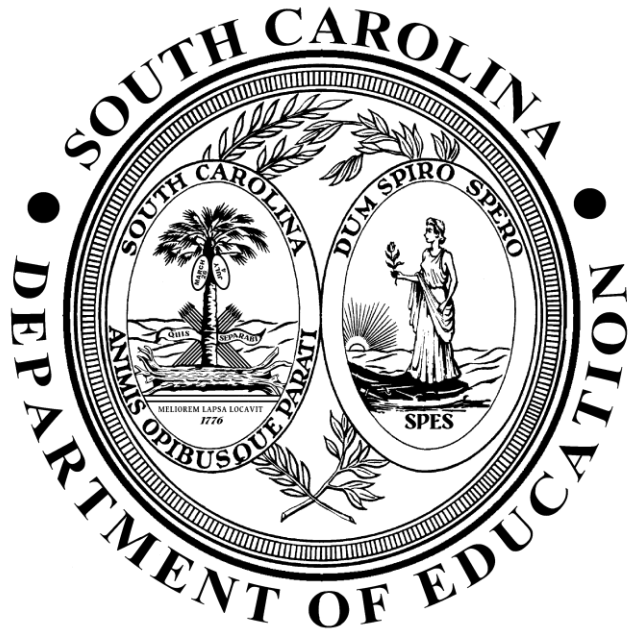


**STATE OF SOUTH CAROLINA**  
**DEPARTMENT OF EDUCATION**

**MOLLY M. SPEARMAN**  
*STATE SUPERINTENDENT OF EDUCATION*



**Changes to Federal Requirements Related to  
“Highly Qualified Teachers”**

Provided to the General Assembly

Pursuant to Proviso 1.78 of the 2017–18 Appropriation Act

February 1, 2018

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## **Reporting Requirement**

Pursuant to Proviso 1.78, the South Carolina Department of Education (SCDE) must report to the General Assembly regarding highly-qualified educators and the new federal requirements under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA). The proviso reads as follows:

**1.78.** (SDE-Highly Qualified Teachers) For the current fiscal year teacher certification requirements for highly qualified educators aligned to No Child Left Behind shall be suspended. The department shall report to the General Assembly by February first on the updated Federal requirements under the Every Student Succeeds Act.

This report is an update to the report of the same name submitted in 2017. In the 2017 report, the South Carolina ESSA Consolidated State Plan was being drafted. The state's final plan was submitted on October 13, 2017, and interim feedback was received from the United States Department of Education (USED) on January 17, 2018. No further revision or clarification was requested by the USED related to the state's definitions of inexperienced, out-of-field, or ineffective teachers, which is required to be reported at the student level for each school and district beginning in the fall of 2018. Once the SCDE submits requested clarifications in response to the USED feedback on or before February 1, 2018, it is expected that the state's ESSA plan will be approved.

## **Historical Background**

The term and definition of "highly qualified teacher" was established under the No Child Left Behind Act re-authorization of the ESEA. The ESSA eliminates the previous ESEA highly-qualified teacher provisions, which required states to staff all core-content classes with teachers who hold a bachelor's degree, are state certified, and have demonstrated subject-matter competency.

Elimination of the highly-qualified requirement reduces federal involvement in state certification issues and refocuses states on equitable distribution of excellent educators.

Consistent with section 1111(g)(1)(B) of the ESSA, state education agencies (SEAs) must demonstrate whether low-income or minority students enrolled in schools that receive funds under Title I, Part A, are taught at a disproportionate rate by ineffective, out-of-field, or inexperienced teachers, as compared to non-low-income and non-minority students enrolled in schools not receiving funds under Title I, Part A.

To fulfill this requirement, SEAs established and provided definitions in their state plans, using distinct criteria, so that each definition provides useful information about educator equity and disproportionality rates, for each of the following terms: ineffective teacher, out-of-field teacher, and inexperienced teacher. The definitions provided below for ineffective teacher, out-of-field teacher, and inexperienced teacher were submitted to the USED for approval on October 13, 2017, as part of the state's ESSA Consolidated State Plan.

During development of the plan, diverse stakeholders were provided multiple opportunities to review and provide input on the plan, including review and input related to the definitions. For the purposes of the ESSA, a teacher is defined as any instructor who has been assigned students in a school's or district's student information system for any period during a given school year. Included are teachers of record, virtual teachers, intervention providers, coaches, counselors, media specialists, or other professionals who have direct contact with students.

#### *Ineffective Teacher*

An ineffective teacher is defined as a teacher on an annual or continuing contract who has received a Not Met rating for one year OR a teacher on an induction contract who has received a Not Met rating for a second year. Prior to implementation of a new four-level teacher evaluation system in 2018–19, the SCDE will determine which levels will constitute a Not Met rating for future reporting.

#### *Out-of-Field Teacher*

An out-of-field teacher is defined as a teacher who is teaching one or more courses or classes in a subject for which he/she does not have the appropriate certification. In South Carolina, a teacher has the appropriate certification if he/she has a certificate in the area or a certification permit in the area.

#### *Inexperienced Educator*

An inexperienced teacher is defined as a teacher who has three or fewer years of teaching experience as indicated on his/her South Carolina license. In South Carolina, districts may keep their teachers on induction contracts for up to three years.

### **Required Federal Reporting**

#### *District and School Report Cards*

Under ESSA § 1111(h)(1)(C)(ix) related to district and school report cards, the state must report the professional qualifications of teachers in the state, including information (that shall be presented in the aggregate and disaggregated by high poverty compared to low-poverty schools) on the number and percentage of— (I) inexperienced teachers, principals, and other school leaders; (II) teachers teaching with emergency or provisional credentials; and (III) teachers who are not teaching in the subject or field for which the teacher is certified or licensed.

Minimum requirements outlined in section 1111 (h)(2)(C) mandate that the SCDE shall ensure that each local educational agency (LEA) collects appropriate data and includes in the LEA's annual report the information described in paragraph (1)(C), disaggregated in the same manner as required under such paragraph, as applied to the LEA and each school served by the LEA.

#### *Additional State Reporting*

Per section 1111(g)(1)(B), the state must describe how low-income and minority children enrolled in schools assisted under Title I, Part A are not served at disproportionate rates by ineffective, out-of-field, or inexperienced teachers, and the measures the SEA will use to evaluate and publicly report the progress of the SEA with respect to such description. Upon final approval from the USED, the SCDE will use these statewide definitions of ineffective, out-of-field, and inexperienced teachers to calculate percentage of students enrolled in Title I schools in

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four subgroups – high poverty, non-high poverty, minority, and non-minority – taught by each category of teacher.

Under ESSA, beginning in the fall of 2018, the Office of Federal and State Accountability, with support from the Office of Research and Data Analysis, will publish an annual report, called the *Access to Educators Report*, detailing the yearly progress of the state in ensuring that all students – particularly low-income and minority students enrolled in schools assisted under Title I, Part A – are not served at disproportionate rates by ineffective, out-of-field, or inexperienced teachers. The report will contain that year's data, progress compared to previous years' data, evaluation of strategies implemented by the SCDE that year, and plans for future SCDE strategies based on data analysis and evaluation. The report will be made public on the SCDE website. Baseline student-level data for Title I schools in the 2016–17 school year are provided in Appendix A.

At minimum, districts with Title I schools that show significant discrepancies will be notified and targeted for support by the SCDE's Office of Federal and State Accountability Title I program, with the assistance of the State Human Capital Team, to address the discrepancies as part of the districts' strategic plans, school renewal plans, and Title I plans. This requirement will include a needs assessment that identifies root causes for the disproportionalities within the Title I schools. The district will be required to include in its plan specific strategies and objectives to address their identified root causes. To support the plan development, the SCDE may provide professional development and technical assistance for principals, school counselors, and others in schools who assign students to course sections to minimize within-school disproportionality.

### **State Human Capital Team**

As part of its work with the State Equity Plan, the SCDE instituted a multi-agency State Human Capital Team and is working with the grant-funded State Human Capital Alliance to finalize state-level strategies to be implemented beginning in 2018–19. This work is a joint effort between the SCDE and other state agencies, including the Center for Educator Recruitment, Retention, and Advancement (CERRA). The work is based on the root causes of disproportionate rates established during the development and implementation of the State Equity Plan. The goal of the State Human Capital Team is to ensure low income and minority children across schools in South Carolina are not served at disproportionate rates by ineffective, out-of-field, or inexperienced teachers. Title I, Part A funds may be used at the state level to support the development or implementation of strategies by the State Human Capital Team.

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## Appendix A: Disproportionality within Schools Served under Title I, Part A

Current data for the 2016–17 school year indicate some disproportionality exists within Title I schools. Of particular concern is the percentage of students enrolled in Title I schools – whether low-income or non-low-income – taught by out-of-field teachers in English language arts (ELA), math, or science. The SCDE continues to analyze and check the validity of these data, and anticipates working with districts to improve the quality of the data used to measure percentage of students taught by ineffective, out-of-field, or inexperienced teachers at the student level.

Table 1. *Rate and Difference in Rate at Which Low-Income and Minority Students Enrolled in Schools Served under Title I, Part A Are Taught by Ineffective, Out-of-Field, and Inexperienced Teachers, 2016–17*

Student Groups	Percentage of students taught by an ineffective teacher in ELA, math, or science <sup>a</sup>	Difference between rates	Percentage of students taught by an out-of-field teacher in ELA, math, or science <sup>a</sup>	Difference between rates	Percentage of students taught by an inexperienced teacher in ELA, math, or science <sup>a</sup>	Difference between rates
Low-income students enrolled in Title I schools	0.4%	0 percentage points	65.1%	1.1 percentage points	11.9%	0.2 percentage points
Non-low-income students enrolled in Title I schools	0.4%		66.2%		11.7%	
Minority students enrolled in Title I schools	0.6%	0.1 percentage points	61.8%	0.5 percentage points	13.0%	0.3 percentage points
Non-minority students enrolled in Title I schools	0.5%		62.3%		12.7%	

Note. <sup>a</sup>Student-level data examined are restricted to ELA, math, and science to maintain accuracy. In the future, the SCDE intends to include additional subject areas.