

## *What's in the law?*

### **Who?**

All paraprofessionals who work in programs funded by Title I are affected. Paraprofessionals are generally those education support professionals who work with students in an instructional role.

### **When?**

The new law became official January 8, 2002. Paraprofessionals hired after that date must meet these requirements immediately. Paraprofessionals hired before that date must prove that they are highly qualified (see below) by 2006. New requirements concerning the duties of paraprofessionals went into effect when the act became law.

### **What?**

#### *Qualifications*

All Title I paraprofessionals must have a high school diploma or the equivalent and prove that they are highly qualified. There are three ways that paraprofessionals may prove they are highly qualified:

1. Complete an associate degree **OR**
2. Complete two years of college **OR**
3. Demonstrate knowledge of reading, writing, and math and the ability to assist in instructing these subjects. This demonstration must be through a state or local academic assessment, which does not necessarily mean a pencil and paper test

Local school districts may use federal funds to help paraprofessionals meet the new requirements of the federal law.

## *Duties of Paraprofessionals*

ESEA says that paraprofessionals may perform these duties:

- Tutoring outside normal class time
- Assisting with classroom management
- Assisting in a computer laboratory, library, or media center
- Translating
- Providing instruction under the direct supervision of a teacher
- Conducting parental involvement activities

Title I paraprofessionals may perform certain functions outside those listed above for the benefit of all students, such as lunchroom, playground or study hall monitoring. However, the portion of the time they spend on these general duties may not exceed that of a non-Title I paraprofessional at the same school.

Paraprofessionals who conduct parental involvement activities or translate are exempt from the requirement to be highly qualified.

State and local regulations may further limit duties that paraprofessionals may perform.

# For Administrators

## *Understanding How ESEA Affects Paraprofessionals*

## *ESEA and Paraprofessionals: Steps you can take now*

The National Education Association (NEA) and your state association encourage you to:

- Make sure all paraprofessionals in your school know if they are working in a position covered by ESEA.
- Determine whether the paraprofessionals in your school were officially hired before or after January 8, 2002.
- Survey paraprofessionals to find out whether they are currently "highly qualified" as defined in ESEA.
- Provide conference and workshop opportunities that will assist paraprofessionals in achieving highly qualified status.

- Consider bargaining or advocating for local policies that provide paraprofessionals with financial aid and time resources to meet the law's requirements.

- Advocate for the school system to assist paraprofessionals in achieving highly qualified status.

- Assist paraprofessionals in finding time and accessing the funding available through ESEA for their professional development.

- Contact the local education association to find out how you can help elect lawmakers who support positive changes in ESEA.

- Assure that paraprofessionals are performing duties consistent with ESEA.

## *What is NEA doing?*

As the U.S. Congress was considering ESEA, the National Education Association strongly represented the interests of public schools. The Association is assisting members through bargaining and providing information and workshops. In addition, the Association is working with school and state officials to make sure implementation of ESEA is fair and equitable.

## *Where can I get more information?*

- [www.nea.org/esea](http://www.nea.org/esea) (website of the National Education Association)
- [owl.org](http://owl.org) (NEA's member portal website)
- Your state and local association websites. You can find links to state web sites on the NEA website.
- Your local association leaders and UniServ staff.
- [www.ed.gov/nclb](http://www.ed.gov/nclb) (website of the U.S. Department of Education)
- [www.learningfirst.org](http://www.learningfirst.org)
- Website of your state department of education.
- [www.ecs.org](http://www.ecs.org) (website of the Education Commission of the States)



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The Elementary and Secondary Education Act (ESEA), a federal law, contains several provisions which affect paraprofessionals' qualifications and duties. This law is also known as *The No Child Left Behind Act*. The National Education Association (NEA) and its state affiliates want to make sure that all educators are informed about this new law.

This brochure includes information about what the law provides, to how it affects paraprofessionals in your school, steps you should take now, and where you can find more information.