devoting the additional 20 PTPs to the concentration selected. This strategy is strongly encouraged for paraprofessionals who consistently work in secondary Title I reading or mathematics programs. PTPs awarded for prior relevant work experience or previous successful employment should be distributed across the three content domains in ways that are consistent with the type of work previously performed. Superintendents should, however, identify those areas where there is a need for additional training.

Paraprofessionals should work closely with their supervisor to develop and obtain approval for an individual paraprofessional training plan that reflects the breadth

requirements outlined above and includes instructional coursework that is specifically related to the student populations with whom they are working. If, for example, an instructional paraprofessional is working predominantly with young children, then courses in early childhood education or language acquisition should be planned and offered. Similarly, if an instructional paraprofessional consistently works with students with limited English proficiency, then classes focused on reading methods, curriculum modification, and vocabulary and spelling instruction should be planned. Both examples point to the importance of individualizing professional development programs according to the learning needs and instructional techniques used for various student populations and subgroups.

Approval of individual paraprofessional training plans shall not be unreasonably withheld. In the event that a plan is rejected by a supervisor, paraprofessionals who report to the principal may seek review of the denial from the superintendent of schools. Any paraprofessional may then seek additional review from the Department, according to the provisions of 603 CMR 44.11. Please see <http://www.doe.mass.edu/pd/01guideline/endorse.html> for additional details.

IV. Ongoing Paraprofessional Training

Once paraprofessionals can demonstrate the skills and knowledge required by the NCLB statute, they should be encouraged to continue to participate in professional development opportunities that address the learning guidelines and promote their continued professional growth. Districts are required to offer these opportunities through the district professional development plan, as outlined in Chapter 71, Section 38Q. Districts and charter schools are encouraged to make use of federal funding available through Title IA, Title IIA and D, Title III and Title V to help support local professional development programs.

V. Process for Implementing Local Assessment Programs

Most of the information districts and charter schools will need to create and design local assessment programs for paraprofessionals is included throughout this document. Districts and charter schools are encouraged to begin developing local assessment programs for their Title I paraprofessionals. These programs should fit into the district's or charter school's professional development plan as well as their NCLB consolidated strategic plan (if they have developed one) and should be aligned with Massachusetts' criteria for high quality professional development. Information about these programs will need to be updated annually as part of state and federal reporting requirements. Districts and charter schools are required to maintain a record of each paraprofessional's individual training plan for purposes of ensuring compliance with the NCLB requirements. The Department will audit these records, as well as the documentation for Pathways 1 and 2, as part of its Coordinated Program Review efforts.

By paralleling instructional paraprofessional training and assessment to the educator recertification system, districts and charter schools will be able to draw upon procedures that are already well-established. Paraprofessionals should be given training opportunities similar to those given to teachers and other professional staff. At the same time, paraprofessionals should take individual responsibility for managing their own PTP plans, working with their principals, and documenting their progress in meeting the federal requirements. By drawing paraprofessionals into the working life of the school and district, teachers, principals, and paraprofessionals can work more effectively in realizing the larger goal of helping all students achieve proficiency or better in reading and mathematics by 2013-2014.

Section C:
Learning Guidelines for Title I Instructional Paraprofessionals

The Department of Education strongly encourages districts and charter schools to use these guidelines as a model for all paraprofessionals who provide instructional support to students.

Basic Assumptions

- Instructional paraprofessionals are respected team members responsible for assisting in the delivery of instruction and other student-related activities. As valued members of the faculty, they are essential partners in the work of Title I programs.
- Given their responsibilities, instructional paraprofessionals must be skilled in reading, writing and mathematics, and familiar with instructional practices that ensure and support the achievement of all students.
- To enhance the continuity and quality of services for students, paraprofessionals must be encouraged and supported in their efforts to participate in ongoing professional development programs.
- Programs for instructional paraprofessionals are best when they are comprehensive, acknowledge the diverse roles paraprofessionals play in schools and provide pathways to further education and teacher licensure, if desired.

Literacy Domain

01 Language

A paraprofessional will know how and be able to:

- Use agreed-upon rules for informal and formal discussions in small and large groups.
- Pose questions, listen to the ideas of others and contribute their own information or ideas in group discussions or interviews in order to acquire new knowledge.
- Understand new vocabulary and use it correctly in reading and writing.
- Analyze and use standard English grammar.
- Describe, analyze and use appropriately formal and informal English.
- Identify and use the correct meaning of words and phrases.
- Recognize and use words with multiple meanings.
- Use a paragraph or passage as the context for determining the meaning of an unfamiliar or uncommon word or phrase.
- Use dictionaries, thesauruses and other related references.

02 Literature

A paraprofessional will know how and be able to:

- Identify the basic facts and main ideas in a text and use them as the basis for interpretation.
- Identify and paraphrase the main idea of a passage.
- Identify supporting evidence.
- Identify, organize and draw conclusions using the relationship(s) among the ideas in written material.
- Identify, analyze and apply knowledge of the theme, structure and elements of fiction and provide evidence from the text to support their understanding.

- Identify, analyze and apply knowledge of the purposes, structure and elements of nonfiction or informational materials and provide evidence from the text to support their understanding.
- Identify, analyze and apply knowledge of the themes, structure and elements of poetry and provide evidence from the text to support their understanding.
- Identify, analyze and apply knowledge of the themes, structure and elements of drama and provide evidence from the text to support their understanding.
- Identify and analyze how an author's words appeal to the senses, create imagery, suggest mood and set tone and provide evidence from the text to support their understanding.

03	<i>Composition</i>
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A paraprofessional will know how and be able to:

- Write with a clear focus, coherent organization and sufficient detail.
- Write for different audiences and purposes.
- Demonstrate adequate paragraph development and appropriate style, tone and word choice in their compositions.
- Use standard English conventions in their writing, revising and editing.
- Organize ideas in writing in a way that makes sense for their purpose.
- Gather information from a variety of sources, analyze and evaluate the quality of the information they obtain, and use it to answer their own questions.
- Outline, summarize and take notes.
- Interpret information presented in graphic form.

Numeracy Domain

01	<i>Number Sense</i>
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A paraprofessional will know how and be able to:

- Understand numbers, ways of representing numbers, relationships among numbers and number systems.
- Understand principles and operations related to integers, fractions, decimals, percents, ratios and proportions.

- Understand and solve problems involving integers, fractions, decimals, percents, ratios and proportions.
- Understand meanings of mathematical operations and how they relate to one another.
- Compute fluently and make reasonable estimates.
- Know how to use standard arithmetical algorithms.

02 <i>Algebra</i>

A paraprofessional will know how and be able to:

- Understand and use patterns to model and solve problems.
- Understand how to manipulate and simplify algebraic expressions and translate problems into algebraic notation.
- Understand the properties of different types of functions and relations.

03 <i>Geometry</i>

A paraprofessional will know how and be able to:

- Analyze characteristics and properties of two- and three-dimensional geometric shapes.
- Specify locations and describe spatial relationships using coordinate geometry and other representational systems.
- Understand the principles and properties of coordinate and transformational geometry; apply transformations and use symmetry to analyze mathematical situations.
- Use visualization, spatial reasoning and geometric modeling to solve problems.

04 <i>Measurement and Data Analysis</i>

A paraprofessional will know how and be able to:

- Identify measurable attributes of objects and use the standard units, systems and processes of measurement.
- Formulate questions that can be addressed with data and collect, organize and display relevant data to answer them.
- Select and use appropriate statistical methods to analyze data.
- Develop and evaluate inferences and predictions that are based on data.

Instruction Domain

01 Curriculum Planning

A paraprofessional will know how and be able to:

- Assist with activities addressing standards that will advance students' level of content knowledge.
- Assist with activities appropriate for the full range of students within a classroom and appropriate to the specific discipline, age and level of proficiency with the English language and Individualized Education Programs (IEP).

02 Effective Instruction

A paraprofessional will know how and be able to:

- Communicate lesson objectives clearly.
- Build on students' prior knowledge and experience.
- Provide support under the guidance of a classroom teacher to address student needs.
- Help students use appropriate instructional resources to support learning in reading, writing and mathematics.
- Help students use a variety of approaches to understand what they read.
- Help students focus their writing.
- Help students relate mathematics to everyday situations.
- Employ a variety and range of instructional techniques from direct instruction to cooperative learning groups.
- Use instructional technology appropriately.
- Provide regular feedback to students on their progress.
- Provide formal and informal assessment of student progress.

03 Classroom Climate and Equity

A paraprofessional will know how and be able to:

- Maintain appropriate standards of behavior, mutual respect and safety in classroom.
- Promote achievement for all students including those with disabilities, those with limited English proficiency, and those who are gifted and talented, without exception.

- Promote civic and self-responsibility in the classroom, school and community.

<i>04 Professional Responsibilities</i>

A paraprofessional will know how and be able to:

- Carry out his/her legal and ethical responsibilities.
- Carry out health, safety and emergency procedures of the learning environment.
- Maintain high standards and expectations for all students.

<i>05 Professional Skills</i>

A paraprofessional will understand how and be able to:

- Accept supervision to reflect critically upon his or her classroom experience and identify areas for further skill and professional development.
- Work collaboratively with school personnel.
- Confer with supervisor(s) and/or content specialist(s) when assistance is needed in supporting students' learning process

Appendix A: Formal Standardized Assessments

The Massachusetts Department of Education has selected the ParaPro Assessment by ETS and the WorkKeys Proficiency Certificate for Teacher Assistants by ACT as the formal state-endorsed assessments for Massachusetts's instructional paraprofessionals. The Department is working with the two testing companies to develop qualifying scores for Massachusetts, which should be set by September 1, 2003. Paraprofessionals may currently take either of the assessments; individual scores will be reported once the qualifying scores have been established. Please contact the testing companies directly for information about each of the tests including testing dates, sites and locations.

ParaPro Assessment

The ParaPro Assessment was developed by the Educational Testing Service ("ETS") in response to the paraprofessional requirements of the No Child Left Behind legislation.

Appropriate for both prospective and incumbent paraprofessionals, the ParaPro measures skills and knowledge in reading, writing and mathematics, as well as the ability to apply those skills and knowledge to assist in classroom instruction. The ParaPro Assessment was developed with the assistance of an advisory committee composed of paraprofessionals and teachers who work with paraprofessionals. A thorough job analysis was conducted to determine what knowledge and skills in the areas of reading, writing, and mathematics and in assisting in instruction in these areas are important for paraprofessionals.

The test consists of 90 multiple choice items and is approximately 2.5 hours in length. Approximately two-thirds of the questions in each subject area focus on basic skills and knowledge, and approximately one-third of the questions in each subject area focus on the application of those skills and knowledge in a classroom setting. A paper and pen test is administered periodically at Praxis testing centers and can be taken via the Internet at participating school districts and charter schools. Once the Massachusetts Department of Education has set the qualifying score, ETS will contact all school districts and charter schools in the state with instructions for becoming an internet-based testing site.

The cost of the test is \$40. Districts will be encouraged to use their Title IA and Title IIA funds to help defray the costs that paraprofessionals may incur by taking this test.

Test preparation is available from the ETS website and the ParaPro Study Guide is also available for purchase. ETS will report a single score for the ParaPro and will not give a score for each sub-category. Therefore, banking of subscores will not be possible. There will be, however, some information to the candidate on the score report as to his/her performance on each subcategory.

For additional information about the ParaPro Assessment including test dates, locations and testing procedures, please refer to <http://www.ets.org/parapro/> or call the ETS Customer Service hotline at 609-771-7395.

WorkKeys Assessments

ACT has a 30-year history of assessment development, and is the author of the nationally administered ACT alternative to the SAT. The WorkKeys System is a nationally recognized system that is used in a majority of states for establishing skills standards, assessing employee/job applicant skills and workforce development. In response to No Child Left Behind, ACT has developed the WorkKeys Proficiency Certificate for Teacher Assistants. The Certificate consists of Reading for Information, Applied Mathematics, and Business Writing assessments and the Instructional Support Inventory (ISI).

The five participating community colleges in Massachusetts (Holyoke, Middlesex, Bunker Hill, Bristol, and Springfield Technical) will administer the three assessment tests included in the WorkKeys Certificate. The assessments can also be administered at a location identified by school districts and are available either on computer or in paper/pencil versions. The ISI component, an observation-based tool that is used to assess teaching skills, will be administered by the teaching assistant's supervisor using the guidelines provided by ACT. Computer-based assessments take approximately 2.5 hours. The length of time needed for administration of the ISI will depend on locally-developed processes for administration.

The Massachusetts ACT Centers provide a flexible schedule that allows for quick scheduling and fast reporting of results. Almost all ACT Centers have day, evening and weekend schedules by appointment. The Colleges are able to provide immediate, on the spot results of the three computerized assessment tests, with more detailed score reports available within 24-48 hours. If paper/pencil versions are used, results are available within approximately 10 business days, as are the score reports for the ISI.

The complete cost for the WorkKeys Certificate of Proficiency is \$40 per participant. This includes test administration, distribution of the ISI, scoring of the three assessment tests and the ISI, score reports, and issuance of the Certificate upon successful completion of the assessments. If retests are needed, they will cost \$7 each for Reading or Mathematics, and \$20 for Business Writing. Study Guides will be available in June 2003 for a cost of \$20, plus postage and practice tests will be available in early spring/summer of 2003. Districts will be encouraged to use their Title IA and Title IIA funds to help defray the costs that paraprofessionals may incur by taking this test.

General information about ACT and WorkKeys can be found at <http://www.act.org>. For additional information about test dates, locations and testing procedures, please contact one of the testing sites below:

Holyoke Community College Keith Hensley, CWDP The Center for Business & Professional Development 303 Homestead Ave. Holyoke, MA 01040 (413)552-2506 khensley@hcc.mass.edu	Springfield Technical Community College Paula Goodreau Center for Business & Technology One Armory Square Springfield, MA 01105 (413)755-4503 goodreau@stcc.edu
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<p>Bristol Community College Robin Smith or Debra Lawton Center for Business & Industry 777 Elsbree St. Fall River, MA 02720 (508)678-2811, ext. 2158 (Rose Smith) or ext. 2124 (Debra Lawton) rsmith@bristol.mass.edu</p>	<p>Bunker Hill Community College Les Warren Workforce Development 250 New Rutherford Ave. Boston, MA 02129 (617)228-2416 lwarren@bhcc.mass.edu</p>
<p>Middlesex Community College has a partnership with the local career center: The ACT Center at The Career Place George Moriarty Trade Center Park, 100 Sylvan Road, Suite G100 Woburn, MA 01801 (781)932-5503</p>	



Title I

Paraprofessionals

Non-Regulatory Guidance



March 1, 2004

TITLE I PARAPROFESSIONALS NON-REGULATORY GUIDANCE

Summary of Major Changesv

A. GENERAL INFORMATION1

- A-1. Title I, as amended by the *No Child Left Behind Act*, has new requirements for paraprofessionals. Why is this important?
- A-2. What is a paraprofessional?

B. REQUIREMENTS FOR PARAPROFESSIONALS 2

What are the requirements?

- B-1. What are the qualification requirements for Title I paraprofessionals?
- B-2. Are there any requirements outside of Title I that apply to the hiring of paraprofessionals?

To whom do the requirements apply?

- B-3. How do the new requirements apply to paraprofessionals in a schoolwide program?
- B-4. How do the new requirements apply to paraprofessionals in a targeted assistance program?
- B-5. How do the requirements apply to paraprofessionals, such as home-school liaisons, whose duties consist solely of parental involvement activities?
- B-6. How do the requirements apply to paraprofessionals who work solely as translators or bilingual aides?
- B-7. How do the requirements apply to persons who work with special education students?
- B-8. Do the paraprofessional requirements apply to persons paid with funds under Title I, Part B (Student Reading Skills Improvement Grants and all subparts, including Even Start), Part C (Education of Migratory Children), or Part D (Programs for Children and Youth who are Neglected, Delinquent, or At-Risk)?
- B-9. Must a paraprofessional who provides services to eligible private school students and is employed by an LEA with Title I funds meet the new requirements?
- B-10. How do the requirements apply if a person performing non-instructional duties becomes an instructional paraprofessional?
- B-11. What if a person has both instructional support and non-instructional duties?
- B-12. Do the new requirements for paraprofessionals (explained in B-1) apply to LEAs or schools that do not receive Title I funds?
- B-13. Do existing paraprofessionals have until January 8, 2006 to meet the requirement that paraprofessionals have a secondary school diploma or its equivalent?

- B-14. Would a paraprofessional, hired on or before January 8, 2002 and currently working in an LEA in a non-Title I program, be considered a “new” paraprofessional (and subject to the requirements for new paraprofessionals) if that individual is re-assigned to a program supported with Title I funds?
- B-15. Do the Title I requirements for new paraprofessionals (explained in B-1) apply to paraprofessionals who are laid off and then recalled? In other words, are these individuals “new” or “existing” paraprofessionals?
- B-16. Once a paraprofessional has met the requirements in B-1, is the status of being qualified “portable”? That is, can the paraprofessional be deemed qualified in other LEAs within a State?
- B-17. Do the paraprofessional requirements apply to people working in schools as part of the AmeriCorps program?
- B-18. Do the paraprofessional requirements apply to volunteers?
- B-19. Do the paraprofessional requirements apply to people working in 21st Century Community Learning Center Programs?
- B-20. Do the requirements apply to paraprofessionals working in Head Start programs?
- B-21. Some paraprofessionals work in programs for children ranging in age from birth to age 20 that are supported by Title I, Part A funds. Are they required to meet the Title I requirements?

What is the requirement for two years of study at an institution of higher education?

- B-22. The statutory language refers to “two years of study at an institution of higher education.” [Section 1119(c)(1)(A)] What does “two years of study” mean?
- B-23. What does the term “institution of higher education” mean?
- B-24. Is a paraprofessional required to take a specific course of study?
- B-25. May continuing education credits (CECs) be used to meet the requirement that paraprofessionals complete at least two years of study at an institution of higher education?

C. PARAPROFESSIONAL ASSESSMENT 9

- C-1. One option for meeting the new educational requirements for paraprofessionals is to test their knowledge and ability through a formal State or local academic assessment. What is the purpose of this assessment?
- C-2. Does “assessment” mean a “paper and pencil test” only, or could the assessment be a performance assessment evaluating demonstrable skills?
- C-3. When must the assessment be administered for newly hired paraprofessionals?
- C-4. What factors should States take into consideration in approving State or local paraprofessional assessments?
- C-5. May Title I funds be used to pay for the paraprofessional assessment?

D. PROGRAMMATIC REQUIREMENTS..... 10

- D-1. What are the requirements for the supervision of paraprofessionals?
- D-2. Do the direct supervision requirements apply to paraprofessionals who provide services under contract?
- D-3. Must a paraprofessional who provides services to eligible private school students and is employed by an LEA with Title I funds be under the direct supervision of a *public* school teacher?

E. FUNDING ISSUES11

- E-1. What funds are available for helping paraprofessionals in Title I schools meet the new requirements?
- E-2. May Title I and Title II funds be used for professional development to help paraprofessionals become certified and licensed teachers?

Summary of Major Changes

This updated version March 1, 2004, of the Title I Paraprofessionals Non-regulatory Guidance is reorganized so that all questions addressing similar topics are in the same section. In addition to a number of minor and technical changes, the following questions are new or have been significantly revised:

- B-15 is revised to highlight the discretion LEAs have for distinguishing “new” and “existing” paraprofessionals in the case of paraprofessionals hired prior to January 8, 2002, but laid off and subsequently rehired after January 8, 2002. The revised response includes an example of what a district policy addressing this issue might say.
- B-16 clarifies that LEAs have the discretion to determine that a paraprofessional meets Title I qualification requirements if the individual was previously determined to meet those requirements when employed by another LEA .
- A new question (B-19) is added to say that, in general, the paraprofessional requirements do not apply to individuals working in 21st Century Community Learning Center Programs.
- A new question (B-20) is added to clarify that the requirements do not apply to paraprofessionals working in Head Start programs unless the paraprofessional is working in a Head Start program jointly funded with Title I, Part A funds and the paraprofessional’s salary is paid with Title I, Part A funds.
- B-22 is revised to clarify that “two years of study” at an institution of higher education means the equivalent of two years of study defined by the institution of higher education rather than the State educational agency.
- The guidance includes a new question (B-25) describing how continuing education credits may be used to meet the requirement that a paraprofessional complete at least two years of study at an institution of higher education.
- A new question (C-5) is added stating that Title I, Part A funds may be used to pay for the paraprofessional assessment.
- D-1 addressing the requirements for the supervision of paraprofessionals is expanded to include examples of programs that are inconsistent with the statutory and regulatory requirements.
- A new question (D-2) is added to clarify that the direct supervision requirements apply to paraprofessionals who work for a third-party contractor.

A. GENERAL INFORMATION

A-1. Title I, Part A as amended by the *No Child Left Behind Act*, has new requirements for paraprofessionals. Why is this important?

Title I of the Elementary and Secondary Education Act (ESEA), as amended by the No Child Left Behind (NCLB) Act, is designed to help disadvantaged children reach high academic standards. Properly trained paraprofessionals can play important roles in improving student achievement in Title I schools where they can reinforce and augment a teacher's effort in the classroom. Unfortunately, studies indicate that paraprofessionals are used in many Title I schools for teaching and assisting in teaching when their educational backgrounds do not qualify them for such responsibilities.¹ Title I of the ESEA, as amended by the NCLB Act requires that paraprofessionals meet higher standards of qualification, and ensures that students who need the most help receive instructional support only from qualified paraprofessionals.

A-2. What is a paraprofessional?

For the purposes of Title I, Part A, a paraprofessional is an employee of an LEA who provides instructional support in a program supported with Title I, Part A funds.

“Paraprofessionals who provide instructional support,” includes those who (1) provide one-on-one tutoring if such tutoring is scheduled at a time when a student would not otherwise receive instruction from a teacher, (2) assist with classroom management, such as by organizing instructional materials, (3) provide instructional assistance in a computer laboratory, (4) conduct parental involvement activities, (5) provide instructional support in a library or media center, (6) act as a translator, or (7) provide instructional support services under the direct supervision of a highly qualified teacher. [Title I, Section 1119(g)(2)]

Because paraprofessionals provide instructional support, they should not be providing planned direct instruction, or introducing to students new skills, concepts, or academic content.

Individuals who work in food services, cafeteria or playground supervision, personal care services, non-instructional computer assistance, and similar positions are not considered paraprofessionals under Title I, Part A.

¹ See Chambers et al., *Study of Education Resources and Federal Funding: Final Report*, Washington, DC: U. S. Department of Education, 2000.

B. REQUIREMENTS FOR PARAPROFESSIONALS

What are the requirements?

B-1. What are the qualification requirements for Title I paraprofessionals?

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

(2) Additionally, except as noted below, paraprofessionals hired after January 8, 2002, and working in a program supported with Title I, Part A funds must have—

- Completed two years of study at an institution of higher education; or
- Obtained an associate's (or higher) degree; or
- 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).

Paraprofessionals hired on or before January 8, 2002, and working in a program supported with Title I, Part A funds must meet these requirements by January 8, 2006. *[Section 1119(c) and (d) of Title I]*

Paraprofessionals who only serve as translators or who only conduct parental involvement activities must have a secondary school diploma or its equivalent but do not have to meet the additional requirements. *[Section 1119(e)]*

B-2. Are there any requirements outside of Title I that apply to the hiring of paraprofessionals?

Yes. Under section 2141(c) of Title II of the ESEA, as amended by the NCLB Act, if a State educational agency (SEA) determines that an LEA (1) has failed to make progress toward meeting the annual measurable objectives established by the State for increasing the percentage of highly qualified teachers in each LEA and school and for increasing the percentage of teachers receiving high quality professional development, and (2) has failed to make adequate yearly progress for three consecutive years, the SEA must enter into an agreement with the LEA. This agreement must include a plan that the LEA will use to meet its annual measurable objectives and that prohibits the use of Title I, Part A funds to fund any paraprofessional hired after the date the initial determination was made, with two exceptions. The exceptions are—

- The agreement must permit the use of Title I, Part A funds to hire a paraprofessional after the date of the determination if the hiring is to fill a vacancy created by the departure of another paraprofessional paid with

Title I funds and the newly hired paraprofessional meets the statutory qualification requirements;

- The agreement may allow the use of Title I, Part A funds to hire a paraprofessional after the date of the determination if the LEA can demonstrate--
 - that a significant influx of population has substantially increased student enrollment; or
 - that there is an increased need for translators or assistance with parental involvement activities.

To whom do the requirements apply?

B-3. How do the new requirements apply to paraprofessionals in a schoolwide program?

The requirements in B-1 apply to all paraprofessionals in a Title I schoolwide program, without regard to whether the position is funded with Federal, State, or local funds. In a schoolwide program, Title I funds support all teachers and paraprofessionals.

B-4. How do the new requirements apply to paraprofessionals in a targeted assistance program?

In a Title I targeted assistance program, the requirements in B-1 apply to all paraprofessionals who are paid with Title I, Part A funds (but not to paraprofessionals paid with State or local funds in targeted assistance programs).

B-5. How do the requirements apply to paraprofessionals, such as home-school liaisons, whose duties consist solely of parental involvement activities?

A paraprofessional with duties that consist solely of conducting parental involvement activities must have a secondary school diploma or its equivalent but does not have to meet the other educational requirements in B-1.

B-6. How do the requirements apply to paraprofessionals who work solely as translators or bilingual aides?

A paraprofessional who is proficient in English and a language other than English and acts solely as a translator to enhance the participation of limited English proficient children under Title I, Part A, must have a secondary school diploma or its equivalent but does not have to meet the other educational requirements in B-1.

B-7. How do the requirements apply to persons who work with special education students?

The requirements for persons who work with special education students differ depending upon their duties.

If a person working with special education students does NOT provide any instructional support (such as a person who solely provides personal care services), that person is not considered a paraprofessional under Title I, Part A, and the requirements in B-1 do not apply.

If a person works in a Title I targeted assistance program, has instructional support duties, and is paid, in whole or in part, with Title I, Part A funds, the requirements in B-1 apply. If the person is not paid with Title I, Part A funds, however, the requirements in B-1 do not apply.

If a person works in a Title I schoolwide program and has instructional support duties, the B-1 requirements apply without regard to the source of funding that supports the position.

B-8. Do the paraprofessional requirements apply to persons paid with funds under Title I, Part B (Student Reading Skills Improvement Grants and all subparts, including Even Start), Part C (Education of Migratory Children), or Part D (Programs for Children and Youth who are Neglected, Delinquent, or At-Risk)?

The paraprofessional qualification requirements in B-1 do not apply to individuals paid with funds under Title I, Part B (Student Reading Skills Improvement Grants and all subparts, including Even Start), Part C (Education of Migratory Children), or Part D (Programs for Children and Youth who are Neglected, Delinquent, or At-Risk), unless these individuals are working in a schoolwide program under Part A or the paraprofessional is paid, in whole or in part, with Part A funds. (See B-3.)

B-9. Must a paraprofessional who provides services to eligible private school students and is employed by an LEA with Title I, Part A funds meet the new requirements?

Yes, such a paraprofessional must meet the requirements outlined in B-1.

B-10. How do the requirements apply if a person performing non-instructional duties becomes an instructional paraprofessional?

In this case, the person is a “paraprofessional” as defined for Title I purposes and must meet the requirements in B-1. In other words, the individual would have to hold a secondary diploma or its equivalent and meet the new qualification requirements. However, as an existing employee of the LEA, the individual would be considered an existing paraprofessional and would have until January 8, 2006 to demonstrate competency through postsecondary education or a formal State or local assessment.

B-11. What if a person has both instructional support and non-instructional duties?

In this case, the person must meet the requirements in B-1, because he or she carries out some instructional support duties.

B-12. Do the new requirements for paraprofessionals (explained in B-1) apply to LEAs or schools that do not receive Title I, Part A funds?

No. If an LEA does not receive Title I, Part A funds, the requirements do not apply. Similarly, if an LEA receives Title I, Part A funds, but a school within that LEA does not receive Title I, Part A funds, the requirements do not apply to paraprofessionals working in that school.

B-13. Do existing paraprofessionals have until January 8, 2006, to meet the requirement that paraprofessionals have a secondary school diploma or its equivalent?

No. Section 1119(f) requires that all paraprofessionals have a secondary school diploma or its equivalent without regard to the date they were hired. This requirement took effect on the date of enactment of the NCLB Act (January 8, 2002) and was, for the most part, already in effect because the prior law required most paraprofessionals to hold a secondary diploma or its equivalent.

B-14. Would a paraprofessional, hired on or before January 8, 2002, and currently working in an LEA in a non-Title I program, be considered a “new” paraprofessional (and subject to the requirements for new paraprofessionals) if that individual is re-assigned to a program supported with Title I funds?

A new paraprofessional is a paraprofessional who is newly hired by an LEA. If a person is working as a paraprofessional in a non-Title I school in the same district, he or she is not considered to be a new paraprofessional if he or she transfers to a Title I school within that district.

B-15. Do the Title I requirements for new paraprofessionals (explained in B-1) apply to paraprofessionals who are laid off and then recalled? In other words, are these individuals “new” or “existing” paraprofessionals?

The statute and regulations state that “new” paraprofessionals are paraprofessionals hired after January 8, 2002 (the date of enactment of the NCLB Act), and “existing” paraprofessionals are paraprofessionals hired before that date. An LEA has discretion to define its policies for distinguishing “new” and “existing” paraprofessionals in the case of paraprofessionals hired before January 8, 2002, but laid off and subsequently rehired after January 8, 2002. These policies might say, for example: A paraprofessional who was initially hired on or before January 8, 2002, but who, because of the LEA’s fiscal constraints, was laid off at the end of one school year—

- (1) Is considered an “existing” paraprofessional if the individual was rehired when the LEA recalled laid-off paraprofessionals such that the individual has continuous years of employment;
- (2) Is considered a “new” paraprofessional if the individual did not rejoin the LEA when it recalled laid-off paraprofessionals if and when the individual is rehired.

B-16. Once a paraprofessional has met the requirements in B-1, is the status of being qualified “portable”? That is, can the paraprofessional be deemed qualified in other LEAs within a State?

An LEA may, at its discretion, determine that a paraprofessional meets the Title I qualification requirements if the individual was previously determined to meet these requirements when employed by another LEA.

B-17. Do the paraprofessional requirements apply to people working in schools as part of the AmeriCorps program?

The National Community Service Act states that AmeriCorps volunteers are not considered employees of the entities where they are placed (42 U.S.C. 12511 (17B)). Unless AmeriCorps volunteers are considered employees of a school district under State law, the paraprofessional requirements in section 1119 (see items B-1 and B-5) do not apply. However, even though the requirements do not apply, districts should make every effort to ensure that AmeriCorps volunteers who provide instructional support in a Title I program have the skills necessary to assist effectively in instructing reading, writing, and mathematics or in reading readiness, writing readiness, and mathematics readiness, as appropriate.

B-18. Do the paraprofessional requirements apply to volunteers?

No. Volunteers are not paid employees of an LEA and the paraprofessional requirements do not apply to them. However, school officials are encouraged to work with volunteers to ensure they have information and training necessary to carry out the activities they are performing, as appropriate.

B-19. Do the paraprofessional requirements apply to people working in 21st Century Community Learning Center Programs?

In general, the requirements do not apply to individuals working in 21st Century Community Learning Center Programs. However, the requirements would apply to paraprofessionals paid with Title I, Part A funds in a 21st Century afterschool program funded jointly with Title I funds in a targeted assistance school, and to paraprofessionals working in a 21st Century afterschool program that is part of a Title I schoolwide program. The requirements do not apply to staff of 21st Century programs who are not employees of the LEA.

B-20. Do the requirements apply to paraprofessionals working in Head Start programs?

In general, the requirements do not apply to paraprofessionals working in a Head Start program. However, the requirements would apply to paraprofessionals working in a Head Start program that is jointly funded with Title I, Part A, funds and the paraprofessional is paid with Title I funds; for example, a program where Title I funds the instructional component and Head Start funds the remainder of the program activities. The requirements would also apply when a Head Start program is part of a Title I schoolwide program.

Note: Although Head Start funds may not be combined in a Title I schoolwide program school (Federal Register notice of Thursday, September 21, 1995), all staff working in a Title I schoolwide program school are considered Title I staff and all students are Title I students.

B-21. Some paraprofessionals work in programs for children ranging in age from birth to age 20 that are supported by Title I, Part A, funds. Are they required to meet the Title I requirements?

Paraprofessionals in a targeted assistance program who are paid with Title I, Part A, funds or paraprofessionals with instructional duties in a schoolwide program school must meet the qualification requirements regardless of the age of the children being served.

What is the requirement for two years of study at an institution of higher education?

B-22. The statutory language refers to “two years of study at an institution of higher education.” [Section 1119(c)(1)(A)] What does “two years of study” mean?

“Two years of study” means the equivalent of two years of full-time study, as defined by the institution of higher education (IHE). For some IHEs that may mean 12 credit hours per semester (requiring a total of 48

credit hours), while in others it may mean 15 credit hours a semester (requiring a total of 60 credit hours).

B-23. What does the term “institution of higher education” mean?

Section 9101(24) of the ESEA, amended by the NCLB Act, incorporates the definition of institution of higher education found in section 101(a) of the Higher Education Act. It defines an “institution of higher education” as an educational institution in any State that --

- 1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate;
- 2) is legally authorized within such State to provide a program of education beyond secondary education;
- 3) provides an educational program for which the institution awards a bachelor’s degree or provides not less than a two-year program that is acceptable for full credit toward such a degree;
- 4) is a public or other non-profit institution; and
- 5) is accredited by a nationally recognized accrediting agency or association or, if not so accredited, is an institution that has been granted pre-accreditation by such an agency or association that has been recognized by the Secretary for the granting of pre-accreditation status, and the Secretary has determined that there is satisfactory assurance that the institution will meet the accreditation standards of such an agency or association within a reasonable time.

B-24. Is a paraprofessional required to take a specific course of study?

No. However, paraprofessionals must be able to demonstrate knowledge of, and the ability to assist in instructing, reading, writing, and mathematics, or reading readiness, writing readiness, and mathematics readiness [Section 1119(c)(1)(C)]. For this reason, a paraprofessional who chooses to meet the qualification requirements by completing two years of study in an institution of higher education and has coursework to complete in order to do so, is encouraged to take courses that will enable the paraprofessional to demonstrate knowledge of these subject areas.

B-25. May continuing education credits (CECs) be used to meet the requirement that paraprofessionals complete at least two years of study at an institution of higher education?

A State or LEA, as appropriate, may count CECs toward the requirement that a paraprofessional complete at least two years of study at an institution of higher education if the CECs are part of an overall training and development program plan and an institution of higher education accepts or translates them to course credits.

C. PARAPROFESSIONAL ASSESSMENT

- C-1. One option for meeting the new educational requirements is for paraprofessionals to demonstrate their knowledge and ability through a formal State or local academic assessment. What is the purpose of this assessment?**

To help improve student achievement, Title I paraprofessionals must have the appropriate knowledge and ability to assist in instructing students and be competent in required instructional techniques and academic content areas. Additionally, because students need good language role models and because communication is essential to effective instructional support, Title I paraprofessionals should also demonstrate that they are competent in basic literacy skills, including the ability to speak and write standard English.

The assessment is one way for Title I paraprofessionals to demonstrate knowledge of, and the ability to assist in instructing, reading arts, writing, and mathematics; or reading readiness, writing readiness, and mathematics readiness.

- C-2. Does “assessment” mean a “paper and pencil test” only, or could the assessment be a performance assessment evaluating demonstrable skills?**

The law does not require a paper and pencil test. 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. Should a State or LEA decide to use or allow more than one type of assessment, each assessment should be evaluated against the same standards.

- C-3. When must the assessment be administered for newly hired paraprofessionals?**

For a paraprofessional hired after January 8, 2002, the assessment must be administered and passed before an individual is hired to work as a Title I paraprofessional.

- C-4. What factors should States take into consideration in approving State or local paraprofessional assessments?**

The following guidelines may assist an SEA in approving assessments:

- SEAs and LEAs have flexibility to determine the content and format of any assessment of paraprofessionals. For example, while an appropriate assessment might be entirely a written test, it alternatively could be a

combination of a written test on content (reading, writing, and math) and a demonstration of competence in instruction (assessed through observations via a series of rubrics).

- The content of the assessment should reflect both the State academic standards and the skills expected of a child at a given school level (preschool, elementary, middle, or high school), and the ability of the candidate to effectively provide instructional support to assist students in mastering the content. Clearly, the assessment should be rigorous and objective. Furthermore, each evaluation should have a standard that the candidate is expected to meet or exceed. These standards for evaluation must be applied to each candidate in the same way.
- The results of the assessment should establish the candidate's competence as a paraprofessional relative to the standards in section 1119(c)(1)(C), or target the areas where additional training and staff development may be needed to help the candidate meet those standards before being hired. The results should be documented and the LEA should retain that documentation.

Moreover, an SEA may wish to officially establish the assessments it has determined meet the statutory requirements, the extent to which State policies permit LEAs to develop, select or implement their own assessments for paraprofessionals, and the requirements, if any, the State places on any local assessment. Keeping such formal approvals on file, along with an explanation as to how the State (or local) assessments meet these requirements, would be one way of making sure that the State (or local) assessments on which LEAs rely comply with the law. The SEA could then communicate this information to LEAs, so that each LEA is clear as to what the options are when it comes to assessing paraprofessionals.

C-5. May Title I funds be used to pay for the paraprofessional assessment?

Yes.

D. PROGRAMMATIC REQUIREMENTS

D-1. What are the requirements for the supervision of paraprofessionals?

Paraprofessionals who provide instructional support must work under the direct supervision of a highly qualified teacher. *[Sections 1119(g)(3)(A)]*
A paraprofessional works under the direct supervision of a teacher if (1) the teacher prepares the lessons and plans the instructional support activities the paraprofessional carries out, and evaluates the achievement of the students with whom the paraprofessional is working, and (2) the paraprofessional works in

close and frequent proximity with the teacher. [*§200.59(c)(2) of the Title I regulations*]
As a result, a program staffed entirely by paraprofessionals is not permitted.

A program where a paraprofessional provides instructional support and a teacher visits a site once or twice a week but otherwise is not in the classroom, or a program where a paraprofessional works with a group of students in another location while the teacher provides instruction to the rest of the class would also be inconsistent with the requirement that paraprofessionals work in close and frequent proximity to a teacher.

D-2. Do the direct supervision requirements apply to paraprofessionals who provide services under contract?

Yes, paraprofessionals hired by a third-party contractor to work in a Title I program must work under the direct supervision of a teacher. That teacher does not have to meet the teacher qualification requirements if he/she is also employed by the third party connection.

D-3. Must a paraprofessional who provides services to eligible private school students and is employed by an LEA with Title I funds be under the direct supervision of a highly qualified public school teacher?

Yes, a paraprofessional who provides services to eligible private school students and is employed by an LEA must be under the direct supervision of a highly qualified public school teacher throughout the duration of the services/program being offered. [*§200.59 (c)(1)*]

E. FUNDING ISSUES

E-1. What funds are available for helping paraprofessionals in Title I schools meet the new requirements?

A number of key ESEA programs authorize funds that may be used:

- Under section 1119 of Title I, an LEA must use not less than five percent or more than ten percent of its Title I allocation in school year 2003-2004 (and not less than five percent in subsequent years) for professional development activities to ensure that teachers and paraprofessionals meet the qualification requirements including paying for the paraprofessional assessment. [*Section 1119(l) of Title I, §200.60 of the Title I regulations*]
- LEAs also may use their general Title I funds “to support ongoing training and professional development to assist teachers and paraprofessionals, including paying for the paraprofessional assessment.” [*Section 1114(b)(1)(D) and Section 1115(c)(1)(F) of Title I*]

- Schools and LEAs identified as needing improvement must also reserve funds for professional development and these funds may be used for training paraprofessionals. [*Sections 1116(b)(3)(A)(iii) and 1116(c)(7)(A)(iii) of Title I*]
- Title II, Part A, Improving Teacher Quality State Grants funds may be used to provide professional development that “improve[s] the knowledge of teachers and principals, and, in appropriate cases, paraprofessionals concerning core academic subjects and related activities to improve student academic achievement.” [*Section 2123(a)(3)(A)*]
- Title III, Part A, the English Language Acquisition, Language Enhancement, and Academic Achievement Act, authorizes LEAs to use formula grant funds for professional development of teachers and other instructional personnel providing instruction to students needing English language acquisition and language enhancement. [*Section 3111(a)(2)(A)*]
- Title V, Part A, Innovative Programs, authorizes LEAs to use funds innovatively in certain areas for professional development of teachers and other school personnel. [*Section 5131(a)*]
- Title VII, Part A, subpart 7, the Indian Education Program, requires LEAs receiving formula grants to carry out a comprehensive program for meeting the needs of Indian children that, among other things, may include professional development to ensure that teachers and other school professionals have been properly trained. [*Section 7114(b)(5)*]
- Title I and Title II funds may be used jointly for professional development consistent with the statutory requirements of the two programs.

E-2. May Title I and Title II funds be used for professional development to help paraprofessionals become certified and licensed teachers?

Yes. Title I and Title II funds may be used for that purpose.

Appendix C:
NCLB Statutory Language Pertaining to Paraprofessional Requirements

SEC. 1119. QUALIFICATIONS FOR TEACHERS AND PARAPROFESSIONALS.

c) NEW PARAPROFESSIONALS-

(1) IN GENERAL- Each local educational agency receiving assistance under this part shall ensure that all paraprofessionals hired after the date of enactment of the No Child Left Behind Act of 2001 and working in a program supported with funds under this part shall have —

(A) completed at least 2 years of study at an institution of higher education;

(B) obtained an associate's (or higher) degree; or

(C) met a rigorous standard of quality and can demonstrate, through a formal State or local academic assessment —

(i) knowledge of, and the ability to assist in instructing, reading, writing, and mathematics; or

(ii) knowledge of, and the ability to assist in instructing, reading readiness, writing readiness, and mathematics readiness, as appropriate.

(2) CLARIFICATION- The receipt of a secondary school diploma (or its recognized equivalent) shall be necessary but not sufficient to satisfy the requirements of paragraph (1)(C).

(d) EXISTING PARAPROFESSIONALS- Each local educational agency receiving assistance under this part shall ensure that all paraprofessionals hired before the date of enactment of the No Child Left Behind Act of 2001, and working in a program supported with funds under this part shall, not later than 4 years after the date of enactment satisfy the requirements of subsection (c).

(e) EXCEPTIONS FOR TRANSLATION AND PARENTAL INVOLVEMENT ACTIVITIES- Subsections (c) and (d) shall not apply to a paraprofessional —

(1) who is proficient in English and a language other than English and who provides services primarily to enhance the participation of children in programs under this part by acting as a translator; or

(2) whose duties consist solely of conducting parental involvement activities consistent with section 1118.

(f) GENERAL REQUIREMENT FOR ALL PARAPROFESSIONALS- Each local educational agency receiving assistance under this part shall ensure that all paraprofessionals working in a program supported with funds under this part, regardless of the paraprofessionals' hiring date, have earned a secondary school diploma or its recognized equivalent.

(g) DUTIES OF PARAPROFESSIONALS-

(1) IN GENERAL- Each local educational agency receiving assistance under this part shall ensure that a paraprofessional working in a program supported with funds under this part is not assigned a duty inconsistent with this subsection.

(2) RESPONSIBILITIES PARAPROFESSIONALS MAY BE ASSIGNED-

A paraprofessional described in paragraph (1) may be assigned —

- (A) to provide one-on-one tutoring for eligible students, if the tutoring is scheduled at a time when a student would not otherwise receive instruction from a teacher;
- (B) to assist with classroom management, such as organizing instructional and other materials;
- (C) to provide assistance in a computer laboratory;
- (D) to conduct parental involvement activities;
- (E) to provide support in a library or media center;
- (F) to act as a translator; or
- (G) to provide instructional services to students in accordance with paragraph (3).

(3) ADDITIONAL LIMITATIONS- A paraprofessional described in paragraph (1) —

- (A) may not provide any instructional service to a student unless the paraprofessional is working under the direct supervision of a teacher consistent with section 1119; and
- (B) may assume limited duties that are assigned to similar personnel who are not working in a program supported with funds under this part, including duties beyond classroom instruction or that do not benefit participating children, so long as the amount of time spent on such duties is the same proportion of total work time as prevails with respect to similar personnel at the same school.

(h) USE OF FUNDS- A local educational agency receiving funds under this part may use such funds to support ongoing training and professional development to assist teachers and paraprofessionals in satisfying the requirements of this section.

(i) VERIFICATION OF COMPLIANCE-

(1) IN GENERAL- In verifying compliance with this section, each local educational agency, at a minimum, shall require that the principal of each school operating a program under section 1114 or 1115 attest annually in writing as to whether such school is in compliance with the requirements of this section.

(2) AVAILABILITY OF INFORMATION- Copies of attestations under paragraph (1) —

- (A) shall be maintained at each school operating a program under section 1114 or 1115 and at the main office of the local educational agency; and
- (B) shall be available to any member of the general public on request.