

**Highly Qualified Teacher Data Collection  
Response to Public Comments  
30-day OMB Comment Period**

This attachment contains the responses to public comments on the proposed Highly Qualified Teacher (HQT) Collection through *EDFacts* submitted during the 30-day public comment period.

The 30-day comment period for the HQT Collection clearance package closed on April 18, 2014. The U.S. Department of Education (ED) received a total of 6 comments from 6 commenters. Three comments came from state educational agencies (SEAs). Three comments came from associations. Four of the six commenters also commented on the 60-day clearance package for the HQT Collection. One commenter expressed appreciation for the updates that were made to the clearance package based on the comments from the 60-day clearance package.

ED appreciates the time and attention the public spent on reviewing the HQT Collection clearance package and in composing thoughtful comments. The comments were organized into two sections: those generally pertaining to the HQT Collection and those pertaining to guidance on the data to be submitted. In addressing the public comments, ED continued its focus on moving *EDFacts* forward in achieving the goals of consolidating collections, obtaining high quality data, and reducing burden on data suppliers. No changes to the collection package were made based on the six comments submitted.

**Section 1 - Comments Pertaining to the HQT Collection**

Topic	Comment Summary	ED Response
Data Quality	<ul style="list-style-type: none"> <li>The lack of asking for total number of teachers in the state and total number of non-HQT teachers could result in inaccurate results.</li> <li>To report the required data, CDE must merge data from CDE and California Commission on Teacher Credentialing. There is a high likelihood that matching these data will not yield reliable results.</li> </ul>	It is the responsibility of the state to submit valid and reliable data. The time frame in which the report to Congress is due does not allow time for states to develop a method to collect the data in a way that would yield more accurate and reliable results. ED will conduct a basic data quality review of the data files submitted to evaluate timeliness and completeness prior to preparing the required report to Congress. Any data quality concerns detected will be noted in the report to Congress.
Burden	<ul style="list-style-type: none"> <li>Not being able to use the normal data collection to provide these data requires extra effort.</li> </ul>	ED must collect and use these data to meet the requirements within the CR. States are encouraged to collect the required data using the means and methods most efficient for the state.
	<ul style="list-style-type: none"> <li>Supporting Statement A may overestimate the burden on states and LEAs. Some states, such as California, have the data.</li> </ul>	One commenter suggests that burden estimates may be high since some states, such as California, already have the required HQT

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	<ul style="list-style-type: none"> <li>The cost of the collection is \$0.10/student, an acceptable cost to learn the prevalence of high-need students being taught by highly qualified who are enrolled in an alternative route to certification program.</li> </ul>	<p>data. As noted in the Availability of Data row, below, California establishes that it does not have the required data and will have to derive it from existing data. The SEAs assessments of their capacity is in conflict with some organizations' statements that the data are readily available and require little burden to collect.</p>
Availability of Data	<ul style="list-style-type: none"> <li>Colorado will not be able to provide the requested data for Title III language instruction (question (5) and (6)). This is because Colorado does not verify the HQ status of ELL teachers unless they are providing core content instruction.</li> <li>The required data are not readily available. California reports its HQT data in the unit of core academic classes and will have to figure out how to convert that unit into FTEs.</li> <li>California cannot meet the due date of June 30, 2014, but plans to submit the data by September 30, 2014.</li> <li>California data for special education HQT providing instruction to infants and toddlers are not available.</li> <li>California data for special education HQT providing educational services to private schools are not available.</li> </ul>	<p>ED understands that many states do not have the proposed data within their existing state data systems and that this is a new federal reporting requirement. States should report to the best of their ability the data required.</p> <p>All states currently report annually the number of personnel in FTEs for special education teachers, paraprofessionals, and related services personnel at the state and district level to meet IDEA reporting requirements. ED recommends that the state consult with the ED Facts Coordinator and Special Education program office to review current reporting methods for other collections using FTEs.</p>
Collection Level and Method	<ul style="list-style-type: none"> <li>The current criteria for determining whether a school or district serves a significant sized population of low-income students are flawed and will result in an under identification of high schools serving low-income students. The commenter suggests using the provisions of ESEA section 1113(a) to identify low-income high schools.</li> <li>The current poverty threshold of 75 percent Free and Reduced Price Lunch (FRPL) participation will result in an under-identification of high schools serving</li> </ul>	<p>ED understands the importance of including in its data analysis high schools that serve high-poverty populations, and not under-identifying such high schools. ED will take the commenters' suggestions into consideration as it prepares to identify high schools serving high-poverty populations for purposes of preparing the report to Congress.</p> <p>ED will not revise its data collection as a result of these comments because they relate to analyses of existing data, not to the proposed new collection.</p>

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	<p>significant-sized populations of low-income students</p> <ul style="list-style-type: none"> <li>• The poverty rate for high schools should be determined using the higher of the measures included in Section 1113(a)(5) of the Elementary and Secondary Education Act (ESEA) or the “feeder pattern” (determined by applying the average percentage of students in low-income families of the elementary or middle school attendance areas that feed into the secondary school to the number of students enrolled in such school).</li> </ul>	
	<ul style="list-style-type: none"> <li>• Teacher data should be collected at the school-level to give better insight to the number of teachers in training in Title I and rural schools. To do so, add the following data points: <ul style="list-style-type: none"> <li>○ # of highly qualified teachers teaching in Title I schools</li> <li>○ # of highly qualified teachers teaching in Title I schools who are currently enrolled in an alternative route to certification program</li> <li>○ # of highly qualified teachers teaching in rural schools</li> <li>○ # of highly qualified teachers teaching in rural schools who are currently enrolled in an alternative route to certification program.</li> </ul> </li> <li>• The proposed collection is for teacher data versus the student data requested by Congress, limiting the ability to examine the equitable distribution of teachers-in-training</li> </ul>	<p>The proposed data collection includes HQT data maintained at the state and LEA levels. One commenter said that if student data were not being collected, the teacher data should be collected at the school-level. ED appreciates the suggestion and has considered collection at the school level. Given that ED is collecting data about SY 2013-14 and that the data will be due shortly after the data collection specifications are finalized, ED determined that better data could be collected at the level of the school district which does the hiring and therefore maintains the records, rather than at the level of the school(s). ED will then estimate the proportion of each district’s highly qualified teachers currently enrolled in alternative route to certification programs who teach in rural schools or in high-poverty schools by using data ED already collects and maintains through the Common Core of Data (CCD). ED agrees that addressing Title I and rural disproportionality issues will be more difficult with data collected at the district level, but believes it more prudent for this one-year collection to estimate the figures using already collected school-level locale and poverty data within each district, rather than significantly increasing burden by expanding</p>

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		<p>this collection to the level of the individual school. ED believes that these data could enable valuable cross-LEA comparisons.</p> <p>Collecting the required information by teacher count versus student count is particularly more feasible for students in rural areas and students from low-income families, given the lack of clear, available and objective indicators that a student be counted “low-income” or “rural.” While ED is aware of the limitations of using both the locale codes and the FRPL data, ED believes this is the most feasible option for collecting and reporting the data required for the CR while also considering state and local reporting burden and likelihood of data limitations with more technically difficult data collections. The major limitations to using the CCD data include that some students who live in rural areas attend schools designated as Town, Suburb, or City and that some students who attend schools designed as high poverty may not be students who are eligible for FRPL. In addition, eligibility for FRPL programs varies across states.<sup>1</sup> ED believes these limitations are better than the limitations if ED substantially increased state and local reporting burden where states and districts would have to address all the nuances of student urbanicity and poverty status, with little or no benefit to the final data needed for the CR. The proposed collection will allow ED to meet its reporting requirements identified in the CR.</p>
Timeliness	<ul style="list-style-type: none"> <li>Because of ED’s delay in implementing the directives of the CR, the deadline for the Congressional report will not be met and Congress and the public will have to wait</li> </ul>	<p>As ED began working to collect the data required in the CR, it confirmed that the data were not readily available within most SEAs. ED has worked steadily to identify a</p>

<sup>1</sup> See [http://nces.ed.gov/programs/coe/indicator\\_clb.asp](http://nces.ed.gov/programs/coe/indicator_clb.asp) for information on how FRPL programs vary.

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	<p>an extra year to get the needed data</p>	<p>collection methodology that will provide Congress with relevant information regarding the prevalence of students receiving instruction from teachers who are highly qualified while enrolled in an alternative route to certification program, while not being overly burdensome to collect. ED plans to submit a report to Congress in 2014 instead of December 2013.</p>
Transparency and Use	<ul style="list-style-type: none"> <li>• The data collection should be made available to the public via a searchable database containing district- and state-level data</li> <li>• The following data should be provided to give context to the HQT data collection: <ul style="list-style-type: none"> <li>○ The data in raw numbers and percentages</li> <li>○ The number and percentage of students overall, and by subgroups at the SEA and LEA levels</li> <li>○ The total number and percentage of teachers not highly qualified</li> </ul> </li> </ul>	<p>ED appreciates the suggestion to provide contextual data and will take it into consideration as it is preparing its report to Congress. ED will make every effort to have the HQT data available for public use in addition to the Congressional report.</p>
Schools to be Included	<ul style="list-style-type: none"> <li>• The collection is limited in its usefulness because it doesn't include data on the effectiveness of traditional certification programs and alternative route to certification programs.</li> <li>• The collection would be more useful if it distinguished between teachers participating in high-quality alternative routes to teaching programs versus those participating in programs that do not provide high-quality support.</li> <li>• It would be insightful to collect data on which programs meet the legal requirements for providing high-quality support.</li> </ul>	<p>Including data on the effectiveness of traditional certification programs, and distinguishing programs based on quality goes beyond the scope of the requirements of the CR. ED does not have the authority to expand the scope of this data collection, an action that would also increase reporting burden.</p>
	<ul style="list-style-type: none"> <li>• Specify that the data collection includes all charter, alternative, and online schools operating within the LEA.</li> </ul>	<p>The proposed data collection does not exclude charter schools and LEAs, alternative schools, or online schools operating with an LEA.</p>

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	<ul style="list-style-type: none"> <li>Specify that online and other alternative schools are to be included in the data collection.</li> </ul>	<p>Therefore they are included in the data collection. This clarification will be included in the file specification used to submit the data.</p>

**Section 2 - Comments Pertaining to Guidance for the HQT Collection**

Topic	Comment Summary	ED Response
Who is HQT?	<ul style="list-style-type: none"> <li>Is the data to be reported for teachers deemed HQT based on their license or by their assignment?</li> <li>Identify which entity has responsibility for determining whether a teacher is HQT, according to the criteria listed in question 4 of Attachment B, and provide that entity with guidance on determining what is “high-quality professional development,” “intensive supervision,” and “regular ongoing support.”</li> </ul>	<p>The designation of a teacher as highly qualified is determined first by licensure and then by assignment. A teacher who is licensed but teaching outside of his or her subject matter expertise would not be designated as highly qualified. Report only FTEs for teachers teaching a course for which they are highly qualified to teach.</p> <p>Designations of a teacher as highly qualified are to be made by the office within an SEA or LEA that currently determines the HQT status of the district or state’s educators. In its <a href="#">guidance</a> on highly qualified teacher policy, the Department answers what is high quality professional development:</p> <p>The term “high-quality professional development” means professional development that meets the criteria contained in the definition of professional development in <i>Title IX</i>, Section 9101(34) of ESEA. Professional development includes, but is not limited to, activities that:</p> <ul style="list-style-type: none"> <li>Improve and increase teachers’ knowledge of academic subjects and enable teachers to become highly qualified;</li> <li>Are an integral part of broad schoolwide and districtwide educational improvement plans;</li> <li>Give teachers and principals the knowledge and skills to help students meet challenging State academic standards;</li> <li>Improve classroom management skills;</li> </ul>

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		<ul style="list-style-type: none"> <li>▪ Are sustained, intensive, and classroom-focused and are not one-day or short-term workshops;</li> <li>▪ Advance teacher understanding of effective instruction strategies that are based on scientifically based research; and</li> <li>▪ Are developed with extensive participation of teachers, principals, parents, and administrators.</li> </ul>
Data for non HQ Teachers	<ul style="list-style-type: none"> <li>• Should information be submitted for non-HQ teachers in alternate route to certification programs?</li> </ul>	No, data for non-HQT teachers do not need to be submitted, regardless of the non-HQT teachers' participation in an alternate route to certification program.
HQ Status mixed by assignment	<ul style="list-style-type: none"> <li>• How do you account for teachers in alternate route to certification programs who are HQ in some but not all classes they teach?</li> <li>• Are special education teachers counted in question 3 (# of special education HQTs) regardless of their class assignments for which some the teacher may not be HQT?</li> </ul>	Count and report only teachers who are highly qualified in a class they teach. If a teacher is highly qualified for only a portion of the classes he or she teaches, use in the count a partial FTE representing that portion. For example, if a teacher is highly qualified for half the classes he or she teaches, the count would be 0.5 FTE. Since ED is not collecting data on non-HQT teachers, no reporting is required for the same teachers who are not highly qualified for another class they teach.
Which schools are included?	<ul style="list-style-type: none"> <li>• Specify that the data collection includes all charter, alternative, and online schools operating within the LEA.</li> </ul>	The data collection includes all schools with membership.