

**DMSEC
Guidelines
for the
ParaProfessional**

2020-2021

**Daviess-Martin Special Education Cooperative
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On January 8, 2002, President Bush signed into law the No Child Left Behind Act (NCLBA). The law established new requirements for paraprofessionals in the classrooms. Any instructional paraprofessionals employed after January 8, 2002 must either have completed two years of college, hold a two-year degree, or pass a state or local proficiency examination. Indiana has adopted the *ParaPro Assessment* developed by the Educational Testing Service. The proficiency examination assesses the paraprofessional's knowledge and ability to assist in the instruction of reading/language arts, writing and mathematics. All paraprofessionals with less than two years of college will be required to successfully complete this assessment.

The Role of the Paraprofessional

The role of the paraprofessional is to work in close and frequent proximity, and under the direct supervision of a highly qualified teacher. Teachers are responsible for planning instructional activities, evaluating achievement of students, communication with parents, professionals, and other stakeholders. Communication between supervising teachers and paraprofessionals is one of the most important components of a successful working relationship. Effective communication can prevent misunderstandings and disagreements, as well as resolve some of the problems that may arise. Failure to follow directives of supervising teachers may result in adverse consequences, including termination of employment.

It should be noted that teachers should be communicating with parents about progress, issues, and/or daily reports. It is NOT the role of the paraprofessional to foster communication with parents. The classroom teacher is responsible for programming for students. Therefore, communication with parents about students should always come from the teacher.

Special Education Procedures

Special education is specially designed instruction to meet the unique needs of a student who has been determined eligible for special education services. Related services are services, such as physical therapy, counseling, or transportation, that are designed to supplement the student's instructional program and are necessary for the student to benefit from special education.

Indiana's special education rules, Article 7, is based on the federal Individuals with Disabilities Education Act (IDEA). It is made up of rules describing how special education and related services are to be determined and provided by Indiana's public schools. Indiana's Article 7 eligibility categories include:

- Autism Spectrum Disorder
- Communication disorder
- Blind and Low Vision
- Deaf and Blind
- Multiple Disabilities
- Orthopedic Impairment
- Traumatic Brain Injury
- Emotional Disability
- Specific Learning Disability

- Language Speech Impairment
- Other Health Impairment
- Developmental Delay (early Childhood)
- Cognitive Disability (Mild, Moderate, or Severe)

Article 7 requires that each student with a disability between the ages of 3 and 22, enrolled in a public school, be provided with a free appropriate public education – sometimes called FAPE.

FAPE means special education and related services that are provided at no cost to the parent; meet state standards and comply with Article 7; include early childhood, elementary, and secondary education; are provided in accordance with an *individualized education program (IEP)*; and are provided in such a way that a student with a disability has an equal opportunity to participate in activities and services that are available to all other students.

Special education and related services must be provided in the least restrictive environment, sometimes referred to as the **LRE**. LRE means that a student with a disability is educated with students without disabilities to the maximum extent appropriate for that student.

Unless the *case conference committee (CCC)* determines otherwise, a student with a disability should attend the school he or she would attend if not disabled. A student with a disability should also be in classes and school buildings with his or her same age peers unless the CCC decides the student should be somewhere else. The CCC discussion of the least restrictive environment for the student begins by considering the provision of services in the general education setting in the student's home school. Consideration for more restrictive environments occurs only as less restrictive placement options are determined inappropriate.

The school must also provide a student with a disability an equal opportunity to participate with non-disabled students in nonacademic and extracurricular activities. This includes things such as:

- Vocational education
- Art
- Music
- Industrial arts
- Home economics
- Field trips
- Meal periods
- Recess
- Athletics
- Clubs
- Employment assistance
- Graduation ceremonies

The student may participate in any programs and activities available to non-disabled students unless the CCC determines otherwise. Reasons for a student not participating with non-disabled peers must be included in the *individual education program (IEP)*.

Students with disabilities may require *instructional and assessment accommodations*. An accommodation is different from a modification.

Generally, accommodations “level the playing field” for students with disabilities. *Accommodations* do not change what is being taught or tested, but accommodate the individual’s special needs. For example, a student might be allowed to take more time to finish a spelling test. *Modifications* actually change what is being taught or tested. For example, a student’s spelling list might be modified to include only 10 words rather than 20 words, or a student might be given 2 choices instead of 4 on a multiple choice test.

Confidentiality

The Family Educational Rights and Privacy Act (**FERPA**) (20 U.S.C. 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. FERPA gives parents certain rights with respect to their children’s educational records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level.

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student’s education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR 99.31):

We would typically expect a paraprofessional to NOT share student information with anyone outside of the school setting. Communication with parents, other schools, etc. should typically be done by the Teacher Of Record or the Office Staff. If you ever have a question about sharing information, please call the Coop Office to ask.

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system pursuant to specific State law.

General Expectations and Understandings

Paraprofessionals employed by the Daviess-Martin Special Education Cooperative provide services for eligible students in Barr Reeve, Loogootee, North Daviess and Washington Community Schools. Based on program and individual student needs paraprofessionals may be assigned to one or more of the aforementioned school districts.

All full-time status paraprofessionals are expected to perform seven (7) hours of duty each scheduled student attendance day. In addition to the seven (7) duty hours all full-time status paraprofessionals are entitled to one-half (1/2) hour daily duty free non-paid meal break.

Paraprofessional full-time status employees are paid for one-hundred and eighty (180) days of employment. These days may include student attendance days, in-service training days, and parent teacher conference days, etc. **All paraprofessionals will be required to attend CPI training every year during the summer.** This is a paid ½ day training unless otherwise informed.

Paraprofessionals are not paid for days when school is called off (snow days, etc.) or additional work days unless they are approved to work on those days.

Paraprofessional hourly rate of pay is determined by the DMSEC Governing Board. Paraprofessional full-time status wage is based on one-hundred and eighty (180), seven (7) duty hour work days. Part-time wage is based on a five (5) and one-half (1/2) duty hour work days. All paraprofessionals are entitled to one-half (1/2) hour of duty free non paid meal time each scheduled work day.

Paraprofessionals are paid twenty-one (21) times during the course of the scheduled school year. Paraprofessionals are not paid during the summer vacation months. Unless otherwise informed or notified, all paraprofessionals are reasonably assured of continued employment after holiday, spring and summer breaks each school year. Paraprofessionals are not “laid-off” during non school days or customary recesses are not eligible for unemployment benefits during the period between academic years or terms or during an established and customary vacation or holiday recess.

Paraprofessionals are considered to be “AT WILL” employees. This means that all paraprofessionals are “reasonably assured” continued employment unless otherwise notified. This means that paraprofessionals are reasonably assured that employment shall continue after the various school breaks-these breaks would include Fall Break, Christmas Break, Spring Break, Summer Break-as well as other scheduled breaks within the school calendar. This also means that paraprofessionals are NOT eligible for unemployment benefits from the State as long as the paraprofessional has not been informed that employment has been terminated. It should be noted that as an “AT WILL” employee, that DMSEC may terminate employment at any time by giving at least two weeks notice to the employee.

Public Employees Retirement Fund

The public employees’ retirement fund of Indiana, referred to as PERF, is established to pay benefits to employees of the state after specified years of service and under other specified circumstances. When you begin employment in a PERF-covered position, you become a PERF member.

As a covered employee, state law requires that 3% of paraprofessionals gross wages (regular and

overtime pay) (mandatory contributions) be contributed to PERF to fund a personal Annuity Savings Account. These contributions and accumulated interest credits are refundable to paraprofessionals should they terminate employment prior to becoming eligible for the Defined Benefit Pension.

Prior to the first paid day of employment, all paraprofessionals should contact the DMSEC central office to complete the Membership Record (Form 34413). The DMSEC must submit the form to PERF for paraprofessionals to become enrolled in the Fund. After paraprofessionals are enrolled in the Fund they will receive a quarterly statement of account reporting contributions and interest credits in their Annuity Savings Account.

Leaves of Absence (Full-time status)

Personal Leave: 1 day per year if not used will roll over to the following year as sick leave.

Sick Leave: Non-certified personnel will be credited with 4 sick leave days with pay on August 1 of each year of employment and with 5 sick leave days with pay on January 1 of each school year of employment. 1 sick leave day is equal to the number of hours an employee is normally scheduled to work. Unused sick leave may accumulate to a maximum of 75 days. Sick leave days may be used for personal illness and/or medical and dental appointments. A physician's statement may be required for absences of more than five consecutive school days. Sick leave must be reported to the cooperative office on a cooperative approved form within two work days of the date the employee returned to work. (Policy #442, Reviewed and Approved March 2006)

Bereavement Leave: **All bereavement days must be used consecutively around the date of the actual funeral:** Five (5) days of leave immediately upon the death of: a spouse, child, parent, sibling, spouse's child, spouse's parent, and/or a significant other residing in the home of the non-certified employee. Two (2) days of leave immediately upon the death of; a grandparent, grandchild, aunt, uncle, niece, nephew, and/or spouse's sibling. Personnel are expected to submit leave forms adopted by the DMSEC prior to the first day of requested leave or within two days of returning to work.

Maternity Leave: Except in the case of medical emergency, leave of absence should be requested at least thirty (30) days prior to the start date of leave. Accumulated sick days may be used for part or all of the maternity leave. Employee health, dental, vision insurance coverage may be continued during non-paid leave periods with 100% of premium paid by non-certified employee during non-paid leave periods.

Hourly Wage (2020-2021)

\$12.75 - \$13.00 per hour

***** Effective July 1, 2011 all payroll checks will be direct deposit. Please make sure that you have the appropriate paperwork turned into the payroll department.**

Chain of Command

If you...

have issue or concern with a staff member and are unable to resolve it personally in a positive manner-

have a disagreement with a procedure or directive

have questions or need approval of working hours or expectations

have questions on special education law, issues, policies or policies of the Coop or a particular school

1. Speak with your supervising teacher.

If the issue is still not resolved...

2. Speak with the building principal

If the issue is still not resolved...

3. Speak with Chad or Kara at the Coop Office

Duty to Report

As a school employee, we all have a duty to look out for the safety of our students. As a paraprofessional, you have a duty to report incidents involving students that might be the result of abuse, neglect, etc. The State of Indiana requires school employees to report issues of abuse and neglect. It should be noted that a school employee can face criminal charges for failing to report abuse or neglect. Should you become aware of such an incidence, it should be reported to the building principal. However, this does not end your duty to report. You must make sure that the incident is reported to the Indiana Child Abuse and Neglect Hotline. Your building principal might ask you to make this call. Please be assured that reporting to this hotline is completely confidential-and your name will not be used if the case is investigated by the State. The Hotline number is 1-899-800-5556. Mary and/or Chad would appreciate being informed of the matter if at all possible.

Time Sheets

New laws have gone into place that require the Coop to have a timesheet for each paraprofessional for each pay period.

1. Every para must fill out a timesheet for each pay period. Please follow the guidance established by the Coop Office concerning due dates for time sheets. Delays in turning in your time sheet might mean that you will not get paid for that time period.
2. Time sheets must reflect your approved hours. This means that if you are a part time (5.5 hours per day) para, that your time sheet should have you working exactly 5.5 hours per day. You are not approved to work any time over the 5.5 hours per day. You are also not approved to work any time less than the 5.5 hours per day. Full time paras work 7 hours per day-no more, no less.
3. The easiest way to correctly fill out your timesheet would be to mark your

hours-then at the bottom of the page, write down your lunch (or time off). For example-A 5.5 para could put each day that she works 8:30-2:30. Then at the bottom of the page, you would write Lunch-12:00-12:30. Please see the attached examples.

4. It is fine to make one timesheet and then send in a copy of that with the correct dates for each pay period. It would just be important to make sure that you mark out any days that you do not work (sick, vacation, holiday, etc.).
5. **If you do not turn in a correctly filled out time sheet for each pay period, you run the risk of not getting paid.** We do not want that to happen to anyone. So please get your correctly filled out time sheet turned in each pay period.