

NYC DOE Special Education Operating Procedures Manual

Special Considerations: IEP-Assigned Paraprofessionals

NYSED guidance has been issued summarizing new regulatory requirements regarding recommending paraprofessionals (one-to-one aides). In addition to the information included in this section, please review the Guidance on Initiation or Continuation of an IEP-Assigned Paraprofessional when considering a recommendation for an IEP-Assigned Paraprofessional.

The IEP must clearly document the need and purpose of any IEP-assigned paraprofessional as well as a process for progress monitoring. The determination that a paraprofessional is appropriate for a student must be based upon a documented need identified in the Present Levels of Performance. When appropriate, the IEP should include goals that, when achieved, will result in increased student independence and the reduction or elimination of the need for the IEP-assigned paraprofessional. The IEP team should discuss the process for progress-monitoring the purpose of IEP-assigned paraprofessionals.

Whenever an IEP-assigned paraprofessional is being recommended, the IEP team must determine the level of service required. This includes consideration of the intensity of service, i.e., the specific times/activities for which an IEP-assigned paraprofessional is required, as well as the ratio of students to staff. The Management Needs section of the student's IEP must make clear the circumstances during the school day, including related services and non-academic settings such as lunch and transitions, for which the student requires the support of the paraprofessional. The IEP must specify the type of and responsibilities for a paraprofessional. The following are the functions that a paraprofessional may serve:

- Behavior Support
- Health
- Toileting
- Orientation and Mobility

The IEP team must consider and recommend on the IEP the training that the paraprofessional will receive in order to serve the student appropriately. For example, when a health paraprofessional is recommended, the IEP could note that the school nurse will provide training to the paraprofessional on the student's health needs in the Supports for School Personnel section of the IEP.

Behavior Support Paraprofessional

If the IEP team is considering a Behavior Support Paraprofessional (also known as a Crisis Management Paraprofessional) because the student's behaviors impede the learning of that student or others, the IEP team must first ensure that the student has received a Functional Behavior Assessment (FBA) and has a Behavioral Intervention Plan (BIP) in place. If not, an FBA should be conducted and, as appropriate, a BIP

created. If the student already has a BIP, the BIP should be reviewed to determine whether it can be modified so as to provide sufficient behavioral support. Only if the student presents with serious behavior problems that cannot be addressed through a BIP implemented with fidelity (as well as the provision of alternative general education and special education supports and services) should a behavior support paraprofessional be recommended. **The Behavior Support Paraprofessional must be trained in behavior management generally and specifically on how to implement and monitor the student's BIP with fidelity.** The paraprofessional's training needs should be specified in the Supports for School Personnel section of the IEP.

Health Paraprofessional

A Health Paraprofessional may be recommended when a student's medical or functional status (e.g., severe orthopedic impairments; multiple sensory deficits; inability to perform self-care activities such as toileting, dressing; uncontrolled seizure disorders) prevent the student from participating in and benefiting from school-based activities with less intensive supports, including school-based nurses, related service providers and programmatic paraprofessionals.

The IEP team may recommend health paraprofessional services without a referral to the Central Nursing Office only if there is no indication that the student has a medical condition that may require urgent care.

A 1:1 health paraprofessional may be recommended to provide a student with assistance in activities of daily living (often including transfers from wheelchair to adaptive equipment, ambulation assistance, oral feeding, observing food intake, dressing, managing orthotics and use of assistive communication or writing devices).

A 1:1 health paraprofessional may also be recommended to monitor the student for specific signs and symptoms related to the student's health or medical condition; to notify the school nurse when indicated; and/or to bring the student to the school nurse at the appropriate times for treatment or medications needed. A 1:1 health paraprofessional may be trained to administer an EpiPen or use Vagus Nerve Stimulation (VNS). A referral for non-1:1 skilled nursing — in addition to a 1:1 health paraprofessional — is required if a student requires a health professional for the above reasons or if the student has any other medical condition that may require urgent care.

A 1:1 health paraprofessional may require instruction or training in performing these tasks safely. When appropriate, such training may be provided by the school nurse or the Borough Nursing Director. Such training needs should be specified in the Supports for School Personnel section of the IEP.

For support in safely serving students with mobility needs, including safely transferring students into or out of wheelchairs or adaptive equipment, the OT/PT Managers should be consulted and will support as needed.

Toileting Paraprofessional

Toileting Paraprofessional is a specific category of Health Paraprofessional. The IEP team may recommend paraprofessional services to provide either toilet training or toileting assistance:

Toilet training is a short-term instructional service that prepares a student for independence in toileting and may be recommended when a student has demonstrated all of the following:

- An inability to remain continent with regard to bodily functioning (e.g., wetting, soiling) during the school day and the physiological ability to do so;
- The cognitive ability to respond to a specific behavioral change program that schedules toileting and leads to independent toileting; and
- The physical ability to complete toileting tasks independently after receiving training.

Toileting assistance is appropriate for students who:

- Require help in transferring to or using toilets, commodes, or potties;
- Cannot adjust their clothing or complete related personal hygiene routines; and/or
- Cannot become continent due to physical or cognitive status and require assistance for diaper changing, etc.

Toileting assistance is generally programmatic in self-contained classes in specialized schools (i.e., D75). Where toileting assistance is programmatic, it need not be recommended as a Supplemental Aid/Service on the student's IEP. However, it should be included elsewhere in the IEP, including in the Present Levels of Performance, Annual Goals and Short-Term Objectives and Benchmarks (as appropriate), and Management Needs.

An IEP-assigned Toileting Paraprofessional may be recommended if that is the only paraprofessional assistance that the student requires (i.e. if the student does not require a health paraprofessional, behavior support paraprofessional, or orientation and mobility paraprofessional) and if the staffing ratio within the student's primary program is insufficient to meet this need. A student with multiple health related needs, including toileting issues that warrant an IEP-assigned paraprofessional, should be recommended for a Health Paraprofessional (i.e., no separate Toileting Paraprofessional recommendation is required and the Health Paraprofessional should also provide the toilet training or toilet assistance). IEP teams should review the guidance document Consideration for Recommending Toilet Training or Toileting Assistance.

Orientation and Mobility Paraprofessional

Orientation and Mobility instruction is designed for students with visual impairments. Orientation and Mobility Paraprofessionals are mandated for select visually impaired students who receive Orientation and Mobility instruction. They are only recommended for students who are assessed to be "unsafe

independent travelers” in the school. These paraprofessionals have had specialized training in order to work with those students who are blind or severely visually impaired and are not to be recommended for students who do not meet that criteria. Specialized training needs should be documented and specified in the “Supports for School Personnel” section of the IEP.