



COMMISSIONER'S GUIDANCE ON TITLE 1-A PARAEDUCATORS

A handwritten signature in black ink, which appears to read "Matthew L. Blomstedt".

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Commissioner's Guidance on Title 1-A Paraeducators

Topic Summary: Flexibilities for Paraeducators

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With the 2022-23 school year well underway, the Nebraska Department of Education (NDE) seeks to respond to the needs of districts as they again face disruptions to regular learning as a result of COVID-19. In an effort to address the shortage of paraeducators, the NDE is providing this guidance on flexibilities regarding the required qualifications of these individuals for the 2022-23 school year.

Rules and Regulations Governing the Requirements of Paraeducators

There are three sources of regulations directing the qualifications of paraeducators: [Rule 51 \(Special Education\)](#), [Rule 11 \(Early Childhood\)](#), and Title I, Part A of the Every Student Succeeds Act (ESSA), which constitutes the most stringent and prescriptive of the three.

Professional Standards for Paraeducators under ESSA

Section 1111(g)(2)(M) of the ESSA requires each State to have professional standards for paraprofessionals working in a program supported with funds under Title I-A.

Specifically, each State and its LEAs must continue to ensure that each paraprofessional who is hired by the LEA and works in a program supported by Title I-A funds has a secondary school diploma or its recognized equivalent and has completed at least two years of study at an institution of higher education, obtained an associate's or higher degree, or met a rigorous standard of quality and can demonstrate, through a formal State or local academic assessment, knowledge of, and the ability to assist in instructing, reading, writing, and mathematics.

Nebraska has interpreted this to require paraeducators to have:

- A high school diploma, GED, or its equivalent, and
- Completion of two years of college (48 or more semester credit hours), or
- An Associate degree, or
- Demonstrated, through a formal state or local assessment:
 - o The State has approved three acceptable tests
 - * Para Pro (ETS)
 - * Para Educator (Master Teacher)
 - * Project Para (UNL)
 - o Have knowledge and ability to assist with reading readiness, writing readiness and mathematics readiness as appropriate.

The NDE has discretion to determine these requirements provided that they still meet the rigorous standard described in ESSA. Accordingly, the NDE is modifying requirements that currently provide a barrier to an LEA's hiring a qualified paraprofessional to work in a Title I-A program.

Flexibility

As such, the NDE is temporarily modifying the requirements for paraeducators by allowing districts broad authority to use locally determined measures for paras to demonstrate knowledge of, and the ability to assist in instructing, reading, writing, and/or mathematics for paraprofessionals funded through Title I-A. So districts may employ paras who have a high school diploma or equivalent and demonstrate knowledge through a locally approved means. "Locally approved means" should include at least one of the following within 30 calendar days of hire or 30 days after this notice (October 5, 2021):

- At least six hours of in-service and/or training for paras in reading, writing, and/or math instruction and support.
 - Consider working with your ESUs to provide professional learning.
 - Include your paras in your already-planned professional development.
 - Consider other training or professional development through conferences, online training (Project Para has free para training), etc.
- At least 12 hours of documented shadowing under the supervision of a certified educator and attestation from that educator of the para's quality and demonstration of knowledge in reading, writing, and/or math.

Please Note:

- The flexibilities described below apply to paraprofessional requirements under Title I-A only. There are no current flexibilities allowed under IDEA/ Rule 51 for paraprofessionals.
- Under the Committee of Practitioners process rules, these flexibilities will be presented for approval at the next formal meeting.
- Ensure you are properly documenting the training of paras for monitoring purposes.
- When reporting paras as "Highly Qualified" in Staff Reporting in NSSRS collections, ensure you are recording new paras using this modified option requirement with the new Paraprofessional Assessment Passed Flag: Staff Demographics (17) code #5 - "Allowable Locally Approved Means", which will show them as Highly Qualified for the 2022-23 school year.
- Districts should continue to ensure paraprofessionals are supervised and under the direction of properly certified teachers.

Nebraska waivers received by the United States Department of Education are available online at <https://www.education.ne.gov/federalprograms/>

Disclaimer: The information provided in this and related documents does not, and is not intended to, constitute legal advice. This is intended to be a guidance document to support and inform local school districts and school systems and all information included is for reference only. Because local school board policy and unique facts make dramatic differences in analyzing any situation, the Nebraska Department of Education advises each school district or school system to consult with the local school district or system attorney for specific legal advice regarding the impact of the COVID-19 pandemic on school operations.