



Ethical & Legal Issues Involving Paraeducator Employment, Supervision, & Training

What Administrators Need to Know





Introductions



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Agenda

- The Team: Teacher, Paraeducator, Administrator
- Ethical and Legal Issues
- Updates on IDEA and ESSA
- Parents' Right to Know
- Paraeducator and Supervising Teacher PD
- Questions that Need to be Raised in Your District
- Introduction to Exceptional Child
- Questions & Answers



The Team

The Team:

- Mrs. Beecher is the **Teacher**
- Clara is her **Para**
- And Mr. Slater is the **Administrator**



This is what we know about this team:

- All want to be recognized as a professional
- All of their roles have changed in the past 10 years



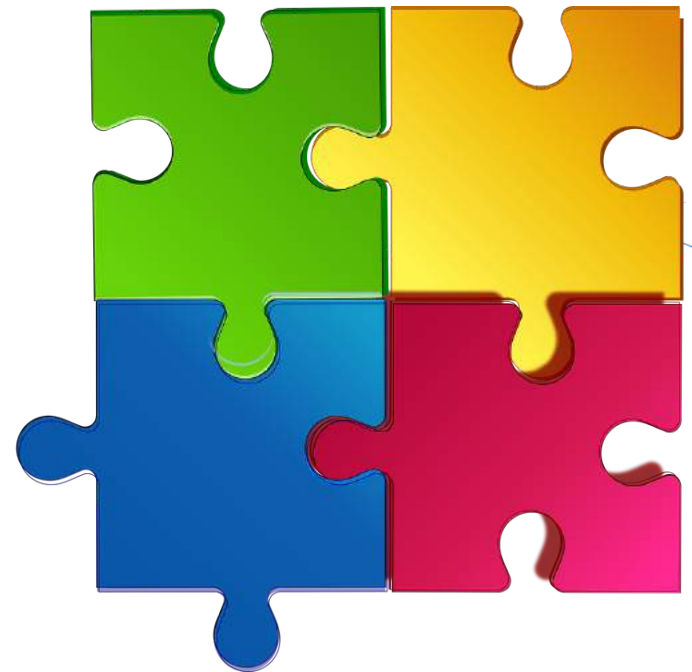
Changing Roles

- All roles have changed because the students have changed
- Inclusion of students with special needs has changed their roles
- Federal and state guidelines have affected their roles
- All have time pressures
- Mrs. Beecher, the teacher, is doing more paperwork and less instruction
- Clara, the para, is doing less clerical work and more instruction

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Teamwork

- Administrators and teachers should emphasize the importance of working together as a team.
- A paraeducator's job is not done in isolation.
- A paraeducator **assists** and **supports** teacher-directed instruction.



(Heller & Gerlach, 2003)

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Ethical & Legal Issues

- **Issue #1**
No agreed upon definition of paraeducator
- **Issue #2**
No state and local policy regarding roles of paraeducators and supervisors
- **Issue #3**
Lack of role clarification
- **Issue #4**
Minimal staff development opportunities for paraeducators





Ethical & Legal Issues

Issue #1 – No agreed upon definition of paraeducator

- Paraeducators are school employees who:
 - Work **under the supervision of teachers** or other licensed certified professionals
 - **Assist with the delivery of instruction** and other direct services as assigned and developed by certified/licensed professional practitioners



Does your district have an agreed upon definition?



Ethical & Legal Issues

Issue #2 – No state and local policy regarding the roles of paraeducator and their supervisors

- Many state and local agencies do not have policy, laws, regulations, standards, or guidelines that **prevent paraeducators from being used inappropriately.**





Ethical & Legal Issues

Issue #3 - Lack of role clarification and adequate job descriptions

- Define the **distinct roles and responsibilities** of paraeducators and those who supervise them.
- Equally helpful **to identify the activities that are outside the scope** of the responsibility of the paraeducator.
- Job descriptions should be **clear and definitive**.
- Teacher job descriptions **should include supervision** of paraeducators.



Ethical & Ethical Issues

Issue #4 - Minimal staff development opportunities for paraeducators

- **Minimal time and budget** allocated for training paraeducators.
- Roles of paraeducators have become more complex, **training has not kept pace.**





IDEA and ESSA

- IDEA 2004 allowed “appropriately trained” paraeducators to assist in the provision of special education
 - But included minimal guidelines on “appropriately trained”
- **ESSA gives paraeducators a voice** – a seat at the table

| Paraeducator References in Federal Laws | |
|---|----|
| ESEA 1965 | 0 |
| IDEA 1997 | 7 |
| NCLB 2001 | 45 |
| IDEA 2004 | 11 |
| ESSA 2015 | 35 |



ESSA

- Adopts the term **paraeducator**.
- Requires the creation of “State Committee of Practitioners” that includes paraeducators.
- Maintains State Title I “Entry Level” requirements for Professional Standards (if they exist).
- Now recognizes Specialized Instructional Support Personnel (SISP’s).
- Requires consultation with organizations representing educators (including paraeducators) in multiple places.



Parents' Right to Know

- Family members **should be active participants** in considering the need for paraeducator services in an IEP.
- If a student requires the services of a paraeducator to assist with the implementation of the IEP, **family members need to contribute to the decision making and planning** about how those services will be delivered.
 - What services will be provided by the paraeducator?
 - Where will the services be provided?
 - How much time will the paraeducator be working with the learner?



Questions to be Raised

Paraeducator Employment

- How are paraeducators currently utilized in your district?
- What are their responsibilities?
- Who supervises them?
- Are roles of paraeducators clearly defined as “supervised providers” of services to children, youth, families.
- Are distinctions between professional and paraprofessional roles clearly defined?
- Do teacher job descriptions include “supervising paraeducators”?



Questions to be Raised

Paraeducator Professional Development

- Is sufficient time and opportunity provided for orientation, initial training, and continued competency development?
- Does training include information on the ethical, legal, and team-based roles of certified professionals and paraeducators in the delivery of special education and related services?
- Do paraeducators understand the legal protections afforded to students with disabilities (IDEA, Section 504)?
- Does training help develop an understanding of children and youth with disabilities and their families?



Questions to be Raised

Professional Development for Supervising Teachers

- Do supervising teachers understand the role of the paraeducator?
- Have supervising teachers received training on planning, scheduling, and directing the work of paraeducators?
- Do supervising teachers know how to set clear expectations for paraeducators?
- Are supervising teachers prepared to effectively monitor the daily work of paraeducators?



Final Thoughts

- Job descriptions
- Identify distinctions in roles
- Training for paraeducators and teachers
- Scheduling opportunities for teachers and paraeducators to meet
- Parents' right to know

Exceptional Child

Introducing Exceptional Child

- Web-based training for paraeducators, special ed teachers, general ed teachers
- 40+ expert-authored courses
- Easy to assign and track training in a convenient online system
- Flexible, self-paced courses
- Organizational subscriptions



- Includes Courses by Kent Gerlach, Ed.D.
- *Paraeducator Roles & Responsibilities*
 - *Supervising Paraeducators*

Key Topics

- ADHD
- Autism
- Behavior
- Bullying
- Co-Teaching
- Dyslexia
- IEP
- Inclusion
- Paraeducators
- Special Ed Law
- Transition
- UDL
- ***And more...***



Written by Leading Experts

- Tim Lewis
- Carol Gray
- Kent Gerlach
- Carol Kosnitsky
- Doug Cheney
- Andy Bondy
- Barb Bateman
- **And more. . .**



Engaging, Online Courses



Michelle

Paraeducator

Sherry

Kindergarten Teacher

8:21



Exceptional Child

Customization

Customizations

ADHD Overview

U.S. National 44 min

Publish

Save Changes [Go to Course Page →](#)

+ Prepend a message

| | |
|---|--------|
| ITEM 1 | 4 min |
| Introduction | |
| ITEM 2 | 7 min |
| ADHD Basics | |
| ITEM 3 | 12 min |
| Medical and Behavioral Aspects | |
| ITEM 4 | 7 min |
| ADHD and the Law | |
| ITEM 5 | 9 min |
| Overview of Effective Intervention Strategies | |
| ITEM 6 | 2 min |
| Summary | |

+ Append a message

When considering interventions for students with ADHD, it's helpful to fully understand the disorder.

This course provides an excellent overview. You'll begin by learning the history of ADHD and other fascinating facts. There's also discussion about the controversy of whether ADHD is over-diagnosed. Next, the course lays out the many academic and social issues for learners with ADHD. Medical and behavioral aspects are also explored, along with discussion of how ADHD is diagnosed. Other key topics include executive function, working memory, emotional regulation, and medications. There's also an intriguing review of the law as it relates to ADHD. The course concludes with Positive Behavioral interventions and Supports and the Life Course Model.

+ Add to Description

Supplemental Resources

+ Upload Resource + Add a Link

Course Author

Exceptional Child

Dashboard & Reports



The Awesome Academy
Group Reports

Export Report -

from 2016-11-01 to 2017-04-07

- Member Data (131)
- Compliance Graphs
- Completion Graph

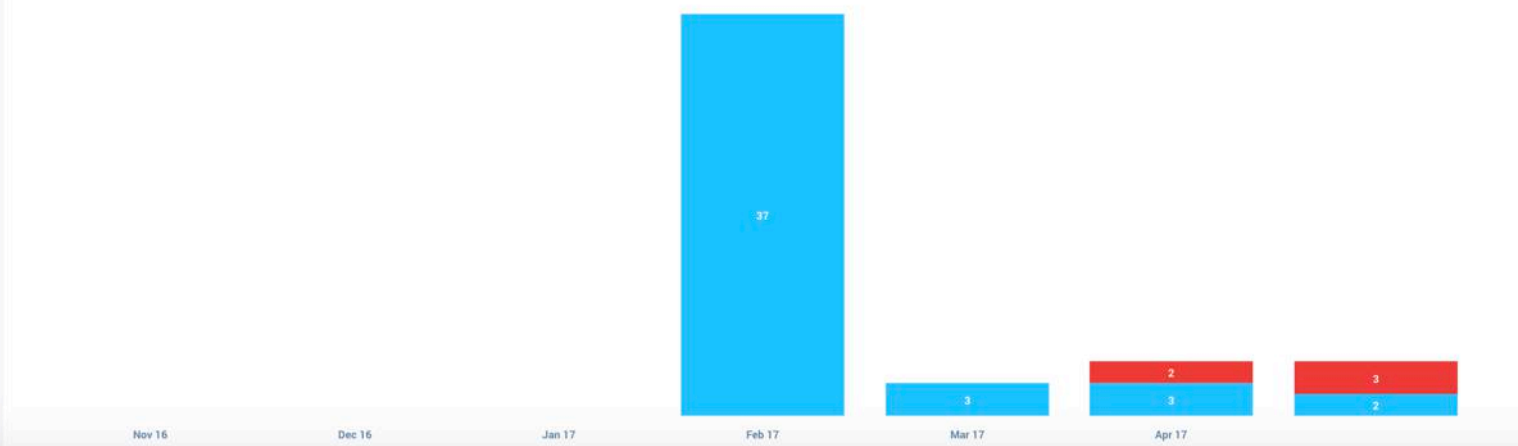
FILTER MEMBERS

Add a Filter... Quick filter on name or email

- 0 Current
- 0 Warning
- 3 Past Due
- 2 New
- 126 No Assignments

TOTAL COMPLIANCE OVER TIME

NOV 1, 2016 - APR 7, 2017





"The Exceptional Child online courses help us stay current on important special education related topics, support legal compliance, but more importantly, provide quality services to our students with special needs.

The key to Exceptional Child is easy access—I LOVE the opportunity to provide training to individuals with specific, time-bound needs."

Robin Briganti

***Executive Director, Teaching & Learning, Student Programs, School Support
Sultan School District, WA***



Questions & Answers



**If you have a question for Kent or Joel,
please type your question in the chat box.**

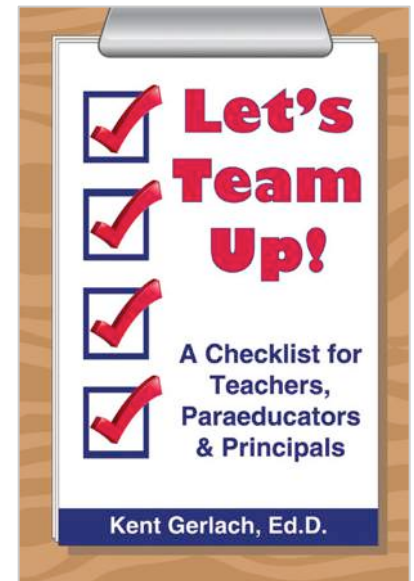


Let's Team Up

Let's Team Up! A Checklist for Teachers, Paraeducators and Principals

Dr. Kent Gerlach

- Offers valuable strategies and insights for each member of the instructional team.
- Written in an easy-to-read checklist format.



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