Procedures for Collaboration of Public and Private Instructional Personnel

Citation:
Section 1003.572 Florida Statutes indicates that private instructional personnel who are hired or contracted by parents to collaborate with public instructional personnel must be permitted to observe the student in the educational setting, collaborate with instructional personnel in the educational setting, and provide services in the educational setting according to the following requirements:

(a) The student’s public instructional personnel and principal consent to the time and place.
(b) The private instructional personnel satisfy the requirements of s.1012.32 or s.1012.321.

Definition:
As used in this statute, the term “private instructional personnel” means:

(a) Individuals certified under s.393.17 or licensed under chapter 490 or chapter 491 for applied behavior analysis as defined in ss.627.6686 and 641.31098.
(b) Speech-language pathologists licensed under s.468.1185.
(c) Occupational therapists licensed under part III of chapter 468.
(d) Physical therapists licensed under chapter 486.
(e) Psychologists licensed under chapter 490.
(f) Clinical social workers licensed under chapter 491.

Procedures:
1. On an annual basis, the parent/legal guardian must inform the school principal of their request for private/public collaboration through completion of page one of the Request for Private Instructional Personnel Collaboration form.
2. The parent/legal guardian or the private instructional personnel must provide documentation of licensure or certification according to state statute. The parent must sign the portion of the form indicating the District will be held harmless in any action performed by the personnel contracted by the parent.
3. The principal will contact the District ESE Department (director, coordinator or program specialist) and consult regarding appropriateness of request and ensure criteria for service provision has been met.
4. Page two of the Request for Private Instructional Personnel Collaboration form must be completed by the private instructional personnel. The individual must submit to the District’s fingerprinting, background check and badging procedures by following directions posted on the District’s website. Background screening will be done at the expense of the private instructional personnel. Private Instructional Personnel must sign the section referencing confidentiality laws and non-solicitation of clients based upon information gained while working in the school(s).
5. The principal will complete page three of the Request for Private Instructional Personnel Collaboration form indicating consent to collaboration. All sections of the form pertaining to time and place must be completed if request is approved. Should there be reason to deny consent for collaboration, the principal must indicate so and give explanation as to why consent is denied. Examples may include reasons such as the individual does not meet the statutory definition of “private instructional personnel”, the individual does not hold current certification or licensure or the parent refused to sign “hold harmless” language, etc.
6. The original form should be filed in the student’s cumulative ESE record (red folder) at the school. An electronic or hard copy of the completed request form must be submitted to the Director of ESE and appropriate Level Director and provided to the parent and private instructional personnel.