

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, 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 also affect duties that paraprofessionals may perform. Make sure your local has a copy of relevant provisions.

For Local Leaders

Understanding How ESEA Affects Paraprofessionals

The National Education Association (NEA) and its state affiliates want to make sure that your members are informed and their 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 assist paraprofessionals as they collect the data they may need as ESEA is implemented in your state and school district. It contains information about what the law provides, how it affects paraprofessionals, steps to take now, and where to find more information.

ESEA and Your Local: Steps to Take Now

The National Education Association (NEA) and your state association encourage you as a local association leader to:

- Use ESEA as an opportunity to provide services to members and to encourage others to join the association.
- Survey current paraprofessionals to assess their professional development needs.
- Bargain or advocate for local policies that provide paraprofessionals with financial and time resources to meet the law's requirements.
- Provide paraprofessionals with information about the law.
- Assess which paraprofessionals are covered by the provisions of ESEA.
- Assist paraprofessionals with finding out when they were officially hired.

- Encourage paraprofessionals to collect documentation of their education, including high school diploma or GED certificate and transcripts for any college courses taken.
- Assist paraprofessionals with submitting documentation to the school district, encouraging them to keep copies. Your local may also want to keep copies in case of layoffs or transfers.
- Work with local colleges to make available to members low-cost courses to help paraprofessionals meet ESEA requirements.
- Encourage state and local officials to take a broad view of assessment of paraprofessionals, to include portfolios, evaluation, work experience, etc.
- Organize efforts to elect lawmakers who support positive changes in ESEA and involve members in those efforts.

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.

Where can I get more information?

- www.nea.org/esea (website of the National Education Association)
- 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 (website of the U.S. Department of Education)
- www.learningfirst.org
- Website of your state department of education.
- www.ecs.org (website of the Education Commission of the States)



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