

Explication of the NBPTS Policy Governing Use of National Board Certified Teacher and Veteran Candidate Assessment Performances

In June 1998, the National Board for Professional Teaching Standards® (NBPTS) initially established the *Policy for Use of NBCT and Veteran Candidate Assessment Performances* (“1998 Policy”). It has come to the attention of the National Board that there is a need for clarity for National Board Certified Teachers (NBCTs), veteran candidates for National Board Certification, Institution of Higher Education (IHE) administrators and faculty and other professional development providers regarding permissible and impermissible uses of NBCT and veteran candidate materials, including but not limited to candidate portfolios and videotapes. Therefore, NBPTS is issuing this Explication regarding the 1998 Policy, including concrete examples of permissible and impermissible uses. Candidates, NBCTs and mentors should familiarize themselves with provisions of the 1998 Policy, as clarified by this Explication.

Use of Portfolios and Videotapes

When candidates submit their portfolio and videotapes to NBPTS as part of the National Board Certification assessment process, candidates assign to NBPTS all rights in their portfolio and videotapes, and NBPTS grants to candidates the right to use their own portfolio and videotapes solely for the candidate’s *personal, non-profit, educational use*. If a candidate or successful NBCT wishes to use his or her portfolio and videotapes for any other purpose, the candidate or successful NBCT must obtain the National Board’s prior written permission.

What is “Personal Use”?

“Personal, non-profit, educational use” means that a candidate or successful NBCT *may* do any of the following:

- Keep one copy of his or her portfolio and videotapes, provided that the copy remains in his or her possession;
- Show a copy of the portfolio and videotapes to his or her family members as examples of his or her educational experience;
- Show a copy of the portfolio and videotapes to his or her school principal or other educational employer for purposes of evaluating his or her performance
- Use a small portion of the portfolio or videotapes as part of a thesis or other research paper submitted as part of a college or continuing education course, provided that no assessment questions or images of students are included.

“Personal, non-profit, educational uses” means that a candidate or successful NBCT *may not* do any of the following:

- Publish, or authorize the publication of, all or part of his or her portfolio or videotapes in any manner, whether printed or electronic, e.g. the Internet;
- Provide copies of all or part of his or her portfolio or videotapes to candidates for National Board Certification, whether for free or for money;
- Share or give a copy of his or her portfolio or videotapes to anyone (except as specifically permitted as personal use), including universities or other educational organizations;
- Assign or sell his or her “personal use rights” to anyone, including universities or other educational organizations;
- House or make public his or her portfolio or videotapes in a library of any kind, whether such library is housed in a building or on the Internet, including a college or university library.

Notwithstanding the prohibitions listed above, in the limited circumstance where a candidate is attending a college or university that offers credit for going through the National Board Certification assessment process, NBPTS will grant a candidate the limited right to provide a copy of his or her portfolio or videotapes to the faculty member who is evaluating the candidate for credit awarding purposes. However, **before** a candidate provides copies of his or her portfolio or videotapes to a faculty member, the college or university must write to NBPTS and enter into a written agreement with NBPTS regarding the confidentiality and limited use of the portfolio and videotapes. If the college or university does not enter into such an agreement with NBPTS, a candidate may not provide a copy of his or her portfolio or videotapes to the college or university for any purpose. Questions and requests regarding this limited credit-awarding exception should be directed to the NBPTS Vice President, Higher Education Initiatives & Research, (703) 465-2700.

Appropriate Candidate Support

This Explication and the 1998 Policy do not prohibit a candidate, a successful NBCT, an IHE administrator, faculty, or other professional development provider from offering support to candidates for National Board Certification. They only prohibit candidates or successful NBCTs (as well as IHE administrators, faculty and other professional development providers) from distributing portfolios or videotapes to other candidates for National Board Certification. NBPTS emphasizes that appropriate candidate support should focus on quality teaching without suggesting that there is a template for success or only one way to demonstrate the standards for accomplished practice.

NBPTS encourages candidate support providers and program facilitators to enter into discussions about standards for accomplished teaching practice to allow candidates to reflect on their own practice, instead of offering an environment in which the conversation is centered upon a particular portfolio that suggests there is a guaranteed formula for successfully accomplishing National Board certification. A candidate support provider who inappropriately focuses on these matters places the integrity of the assessment program at risk, but, more importantly, limits the other candidates' professional learning experience.

Why Is This Policy Important?

NBPTS, as the organization that grants National Board Certification, has a duty to maintain the integrity, validity and security of its certification and assessment process. For example, if candidate portfolios and videotapes are shared and/or distributed, it potentially advantages certain candidates over earlier candidates in the same assessment cycle. This could have the effect of making National Board Certification less reliable in the eyes of the educational community, and would diminish the value to all NBCTs, past, present and future.

In addition, parents of the children who appear in candidate portfolios and videotapes give their permission for their child's participation for the sole purpose of submitting the portfolio and videotape for assessment purposes. If a candidate or NBCT chooses to share his or her portfolio and videotape, he or she has violated the permission granted by parents via the attestation forms submitted to NBPTS. This is a serious matter. The student release forms inform parents that the portfolio and video are for the *sole* purpose of the assessment program and will be used only for that purpose. These impermissible uses open up both the candidate (or NBCT) and NBPTS to potential liability.

What Happens if a Candidate or NBCT Violates this Policy?

If a candidate or successful NBCT violates this policy, the candidate risks certification denial and a successful NBCT risks revocation of his or her certificate. The NBPTS *Certification Denial or Revocation Policy* states, in part, that:

- Certification may be denied or revoked for any candidate or certificate-holder who, in the sole judgment of NBPTS, has knowingly engaged in inappropriate conduct in connection with the certification process or renewal of the certification process, including, but not limited to sharing, publishing, electronically posting or otherwise reproducing secure assessment materials or information.

Questions about this Policy?

Candidates and NBCTs who have questions about this Explication or the 1998 Policy are encouraged to contact NBPTS. If candidates or NBCTs wish to use their portfolios or videotapes and are not sure whether the use is a “personal, non-profit, educational use” or a prohibited use, they should contact NBPTS (1-800-22TEACH) in advance and avoid risking certification denial or revocation.

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