

Not Highly Qualified (HQ) / Teaching out of Certification Reports

As in past years, the Office of Information and Reporting Services (IRS) will provide school districts, BOCES, and charter schools with reports of teachers identified as not highly qualified and/or teaching out of certification. These reports are posted on the IRS Portal <http://portal.nysed.gov>.

Highly Qualified (HQ) status is determined based on the assignments teachers selected on their electronic Personnel Master File (ePMF) forms and a match with the certifications they have on file with the Office of Teaching Initiatives. This match is based on the teacher having appropriate certification in place on Basic Educational Data System (BEDS) Day.

Highly Qualified is a term used at the federal level to determine if a teacher has properly demonstrated content knowledge in order to be assigned to teach a core course. In New York State, core courses are: ELA, Reading, Mathematics, Science, Social Studies (including history, geography, economics, civics and government), Foreign Languages, and Arts (including art, dance, music, theater, public speaking, and drama).

If a teacher is assigned to teach a core course that falls within the state-approved area of certification, that teacher is considered HQ. If a teacher is assigned to teach a core course that does not fall within the state-approved area of certification, the teacher must meet additional criteria in order to be qualified. The Highly Objective Uniform State Standard of Evaluation (HOUSSE) is one such way.

Using alternative measures to become HQ for a core course assignment may demonstrate compliance for federal Elementary and Secondary Education Act (ESEA) purposes; however, using alternative measures to become HQ for a core course may, in certain circumstances, violate compliance for NYS certification purposes.

Commissioner Regulations Section 80-5.3, concerning Incidental teaching allows a NYS certified teacher to teach one course out of the teacher's area of certification upon approval of the Commissioner. However, in circumstances where that single course is a core course, federal requirements for highly qualified status still apply. See <http://www.highered.nysed.gov/tcert/part80-5.html#Section5.3> for additional information.

Additionally, federal regulations prohibit the use of Title I and Title IIA funds to pay any portion of a teacher's salary that is not highly qualified. If a teacher becomes highly qualified through use of the HOUSSE, documents should be maintained in the personnel file of each teacher to whom HOUSSE applies and must be available upon request of the Department. For additional information concerning NCLB and IDEA requirements for teachers, refer to Field Memo #03-2008 from the NYSED Office of Accountability at <http://www.p12.nysed.gov/accountability/archives/03-2008.html>.

Selecting HOUSSE, Charter 5-30 Exemptions and Correcting ePMF Forms:

Making corrections to ePMF forms and selecting teachers for HOUSSE or charter school 5-30 exemptions will be done in each ePMF form. The first step for any correction will require uncertifying all ePMF forms by the BOCES, district, or charter CEO. This step can be done in TAA at <https://eservices.nysed.gov/taa/>, requiring the CEO to login using his/her Business Portal username and password. Once signed in, an icon will be present at the bottom of the screen to "uncertify" the ePMF data. After forms are uncertified, an administrator with proper entitlements to TAA/TSRV/ePMF

can make assignment corrections and make HOUSSSE and charter school 5-30 exemptions that apply. This process can only be completed while the TAA ePMF Application is open (refer to the Staff Collection School Year Timeline <http://www.p12.nysed.gov/irs/beds/2014/PMF/StaffCollectionTimeline2014-15-2015-16.pdf>). The administrator would select the teacher form that requires a correction by clicking on the "PMF status". This will open the form so that it can be "Unsubmitted." Administrators can then make edits as necessary and "Submit" the form to save the changes. Once all ePMF forms have been updated and are in a "Submitted" status, the CEO can lock all forms by certifying once again in TAA.

If teachers did not have a reportable salary on their ePMF forms due to contract negotiations being at impasse earlier in the year and the contract has since been settled, please add the salary to the ePMF form.

An assignment certification of "None" on the report indicates that the teacher did not possess a valid teaching certificate for the reported assignment. An assignment certification of "Charter Oth/No Cert Req" indicates that the charter school teacher held a valid teaching certificate, though not for the specific assignment being taught. A "C" next to a teacher's name indicates that the teacher lacked specific subject area certification. Please note that a "C" will be displayed for informational purposes for "Charter Oth/No Cert Req" assignments even though the charter school teacher does not need certification for such assignments.

An incorrectly reported assignment code may have caused a teacher to appear as "Not Certified" or "Not Highly Qualified." If an incorrect assignment code for a teacher is listed, the correction must be made on the teacher's ePMF form.

When changing an assignment code, a new "HQ" status will be determined by the Department. This status will be determined for each core class based on whether the teacher is found to be certified.

If "Not On Tcert File" appears on the Highly Qualified/Out of Certification report next to the teacher's name, the Social Security number in the TEACH database may be incorrect. The Office of Teaching Initiatives will not research and address the problem without a legible copy of the teaching certificate in question.

***Assignment code changes should only be made if the reported assignment does not accurately reflect the assignment that was being taught on BEDS Day.**

5-30 Charter School Certification Exemption:

Charter school legislation allows up to thirty percent of the teaching staff, with a maximum of five teachers per school to teach without holding any teaching certificate. Each charter school may select as many as thirty percent of all teachers employed by the school, with a maximum of five, for whom they wish the "5-30 exemption" to apply. A school would have to employ at least 17 teachers in order to qualify five teachers for the "5-30 exemption" (e.g. $.3 * 16 = 4.8$ and $.3 * 17 = 5.1$).

Charter schools should select the teachers on the ePMF forms that are indicated as having no valid NYS certification on the Highly Qualified/Out of Certification reports that were posted on the Business Portal-such teachers are still required to meet all other HQ requirements.

*For questions concerning this process, contact the Office of Information and Reporting Services at (518) 474-7965 or email datasupport@nysed.gov.

*For guidance and documentation concerning teacher/staff data collection and reporting, visit <http://www.p12.nysed.gov/irs/beds/2014/PMF/home.html>.