



Be clear with parents about paraprofessional's role in delivering instruction

The absolute, bedrock principle that will keep you out of trouble every time -- no matter the special education topic -- is to make sure you are very clear and transparent with parents about what is happening with their child, said Anne Littlefield, a school attorney at Shipman & Goodwin LLP in Hartford, Conn.

Take, for example, the issue of the amount of instructional time a student has with a paraprofessional versus with a special education teacher or other licensed staff member. This is one issue that has come up amidst the move to virtual and hybrid learning this year. In many districts, paraprofessionals are assisting teachers and students by doing one-on-one Zoom sessions with students who need more support.

Follow these tips to ensure that paraprofessionals, teachers, and parents are all clear about the paraprofessional's role with the student in virtual learning.

- **Explain setup to parent in advance.** In Connecticut, for example, only individuals deemed as "responsible staff" can design curriculum and assess students, Littlefield said. A responsible staff member would be a special education teacher or other licensed or certified individual. A paraprofessional would be a service implementer, someone who can work with students but cannot design curriculum or assess students like a teacher can.

This should be explained to the parent up front, Littlefield said. If they know in advance, they have a chance to ask how it works. "Have all [that] on the table at the outset so you can solve problems while they're still theoretical rather than actual," she said.

- **Clarify paraprofessional role with parents, paraprofessionals.** "The key here is making sure you are telling parents what tasks are performed by paraprofessionals and what jobs or tasks are being performed by certified, licensed staff," Littlefield said.

"I would be very cautious that when using paraprofessionals, whether in person or via Zoom or Google Hangouts, that's not construed to be the delivery of specialized instruction," said Christina Sepiol, assistant superintendent for student services at Indian Prairie School District 204 in Naperville, Ill. "Specialized instruction is only from the teacher."

Be clear to the paraprofessionals as well, Sepiol said. Make sure they understand that they are only reinforcing skills already taught. Their work with the students does not take the place of instruction by a special education teacher.



"I've had to be very clear about this," Sepiol said. "People will say, 'The paraprofessional was Zooming with a student for 30 minutes.' That's great, but it doesn't count towards the student's minutes. In our district, we account for that time with paraprofessionals in our remote learning plans so it's clear to the parents what they're getting."

- **Address any slippage immediately.** In these challenging times, slippage on delivering provisions in the IEP, such as instructional time or procedural issues, may occur, Littlefield said. It may not end up leading to a substantive denial of FAPE, but you still want to address it right away and let the parents know.

For example, if you find out that a student was supposed to get X amount of time with a paraprofessional and X with the teacher, and it didn't happen, then assess the student to determine whether there was an impact, Littlefield said. Then design a service to address any deficiency.

The fear of admitting that they messed up gets people into trouble, Littlefield said. Tell the parent, "This didn't go as planned. Your child was supposed to get this and didn't get it. We're trying to figure out what impact that had. We suggest we do X number of hours to fix it."

"You don't want to have surprise slippage that parents don't know about," she said. "I'd rather take my lumps before than having a parent point it out later."

- **Build relationships.** Parents are anxious about their children's learning, Littlefield said. "They want to understand what happens in the classroom, online, or in a related services setting," she said. "The more you can do to help them understand, the better relationships you will have." Then, if an issue arises, the parents might be mad because they think you're not doing something, but it won't be because they didn't know you were doing something or thought you were trying to trick them, she said.

"It's very hard to have perfect compliance with the IDEA because it's a very prescriptive law, but good relationships will take you pretty far," she said. "There's going to be bumps in the road, but you'll be able to work it out."

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