

## What is my Association doing?

As the U.S. Congress was considering ESEA, the National Education Association strongly represented its members' interests. Through NEA's advocacy some important changes, including options for paraprofessionals — not just one mandated way — were won to meet the new regulations. 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.

## 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.

# For ESPs Paraprofessionals and ESEA

The National Education Association (NEA) and its state affiliates want to make sure that you are informed and that your rights are protected. The Elementary and Secondary Education Act (ESEA), a federal law, contains several provisions which affect paraprofessionals' job security and duties. This law is also known as *The No Child Left Behind Act*.

NEA created this brochure to help you start collecting the data you may need as ESEA is implemented in your state and school district. Inside you will find information about what the law provides, how it affects you, steps you should take now, documents you should collect, and where you can find more information.

## *ESEA and You: Steps To Take Now*

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

- Check with your school district to see if you work in a program funded by Title I. If your school has a school-wide Title I program and you work in an instructional capacity, you are probably included under ESEA. If your school receives targeted assistance, you are included only if your position is funded by Title I.
- Meet ESEA's qualifications requirements even if you do not currently work in a Title I program. This will greatly increase your flexibility and job security.
- Determine whether you were *officially* hired before or after January 8, 2002.

- Collect documentation of your education, including your high school diploma or GED certificate and transcripts for any college courses you have taken.
- Document your conference and workshop attendance as this may help you attain highly qualified status.
- Submit your documentation to your school district. Make sure you keep copies for yourself.
- If you do *not* currently meet the requirements to be highly qualified, find out what assessment your state or school district has decided to use.
- If you choose to meet the requirements by taking additional college courses, contact local colleges to find out about their programs that may help you become highly qualified.

- Ask your local association what financial assistance your school district provides to employees getting additional education.
- Contact your local association to find out how you can help elect lawmakers who will support positive changes in ESEA.

## *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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