

Teachers and Educational Assistants

ROLES AND RESPONSIBILITIES

This handbook can also be found
on The Manitoba Teachers' Society
website at www.mbteach.org

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Introduction

Educational assistants (EAs) provide a valuable contribution to classrooms in Manitoba.

The intent of this resource is to:

- Provide information to teachers about how best to provide educational programming that optimizes and uses the expertise and experiences of educational assistants.
- Differentiate the roles and responsibilities of teaching staff and educational assistants in order to enhance productive working relationships.

What is an Educational Assistant?

An educational assistant supports the work of professional staff, such as teachers and clinicians. They are valued members of the school community who make a significant contribution to the work of the school and toward the education of all students.

Their roles and responsibilities can vary and are determined by the needs of the school division. The principal, teacher, or other professionals under whose supervision they work, direct their day-to-day activities.

The Role of Educational Assistants in Manitoba Schools

The Manitoba Teachers' Society believes that teachers, with their specialized training, experience and knowledge of children, are best qualified to teach public school students and instill in them a love for learning.

The Society also recognizes that, while teachers are often the most influential people in a child's life outside of the home, educational assistants can also play a key role in enriching the lives of students.

A specific list that defines the duties and responsibilities of educational assistants does not exist. Teachers, therefore, make those decisions and have a professional responsibility to operate within the limits set forth in provincial legislation and regulations, school and school division policies and practices, and general guidelines provided by The Manitoba Teachers' Society.

Provincial Legislation and Regulation

The use and supervision of educational assistants are prescribed by provincial legislation and regulation.

The Education Administration Act (C.C.S.M. c. E10) Persons Having Care and Charge of Pupils Regulation (Regulation 23/2000) includes the following:

Persons who may have care and charge of pupils

1 (1) The following persons may have care and charge of pupils:

- (a) a school clinician;
- (b) a paraprofessional employed by the school board to work with teachers and pupils as part of the teaching-learning process;
- (c) a student teacher;
- (d) a volunteer;
- (e) a person who has been authorized by the school board or its delegate.

M.R. 136/2005

Person must be a responsible adult

2 A person who has care and charge of pupils must be a responsible adult.

Supervision

3 (1) A clinician who has care and charge of pupils must be supervised directly by the principal. Any other person who has care and charge of pupils must be supervised directly by the principal or a teacher designated by the principal.

Duties of paraprofessionals

4 A paraprofessional shall perform the duties assigned by the principal. Those duties may not include any of the following:

- (a) organizing or managing the classroom;
- (b) planning teaching strategies;
- (c) directing the learning experiences of pupils, including assessing individual needs, selecting materials to meet those needs and evaluating progress.

**According to the Education Administration Act,
the principal is responsible for:**

- All matters of organization, management, instruction and discipline. 28(1) M.R. 68/97
 - Participating in the hiring, assignment and evaluation of teachers. 30 M.R. 68/97
 - The supervision of staff, pupils, buildings, and grounds during school hours. 28(2) M.R. 68/97
 - The supervision of staff and people who have care and charge of pupils (3(1) M.R 23/2000), including
 - school clinicians;
 - substitute teachers;
 - paraprofessionals employed by the school;
 - student teachers;
 - volunteers;
 - people who have been authorized by the school board or its delegate who have care and charge of pupils.
- 1(1) M.R. 136/2005

General Guidelines for Roles and Responsibilities

- The function of educational assistants is to assist teachers.
- Persons hired as educational assistants shall be assigned only those functions that are appropriate.
- Professional development opportunities related to meeting the needs of the classroom and students should be made available to professional and/or non-professional staff in a timely manner.
- The principal or designate shall supervise persons employed as educational assistants.
- Teachers can participate in providing feedback to the school principal but shall not participate in the written summative evaluation of educational assistants.
- Educational assistants shall not perform teaching tasks.
- Teachers, at the invitation of the principal or other appropriate divisional staff, can participate in the selection of educational assistants assigned to their classroom or program.
- The scheduling of all educational assistants is the responsibility of the principal or designate.
- The MTS Professional Code of Conduct, school and/or divisional policies will guide the process to be used in times when a teacher has concerns about the assignment of an educational assistant working in their classroom or program.
- Educational assistants shall not be replacements for certified teachers.
- Supervisory responsibilities of educational assistants scheduled in classroom environments, field trips, and library duties will occur in the presence of a supervising teacher or, in the case of an emergency, determined by the principal or designate.

NOTE: Provision of noon-hour supervision falls under the scope of the school principal and/or school division and is guided by the contract under which the educational assistant has been hired.

Preparing for Success: Orientation

Principals and teachers are responsible for preparing and supporting educational assistants to work successfully. They not only establish the role of educational assistants but also are responsible for guidance and supervision. Orientation topics may include information about:

- The roles and responsibilities of the professional and non-professional school staff, and the school's adherence to provincial regulation on the role of educational assistants.
- School/school division policy and practices applicable to the current work assignment(s).
- the school's educational philosophy and expectations related to the school/divisional student code of conduct.
- The educational assistant's role in the school, emphasizing that teachers have ultimate authority for educational programming for students.
- The location of first-aid stations and the protocols in place for the administration of medication.
- The importance of confidentiality and the obligations found under the Personal Health Information Act (PHIA) and the Freedom of Information and Protection of Privacy Act (FIPPA).
- A tour of the building, including where work stations, teaching aids and materials are located.
- Where applicable, general information on the needs and values of the community the school serves.
- An overview of the classroom profile and an introduction to the student(s).
- The needs of individual students and how they align with the educational assistant's skill set and experience.
- Expectations regarding appropriate communication with teachers, other professional staff, and family and community members.
- The unique responsibilities as a member of the school team for student(s) with exceptional needs.

- Indicators of and requirements/protocols for reporting child abuse.
- Sick day/storm day procedures.

NOTE: Work expectations, protocols and duties may differ or change according to the specific location of the school, resources available and/or the needs of the student.

Working Together: Appropriate Tasks

Tasks assigned to educational assistants are generally at the discretion of the teacher and/or student support team. Attention to the knowledge, skills, and experience of the educational assistant should be considered. The following tasks are appropriate for assignment to educational assistants:

Clerical duties

- Collecting money, e.g. student fees, school pictures, etc.
- Writing supply orders.
- Keeping attendance records and checking on absences.
- Filing reports.
- Maintaining student records, e.g. homework completed, books read, files, etc.
- Keeping inventory of equipment and supplies.
- Preparing library cards (if applicable).
- Typing, duplicating, preparing visuals, etc.
- Ordering and filing resource materials.
- Telephoning on routine matters, e.g. ordering visual resources, arranging field trip transportation, checking on orders.

Maintenance and administration duties

- Arranging materials for lessons.
- Helping with coats, overshoes, etc.
- Keeping bulletin boards neat and current.
- Arranging interesting study areas, e.g. reading area, science corner, etc.
- Distributing and clearing away equipment.

General duties

- Obtaining visual materials, supplementary books, pictures, etc. and related equipment.
- Collecting test papers, projects, homework, etc.
- Assembling resource collections, indexing and storing, e.g. artifacts, minerals, maps, etc.
- Organizing and cataloguing resource materials, e.g. picture file.
- Arranging and supervising games under the direction of the teacher.
- Checking library books in and out and helping pupils locate library books.
- Helping with routine health tasks.
- Helping to make arrangements for programs, assemblies, etc.
- Making arrangements for student tours and field trips.
- Setting up, operating and removing audiovisual equipment.
- Maintaining audiovisual equipment on a regular schedule.

Instruction-related duties

- Marking objective tests and objective workbook exercises.
- Helping the teacher in the administration of objective tests.
- Preparing instructional materials, e.g. flash cards, cutouts, alphabet cards, business forms, chemical reagents, etc.
- Encouraging and promoting etiquette and good manners within the school.
- Preparing special demonstrations in art, science, etc.
- Telling or reading stories to groups or classes.
- Helping pupils locate research and reference materials suggested by the teacher.
- Being an enrichment or special interest topic resource assistant.
- Carrying out specific activities identified in Individual Education Programs (IEPs); life skills practice, physiotherapy, etc.

NOTE: Principals and school staff should develop and update role descriptions within the guidelines of Regulation 23/2000R or those defined and listed as *student-specific competencies* found in the document entitled *Educational Assistants in Manitoba Schools* (2009).

NOTE: Liability is a complex issue. Questions about liability should be directed to the principal or a staff officer of The Manitoba Teachers' Society.

Differentiating the Duties of Teachers and Educational Assistants

	Duties of Teachers	Joint Activities	Duties of Educational Assistants
Assessing	<ul style="list-style-type: none"> Assess learning needs, based on class and individual student profiles. 	<ul style="list-style-type: none"> Discuss student abilities, strengths and weaknesses. Attend program-planning meetings at the teacher's request. 	
Programming	<ul style="list-style-type: none"> Develop programming based on required curriculum and individual student needs, choose from available alternatives. Prepare individual program plans (IEPs). Maintain current student profiles and IEPs. 	<ul style="list-style-type: none"> Discuss desired outcomes for the student. Discuss educational, behavioural and emotional goals. 	
Planning	<ul style="list-style-type: none"> Plan lesson activities and choose resources. Choose appropriate modifications to meet IEP specifications. Establish priorities. 	<ul style="list-style-type: none"> Discuss the preparation of materials and modifications to the curriculum based on student needs. 	<ul style="list-style-type: none"> Assist in collecting, collating and organizing materials, creating displays and undertaking other supportive activities.
Supervising	<ul style="list-style-type: none"> Establish a clearly understood classroom management structure, classroom rules and expectations for students. Work within school management structures, school rules and expectations. 	<ul style="list-style-type: none"> Meet regularly to discuss student progress. Discuss and clarify expectations for student behaviour and classroom rules. 	<ul style="list-style-type: none"> Work within established school structures, including classroom management structures, behavioural rules and student expectations. Document and report as appropriate.

	Duties of Teachers	Joint Activities	Duties of Educational Assistants
Teaching	<ul style="list-style-type: none"> • Implement lesson plans and direct teaching related to those lesson plans. • Supervise and facilitate student learning. • Model techniques and appropriate language. • Provide resources for the assistants. 	<ul style="list-style-type: none"> • Clarify and share outcomes and experiences. • Discuss specific strategies, activities and outcomes. • Discuss workplace location. 	<ul style="list-style-type: none"> • Clarify elements of the lesson for students. • Supervise reinforcement activities. • Reinforce specific techniques, strategies and language as directed by the teacher. • Document, monitor and report to the teacher.
Evaluating	<ul style="list-style-type: none"> • Monitor and evaluate student progress and programs. • Monitor the implementation of the IEP. 	<ul style="list-style-type: none"> • Discuss observations. • Exchange information. 	<ul style="list-style-type: none"> • Observe student behaviour and provide information to teachers. • Collect and record data for use in student evaluation. • Mark objective tests and assignments for the teacher to review.
Reporting	<ul style="list-style-type: none"> • Report to parents and school team, (where appropriate) both formally and informally. 	<ul style="list-style-type: none"> • Discuss student information as appropriate. • Maintain confidentiality within policies and procedures. 	<ul style="list-style-type: none"> • Report to teachers on students' strengths, achievements and needs. • Report to teachers on observed student behaviours and outcomes.
Staying Current	<ul style="list-style-type: none"> • Keep up to date on school, divisional, and provincial policies. 	<ul style="list-style-type: none"> • Follow policies and guidelines. 	<ul style="list-style-type: none"> • Keep up to date on school, divisional and provincial policies.

– Adapted with permission from the Alberta Teachers' Association

MTS Code of Professional Practice

Members are bound by the following principles and each Member's professional behaviour must reflect the spirit as well as the letter of these principles:

1. A Member's first professional responsibility is to the Member's students;
2. A Member acts with integrity and diligence in carrying out professional responsibilities;
3. A Member avoids involvement in a conflict of interest, recognizes that a privileged relationship with students exists and refrains from exploiting that relationship for material, ideological or other advantage;
4. A Member's conduct is characterized by consideration and good faith. The Member speaks and acts with respect and dignity, and deals judiciously with others, always mindful of their rights;
5. A Member respects the confidential nature of information concerning students and may give the information only to authorized personnel or agencies directly concerned with the individual student's welfare;
6. A Member first directs any criticism of the professional activity and related work of a colleague to that colleague in private. Only after informing the colleague of the intent to do so, the complainant may direct in confidence the criticism to appropriate officials through the proper channels of communication. A Member shall not be considered in contravention of this Article in the following circumstances:
 - a) consulting with the Society or the Member's Local president;
 - b) taking any action that is allowed or mandated by legislation;
 - c) where the Member is acting in good faith and without malice in the discharge of the legitimate duties of the Member's appointed or elected position;

7. A Member does not bypass immediate authority to reach higher authority without first exhausting the proper channels of communication;
8. A Member makes an ongoing effort to improve professionally;
9. A Member adheres to collective agreements negotiated by the Society and its Local; and
10. A Member or group of Members makes only authorized representations to Outside Bodies on behalf of the Society or its Locals. Without the express permission of the Society, no Members conferring with Outside Bodies may explicitly or implicitly claim that they represent the Society or its Locals.

(The Society approved new Bylaws at its 2014 AGM. Bylaw IV includes the Code of Professional Practice that applies to all teachers who are members of the Society. Bylaw IV also outlines what constitutes professional misconduct and how the Code is enforced. The Society's Constitution and Bylaws outline the remedies or sanctions that can be imposed against any teacher who violates the Code of Professional Practice.)

Know the Limits: Prohibited Activities

While educational assistants provide support to principals and teachers, there are limits to what tasks should be assigned. Legally, educational assistants are prohibited from carrying out many duties such as:

- Planning and initiating learning activities.
- Evaluating students or their work.
- Substitute teaching during the hours employed as educational assistants.
- Developing specific lesson plans.
- Designing learning centres.
- Choosing or designating learning activities.
- Evaluating and selecting learning materials.
- Evaluating the professional and non-professional staff.
- Evaluating school programs.
- Reporting to parents/guardians.
- Sharing confidential information other than with the supervising teacher.

If a teacher becomes aware of another teacher using/engaging educational assistants in prohibited activities, it is important to take action. This procedure is clearly outlined in the Code of Professional Practice of The Manitoba Teachers' Society:

1. Meet with the teacher to share your concerns.
2. Failing a satisfactory resolution, get advice and assistance from the school principal but only after telling the teacher you intend to do so. (Clause six is specific with information when this is not necessary.)
3. If still convinced that prohibited activities persist, talk to your Local president and/or a Society staff officer.

Managing Inappropriate Behaviour

Inappropriate behaviour from an educational assistant should include discussion about the issue, modelling of appropriate behaviour, provision of strategies and support for change, and follow up. If the situation does not improve, further action shall involve the supervisor of the educational assistant.

While the Code governs the relationships among teachers, its advice on how to manage conflict with other colleagues is also relevant. Specifically, guidance about how to manage inappropriate behaviour is contained in clauses six and seven of the Code of Professional Practice:

6. A Member first directs any criticism of the professional activity and related work of a colleague to that colleague in private. Only after informing the colleague of the intent to do so, the complainant may direct in confidence the criticism to appropriate officials through the proper channels of communication. A Member shall not be considered in contravention of this section in the following circumstances:
 - a. consulting with the Society or the Member's Local president;
 - b. taking any action that is allowed or mandated by legislation; and
 - c. where the Member is acting in good faith and without malice in the discharge of the legitimate duties of the member's appointed or elected position.
7. A Member does not bypass immediate authority to reach higher authority without first exhausting the proper channels of communication.

Questions and Answers about Real-Life Scenarios

Q: A teacher designed a phonics program to help meet the learning needs of a particular student. An assistant working one-on-one with the student believes that the program is inappropriate for the student and has said so to the student's parents. Can anything be done?

A: There are two concerns here. First, the assistant does not have the qualifications to assess the program and, as a result, is overstepping the role in commenting on its appropriateness. The assistant may well have some valid concerns based on their observations of the student's experience with the program. However, they should discuss these concerns with the teacher to determine if some adjustments are appropriate. Second, the assistant, by discussing the issue with the parents rather than with the teacher, has undermined the credibility of the teacher with the parents. If this happens, the teacher should explain to the assistant why the behaviour is inappropriate and should not happen again. If the assistant does not acknowledge this, or repeats this conduct, the teacher should report the matter to the principal.

Q: My educational assistant is a creative person who comes up with fun ideas for the students she works with. My concern is that she occasionally decides on her own to have a student shift from doing school work to carrying out a fun project such as a Christmas craft. How much latitude should an educational assistant have to change activities that a teacher has planned?

A: The assistant may have felt that a shift to a more hands-on type of activity was necessary to address the emotional or behavioural needs of the student. However, the assistant should have checked with the teacher in advance not only to ensure that the alternative activities were appropriate but also to discuss how frequently such activities should be allowed to interrupt regular course work.

Q: An educational assistant tolerates unacceptable language and behaviour from a student. Although the teacher has directed the assistant to enforce a higher standard of conduct, so far she has not done so.

A: A primary educational goal for many special needs students is learning to recognize which behaviours are socially acceptable and which are not. The teacher should not only ask the assistant once again to require a higher level of conduct from the student but also explain to her how to respond to unacceptable behaviour. If the assistant continues to tolerate unacceptable behaviour from the student, the teacher should put the directive and suggested responses in writing. If the assistant still does not comply, the teacher should ask the principal to intervene.

Q: When is the school principal responsible for training an educational assistant?

A: There is not a simple answer to this question. Ideally, training should be undertaken jointly by the school and school board administration, the supervising teacher and the assistant. The

principal is responsible for (1) hiring the assistant with proper qualifications, (2) providing assistants with a clear description of their roles and responsibilities and (3) making training opportunities available to them as needed. Teachers should ensure that they communicate their expectations clearly to assistants and provide them with appropriate feedback and support. Assistants should strive to meet teachers' expectations.

Q: My classroom assistant recently complained to the principal that I was not using his abilities to the fullest. He also told the principal that he could produce better student materials than the ones I provided and that I was not giving the students enough fun activities. What can I expect from the principal?

A: You can expect the principal to explain to the assistant why his behaviour is unacceptable in discussing his concerns with his superior rather than with you directly. The principal should explain to the assistant that the approach he has taken is counterproductive to a good working relationship, and encourage him to speak directly to the teacher.

Q: A hospital that is providing therapy to one of my students sends information about the student directly to my educational assistant. Recently, the hospital invited the assistant to attend a case conference at the hospital. Shouldn't schools have guidelines in place concerning their relationship with external agencies that provide therapy or other services to students?

A: Yes. At minimum, schools should insist that the contact person at the school be a member of the professional staff, generally the classroom teacher. Educational assistants should be aware of this expectation and should refer all contacts from external agencies to the appropriate member of professional staff.

Q: An educational assistant works with a teacher who is often called out of the class to attend to other duties. During her absences, the teacher delegates to the assistant the task of completing the lesson and helping the class work through planned exercises. Is this acceptable?

A: Assigning teaching duties not only contravenes the Education Administration Act and the Code of Professional Practice but also constitutes an inappropriate educational practice. Students are entitled to receive instruction from qualified personnel. Although teachers who must attend meetings or be away from the classroom briefly for some other reason may ask an assistant to supervise a class in their absence, they should not call on the assistant to provide more than very limited instruction. If teachers must be away for longer periods than required for the class to complete the assignment under the supervision of an assistant, they should arrange for a properly qualified substitute teacher. Assistants are not substitute teachers.

Q: An educational assistant works with one student on a modified program of studies. The student's parents want frequent progress reports. The assistant reports her observations of the student's behaviour to the teacher, who, in turn, interprets those behaviours and reports to the parents. Is this acceptable?

A: The educational assistant is right in reporting to the teacher rather than to the parents directly. The teacher is responsible for consulting frequently with the assistant, incorporating the observations of the assistant into their own analysis of the student's progress, diagnosing the student's learning needs and discussing those needs with the parents. If the parents call the educational assistant directly, the assistant should refer them to the teacher.

Q: A parent phones an educational assistant at home in the evening and on weekends to seek information about his child's behaviour and program and to give instructions on how the child is to be handled. Although the educational assistant accepts the calls, she resents the hours of unpaid time she spends on the telephone and feels that she is becoming an intermediary between the parent and the teacher. What should she do?

A: The educational assistant should tactfully but firmly ask the parent to direct his calls to the teacher. She should also ensure that school officials are aware of the situation and support her decision not to deal directly with the parent.

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Notes

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