



Overview

The Every Student Succeeds Act (ESSA) eliminates the “highly qualified” teacher requirements under No Child Left Behind (NCLB). Under ESSA, educators employed in schools supported with Title I funds must meet state certification requirements.^{1 2}

ESSA addresses educator qualifications three ways:

- **Title I school educator certification requirements:** Teachers and paraprofessionals employed in Title I schools must meet state certification requirements. In Colorado, a license or authorization is required for employment as a teacher, special services provider, or principal in a school.³
- **Title I schools: Notifying parents of educator qualifications:** Local Education Agencies (LEAs) that receive Title I funds are required to notify parents that they can request specific information about a teacher's qualifications.⁴ Districts must also notify parents about an unqualified teacher who has been teaching their children for four or more consecutive weeks.
- **Equitable Distribution of Teachers (EDT):** ESSA requires LEAs accepting Title I, Part A funds to develop plans to address disparities in low-income and minority students' access to effective, in-field, or experienced teachers compared to their higher-income, non-minority cohorts.

This document clarifies teacher and paraprofessional qualifications under Colorado statute, parent notification requirements under ESSA, and key human capital considerations where EDT gaps are identified.

Educator Qualification Requirements

Teacher Certification: Under ESSA, teachers and paraprofessionals in Title I schools must meet state certification requirements. Pursuant to sections 22-63-201 and 22-32-126, C.R.S., a Colorado license or authorization is required for employment as a teacher, special services provider or principal in a Colorado school or school district.⁵ All licenses and authorizations must be endorsed to indicate the grade levels/developmental levels and specialization area(s) which are appropriate to the applicant's preparation, training and experience.⁶

Types of [Colorado teacher licenses](#) include:

- Alternative teacher license - Valid for 1, 2, or 3 years depending on preparation program duration.
- Initial license - Valid for 3 years.
- Initial Special Services license - Valid for 3 years.
- Professional license - Valid for 5 years.
- Master Certificate - Valid for same period as professional license is valid and renewable.

Types of [Colorado teacher authorizations](#) include:

- Emergency Authorization - Valid for 1 year, with possible reissue upon approval of State Board of Education.
- Career and Technical Authorization - Valid for 3 years, cannot be renewed.
- Substitute Authorization – Valid for a period of 1, 3 or 5 years, when the applicant has met relevant requirements.
- Others (see [CCR 301-37](#))

¹ ESSA Sec. 1112 (b)(6): Each local educational agency plan shall provide assurances that the LEA will...ensure that all teachers and paraprofessionals working in a program supported with funds under [Title I, Part A] meet applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification.

² ESSA Sec. 1111(g)(2)(M): Each State plan shall contain assurances that...the State has professional standards for paraprofessionals working in a program supported with funds under this part, including qualifications that were in place on the day before the date of enactment of the Every Student Succeeds Act.

³ Unless a relevant charter school waiver is granted.

⁴ ESSA, Sec. 1112(e)(1)(a))

⁵ Colorado Educator Licensing Act of 1991, Page 1. <https://www.sos.state.co.us/CCR/GenerateRulePdf.do?ruleVersionId=7701&fileName=1%20CCR%20301-37>

⁶ To help support students in Colorado who are English language learners, the State Board of Education adopted new rules in June 2018 requiring educators with elementary, math, science, social studies and English language arts endorsements to complete Culturally and Linguistically Diverse (CLD) Education training or professional development. [Educators must meet the new licensing requirement within their next five-year license renewal period.](#)
www.cde.state.co.us/educatortalent/elpdeducators



Paraprofessional Qualifications: According to C.R.S. 23-1-121.7 (1, e-g), a paraprofessional working in a Title I program may demonstrate qualifications in several ways, including:

- Completion of at least two years of postsecondary study;
- Obtaining an associates or higher degree; or
- Successfully taking an assessment selected by the state or by the employing school district that meets state and federal standards and that demonstrates knowledge of and the ability to assist in instruction of reading, writing, and mathematics.

According to Colorado statute, school districts retain flexibility for further regulation of paraprofessionals, including certification or licensing. This means requirements can vary across LEAs.

Waivers: There are a number of waivers that charter schools can [request](#) from CDE.⁷ Several of these waivers implicate in-field and effectiveness teacher indicators under the Equitable Distribution of Teachers (EDT) analyses. When conducting the EDT analyses, CDE incorporates all relevant, LEA-reported teacher experience, qualification, and effectiveness data submitted via the HR data pipeline.

Commonly Requested Non-Automatic Waivers

State Statute Citation	Description
22-9-106, C.R.S.	Local board duties concerning performance evaluations
22-2-112(1)(q)(I), C.R.S.	C.R.S. Commissioner Duties-concerning the reporting of performance evaluation ratings
22-32-109(1)(n)(I), C.R.S.	Local board duties concerning school calendar
22-32-109(1)(n)(II)(A), C.R.S.	Teacher-Pupil Contact Hours
22-32-109(1)(n)(II)(B), C.R.S.	Adopt district calendar
22-63-201, C.R.S.	Teacher Employment Act-Compensation & Dismissal Act-Requirement to hold a certificate
22-63-202, C.R.S.	Teacher Employment Act- Contracts in writing, damage provision
22-63-203, C.R.S.	Teacher Employment Act- Requirements for probationary teacher, renewal & nonrenewal
22-63-206, C.R.S.	Teacher Employment Act-Transfer of teachers

Title I Schools: Notifying Parents of Educator Qualifications

ESSA requires LEAs that receive Title I funds to notify parents that they can ask for and receive specific information about a teacher's qualifications. LEAs must also notify parents about an unqualified teacher who has been teaching their children for four or more consecutive weeks.

Notice to parents of right to request information: LEAs are required to inform parents that federal law gives them the right to request specific information about the professional qualifications of their children's classroom teachers. If information is requested, the LEA must give parents this information "in a timely manner." CDE has provided a template letter [here](#). Parents are entitled to receive the following types of information:

- Whether the teacher has met the state's certification criteria for the grade levels and subject matter s/he teaches;
- Whether the state has waived its qualification and licensing criteria to permit the teacher to teach on an emergency or other provisional basis;
- Whether the teacher is teaching coursework in the field or discipline of his/her certification;
- Whether teachers' aides or similar paraprofessionals provide services to the parents' children, and if they do, their qualifications.

Out-of-field Teachers: ESSA requires that districts notify each parent whenever his/her child in a Title I school has been assigned or has been taught for four or more consecutive weeks by a teacher who does not meet applicable state certification or licensing requirements at the grade level or subject they have been assigned.⁸ CDE has provided a template letter [here](#).

⁷ CDE, [Waiver Requests](#). Accessed on March 5, 2019 at www.cde.state.co.us/cdechart/waivers

⁸ ESSA, Sec. 1112(e)(1)(B)(ii).



Equitable Distribution of Teachers (EDT) and Teacher Qualifications

ESSA requires LEAs accepting Title I, Part A funds to develop plans to address disparities in low-income and minority students’ access to effective, in-field, or experienced teachers compared to their higher-income, non-minority cohorts. Currently, these plans are captured in the Consolidated Application for federal funds. LEAs with fewer than 1,000 students enrolled (K-12) or no more than one school per grade span are exempt from these analyses. Colorado’s [ESSA State Plan](#) defines these teacher indicators as follows:

Indicator	Definition
Ineffective	Teacher received an Ineffective or Partially Effective evaluation rating, based on Colorado’s Educator Quality Standards. Half of this rating is based on professional practices and half is based on measures of student learning/outcomes.
Out-of-Field	Teacher does not hold at least one of the following in the subject area they teach: <ul style="list-style-type: none"> • Endorsement on a Colorado teaching license • Degree (bachelor’s or higher) • 36 semester hours • Passing score on a SBE-approved content exam (currently the ETS Praxis Series)
Inexperienced	Someone who has taught in a K-12 setting fewer than 3 full years (not limited to Colorado).

CDE includes only K-12 teachers with Job Classification codes 201 (General Ed.), 202 (Special Ed.), or 206 (Title I), and assigned the following “core course” codes:

EDT Analyses: Core Course Code List

Code	Name
10	General Elementary Education
15	General 7th / 8th Grade
70	Co Alt Exclusively
200-299	Art
500-599	English Language Arts
600-699	Foreign Languages
1100-1199	Mathematics
1200-1299	Music
1300-1399	Natural/Physical/General Science
1500-1599	Social Sciences
1700-1799	Special Education

Good to Know!

This [CDE webpage](#) offers resources—including FAQs, explanation of methodology, best practices to address human capital needs—and guidance to communicate EDT results with stakeholders. These resources also offer ways to leverage Title II-A funds to attract and retain great teachers in high-need schools.

LEAs may be identified with disparities between the percent of teachers in-field, effective, or experienced teachers in highest poverty/minority schools compared to lowest poverty/minority schools. In such cases, CDE encourages LEAs developing plans to consider leading human capital system factors that influence teacher qualifications: e.g., hiring practices and protocols, recruitment efforts, preparation and licensing entry costs for incoming teachers, and ongoing professional learning. CDE encourages LEAs to prioritize Title II-A funding to address educator equity gaps. More information available [here](#).

There are also a number of Colorado grants available to address teacher qualifications, including:

Grant	Use of Funds	Lead Agency
Rural School District Teaching Fellowship	Cost of attending an approved educator prep program	Colorado Department of Higher Education (CDHE)
Retaining Teachers Grant Program	One or more specific teacher retention strategies	CDE
Financial Incentives for Education in Rural Areas	Stipends for teachers in rural areas for alternative prep courses; concurrent enrollment, National Board, or special service provider certification	CDHE

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