

State to seek leeway on special ed Need to teach multiple subjects means instructors may not meet stiffer federal rules

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Next month, when state and federal education officials sit down to discuss the progress that New Jersey's teachers have made becoming "highly qualified" under the No Child Left Behind Act, the state is expected to do well -- except for special education teachers.

By next June, all teachers must meet new federal mandates that require they possess a bachelor's degree and a state-issued teaching certificate. They also must show mastery of a subject by taking a state test, having majored in a content area, or having earned points through a combination of factors. While 94 percent of New Jersey teachers met the benchmarks last year -- one of the highest rates in the country -- many special education teachers haven't.

Previously, New Jersey and other states only asked special education teachers to be certified in special education, not in each subject being taught, as now required by No Child.

Data compiled by the state Department of Education last year show that 35 percent of special education teachers in urban high schools were not highly qualified, while 15 percent of their counterparts in other districts failed to meet the mark.

The statistics were similar for middle school, with 35 percent in urban schools falling short and 12 percent in the rest of the state.

Jay Doolan, director of the state office of academic and professional standards, said that during the April 11 meeting with federal monitors, New Jersey plans to ask for flexibility in getting special education teachers up to par.

"I would pose to them the question: In order to ensure a good pool of special education teachers, can the deadline for highly qualified be extended?" he said.

Special education teachers in middle and high schools, who often teach multiple subjects, face an additional problem. A number of them work with emergency certificates issued by the state because of a teaching shortage. Only full certification is acceptable under federal law.

In Paterson, for instance, 65 percent of special education teachers don't meet the standard because many have emergency certificates.

"If the feds say, 'After such and such a date, you can't have emergency certification and you can't teach without full certification,' how are you going to replace all these people?" said teachers union president Pete Tirri.

Jerome Smart, who started out four years ago with an emergency certificate, got a master's degree in special education so he could get a standard certificate.

But Smart, who has been teaching in Paterson for four years, has learned he still won't be "highly qualified" because he teaches a variety of subjects to his students, who are in grades 5 through 8. "Now I'm hearing I have to be certified in every subject area," he said. "That's not fair and that's not reasonable."

The law does allow another way for teachers to show their mastery of a content area by earning points through a combination of factors, including years teaching, professional training hours accumulated or college course work.

While districts have complained about the requirements, special education advocates say the law has exposed a problem: Special education children have been shortchanged by having teachers who aren't held to the same standards as other teachers.

The Statewide Parent Advocacy Network would oppose any extension in meeting the "highly qualified" rules, said co-director Diana Autin.

"This has been a major area of concern because all of those children are being held accountable for knowing the core curriculum content. And their teachers don't know the core curriculum standards themselves," Autin said.

"How can anybody expect a student to be able to master algebra if they have a teacher who doesn't know algebra? Spec ed teachers don't learn algebra, they learn strategies."

Doolan said changes are being made to New Jersey's licensing laws to align them with the new federal law, and colleges are adjusting their teaching programs so that teachers who graduate in special education will be able to meet the federal mandate.

State requirements also call for teachers with emergency certificates to get their licenses by January 2006. He said the department isn't certain what penalties are in store for districts or teachers who fail to make the "highly qualified" cut-off, and hopes to clarify that when the federal officials visit. Districts are not supposed to fire teachers.

"Obviously we want to let them know we want teachers to be highly qualified, but we want to have class coverage," he said.

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