



JOY HOFMEISTER

STATE SUPERINTENDENT *of* PUBLIC INSTRUCTION
OKLAHOMA STATE DEPARTMENT *of* EDUCATION

November 1, 2015

Dear Superintendent,

No Child Left Behind (NCLB) requires that all core academic subject teachers be “highly qualified.” Further, NCLB defines “highly qualified teacher” and describes options for how a teacher may be deemed highly qualified [Section 9101(213)]. The highly qualified teacher requirement is applicable only to teachers of “core academic subjects” as defined in NCLB to include early childhood education, elementary education, English, reading, language arts, mathematics, science, foreign languages, civics and government, economics, the arts (art and music), history, and geography.

Special education teachers who provide direct instruction in a core academic subject(s) are the teacher of record for students with an Individualized Education Program (IEP) are also required to meet the highly qualified teacher requirement.

Students earning credits through Carnegie units and/ or competencies to fulfill graduation requirements must be instructed by highly qualified teachers in the core subject areas.

Furthermore, the Oklahoma State Department of Education (OSDE) is required to monitor local education agencies (LEA) and hold them accountable for statutory and regulatory requirements.

Over the years, LEAs have met the Arts graduation requirements for students through the inclusion of Arts competencies embedded in a variety of courses. Oklahoma state law allows this practice, provided the teacher of record meets the highly qualified requirements set forth in NCLB for the Arts, and the core course in which it is embedded. Example: Art competencies embedded in an English course. The teacher would need to be highly qualified in English as well as in Art.

Best Practices to address this issue may include:

- The LEA may employ an **adjunct professor/teacher** to provide instruction. The application to become a highly qualified adjunct teacher/professor can be found on the SDE website in the [certification guide for school staff assignments](#).
- The LEA may use online instruction that meets the competency requirement.
- An Arts (Music or Art) teacher may **co-teach** the embedded competencies.

- An Arts (Music or Art) teacher, as the **teacher of record**, may provide embedded competencies periodically during the course.
- The LEA may use [Proficiency Based Promotion](#) aligned to the Arts standards.

It is to be noted that any embedded course taught for high school credit should be listed on the accreditation application and course schedule as a course taught at the site.

In addition, the LEA must notify parents of students on a timely basis if their child is assigned, or taught by, a teacher who is not highly qualified for four or more consecutive weeks.

If you have questions, please contact:

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