



No Child Left Behind Program Series



**NCLB**  
*100% Highly Qualified*

**This document has been updated to reflect new fiscal, accountability,  
and program guidelines as of August 2015.**

# 100% Highly Qualified

This document highlights the requirements for highly qualified teachers and has been created as a reference for the Texas education community. Every attempt has been made in the development of this manual to correctly consolidate highly qualified materials. Please refer to the Guidance for Implementation of No Child Left Behind (NCLB) Highly Qualified Teacher Requirements ([http://tea.texas.gov/About\\_TEA/Laws\\_and\\_Rules/NCLB\\_and\\_ESEA/Highly\\_Qualified\\_Teachers/Highly\\_Qualified\\_Teachers/](http://tea.texas.gov/About_TEA/Laws_and_Rules/NCLB_and_ESEA/Highly_Qualified_Teachers/Highly_Qualified_Teachers/)) as the source document for additional details and the creation and implementation of a local education agency's (LEA) Highly Qualified procedures. In addition, an annual Status of NCLB Highly Qualified Teacher Requirements letter is posted each August to the Texas Education Agency (TEA) website at [http://tea.texas.gov/taa\\_letters.aspx](http://tea.texas.gov/taa_letters.aspx).

***NCLB states in Section 1119 that all core academic subject area teachers must meet the statutory highly qualified teacher requirements, and TEA has established an annual measurable objective which states that 100% of teachers of core academic subjects in the LEA are highly qualified.*** Courses that are outside of the core academic subject areas that are accepted by the School Board of Education (SBOE) for graduation credit in a core academic subject will require a teacher that is Highly Qualified in the appropriate core curriculum area.



## Teachers Who Must Meet “Highly Qualified”

**Any Teacher** who designs, delivers and evaluates instruction to students in any of the core academic subject areas defined by NCLB must meet the requirement. This includes career and technical education (CTE) and other teachers who are teaching CTE or other courses for graduation credit in a core subject area.

The term “core academic subjects” means English, reading or language arts, mathematics, science, foreign languages (languages other than English), civics and government, economics, arts, history, and geography [Section 9101(11)]. While the statute includes “arts” in the core academic subjects, it does not specifically define “arts”; therefore, States must make this determination. TEA has defined “arts” as music (including band and choir directors), art, theatre, dance, and other courses accepted by SBOE for graduation credit in Fine Arts.

**Special Education Teachers** who design, deliver and evaluate instruction to students with disabilities in core academic subject areas must meet the same standard for subject matter competency as a regular education teacher. These requirements apply whether a special education teacher provides direct core academic instruction in a regular classroom, in a resource room, or in another non-traditional setting. Special education teachers who teach core academic subjects in self-contained classrooms must meet “highly qualified.”

**Rural Schools Secondary Teachers** in eligible, rural LEAs who are highly qualified in at least one core subject area have three years from the date of hire to become highly qualified in the additional core subject areas they teach.

**Elementary Disciplinary Alternative Education Programs (DAEPs) or Alternative Education Programs (AEP) Teachers** who provide instruction in elementary DAEPs or AEPs must meet the same “highly qualified” requirements as all elementary school teachers.

**Secondary DAEP or AEP Teachers**, who provide instruction in DAEPs or AEPs at the secondary level may arrange for independent study opportunities or distance learning methods where an off-site teacher of record provides materials and lessons for the student. In such cases, the on-site teacher would not serve as the primary teacher (the teacher of record) but would assist in the teaching and learning. The off-site teacher of record must meet the definition of “highly qualified.”

**Neglected Facilities, Delinquent Facilities or Juvenile Justice Alternative Education Program (JJAEP) Teachers** who are hired by the LEA to provide instruction in core academic subjects in facilities for the neglected or delinquent or a JJAEP must meet the “highly qualified” requirements on the same basis as all other teachers hired by the LEA.

- In cases where the facility for the neglected or delinquent has been granted charter school status, the “highly qualified” requirements for charter schools would apply.
- If the teachers in such facilities or JJAEPs are not employees of the LEA, the highly qualified requirements do not apply.

**Early Childhood (EC) and Pre-Kindergarten (Pre-K) Teachers** must meet the elementary highly qualified requirements, as Texas defines its public education system as Early Childhood through Grade 12 and is allowed to serve EC and Pre-K students with Title I, Part A funds.

**Title I Extended Learning Time Programs** which provide instruction in core academic subjects designed to help students meet State or local academic standards must meet the highly qualified teacher requirements if teachers are providing such core academic instruction.

**Bilingual/English as a Second Language (ESL) Teachers** who provide instruction in the core academic subjects must meet the applicable highly qualified requirements for the grade level and core academic subject area taught. Secondary ESL teachers who provide instruction in high school English for Speakers of Other Languages (ESOL) classes where students receive credit for English must meet the highly qualified requirements for English. Note: Instructional programs funded under Title III must include teachers who are fluent in English and any other language in which they provide direct instruction, including having written and oral communication skills.

**Substitute Teachers** hired to substitute for a teacher who has not been hired become the teacher of record and must meet the requirements of a “highly qualified” teacher. This excludes a substitute for a teacher while the teacher is out sick or on leave. The law requires that parents of children in Title I, Part A schools be notified if their child has been assigned to, or has been taught for four or more consecutive weeks, by a teacher who is not highly qualified on a campus served with Title I, Part A funds.

## Teachers Who Do Not Have to Meet the Requirement

In general, when the teacher is either:

1. not providing direct instruction and another general education teacher has responsibility for the design and delivery of instruction, as well as the evaluation of student performance; or
2. the course is not in a core academic subject or can be taught for graduation credit in a core subject area as defined by NCLB, the teacher does not have to meet the highly qualified requirements.

# “Highly Qualified” Teacher Requirements



## Bachelor’s Degree (or higher), and

There are ***no alternatives*** to the requirements for a bachelor’s degree.



## Full State Certification,\* and

There are ***no alternatives*** to the requirements for full state certification (except for certain charter school teachers).



## Demonstrated Competency in the Core Academic Subject Area Assignment

### ELEMENTARY

### SECONDARY

#### New Teacher

- ✓ Passing a Texas Examination of Educator Standards (TExES) Generalist Exam

#### Experienced Teacher

(Must have completed a minimum of one documented year of teaching experience.)

- ✓ Passing either Examination for the Certification of Educators in Texas (ExCET) Elementary Comprehensive or TExES generalist, ***or***

- ✓ Meeting the eligibility criteria and the requirements established under HOUSE for elementary teachers

Music, Art, and Theatre Arts teachers do not necessarily have to demonstrate subject matter knowledge across the entire elementary curriculum. Rather, a teacher may pass the applicable content-specific TExES exam.

#### New Teacher

- ✓ Passing the applicable ExCET/TExES content exam for a certification area appropriate to the teaching assignment, ***or***

- ✓ Having an academic major or graduate degree or the coursework equivalent to an undergraduate academic major in the core academic subject area taught (i.e., 24 semester hours, with 12 of the hours being junior/senior level upper division courses in the core academic subject area)

#### Experienced Teacher

(Must have at least one year of creditable teaching experience in the subject to be taught or in a closely related field.)

- ✓ Passing the applicable ExCET/TExES, ***or***

- ✓ Having an academic major or graduate degree or the coursework equivalent to an undergraduate academic major in the core academic subject area taught, ***or***

- ✓ Meeting the requirements established under HOUSE for secondary teachers

\*Definition of Full State certification: A person who holds a valid Texas standard teacher’s certificate or lifetime teacher’s certificate has full state certification. Also, a degreed individual who holds a probationary certificate, has demonstrated content mastery, and is participating in an acceptable alternate route to certification program may be considered “fully certified” under the “highly qualified” requirements.

## New Teacher

The term "new teacher" is used in two different instances:

- a new teacher to the district when the "highly qualified" requirements must be met to be hired on a Title I campus, and
- a new teacher to the profession to determine what options are available for demonstration of competency.

### New Teacher to the District

Regardless of the level of teaching experience, a teacher hired for the first time by a district to teach a core academic subject in a Title I, Part A program must meet the "highly qualified" requirements when hired. This is a teacher who is "new to the district" but not necessarily "new to the profession." This determination is not based on years of experience, rather it is based on when the teacher was hired by the district and whether the teacher teaches in a Title I, Part A program.

A new teacher to a district that meets the NCLB definition of Rural may be allowed additional flexibility in meeting the "highly qualified" requirements during the first three years of employment with that district.

Note that the Teacher Quality Annual Measurable Objective (TQAMO) for an LEA that accepts Title I, Part A funds is 100% highly qualified on all campuses, regardless if the campus is served with Title I, Part A funds.

### New Teacher to the Profession

A teacher that does not have a creditable year of teaching experience at the elementary, middle school or high school level is considered to be a "new teacher." A teacher would only be considered "new to the profession" until they have one year of creditable teaching experience as a teacher of record at an accredited PK-12 school.

## Experienced Teacher

An experienced teacher is one who has one or more creditable years of teaching experience. For practical purposes, the term “experienced” teacher does not have a different meaning than the term “veteran teacher” or “teacher who is not new to the profession.” The term experienced teacher is used rather than veteran teacher in this context in order to not imply that such a teacher must have extensive teaching experience.

Experience is defined as employment as a teacher; therefore, documented employment as a teacher—in an accredited public school, charter school, or private school—is required. Experience does not include student teaching or its equivalent or employment as a substitute; however, teachers may count their alternative certification program internship if they were the teacher of record. The time requirement associated with experience is at least one creditable year of employment as defined in the Texas Administrative Code (TAC), Chapter 153, Subchapter CC.\*

An experienced teacher may be eligible to meet highly qualified subject determination through HOUSE. See the Use of House section for more information.

*\*One creditable year of teaching experience (employment) is defined in the Texas Administrative Code, Chapter 153, Subchapter CC as a minimum of 90 full-time instructional days as a teacher in a school year. The creditable year of experience is earned at the end of the school year and not when the 90th instructional days have been reached.*

**International Teachers** who come from foreign countries to teach in Texas schools are required to meet the definition of “highly qualified” if a foreign credential evaluation service verifies that

1. the degree held is at least equivalent to a bachelor’s degree offered by an American institution of higher education; and
2. the teacher holds valid teaching credentials in the foreign country; and
3. the teacher demonstrates competency as follows:
  - A new elementary teacher has passed a rigorous exam that covers the basic elementary curriculum; an existing elementary teacher has passed such a test or can demonstrate competency through HOUSE.
  - A new secondary teacher has completed coursework equivalent to at least an academic major in the core academic subject to be taught (24 semester hours with 12 of those being junior/senior level) or has passed a rigorous subject test; an existing secondary teacher has the coursework, or has passed such a test, or can demonstrate competency through HOUSE.

**Teachers Certified Outside of Texas** in another state or country meet the requirements of highly qualified if they have a valid out-of-state teaching certificate, a bachelor’s degree, can demonstrate subject area competency, and hold (or qualified for) a valid Texas One-Year Certificate. Prior to or during the validity of the one-year certificate, the teacher must complete any applicable Texas certification testing requirements.

#### Notes: Extenuating Circumstances-Permits and Waivers

Teachers using any of the following teaching permits in lieu of state certification **are not in compliance** with the definition of “highly qualified.” (Exceptions are noted below, as applicable.)

- A teaching waiver approved by the Commissioner of Education;
- A School District Teaching Permit approved by the Commissioner of Education;
- Emergency Permits issued by SBEC to uncertified individuals (subject, grade-level, or both) for assignments in the core academic subject areas. Exception: It is possible, for example, for an elementary teacher to meet the requirements of a “highly qualified” secondary teacher if the teacher has full state elementary certification and the required coursework (24 semester hours, 12 of which are junior/senior level upper-division) for demonstrating competency in the subject area being taught at the secondary level;
- Temporary Classroom Assignment Permit (TCAP) issued by the school district under SBEC rules to teach academic class periods outside of the subject area of certification in grades 6-12 for one year. Exception: It is possible, for example, for a teacher under this permit to meet the requirements of “highly qualified” if the teacher has full state certification and the required coursework (24 semester hours, 12 of which are junior/senior level upper-division) for demonstrating competency in the subject area being taught that is outside the area of certification at the middle school or high school levels, as appropriate;
- A Nonrenewable Permit (NRP) issued to a teacher who holds a lifetime certification that is no longer valid in order to allow time to reactivate certification by passing a state-approved examination. Exception: It is possible, for example, for a teacher under this permit to meet the requirements of “highly qualified” if the teacher has the required coursework (24 semester hours, 12 of which are junior/senior level upper-division) for demonstrating competency at the middle school or high school levels, as appropriate; or
- A Nonrenewable Permit (NRP) issued to a teacher who has a baccalaureate degree and has completed all courses required for certification, including student teaching, but has not completed all certification exams.

# Elementary Teachers

## New Elementary Teacher Requirement

*New Early Childhood through Grade 5 teachers* may demonstrate subject matter competency by passing one of the certification exams below. Remember that the grade bands on the tests matter. (Example: 4-8 Generalist means grades 4,5,6,7, and 8. It doesn't include any grades below 4th or above 8th. So a teacher who is Highly Qualified 4-8 is not HQ for 1st grade.)

### Required Certification Exams for New Elementary Teachers

TExES EC-6 Generalist

TExES EC-6 ESL Generalist

TExES EC-6 Bilingual Generalist

TExES 4-8 Generalist

TExES 4-8 ESL Generalist

TExES 4-8 Bilingual Generalist

*Or, if departmentalized:*

TExES EC-12 Content Exam\*

*\*Only available for departmentalized teachers in Music, Art, or Theatre Arts assignments.*



## Experienced Elementary Teachers

*Only one HOUSE option exists for eligible experienced elementary school teachers.\* Elementary HOUSE Option B is no longer available, thereby making HOUSE Option A the only available option.*

*\*Elementary HOUSE is only available to teachers that have at least one year of creditable experience in the 2008-2009 school year or earlier. All points must have been earned prior to the end of the 2009-2010 school year.*

### Elementary HOUSE Option A

Subject competency is demonstrated by meeting ***all three*** of the following criteria:

1. The teacher has at least one creditable year of teaching experience, and
2. The teacher has a minimum of 24 points derived from
  - Experience teaching at the elementary level  
[1 year = 1 point (maximum of 12 points)]; and/or
  - College coursework in English/Language Arts, Math, Science, and/or Social Studies [1 college hour = 1 point]; and/or
  - Professional development that meets the standards for Continuing Professional Education (CPE) credit established by SBEC rules, as codified in the Texas Administrative Code, Title 19, Part 7, Chapter 232,  
\*Subchapter R (15 CPE clock hours = 1 point); and
3. Each of the subjects (English/Language Arts, Mathematics, Science, and Social Studies) is represented in the 24 points, whether through experience, college coursework, or professional development.

*\* Subchapter R is obsolete and is now located in Subchapter B, Rule 232.850.*

#### Notes for Experienced Elementary Teacher-HOUSE Option A

- The social studies requirement may be met through coursework or CPE hours in government, history, economics, geography, or political science.
- A sixth grade teacher is defined as secondary regardless of the configuration of grade levels at the campus.
- Continuing Professional Education (CPE) credit includes: institutes, workshops, seminars, conferences, in-service or staff development.

### Experienced Elementary Teachers—HOUSE Option B (No Longer an Option.)

Districts need to complete a new highly qualified determination form for any elementary core teacher who was previously highly qualified through the use of HOUSE B. Those teachers may use either Elementary HOUSE A or the appropriate Generalist exam to demonstrate that they are highly qualified in the core curriculum.

# Secondary Teachers

## New Secondary Teachers

To meet the requirements of the statute, new secondary teachers (6th–12th grade levels) must:

1. hold at least a bachelor's degree,
2. have Texas teacher certification, and
3. demonstrate their competence, in each of the core academic subjects the teacher teaches, by:
  - completing an academic major, a graduate degree, coursework equivalent to an academic major\*, or advanced certification or credentialing, or
  - passing a rigorous State academic subject test [Section 9101(23)(B)(ii)].

*\*Coursework equivalent to an academic major means 24 semester hours in the subject area, with 12 of those hours being junior/senior upper division coursework.*

### Subject Competency

**New Grade 6 through Grade 8 teachers**, depending on subject taught, may demonstrate subject matter competency by passing the applicable certification exam below.

#### Certification Exams to Demonstrate

#### Subject Matter Competency

TExES 4-8 Generalist \*

TExES 4-8 ESL Generalist \*

TExES 4-8 Bilingual Generalist \*

TExES EC-6 Generalist - for 6th grade only

TExES ESL Generalist - for 6th grade only

TExES Bilingual Generalist - for 6th grade only

TExES 4-8 Subject Specific

Applicable TExES Subject Content Exam

Applicable ExCET Subject Content Exam

(Note: The only ExCET exam currently being administered is the Latin exam which will be administered for the last time in June 2011.)

TExES EC-12 Special Education exam

(grades 7-8 for Mathematics and English/Language Arts/Reading only)

*\*The generalist exam would suffice for English, Reading/Language Arts, Math, Science, and Social Studies. It would not demonstrate competency in foreign languages or arts taught at the 7th or 8th grade levels.*



## Experienced Secondary Teachers—HOUSE Option

Competency is demonstrated by meeting both of the following criteria:

1. The teacher has at least one creditable year of teaching experience in the subject to be taught or in a closely related field; and
2. The teacher has a minimum of 24 points [at least 6 of which represent the core academic subject to be taught (or the core academic subject receiving graduation credit)] derived from:
  - Experience teaching at the secondary level in the subject to be taught or in a closely related field [1 year = 1 point (maximum of 12 points)]; and/or
  - College coursework in the subject to be taught or in a closely related field\* [1 college hour = 1 point]; and/or
  - Professional development in the subject to be taught or in a closely related field that meets the standards for Continuing Professional Education (CPE) credit established by SBEC rules as codified in the Texas Administrative Code, Title 19, Part 7, Chapter 232, Subchapter R\*\* [15 CPE clock hours = 1 point].

\*See list of closely related fields on page 12.

\*\* Subchapter R is obsolete and is now located in Subchapter B, Rule 232.850.

(Option Amended) Any experienced secondary teacher may continue to use HOUSE to demonstrate subject matter competency for any course accepted by the Texas State Board of Education for required graduation credit for documenting highly qualified teacher status. This includes CTE and other teachers who are teaching CTE or other courses for graduation credit in a core subject area.

# Core Academic Subject Areas and Closely Related Subjects

The following table demonstrates which fields may be considered “closely related” when determining a secondary teacher’s status under HOUSE. This list is not comprehensive, as LEAs may consider other fields as “closely related,” as appropriate, but must maintain documentation of what is used to determine “highly qualified” status. Courses that are outside of the core academic subject areas that are accepted by State Board of Education (SBOE) for graduation credit in a core academic subject will require a teacher that is Highly Qualified in the appropriate core curriculum area.

## Closely Related Subjects

<b>English</b> <ul style="list-style-type: none"> <li>♦ Reading</li> <li>♦ Speech</li> <li>♦ Journalism</li> <li>♦ Any other course accepted by SBOE for graduation credit in English.</li> </ul>	<b>Reading/ Language Arts</b> <ul style="list-style-type: none"> <li>♦ English</li> <li>♦ Speech</li> <li>♦ Journalism</li> </ul>	<b>History</b> <ul style="list-style-type: none"> <li>♦ Geography</li> <li>♦ Government</li> <li>♦ Economics</li> <li>♦ Political Science</li> <li>♦ Any other course accepted by SBOE for graduation credit in History.</li> </ul>
<b>Economics</b> <ul style="list-style-type: none"> <li>♦ Government</li> <li>♦ History</li> <li>♦ Geography</li> <li>♦ Political Science</li> <li>♦ Any other course accepted by SBOE for graduation credit in Economics.</li> </ul>	<b>Geography</b> <ul style="list-style-type: none"> <li>♦ History</li> <li>♦ Economics</li> <li>♦ Government</li> <li>♦ Political Science</li> <li>♦ Any other course accepted by SBOE for graduation credit in Geography.</li> </ul>	<b>Civics and Government</b> <ul style="list-style-type: none"> <li>♦ History</li> <li>♦ Economics</li> <li>♦ Geography</li> <li>♦ Political Science</li> <li>♦ Any other course accepted by SBOE for graduation credit in Civics or Government.</li> </ul>
<b>Science</b> <ul style="list-style-type: none"> <li>♦ Life Sciences</li> <li>♦ Physical Sciences</li> <li>♦ Biology</li> <li>♦ Earth Science</li> <li>♦ Life/Earth Science</li> <li>♦ Physics</li> <li>♦ Chemistry</li> <li>♦ Any other course* accepted by SBOE for graduation credit in Science.</li> </ul>	<b>Arts</b> <ul style="list-style-type: none"> <li>♦ Art</li> <li>♦ Music</li> <li>♦ Theatre Arts</li> <li>♦ Dance</li> <li>♦ Any other course* accepted by SBOE for graduation credit in Fine Arts.</li> </ul>	<b>Mathematics</b> <ul style="list-style-type: none"> <li>♦ Engineering</li> <li>♦ Statistics</li> <li>♦ Accounting</li> <li>♦ Any other course* accepted by SBOE for graduation credit in Mathematics.</li> </ul>
<b>Foreign Languages</b> None. For purposes of HOUSE, one foreign language <i>is not</i> considered “closely related” to another.	<p>* For CTE courses accepted for graduation credit in a core academic subject area, other CTE courses in the same CTE Career Cluster are acceptable as closely related fields.</p>	

# Special Education Teachers

*New Special Education Teachers who teach multiple subjects and are highly qualified in mathematics, language arts or science may demonstrate highly qualified in other subject areas within two years after the date of employment, which may include using HOUSE after one year of teaching experience.*

## Elementary Special Education Teachers

Special Education teachers in EC through Grade 5 must hold special education certification and meet the same requirements for either a new or experienced elementary teacher, as applicable.

## Secondary HOUSE Option for Special Education Teachers

The special education teacher has at least one creditable year of teaching experience in the subject to be taught or in a closely related field and must document 24 points derived from:

- Meeting the standard for Elementary Highly Qualified [9 points for competency in Reading/Language Arts, Math, Science, or Social Studies]; or
- Passing an appropriate TExES certification exams: EC-12 Special Ed [for competency in Reading/Language Arts or Math]; or 4-8 Generalist [for competency in Reading/Language Arts, Math, Science, or Social Studies]; or 4-8 Content Specific Exam [for specific content area only] [12 points for competency in the appropriate content area]; and
- Experience teaching in the core academic subject area or related field at the secondary level [1 year = 1 point (maximum of 12 points)]; and/or
- College coursework in the core academic subject area or closely related field\* [1 college hour = 1 point]; and/or
- Professional development in the core academic subject area or related field that meets the standards for CPE credit (as defined in TAC, Title 19, Part 7, Chapter 232, Subchapter R\*\*) [15 CPE clock hours = 1 point].

\*See list of closely related fields on previous page.

\*\*Subchapter R is obsolete and is now located in Subchapter B, Rule 232.850.

## STAAR Alternate 2

Special education teachers who teach only students who will be assessed on the STAAR Alternate exams now have additional flexibility in determining highly qualified teacher status. The teacher may demonstrate highly qualified teacher status by any of the methods previously available or the following flexibility.

- If the instruction provided is at the elementary (EC-6) level, the teacher may meet the highly qualified teacher requirements for an elementary school teacher, or
- If the instruction provided is above the elementary level, at grades 7-12, the teacher may meet highly qualified teacher requirements by demonstrating the subject matter knowledge appropriate to the level of instruction being provided, as determined by TEA, needed to effectively teach to those standards. For this purpose, TEA has defined “appropriate level of instruction” as the Secondary Special Education HOUSE option. Since this use of Special Education HOUSE for secondary teachers is the state’s definition, any eligible special education teacher that meets the HOUSE option may be documented as highly qualified.



# Uses of HOUSE for the 2007-2008 School Year and Beyond

*Beginning with the 2007-2008 School Year, the use of HOUSE has been limited to certain teachers who meet one of the 'Allowable Uses of HOUSE' criteria.*

Beginning with school year 2007-2008, HOUSE procedures will be approved **only** for the following reasons when implemented as described in this document. Experienced elementary teachers who were eligible to implement HOUSE procedures prior to or during the 2009-2010 school year may document Elementary HOUSE options provided that HOUSE options exist in federal statute. All activities to count as points toward such HOUSE options must have been completed by June 1, 2010, or the last day of student instruction of the Spring term 2010, whichever is later.

In addition to the flexibility for experienced teachers to continue to document completed HOUSE options above, the following specific, continued allowable uses of HOUSE options are available to eligible secondary teachers:

**Multi-Subject Secondary Teachers in Eligible Rural Schools** who are highly qualified in one subject at the time of hire may use HOUSE to demonstrate competence in additional subjects within three years of the date of hire.

- This option applies to experienced and newly hired teachers in eligible LEAs as described in Appendix C of the Highly Qualified Teacher Guidance Document at TEA's Division of NCLB Program Coordination website.

**Multi-Subject Special Education Teachers Who are New to Teaching Special Education**, if highly qualified in language arts, mathematics, or science at the time of hire, may use HOUSE to demonstrate competence in additional subjects within two years of the date of hire.

- The HOUSE option may only be implemented after completing one year of teaching experience.
- This option applies to special education teachers who are new to the teaching profession or teaching special education for the first time.

**Visiting International Teachers**, who participate in foreign teacher exchange programs officially recognized by SBEC and TEA may use HOUSE to demonstrate highly qualified teacher status for a period not to exceed three years.

**Any Experienced Secondary Teacher Teaching a Foreign Language** (Language Other Than English) in which the state does not currently have both written and oral teacher certification exams may use HOUSE to demonstrate highly qualified teacher status.

- This option only applies to eligible secondary foreign language teachers.
- This use of HOUSE will be phased out as additional written and oral certification exams are developed and implemented. As applicable certification exams are implemented for a specific foreign language, teachers of that foreign language will no longer be able to use this HOUSE option.

**Any Experienced Secondary Teacher** may continue to use HOUSE to demonstrate subject matter competency for any course accepted by the Texas State Board of Education for required graduation credit for documenting highly qualified teacher status. This includes Career and Technical Education (CTE) and other teachers who are teaching CTE or other courses for graduation credit.

### **Highly Qualified Validation (HQT)**

If any experienced teacher documented as highly qualified by an LEA is determined by the TEA during the Highly Qualified validation review not to be highly qualified by the method submitted by the LEA, but is determined by the TEA to be highly qualified using HOUSE options, the LEA will document the teacher's highly qualified determination using HOUSE options as determined by the TEA.

In the current validation process, a small number of teachers have been found by the TEA to be highly qualified using HOUSE options based on the documentation provided, but not by the method (certification exam or college coursework) used by the LEA. Once these teachers are determined to be highly qualified by TEA staff, the state's determination of highly qualified teacher status is to be accepted by the LEA.

- This option will only be implemented when the LEA is part of the HQT validation process and has made an error. TEA will notify the LEA if, and when, this HOUSE option may be used for a teacher.

Notes for Elementary, Secondary and Special Education HOUSE:

- Flexibility options for use within Secondary HOUSE:
  - Teaching experience from an accredited school that may be in Texas, another U. S. state, the teacher's home country, or a combination.
  - Subject-specific coursework successfully completed at the "middle-upper" secondary level or college-preparatory level in the core subject to be taught, or closely related field, may count toward the 24-point requirement. (1 semester/trimester equals 1 point)
  - College coursework in the core subject area to be taught, or closely-related field, may count toward the 24-point requirement. (1 semester/trimester hour equals 1 point)
  - Professional development in Texas, another U. S. state, the teacher's home country, or a combination, may count toward the 24-point requirement as long as it is specific to the core academic subject area.
- Methods courses are not common for secondary teachers and would, therefore, not be counted for HOUSE points.
- Continuing Professional Education (CPE) credit includes:
  - Institutes, workshops, seminars, conferences, in-service or staff development;
  - Interactive distance learning, video conferencing or on-line activities or conferences;
  - Independent study (20% max) including authoring a published work;
  - Development of curriculum or CPE training materials;
  - Teaching or presenting a CPE activity (10% max);
  - Serving as a mentor educator (30% max); and
  - Serving as an assessor under TAC §241.35 relating to the Principal Certificate (10% max). *Note: TAC §241.35 is obsolete. For further clarification, please contact TEA.*
- Unlike SBEC requirements, an experienced teacher may count any professional development received toward the HOUSE option, including pre-service professional development, as long as the activity can be properly documented.
- To count towards HOUSE points in a core academic subject area, the CPE activity must be in the core academic subject area. Only the secondary special education HOUSE option allows any flexibility for CPE points outside the core academic subject area.
- If using the Elementary HOUSE option for documenting the nine points for meeting the standard for Elementary Highly Qualified, the teacher may not count the same college coursework or professional development for meeting Elementary HOUSE and Secondary Special Education HOUSE.
- If using the Elementary teaching experience under the Elementary HOUSE option for documenting the nine points for meeting the standard for Elementary Highly Qualified, the teacher may only count a maximum of 12 years teaching experience in any combination (between Elementary HOUSE points and Secondary HOUSE).
- Districts may allow six points of college coursework or professional development for Special Education strategies and modifications.

## Additional Information Related to HQ

### Alternative Certification Programs (ACP)

In order to be considered “highly qualified” during their internship, elementary and secondary teachers who are enrolled in an SBEC-approved alternative certification program or post-baccalaureate program must have a bachelor’s degree and have demonstrated competency before being placed in the classroom. Teachers in ACP programs may be considered to be highly qualified during the internship year if the teacher meets the following three requirements:

1. Teachers, including special education teachers in ACP programs, who are not yet fully certified may be considered to meet the certification requirements in the NCLB definition of a highly qualified teacher if they are participating in an SBEC-approved alternative route to certification program under which they:
  - a. receive, before and while teaching, high-quality professional development that is sustained, intensive and classroom-focused in order to have a positive and lasting impact on classroom instruction before and while teaching;
  - b. participate in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers, or a teacher mentoring program;
  - c. assume functions as a teacher only for a specified period of time not to exceed three years; and
  - d. demonstrate satisfactory progress toward full certification as prescribed by state statute, and
2. Holds a minimum of a bachelor’s degree, and
3. Has demonstrated subject matter competency in each of the academic subjects in which the teacher is assigned to teach, in a manner determined by TEA and in compliance with Section 9101(23) of Elementary and Secondary Education Act (ESEA).
  - a. For new elementary ACP interns, this would be demonstrated by passing a rigorous state test of subject knowledge and teaching skills in reading, writing, mathematics and other areas of the basic elementary school curriculum (which consists of passing a TExES certification exam or tests in reading, writing, mathematics and other areas of the basic elementary school curriculum.)
  - b. For new secondary ACP interns, this would be either passing the appropriate TExES exam or having an academic major or graduate degree or the coursework equivalent to an undergraduate academic major (i.e. 24 semester hours, with 12 of the hours being junior/senior upper division courses) in the core academic subject areas in which they teach.

LEAs must ensure, through the state's certification process, that these provisions are met [Section 200.56 of the Title I regulations, December 2, 2002] *within three years*. If the teacher does not complete the alternative certification program within the three year period and become fully certified, the teacher is no longer considered to be highly qualified.

## Rural Flexibility

Secondary teachers in eligible, rural LEAs who are highly qualified in at least one core subject area have three years from the date of hire to become highly qualified in the additional core subject areas they teach.

## Long-Term Substitutes

An individual that is hired to substitute for a teacher while the teacher is out sick or on leave is not considered the teacher of record and is not required to meet the requirements of "highly qualified." However, if an individual is hired to substitute for a teacher who has not been hired, the substitute becomes the teacher of record and must meet the requirements of a "highly qualified" teacher; therefore, parent notification requirements apply.



# District/Campus Requirements

## District-Level Requirements

The LEA should always place the best-qualified teacher available in the classroom. In addition, each LEA must have a recruitment and retention plan that demonstrates that the LEA has strategies and a timeline for attracting and retaining “highly qualified” staff, with the ultimate goal being that all teachers in the core academic subjects will be “highly qualified.”

### Documentation and Reporting Requirements

LEAs are required to maintain documentation on whether and how its teachers meet the definition of “highly qualified” through:

- the teacher’s service record containing information related to teaching assignments, certification and college transcripts; or
- a portfolio or other documented methods determined by the LEA. In order to document a teacher’s status as “highly qualified,” a summary of how the teacher meets the “highly qualified” requirements for the subjects taught MUST also be maintained. If a teacher uses CPE credits in order to meet the competency requirement using HOUSE, a copy of the written documentation of the credit completion must be kept on file as part of the documentation related to the teacher’s “highly qualified” status.

Sample forms can be found at TEA's Division of NCLB Coordination website.

LEAs are required to submit a Highly Qualified Teacher Compliance Report in eGrants for all of the LEA’s campuses at the beginning of each school year to report the current-year status of highly qualified teachers. LEAs will have the opportunity to amend their report throughout the year if their highly qualified status changes. A final report is submitted for end-of-year status just after the end of the school year.

Any LEA that receives Title I, Part A funds and has all (100%) core academic subject area classes taught by teachers meeting the highly qualified requirements on all campuses (whether Title I served or not) must continue to maintain a district-level highly qualified recruitment and retention plan that specifies the strategies the LEA will implement on campuses to ensure the LEA and all campuses remain with 100% of core academic subject area classes taught by highly qualified teachers.

As required by NCLB statute, TEA requires each LEA receiving Title I, Part A funds to annually report to the public the annual progress of the LEA as a whole and of each of the schools served by the LEA, in meeting the measurable objectives for highly qualified requirements. LEAs that receive Title I, Part A funds must also include the following statutory Title I, Part A requirements in their LEA (district) plan:

- providing staff development (coordinated with Title II, Part A professional development) to teachers, principals, and other appropriate staff to meet the teacher quality annual measurable objectives (TQAMO)) under NCLB, Section 1119 §1112(b)(1)(d);
- describing how the LEA will meet the highly qualified teacher requirements under NCLB, Section 1119 §1112(b)(1)(n);
- working in consultation with campuses as they develop and implement their campus plans/activities under NCLB, Section 1119 §1112(c)(1)(h);
- describing how the LEA will comply with the requirements of NCLB, Section 1119 regarding the qualifications of teachers and professional development [§1112(c)(1)(i)]; and
- describing how the LEA will ensure, through incentives for voluntary transfers, the provision of professional development, recruitment programs, or other effective strategies, that low-income students and minority students are not taught at higher rates than other students by unqualified, out-of-field, or inexperienced teachers.

## Campus-Level Requirements

Title I, Part A campuses must also include the following statutory Title I, Part A requirements in their campus plans:

- **Schoolwide campuses** must include in their campus improvement plan strategies for
  - providing instruction by highly qualified teachers [§1114(b)(1)(c)];
  - providing high-quality, on-going staff development to maintain (retain) 100% of classes taught by highly qualified teachers in the core academic subject areas to enable all children to meet the state's academic achievement standards [§1114(b)(1)(d)]; and
  - attracting high-quality highly qualified teachers to high-need schools [§1114(b)(1)(e)].
- **Targeted assistance campuses** must include in their campus improvement plan strategies for
  - providing instruction by highly qualified teachers [§1115(c)(1)(e)]; and
  - providing high-quality, on-going staff development to maintain (retain) 100% of classes taught by highly qualified teachers in the core academic subject areas [§1115(c)(1)(f)].

The principal of each Title I, Part A campus must annually attest in writing whether the campus is in compliance with NCLB, Section 1119 [Teacher and Paraprofessional Qualifications]. Copies of these attestations must be maintained at each Title I, Part A campus and at the main office of the LEA and must be available to any member of the general public on request. A sample of this attestation is available on TEA's NCLB web site at [http://tea.texas.gov/About\\_TEA/Laws\\_and\\_Rules/NCLB\\_and\\_ESEA/Highly\\_Qualified\\_Teachers/NCLB\\_Sample\\_Forms/](http://tea.texas.gov/About_TEA/Laws_and_Rules/NCLB_and_ESEA/Highly_Qualified_Teachers/NCLB_Sample_Forms/).

In order to align with the beginning-of-the-year highly qualified compliance report submission timeline, the principal attestation must provide the status of Section 1119 as of the beginning of the school year and coincide with the data reported to TEA. The attestation must be on file by December 15th of the current school year and should be written in a way that also covers prospective hiring.

### Notification Requirements for Parents

**Parents' Right to Know**—At the *beginning of each school year*, an LEA receiving Title I, Part A funds must notify the parents of each student attending any Title I, Part A campus that the LEA will provide to the parents upon request (and in a timely manner), information regarding the following professional information:

- whether the teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
- whether the teacher is teaching under emergency or other provisional status

- through which state qualification or licensing criteria have been waived;
- the baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree; and
  - whether the child is provided services by paraprofessionals and, if so, their qualifications.

**Parent Notification Requirement**—Any campus that receives Title I, Part A funds must provide to each individual parent timely notice in the event that the parent's child has been assigned or has been taught for four or more consecutive weeks by a teacher who is not "highly qualified." The notice and information provided to parents must be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand.

Note: In addition, the parent notification required under the Texas Education Code (TEC) §21.057 is very different from the notification related to "highly qualified" teachers. State legislation (HB 673; 2003 session), however, eliminated the need for duplicate notifications concerning the same teacher. If the teacher falls under the NCLB requirements (i.e., is teaching in a Title I program), the state notification requirements under TEC §21.057 do not apply. However, for teachers at non-Title I campuses and for teachers at Title I targeted assistance campuses who are not paid with Title I funds, the state notification requirements under TEC §21.057 do apply (except that TEC §21.057 does not apply to charter schools).

#### **Notification Requirements for the Public**

As required by NCLB statute, TEA requires each LEA receiving Title I, Part A funds to annually report to the public the annual progress of the LEA as a whole and of each of the schools served by the agency, in meeting the Teacher Quality Annual Measurable Objectives (TQAMO) for highly qualified requirements. LEAs are responsible for maintaining documentation that the information was provided to the public on or before December 15.

Public reporting should be made using the same method the LEA uses for its other public reporting. Methods of reporting can include discussions at a local board meeting, publishing in a local newspaper or posting on the LEA's web site. LEAs must document the method and date of the public report for any potential TEA validation and audit.

# Consequences for Not Reaching 100% Highly Qualified Requirements

## District-Level Consequences

Any LEA that receives Title I funds and does not have 100% of all core academic subject area classes taught by teachers meeting the highly qualified requirements is required to: maintain and implement a highly qualified teacher continuous improvement planning process.

The Highly Qualified Teacher Continuous Improvement Plan (HQTCIP) must be submitted to the TEA for review by December 15th of the current school year.

The LEA Highly Qualified Teacher Continuous Improvement Plan (HQTCIP) must include strategies and activities to meet the measurable achievement objectives for teacher quality under NCLB, to:

1. increase the percentage of highly qualified core academic subject area teachers on each campus to meet 100% in a reasonable timeframe;
2. increase the percentage of core academic subject area classes taught by highly qualified teachers on each campus to meet 100% in a reasonable timeframe;
3. increase the percentage of core academic subject area classes taught by highly qualified teachers on high poverty campuses to meet 100% in a reasonable timeframe;
4. increase the percentage of teachers receiving high-quality professional development on each campus to meet 100% in a reasonable timeframe;
5. ensure low-income students and minority students are not taught at higher rates than other student groups by inexperienced, out-of-field, or non-highly qualified teachers;
6. attract and retain highly qualified teachers; and
7. assist specific teachers not currently highly qualified to meet the highly qualified requirements in a timely manner.

LEAs that receive Title I, Part A funds must also include the following statutory Title I, Part A requirements in their LEA (district) plan:

- providing staff development (coordinated with Title II, Part A professional development) to teachers, principals, and other appropriate staff to meet the teacher quality annual measurable objectives (TQAMO) under NCLB, Section 1119 [§1112(b)(1)(d)];
- describing how the LEA will meet the highly qualified teacher requirements under NCLB, Section 1119 [§1112(b)(1)(n)];

- working in consultation with campuses as they develop and implement their campus plans/activities under NCLB, section 1119 [§1112(c)(1)(h)];
- describing how the LEA will comply with the requirements of NCLB, Section 1119 regarding the qualifications of teachers and professional development [§1112(c)(1)(i)]; and
- describing how the LEA will, through incentives for voluntary transfers, the provision of professional development, recruitment programs, or other effective strategies, that low-income students and minority students are not taught at higher rates than other students by unqualified, out-of-field, or inexperienced teachers [§1112(c)(1)(l)].

## Campus-Level Consequences

Each campus that is not at 100% on the beginning of year HQ report (regardless of whether that campus is served with Title I funds or not) must have a campus highly qualified continuous improvement plan on file with the LEA central office. The campus plan must include the individual activities or strategies to assist the specific teachers not currently highly qualified to meet the highly qualified requirements in a timely manner.

At a minimum, the plan must identify each non-highly qualified teacher by subject of assignment and grade level. **Schoolwide campuses** must include in their campus improvement plan strategies for

- providing instruction by highly qualified teachers [§1114(b)(1)(c)];
- providing high-quality, on-going staff development to reach 100% of classes taught by highly qualified teachers in the core academic subject areas to enable all children to meet the state's academic achievement standards [§1114(b)(1)(d)]; and
- attracting high-quality highly qualified teachers to high need schools [§1114(b)(1)(e)].

Also, **targeted assistance campuses** must include in their campus improvement plan strategies for

- providing instruction by highly qualified teachers [§1115(c)(1)(e)]; and
- providing high-quality, on-going staff development to reach 100% of classes taught by highly qualified teachers in the core academic subject areas [§1115(c)(1)(f)].

## Validation Checks

### Data Validation Checks

TEA will require LEAs to conduct and certify a comprehensive desk audit of the highly qualified. Any campus report not meeting the standards will be contacted by TEA and required to amend the data, as deemed necessary.

### Random Validation Checks

TEA will request the highly qualified teacher documentation for a number of teachers on each selected campus and will verify the highly qualified teacher determinations of the LEA and require any amendments to the data, as deemed necessary.

*Additional validation checks may be added as a response to issues raised by the United States Department of Education during their NCLB monitoring activities.*



# Charter School Requirements

In order for a charter school teacher in Texas to be considered “highly qualified” under NCLB, the teacher must meet the state certification requirements as they apply to charter schools, as well as the NCLB requirements related to the bachelor’s degree and the demonstration of competency. Charter school teachers have the same options for demonstrating competency as subject teachers in regular public schools.

## State Certification and NCLB Requirements for Charter Schools

### Texas Education Code Certification

-  **High School Diploma** required for all charter school teachers
-  Legislation passed in 2013 (TEC 12.129) that requires charter school teachers (except for certain CTE courses, which doesn't affect HQ) to have bachelor's degrees, too.
-  Certification **only required** for Special Education and Bilingual Education

### NCLB Highly Qualified

-  **Bachelor's degree** required for all teachers in core academic subject areas (This includes CTE and other teachers who are teaching CTE or other courses for graduation credit.)
-  **Follow state certification** requirements for charter schools
-  **Demonstrate competency** according to requirements for elementary or secondary teachers, as appropriate

## Paraprofessional Requirements

NCLB requires that paraprofessionals meet one of the following qualifications if the paraprofessional will perform instructional duties in a Title I, Part A program:

- have completed at least two years of study at an institution of higher education [defined as completion of 48 semester hours (or equivalent trimester hours) of college coursework or an applicable number of semester hours as defined by the institution of higher education attended, whichever is less]; or
- have obtained an associate's (or higher) degree; or
- have met a rigorous standard of quality and can demonstrate, through a formal state or local academic assessment:
  - knowledge of, and the ability to assist in instructing, reading, writing and mathematics; or
  - knowledge of, and the ability to assist in instructing, reading readiness, writing readiness and mathematics readiness, as appropriate.

## Paraprofessionals Who Must Meet the NCLB Requirements

Guidance defines a paraprofessional as 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:

- **Provide one-on-one tutoring** if such tutoring is scheduled at a time when a student would not otherwise receive instruction from a teacher;
- **Assist with classroom management**, such as by organizing instructional materials;
- **Provide instructional assistance** in a computer laboratory;
- **Conduct parental involvement** activities;
- **Provide instructional support** in a library or media center;
- Act as a **translator**; or
- **Provide instructional support services** under the direct supervision of a highly qualified teacher [Title I, Section 1119(g)(2)].

This specifically includes:

- All paraprofessionals in a Title I **schoolwide program who provide instructional assistance in a core academic subject area** without regard to whether the position is funded with federal, state or local funds.
- All paraprofessionals in a Title I **targeted assistance program who are paid with Title I, Part A funds who provide instructional assistance in a core academic subject area** (but not to paraprofessionals paid with state or local funds in targeted assistance programs).

- Paraprofessionals who provide services to **eligible private school students** and are employed by a district with Title I, Part A funds.
- Paraprofessionals who work with **special education students in a Title I targeted assistance program** and have instructional support duties in a core academic subject area and are paid, in whole or in part, with Title I, Part A funds. If this paraprofessional is an employee who works in a Title I schoolwide program and has instructional support duties in a core academic subject area, requirements apply without regard to the source of funding that supports the position.
- **Bilingual/ESL** paraprofessionals in a **Title I targeted assistance program** and have instructional support duties in a core academic subject area, and are paid, in whole or in part, with Title I, Part A funds. If this paraprofessional is an employee who works in a Title I schoolwide program and has instructional support duties in a core academic subject area, requirements apply without regard to the source of funding that supports the position.
- Paraprofessionals who perform **non-instructional duties** and are assigned to perform **any instructional duties** in a Title I, Part A campus.

## **Paraprofessionals Who Are Exempt From the NCLB Requirements**

- 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.
- Paraprofessionals with duties that consist solely of conducting **parental involvement activities** must have a secondary school diploma or its equivalent but do not have to meet the other educational requirements.
- Paraprofessionals whose duties consist solely of **parental involvement activities or translation services** are exempt from the qualification requirements.
- Paraprofessionals who are proficient in English and a language other than English and act 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 do not have to meet the other educational requirements.
- 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 do not apply.

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 campus within that LEA does not receive Title I, Part A funds, the requirements do not apply to paraprofessionals working in that campus.

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. A Head Start program simply located at a schoolwide campus does not make that Head Start program part of the schoolwide program and the requirements would not apply. 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.

The paraprofessional qualification requirements 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.

**AmeriCorps volunteers** are not considered employees of the entities where they are placed (42 U.S.C. 12511 (17B)). Since AmeriCorps volunteers are not considered employees of a school district under State law, the paraprofessional requirements in Section 1119 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.

Since **volunteers** are not paid employees of an LEA, 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.

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.

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

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