**Nata’s Kids, Inc.**

Preschool Special Education Program

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SPECIAL EDUCATION ITINERANT TEACHER

(SEIT)

PROVIDER HANDBOOK

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**I. Introduction**

The purpose of this handbook is to clarify the policies and procedures to be followed by Nata’s Kids, Inc. It is a guidance document developed for SEIT providers. It supplements New York State Education Laws and Regulations and is not intended to replace them.

Therefore, all providers of SEIT services are responsible for ensuring that they are thoroughly familiar with the Regulations of the Commissioner of Education which are available at: www.vesid.nysed.gov/specialed/publications/lawsandregs/200contents

Providers of SEIT services must also be familiar with all New York State guidance documents, including periodic updates pertaining to educational programs for preschool students with disabilities. These are available at:

www.vesid.nysed.gov/specialed/publications

SEIT providers are responsible to keep their license valid and to complete professional development as required by NYSED. In-service training will be conducted at least once a year.

All forms and samples mentioned in the handbook may be found on Nata’s Kids website at nataskids.com.

**II. Coordination of Services**

When the child’s IEP includes SEIT services and one or more related services, the child’s SEIT is always the Coordinator of Services. Coordination of services is particularly important when the child has more than one SEIT provider. As the designated Coordinator of Services, the SEIT will perform appropriate coordination activities including, but not limited to, the following required non-billable activities:

**A. Attend all CPSE and/or CSE Meetings**

The SEIT is required to prepare for and attend all IEP meetings. Attendance at these meetings is mandatory. Substitute teacher will be offered if IEP meeting is conducted at the time you have regular session. Attendance at IEP meetings is not billable.

**B. Arrange a schedule for mandated hours of service delivery**

Please submit copies of your schedule and student’s schedule when you start providing services and at the beginning of school year. Whenever changes occur, submit an updated copy. Parents and caregivers should know about your schedule and changes in it.

**C. Share and gather appropriate information**

In order to ensure the integration of services across all domains it is the SEIT’s responsibility to speak with teachers, parents and related service providers. Discuss carryover with classroom teacher or parent after each session.

 Parent-teacher conferences are conducted and documented once every 3 months. You will meet with parent/guardian to discuss the student’s goals and objectives, plans for achieving goals and progress to-date.

SEIT provider serves as a liaison between parents, related services providers, the agency and the CPSE when needed.

Please remember that the children we serve and their records are protected by state and federal laws. You will need written consent by parents/legal guardians to release any records or information. All e-mails between SEIT and parent should be copied to your supervisor/CEO. See Confidentiality section for more details.

**D. Emergency Contacts**

Parents are sent an Emergency Contact form to complete. Please obtain this from the parent when you start working with the student, keep a copy for yourself and give the original to Nata’s Kids. Updated form should be obtained at the beginning of each school year.

**E. Related Services**

SEIT providers are mandated to coordinate related services. Teachers contact related service providers in order to organize student’s schedule. Teachers inform Nata’s Kids, Inc about related services schedule using child schedule form. Teachers discuss student’s progress, monthly assessment results, future goals and shared strategies during multidisciplinary meetings. Multidisciplinary meetings with related service providers (and other SEIT providers working with the same child) are scheduled and conducted on monthly basis. Teachers should inform parents about results of the meeting.

**F. Notify parents/caregivers about observations**

You will be observed minimum twice a year by SEIT supervisor. Please, notify parents and/or caregivers regarding perspective observations. Observations will be done unexpectedly according to the student’s schedule.

**G. Schedule regular meetings with classroom teachers (if applicable)**

Demonstrate the appropriate activities and methods to the classroom teachers, so that they may carryover the activities when the SEIT is not present. The SEIT must observe the progress

and the ability of the caregivers to follow through with the activities that have been demonstrated. The SEIT should recommend appropriate changes in activities and technique when the method is ineffective.

**III. Service Delivery**

1. **Illness / Cancellations / Make-up Sessions / Absences**

Missed sessions are to be documented in session notes, time sheet, calendar, attendance card and in child absence form or provider absence form. Child absence/provider absence form should reflect when and how the absence was communicated. Notifications must be done the same day of the absence before or during the scheduled time. Makeup session requires separate session note, even if it is done on the same day as regular session. Makeup session can be done within 30 calendars day after missed session. Accrued sessions are lost if they are not made up within specified timeframe. Make-up sessions cannot be performed prior to the missed session. If there were 5 consecutive missed school days the services could be restarted after the Agency approval.

1. **Staff Unable to Provide Services ( illegal absence)**

SEIT providers need to inform the agency, parents and/or caregivers as soon as they know about a possible absence. The latest time to inform is 8 am of the date of missed session, preferably by email. Teachers document in provider absence form how and when they informed agency, parents and/or caregivers. Provider absence form also indicates reason of absence (illness, conflicting appointments, etc). When teacher notifies Nata’s Kids, Inc about the absence, substitute teacher is assigned. Teacher is obligated to provide makeup session within 30 calendar days, if substitute teacher did not conduct the session.

When SEIT provider wants to stop conducting services for some student(s), he (she) has to notify the Agency 3-4 weeks prior so the Agency can replace him (her). It is prohibited to cancel the sessions by SEIT provider due to his/her vacation. Therefore, please plan your vacations during the recesses.

1. **Child unable to Receive Services ( legal absence)**

Child absence is documented in session note and child absence form. Include reason of absence, when and how the absence was informed. Parent/caregiver signature is not needed for the session note.

1. **Direct Service**
2. **Calendar**

SEIT providers follow Nata’s Kids, Inc school calendar. There are 180 days in 10-month program; summer program is six weeks. Services are scheduled according to frequency and duration determined at CPSE meeting and written in IEP. Services may not be scheduled or made-up on weekends, legal holidays or during recess. All children must be seen on the first and last day of the 10 month program. If they are approved for a 12 month program, the child must be seen the first and last day of the summer session. If the school calendar for the summer session begins on July 1st and the child is not seen until July 7th, the child will only be eligible to receive 5 weeks of services. If DOE closes due to inclement weather conditions or other emergency, the SEIT should contact supervisor/CEO on whether to provide service that day or to schedule a make-up session.

1. **SEIT Services - Given in the Mainstream Classroom**

SEIT Services are usually provided in the typical classroom. The goal of SEIT services is to enable the child to function and learn within a typical preschool classroom. Therefore it is important to plan lessons that can be carried out during the normal classroom routine.

SEIT providers should work in the classroom to facilitate the child’s participation in ongoing activities and to facilitate the child’s engagement with the materials and equipment available. Occasionally, there may be circumstances which make it necessary to work with a child on a “pull out” basis, outside of the routine of the class. Such circumstances could include: scheduling difficulties, IEP goals that cannot be addressed during the class routine, or a lack of appropriate materials. In such cases, teachers should spend part of their assigned time working with a child in a quiet corner of the room or somewhere nearby (hallway, cubby area, etc) using their own materials.

The classroom is not always predictable and the plan a SEIT provider makes to teach a child on a given day may not be appropriate based on what is going on when the teacher arrives in class. There are often changes in classroom schedules, “specials”, and/or birthday and holiday celebrations. SEIT providers need to be flexible. Goals can be worked on in a variety of different ways. The SEIT provider must be flexible and adapt the plan for the day to what is going on in the typical classroom.

1. **SEIT services – Given in the Home**

Sometimes SEIT services are given in the child’s home. The session runs the same as it would if the child were receiving services at school. If the child receives one hour each day the session consists of direct instruction to the child as well as consulting with the parent to carry over strategies and give suggestions to reinforce skills being taught. The SEIT provider needs to provide suitable materials, toys or games to use in the child’s home. The SEIT provider should also consider working with toys or materials from the child’s home so that when the SEIT is not there the child will learn how to use their own toys appropriately.

SEIT providers are responsible for reporting any situations of concern in the home to the SEIT coordinator immediately. In some cases reporting a situation to ACS may be necessary. SEIT providers should be aware of unsafe conditions in the home, e.g. uncovered outlets, peeling paint, windows without screens, lack of supervision, etc.

1. **Behavior Management**

Behavior management is a strategy for managing inappropriate behavior. The SEIT would most likely experience occasional problematic behavior when he/she conduct their sessions. It can be one or a combination of the following: non-compliance, destructiveness, physical or verbal aggression**. No matter how challenging the behavior problem is, the corrective action is limited to the application of positive behavior management techniques.**

Managing the preschooler’s misbehavior involves teaching him/her to act in more socially acceptable ways to communicate his/her needs or express himself/herself without resorting to crying, biting, screaming or engaging in tantrum. At all times, the SEIT has to look at the message behind the inappropriate behavior in deciding for a possible solution. When the student is verbally able, it is important to teach him using words, phrases or sentences to express his needs and feelings.

The following list of behavior modification techniques can be used:

* Modify materials
* Modify instructions/breakdown tasks
* Provide reinforcement
* Follow least preferred activity with most preferred activity
* Visual support
* Individual schedule
* “first-then” contract

When challenging behavior is caused by transitioning difficulty:

* Provide verbal warning
* Provide countdown
* State the ending activity and the activity to follow
* Use visuals, photo to show the next activity

Conduct reinforcer assessment before you start working with the student. This way, you can provide valuable and meaningful rewards accompanied with verbal praise. Always show excitement and enthusiasm when student engages in target behavior.

For more serious behavior problems, contact SEIT supervisor for advice, so appropriate steps prior to behavior management plan can be undertaken.

1. **Indirect Service**

 Indirect Services include consultation to the child’s typical classroom teacher to adjust the environment and/or modifying the methodology, materials, or whatever is necessary in order to meet the needs of the student. See additional information in Services Coordination section.

Indirect services are not billable, unless they are included in IEP.

1. **Changes in schedule**

As the provider, it is your responsibility to adhere to the commitment to provide services that may continue for one (1) to two (2) years. If schedule changes need to be made, notify supervisor/CEO and submit updated copy of your schedule and student’s schedule. Please make sure that each child’s mandate is reflected on your schedules with them.

1. **Summer Services**

Summer services are provided for six weeks( see calendar section for details).If a child receives a 10-month program, and the team agrees that a 12 month program is necessary, Nata’s Kids, Inc must receive rationales to extend the SEIT program to 12 months by the beginning of April. Request to amend IEP form is available on Nata’s Kids website. A child can receive a 10 month SEIT program and a 12 month Related Service Program, but this must be noted clearly on the IEP. Please note that if a child is not available for the duration of the six week summer session, a request for 12 month services should not be made.

1. **Location of services**

SEIT services must be provided at the site memorialized on the IEP meeting. Location of services is not interchangeable, even on temporary basis. Therefore, notify agency immediately as you know about perspective permanent changes, so that we can notify district administrator and request amendment.

There are two types of location:

1. **Regular early childhood center selected by the parent**

"Regular early childhood center selected by the parent" can be settings like UPK, a
religious-affiliated program, a public day care center, a private nursery
school or a Head Start center.
 **2.Childcare location selected by the parent**

"Childcare location selected by the parent" could be day camp, playgroup,
a babysitter's house, the kid's grandmother's home, or even the child's
own home with any responsible caregiver selected by the parent or even the
parent her/himself. A "child care location selected by the parent" is
never one of the types of programs covered under the definitions of a
"regular early childhood center selected by the parent".

**IV. Paperwork to be Submitted**

Monthly invoice, schedule for each student, daily session notes, monthly assessment form, school calendar and SEIT service forms have to be submitted **before the 3th date of the following month.** Quarterly progress reports, parent-teacher conference notes and curriculum maps are due by December 3th, March 3th, June 3th and September 3th. Assignment for services form is due within 5 days from the 1st eligible day of service. Make-up hours for a date before the first attend date are not allowed. Annual progress reports and IEP pages are due 8 weeks prior to IEP date.

Age out reports are due­­­­­­­­­­­ by February 1. Medical forms for teachers and students are due on annual basis. SEIT providers collect progress reports and IEP pages from related service providers. It is also the SEIT’s responsibility to check for and obtain missing documentation in each one of the files for children on his/her caseload.

Nata’s Kids, Inc employees are required to preserve the confidentiality of any and all records containing personally identifiable information. In addition, pursuant to the Family Educational Rights and Privacy Act, Nata’s Kids, Inc is required to ensure that parents are afforded the opportunity to inspect and review all records pertaining to the child and the child’s family (unless the parent is prohibited such access under State and Federal law). Please, see Confidentiality section for more details.

All forms are to be filled out completely and accurately. All original documents must include the provider signature with credentials. A signature by a teacher, parents or caregiver must be obtained for every session, on the day of the session provided, for every child. Parents may or may not give you permission to have a teacher or caregiver sign the session note.

All forms are available at www.nataskids.com

**V. CPSE/CSE Meetings**

1. **Preparation for IEP meetings/Annual Reviews**

SEIT providers must keep track of annual review dates for each student to whom they provide services. Annual Review means one (1) year from the date of the “original/initial” IEP. The SEIT is also responsible for informing related service providers of annual progress reports and IEP pages that are due, ten (10) weeks prior to IEP date. Annual reports and IEP pages should be gathered and submitted at least 8 weeks before the annual date.

Teachers are mandated to attend CPSE and CSE meetings.

1. **Other reasons for a meeting**

Additional meeting may be conducted if there was a request to amend IEP. You may request to amend IEP(frequency, location, termination of services, additional evaluation or 12-month program) when it is needed. Please, contact your supervisor or program director before you submit the form.

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**VI. Supervision**

Observations are conducted individually minimum twice a year. SEIT supervisor will observe your session and check paperwork. Observations are done unexpectedly according to the schedule you submitted to Nata’s Kids, Inc. SEIT supervisor will assist you in following learning standards, creating individual curriculum, completing paperwork and other areas if needed. If your student requires behavior management, please, notify your supervisor or CEO. You can request extra meeting or observation if needed.

**VII. Staff Guidelines**

1. **Staff Expectations.**

Teachers’ behavior at all times should accurately and honestly reflect Nata’s Kids Special Education Itinerant Services. Teachers should adhere to the guidelines presented in the program policy. Nata’s Kids, Inc is committed to conduct the business in an ethical, fair and legal manner .If you have any question or good faith concern at any time regarding legality of anything that you or anyone else is doing on behalf of Nata’s Kids, Inc, talk to your supervisor or Nata’s Kids administrator.

**DOs and DON’Ts:**

1. Introduce yourself to the parents and caregivers as soon as you start working with a student.
2. Inform parents and caregivers about your schedule. It is preferably to keep your schedule for the whole school year.
3. Be on time for all scheduled appointments. Inform parents or/and caregivers when you are not able to provide services because of sickness or emergency.
4. You may not accept, solicit or offer anything of value from anyone doing business with Nata’s Kids, Inc if the gift or gratuity results from your employment activity at Nata’s Kids, Inc.
5. You may never make false or misleading statement to anyone as a Nata’s Kids employee.
6. You are required to follow confidentiality policy.
7. Do not stay alone with your student. A family representative must be at home when services are provided at home. Caregivers should be able to observe you when you work at preschool.
8. Do not close a door or go into another area of the house without family permission.
9. Do not bring your children, other family members, friends or other non-professionals on a home visit
10. Do not take pictures of the child or their family without written permission from the parent/guardian.
11. Call police immediately, when you come to provide services at home and find a child unattended.
12. Do not drive your students in your personal vehicle.
13. Do not bring food or beverages into the classroom or home for your personal consumption.
14. Cell phones should be turned off during sessions and meetings.
15. Communication about the child with the teachers and parents should not happen in front of the child or in public areas.
16. Communication with parents, classroom teachers, therapists and other professionals should reflect appropriate language and boundaries. It should be conducted in professional manner and according to confidentiality law.
17. **Required Personnel Forms for Staff**

SEIT providers are responsible for keeping their personnel forms updated.

1. Application for Employment
2. Resume/Professional References (3)
3. Employment Agreement/Job Description
4. Medical Form( annually)
5. Hepatitis B Consent/Decline Form
6. I-9 Form
7. Social Security Card
8. Passport
9. Driver’s License
10. W-4
11. Certificate
12. License
13. Diploma
14. Fingerprint Authorization Waiver
15. Fingerprint Receipt
16. Statewide Central Register Form
17. Provider Information Form
18. Orientation Checklist
19. Corporate Compliance Receipt
20. Confidentiality
21. Infection Control Training certificate
22. Child Abuse Training certificate( every two years)
23. Signed notice and acknowledgement of pay rate( under section 195.1 of the New York state labor law) (annually)
24. Signed receipt of Nata’s Kids, Inc Provider Handbook( annually)

Please, check www.nataskids.com for updated list of required forms.

**VIII. Incident/Accident Reporting**

The intent of the incident report process is to enhance the quality of care provided to the students, to protect them from harm and to ensure that they are free from mental and physical abuse or neglect. The primary function of incident reporting is to enable Nata’s Kids administrators and supervisors to become aware of problems, to take corrective measures, and to minimize the potential for recurrence of the same or similar events or situations. Teachers will complete Child Abuse and Neglect training every two years. Additionally, all teachers will be trained in incident reporting procedures prior to their first day of employment.

1. **Reportable Incidents**

There are three types of incidents. All of them must be reported, reviewed and investigated according to the procedures contained in this document.

1. **Allegations of Abuse and Neglect**

Incidents in which the maltreatment or mishandling of a student would endanger the physical or emotional well-being of the student through the action or inaction on the part of anyone, including an employee, volunteer, visitor or others, whether or not the student appears to be injured or harmed. The failure to exercise one’s duty on behalf of a student also constitutes abuse.

Nata’s Kids Incident Reports should be written immediately following the incident by the staff person who first observed or discovered the event or situation. The staff member should complete it up to the signature line, and then submit it to his/her supervisor who will ensure that the proper notifications, investigations and follow-up will be done When teacher receives a report or observes an incident which does not involve Nata’s Kids staff directly, e.g. an allegation of abuse against a family member, friend or person in the community, incident reporting procedures should be followed. When child abuse or neglect is suspected, a report must be made to the Child Abuse Hotline immediately. A DSS-221 A Form must be submitted within 48 hours( see attached). Note that the Child Abuse Hotline will only accept allegations against family members, not employees.

All deaths suspected to be the result of abuse or neglect, suicides, homicides, accidental deaths due to suspicious, unusual or unnatural circumstances must be also reported immediately by telephone to the police. The police will notify the medical examiner.

1. **Serious Reportable Incidents**

Serious reportable reports include:

1. Injury to a student when the injury was caused by an act of that person or another which includes the overnight admission to a hospital or emergency room for a treatment or observation;
2. Injury to a student which was caused by an accident and which includes the overnight admission to a hospital or emergency room for treatment or observation;
3. Injury of unknown origin which includes the overnight admission to a hospital or emergency room for treatment or observation;
4. Missing person;
5. Death;
6. Restraint: the act of limiting or controlling a student’s behavior through the use of any device which prevents the free movement of both arms or both legs;
7. hospitalization
8. Reportable to Nata’s Kids, Inc incidents

Significant events or situations that may endanger a student’s well being which are required by Nata’s Kids to be reported. Examples of the incidents:

a) evacuation: a situation which necessitates the immediate evacuation due to fire, smoke, flood or other condition;

b) behavior which is dangerous to self or others, such as physical aggression by a student or self-injurious or potentially dangerous behavior. Behavior management plan will be developed in such cases;

c) accident in a vehicle. If a student was injured, the incident should be reported as serious.

1. **Family/guardian Rights.**

A student’s family member(s) or guardian is to be notified immediately of all allegations of abuse and neglect and all serious reportable incidents. In these situations, the notifications should be made by Nata’s Kids supervisor or administrator. If the allegation is abuse or neglect against the family/guardian, Nata’s Kids administration will determine whether or not communication with them is appropriate. The student’s family shall be given information during the investigation process and advised of the findings and conclusions. Whenever possible, the communication with families should be done in person or by phone. In providing such notifications, or any additional information regarding a serious reportable incident/allegation of abuse and neglect, the staff shall adhere to confidentiality requirements regarding students and respect the privacy rights of involved parties.

**X. Health and Safety Procedures**

Teachers will complete state-approved infection control course before they start working at Nata’s Kids. Certificate copies will be kept at teachers’ personal files.

During the provision of SEIT services at home, the student should always be supervised by his/her parents or caregiver. When you have any suspicion regarding student’s well-being, tell the parent/caregiver immediately.

When teachers provide services at day care/preschool, they should request an orientation at the beginning of the first visit. Specifically, teachers need to know evacuation route, emergency procedures and safety plan of the preschool/day care. Teachers should follow the facility health/safety/emergency procedures in addition to this policy.

**General guidelines:**

1. Wash hands at the beginning and end of each session
2. Toys and equipment must be washed before using them with another student. Toys and equipment must be disinfected on daily basis
3. Diapering and toileting needs that occur during a home visit should be taken care of by the parent/caregiver
4. When teacher provides services at daycare/preschool, gloves must be worn while changing or toileting a student and hands must be washed immediately afterwards.
5. Gloves must be worn at all times when teacher works with food or touches a student’s mouth
6. SEIT providers must discuss dietary restrictions with the parents/caregivers and adhere to them
7. Food reinforcers should not be used without parents’ knowledge and permission
8. Do not enter a building if it does not appear to be safe. Leave a building if you do not feel safe.
9. Immediately notify your supervisors if you have any safety concerns

Caregiver should contact the student’s doctor or emergency medical services (911) for help when needed. If the caregiver can reach the parent, the parent must come right away. Get help **immediately** for a student with any of the following conditions (this is not a complete list, when in doubt, call 911):

1. A temperature of 105 degrees F. or higher
2. Looking or acting very ill or getting worse quickly
3. Neck pain when the child’s head is moved or touched
4. A stiff neck or severe headache and looking very sick
5. A seizure for the first time
6. Acting unusually confused
7. Unequal pupils (black centers of the eyes)
8. A blood-red or purple rash made up of pinhead-sized spots or bruises
9. A rash of hives or welts that appears and spreads quickly
10. Breathing so fast or so hard that the child cannot play, talk, cry, or drink
11. A severe stomachache that causes the child to double up and scream
12. A stomachache without vomiting or diarrhea after a recent injury, blow to the abdomen, or hard fall
13. Stools that are black or have blood mixed through them
14. Continuous clear drainage from the nose after a hard blow to the head

**XI. Confidentiality**

Nata’s Kids, Inc is dedicated to protecting privacy and confidentiality of all information relating to our students. As a Special Education Itinerant Services Program, we are required to abide by Federal Family Education Rights and Privacy Act (FERPA) and the Individuals with Disabilities Education Act (IDEA) policies limiting disclosure of information. Teachers must safeguard at all times confidential information that is not intended to be disclosed; this information may only be released to authorized individuals. Nata’s Kids, Inc personnel is responsible for guaranteeing confidentiality. Confidentiality applies throughout the stages of collection, disclosure, storage and destruction of hard copy or electronic records. Teachers shall not verbally convey information about a child or family without written parental consent.

Parents or legal guardians have the right to access their child’s educational records under FERPA and IDEA. Parents will receive an explanation and interpretation of the student’s records if needed, also, parents can have a representative review the requested records on their behalf. When parents or legal guardians want to share the information with other schools, professionals or individuals, they are required to submit written consent. Parents have rights to obtain a copy of the requested record within 10 working days of receipt of the written request (5 working days if the request is made as part of mediation or impartial hearing.)Parents/legal guardians will be informed about their rights to access their child’s records at the beginning of their services and every year since then.

Child records and other personally identifiable materials may not be released or made be available to persons other than those authorized. Records are maintained in a locked file or cabinet at Nata’s Kids, Inc administrative office. A list of personnel authorized to have access to a student’s file will be placed in the front of each file. All individual records have a separate page which documents the date of access, the person who accessed the record and the purpose of the access. Requests for access to a student’s record will be kept in the student’s file. Correspondence or record of one child shall not reveal the name of another student or family. Records shall be disposed of by shredding.

Nata’s Kids should apply safeguards when communicating by email, fax or other method to keep personally identifiable information confidential. The least amount of identifiable information should be used (e.g. first and/or last initials) Email exchanges with parents and schools should also be copied to the Nata’s Kids supervisor. Child specific information should be transmitted only if all parties included in sending and receiving are able to maintain confidentiality. It is recommended to use disclaimer when corresponding by email or fax.

Statutes and regulations can be found at the following websites:

Family Education Rights and Privacy Act (FERPA) 20 U.S.C. § 1232g, Family educational and

privacy rights:

http://www.law.cornell.edu/uscode/text/20/1232g

Family Education Rights and Privacy Act (FERPA) 34 CFR Part 9:

http://www2.ed.gov/legislation/FedRegister/finrule/2004-2/042104a.pdf

Individuals with Disabilities Education Act Regulations, 34 CFR Part 300:

http://www.gpo.gov/fdsys/pkg/CFR-1998-title34-vol1/content-detail.html

**XI. Important Phone Numbers and Contact Information**

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**Respect in the Workplace Policy**

**(Anti-Discrimination and Anti-Harassment)**

**Purpose**

Nata’s Kids, Inc is committed to providing a work environment in which all employees are treated with respect and dignity at all times and, in particular, a workplace that is free from:

* Discrimination on any of the following grounds: race, ancestry, place of origin, color, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status, and disability
* Workplace harassment (including reprisal) for any reason, including because of any prohibited grounds.
* Bullying and psychological harassment.

The purpose of this policy is to establish programs and procedures to minimize and prevent workplace discrimination and harassment; to foster the safety and security of Nata’s Kid’s employees and other third parties in the workplace; and to ensure that all of Nata’s Kids employees are aware of, and consistently comply with, the Respect in the Workplace policies, programs, and procedures of Nata’s Kids at all times.

**Nata’s Kids, Inc will not manage, judge, or monitor employee interaction on personal, non-professional social media (e.g. Facebook, Instagram, Snapchat). Off-color jokes or posts by co-workers are not something you should report; unfriend people whose views you dislike rather than reporting them to. Only the most severe or illegal posts will be considered company incidents.**

**Scope**

This policy applies to all employees of Nata’s Kids.

This policy also applies to all activities, whether they occur during or outside of normal working hours, and whether they occur on or off Nata’s Kids property, so long as such activities are reasonably associated with the workplace, including social and business development activities.

**Definitions**

 **“Workplace”** means any place where Nata’s Kids business or work-related activities are conducted. It includes, but is not limited to: the physical work premises; work-related social functions and business development events; work assignments outside of Nata’s Kids premises; work-related travel; over the phone, via email or other electronic method if the communication is work-related; and elsewhere if the employee is there as a result of work-related responsibilities or a work-related relationship.

**“Harassment”** means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome. Workplace harassment under this policy includes, but is not limited to, harassment on any prohibited ground.

**“Sexual Harassment”** is a form of harassment under this policy. It means: (i) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity, or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome; or (ii) making a sexual solicitation or advance where the person making it is in a position to confer, grant, or deny a benefit or advancement to the worker and the person knows or ought reasonably to know the solicitation or advance is unwelcome.

 **“Reprisal”** means any retaliation, reprisal, or other form of negative action taken against an individual for having: (i) made a complaint under this policy (whether on behalf of oneself or another individual); (ii) participated or co-operated in any investigation under this policy; or (iii) been associated with a person who has made a complaint or who has participated or co-operated in any investigation under this policy.

**What Is Workplace Harassment?**

Workplace harassment can involve unwelcome words or actions that are known or should be known to be offensive, embarrassing, humiliating, or demeaning to a worker or group of workers in a workplace. It can also include behavior that intimidates, isolates, or discriminates against the targeted individual(s).

Examples of harassment include, but are not limited to:

* Making remarks, jokes, or innuendos that demean, ridicule, intimidate, or offend.
* Displaying or circulating offensive pictures or materials in print or electronic form.
* Spreading malicious gossip or rumors.
* Sabotaging work.
* Personal attacks on an individual’s private life or personal traits.
* Repeated offensive or intimidating phone calls or emails.
* Targeted social isolation.
* Sexual harassment.

**Distinguishing Workplace Harassment from Other Behaviors**

Harassment generally does not include reasonable action or conduct relating to the management and direction of workers or the workplace. This includes reasonable management action or conduct by any manager or supervisor that is part of their normal work function, and could include changes in work assignments, scheduling, managing, coaching, counseling, job assessment, performance evaluation, workplace inspections, implementation of workplace policies, implementation of health and safety measures, and disciplinary action.

However, if these actions are not exercised reasonably and fairly, they may constitute workplace harassment or discrimination. For example, if a worker was not assigned marketing leads or was not permitted to attend workshops because of their sexual orientation, this would likely be workplace harassment or discrimination.

Differences of opinion or minor disagreements between co-workers would also not generally be considered workplace harassment.

**What Is Workplace Sexual Harassment?**

Workplace sexual harassment can involve unwelcome words or actions associated with sex, sexual orientation, gender identity, or gender expression that are known or should be known to be offensive, embarrassing, humiliating, or demeaning to a worker or group of workers in a workplace. It can also include behavior that intimidates or isolates individual(s).

Examples of sexual harassment include, but are not limited to, unwelcome and unwanted:

* Sexual advances (whether or not they involve physical touching) and requests for sexual favors, especially where submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, or submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
* Sexual jokes, written or verbal references to sexual conduct, or gossip regarding sexual matters.
* Comments about, or inquiries into, an individual’s physical characteristics, mannerisms, conformity to sex-role stereotypes, sexual activity, deficiencies, or prowess.
* Sending or displaying sexually explicit or suggestive objects, pictures, posters, cartoons, etc.
* Sending or displaying emails, text messages, memos, or notes containing sexual references.
* Sexually suggestive or insulting comments or gestures, leering, or whistling.
* Unnecessary physical contact such as assault, touching, patting, pinching, or brushing against someone’s body with any underlying sexual connotation.
* Demanding hugs or dates.
* Any other conduct of a sexual nature that has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile, or offensive work environment.

Where the conduct or behavior includes inappropriate sexual touching, this may also constitute a criminal offence such as sexual assault.

**Distinguishing Sexual Harassment from Other Behaviors**

Nata’s Kids does not prohibit flirting and dating in the workplace for colleagues **with no reporting relationship** (i.e. managers may not flirt or date subordinates). However, please consider that there can be negative implications when relationships do not work out. Sharing a workspace on a daily basis after a failed relationship can create awkwardness for both parties involved as well as colleagues.

Nata’s Kids rules related to courting or dating in the workplace include:

* A social (including romantic) relationship welcomed by both individuals (for colleagues **with no reporting relationship**) is acceptable.
* Where two colleagues on the same team are dating and one is promoted to manage the other, disclosure of the relationship should be made to HR and HR will assist in making alternate supervisory arrangements.
* Existing marriages are permitted and are not considered an abuse of power (however, no reporting relationships will be permitted).
* Workplace relationships that pre-exist this policy **and involve executives or a reporting relationship** must be disclosed to HR and HR will assist in making alternate supervisory arrangements. In the case of executives, HR will ensure that reporting relationships are structured such that there can be no actual or implied abuse of power.
* Flirting (respectfully showing romantic attraction to another person) in the workplace is acceptable, and not a violation of this policy, **until you’ve been asked to stop once.** Any additional comments, texts, or emails of a romantic or sexual nature after once being asked to stop can be considered harassment and may be grounds for termination.
	+ Provided the flirting is respectful (i.e. not aggressively sexual), it’s necessary to say you are not interested once before future comments can be considered harassment. Verbally indicating you are not interested in future invitations is sufficient; sending an email or text that says: **“Let’s keep our relationship professional”** is a respectful and mutually clear way to ensure no further flirting of any kind should occur.

**Policy**

Nata’s Kids will not tolerate discrimination based on any prohibited ground by or against any employee. This means that all personnel actions (including, but not limited to, recruiting, hiring, training, testing, compensation, promotion, transfers, benefits, and all other terms and conditions of employment) will be carried out **without regard** to any prohibited ground.

Nata’s Kids will not tolerate harassment – of any manner or type – in the workplace by or against any employee. This includes workplace harassment by an employee against another employee and/or against any third party and, conversely, by any third party against any employee.

All employees are responsible to assist in preventing and minimizing workplace discrimination and harassment. This means that:

* All employees must comply with this policy and all supporting policies, procedures, and programs regarding workplace discrimination and harassment at all times.
* All employees who experience, witness, or otherwise become aware of workplace discrimination or harassment (including bullying or reprisal) must take appropriate steps to minimize, prevent, and otherwise deal with the workplace discrimination and harassment in accordance with this policy.
* Any employee who is unclear about whether a certain type of conduct may constitute workplace discrimination or harassment may speak to the program director.
* All employees must act responsibly and professionally at all times. This includes avoiding improper language or conduct that might be incorrectly interpreted by another individual as being workplace discrimination or harassment, and avoiding placing oneself in situations that could potentially lead to the appearance of workplace discrimination or harassment.
* All employees must attend any training or information sessions provided by Nata’s Kids to minimize and prevent workplace discrimination and harassment and/or otherwise review the contents of this policy and all supporting policies, procedures, and programs regarding workplace discrimination and harassment.
* All employees must cooperate with Nata’s Kids appointed investigators, the police, and other authorities, as required, during any investigation related to workplace discrimination or harassment. This includes providing complete and accurate information in the course of any investigation.

Nata’s Kids will investigate and deal with all known incidents of workplace discrimination and harassment in a manner that is fair, timely, and appropriate in the circumstances.

Nothing in this policy is intended to limit or constrain the reasonable exercise of management functions in the workplace.

An employee also retains the right to exercise any other legal avenues available.

**Bad Faith Complaints**

This policy must never be used to make false, frivolous, or malicious complaints against an employee or third party. Deliberately making false, frivolous, or malicious accusations of workplace harassment, discrimination, or violence, or providing false or misleading information in any resulting investigation, will result in serious disciplinary action, up to and including immediate termination of employment for cause. Please note that an unproven allegation is not necessarily deliberately false. There may be insufficient evidence to proceed or, while the Complainant may have had reason to believe that there was workplace harassment, discrimination, or violence, investigation results may not have borne out the complaint.

**Non-Compliance**

Employees who deliberately violate this policy will be subject to serious disciplinary action, up to and including immediate termination of employment for cause.

**NATA’S KIDS, INC.**

**1733 Sheepshead Bay Road S.36 Brooklyn, NY 11235**

**Tel (347) 414-9990 Fax (347) 252-0222**

**Receipt of Nata’s Kids, Inc Provider Handbook**

**including Respect in the Workplace Policy (Anti-Discrimination and Anti-Harassment)**

This is to acknowledge that I have received and read a copy of Nata’s Kids, Inc Provider Handbook and Respect in the Workplace Policy (Anti-Discrimination and Anti-Harassment). I understand all the policies, guidelines and practices of Nata’s Kids, Inc as a Department of Education contracted agency. I agree to comply with policies as outlined in the handbook. If I have questions regarding the content or interpretation, I will contact CEO or SEIT supervisor.

Name:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_