

March 17, 2004

The Honorable Raymond J. Simon  
Assistant Secretary for Elementary and Secondary Education  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, DC 20202-6312

Dear Assistant Secretary Simon:

I am writing on behalf of the more than 1.3 million members of the American Federation of Teachers (AFT) to offer comments on three new policies that affect the implementation of the “highly qualified” teacher provisions of No Child Left Behind Act (NCLB).

The new policies highlighted begin to address some of the challenges facing teachers in rural districts who teach more than one subject and offer a more reasonable way for these teachers to meet the highly qualified teacher requirements under NCLB. However, we are extremely disappointed that the Department failed to recognize similar problems facing urban districts that are experiencing difficulty recruiting and retaining highly qualified teachers, particularly in shortage areas such as math, science, and special and bilingual education. Often urban teachers are inappropriately assigned to teach in these shortage areas. Like rural teachers, the challenges they face in meeting the highly qualified teacher requirement should be addressed. We encourage the Department to respond to the special circumstances of urban teachers.

Furthermore, the Department’s opinion that states are not *required* to develop an alternative evaluation method—the High Objective Uniform State Standard of Evaluation (HOUSSE)—for veteran teachers to demonstrate their competence is another significant concern. The AFT articulated in earlier comments to the Department that the law clearly provides that states *must* offer the HOUSSE to veteran teachers. The Department’s continued failure to require states to comply with the law will deny many teachers the opportunity to demonstrate they are highly qualified.

Indeed, the Department’s misinterpretation of the HOUSSE provision undermines the new policy. While the policy allows veteran teachers who teach multiple subjects to complete one HOUSSE rather than several, they cannot do so if states are not *required* by the Department to provide this option in the first place.

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In addition, the Department's failure to directly address the specific problems facing special education teachers is an alarming oversight. Similar to the situation facing teachers in rural schools, special education teachers often teach multiple subjects and need additional flexibility. Special education teachers need to know immediately the steps they need to take to demonstrate their competency.

Finally, the new policies fail to address sufficiently the problem facing middle school teachers who teach multiple subjects. For these teachers, the Department should make clear that the middle school generalist exam counts towards meeting the highly qualified teacher requirement.

Teachers who are struggling to comply with the often confusing dictates of the law need clarity, realistic requirements and prompt guidance from the Department. We look forward to working with the Department on these and other NCLB implementation issues to ensure that all children receive a high-quality education.

Sincerely,

Joan Baratz-Snowden  
Director, Educational Issues Department

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