



## Overview

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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.<sup>1 2</sup>

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.<sup>3</sup>
- **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.<sup>4</sup> 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

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**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.<sup>5</sup> 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.<sup>6</sup>

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](#))

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<sup>1</sup> 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.

<sup>2</sup> 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.

<sup>3</sup> Unless a relevant charter school waiver is granted.

<sup>4</sup> ESSA, Sec. 1112(e)(1)(a))

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

<sup>6</sup> 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](http://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.<sup>7</sup> 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.<sup>8</sup> CDE has provided a template letter [here](#).

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

<sup>8</sup> 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   |
|----------------------|--|
| <b>Ineffective</b>   | 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.   |
| <b>Out-of-Field</b>  | Teacher does not hold at least one of the following in the subject area they teach: <ul style="list-style-type: none"> <li>• Endorsement on a Colorado teaching license</li> <li>• Degree (bachelor’s or higher)</li> <li>• 36 semester hours</li> <li>• Passing score on a SBE-approved content exam (currently the ETS Praxis Series)</li> </ul> |
| <b>Inexperienced</b> | 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                                    |
|---|---|--|
| <a href="#">Rural School District Teaching Fellowship</a>         | Cost of attending an approved educator prep program   | Colorado Department of Higher Education (CDHE) |
| <a href="#">Retaining Teachers Grant Program</a>                  | One or more specific teacher retention strategies   | CDE  |
| <a href="#">Financial Incentives for Education in Rural Areas</a> | Stipends for teachers in rural areas for alternative prep courses; concurrent enrollment, National Board, or special service provider certification | CDHE   |

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