

**NORTH PROVIDENCE SCHOOL DEPARTMENT**  
**CLASSROOM OBSERVATION PROTOCOL**

**I. PURPOSE OF PROTOCOL**

The following requirements have been set forth and adopted by the District to ensure confidentiality and privacy rights of all students as guaranteed by state and federal law, rule and regulation. Additionally, the District seeks to ensure the safety and security of all students and staff, with minimal disruption to the instructional process.

**II. REQUIREMENTS**

The Principal, in consultation with the Director of Special Education, shall have the authority to approve or disapprove the entry of an observer to observe a student and/or classroom subject to the following requirements.

1. Parents must make a formal written request to the Principal and/or District to observe a classroom and/or student. The written request shall include the child's name, classroom, grade, teacher, duration and purpose of the observation.
2. Observers shall sign a disclaimer (See Attachment A) holding the observer accountable for the confidentiality and privacy rights of all students in the classroom.
3. Observers shall provide appropriate background check information as required by the district including a criminal background check.
4. Principal may limit the number of classroom observations when, in his/her judgment, the frequency of observations is disruptive or disadvantageous to teaching and learning.
5. If an observation is deemed disruptive for any reason, the observer(s) will be required to immediately leave the classroom and/or school building.
6. Observers shall not use photography, video or voice recording during an observation without prior notice and approval from the Principal. A copy of any such recorded data shall be provided to the District.

7. Observers shall communicate with the Principal within one week to mutually decide the date and time for the observation. Observations are 30 minutes in length.
8. While observing a student in the classroom, the observer shall not enter into a discussion with the teacher(s), other professional staff, the child, or other students in the classroom. The observer is not permitted to ask questions or make comments during the observation period except at the request of, or with approval of, the classroom teacher.
9. Any substantive discussions with teachers, other professional staff, or administrators after the observation of a child shall occur at a mutually convenient time. Such appointments will be made through the Principal.
10. An administrator and/or designee will be present with the observer in the classroom during the observation of the child.
11. All observers shall execute a disclaimer form for each observation to ensure the protection of confidentiality and privacy rights of all students in the classroom.
12. Any report or data generated as a result of the observation, to the extent it is to be utilized for educational purposes, shall be provided to the District.
13. In the event the observer is not a parent or legal guardian, the District reserves the right to require the observer to obtain a valid district approved release from such parent or guardian.
14. If the observer is an educational evaluator, educational advocate, expert or educational consultant, the Principal shall provide a staff member of similar certification to accompany the observer while on the school site. The staff member shall provide a report of the observation to the Principal.

### **III. DENIAL OF ACCESS**

When an observer fails to adhere to these requirements, the direction of the principal, or fails to adhere to the building rules and any applicable policies, the Principal or designee reserves the right to discontinue, limit or deny that observer's access to a particular school and/or classroom.

### **IV. DEFINITIONS**

**Disclaimer** – A signed form which holds an observer accountable for the confidentiality and privacy rights of all students being observed in a classroom.

**Educational Consultant** – Individual who IS contracted by the parent to provide an educational service or evaluation.

**FERPA** - The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records.

**Observers**—Parents of students in the school district or educational consultants or evaluators hired by the parent, who may conduct an observation.

**Observation**—An observation is defined as spending time in the classroom for the purpose of observing and collecting data regarding a child in the educational setting

**Parent** – Any individual who has legal custody over a minor student within the District or an individual legally permitted to act in the parents' place.

**PPRA** - the Protection of Pupil Rights Amendment affords parents of elementary and secondary students certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams.

**Individuals with Disabilities Education Act (IDEA)** – Federal Law which governs the provision of special education services and the rights of parents of a child with a disability. This law protects the privacy and confidentiality rights of students with special needs.

**Section 504 of the Rehabilitation Act of 1973** - Federal law that protects the rights and confidentiality of students who qualify for services under Section 504-medical and educational information and records.

**RI Regulations Governing the Education of Children with Disabilities** - Regulations issued by the Rhode Island Department of Education that protect the privacy and confidentiality of all information written, verbal, and observational regarding a student with special needs.

**R.I. Gen. Laws Title 16** -The Rhode Island General Laws governing education, including but not limited to those referencing or protecting student records and confidentiality.

REFERENCE: CLASS OBSERVATION POLICY ADPOTED BY THE SCHOOL COMMITTEE  
ON April 29, 2020

# TOWN OF NORTH PROVIDENCE SCHOOL DEPARTMENT

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## Confidentiality And Indemnity Agreement Observation of Student

It is the responsibility of the North Providence School Department to follow all state and federal laws relating to the confidentiality of information for both students and staff. Additionally, it is the policy of the North Providence School Department to provide our students and employees with a level of privacy and confidentiality with any information concerning any of our students or employees.

In the course of your observation you may have access to information about other student or employees, their families and/or personal business.

Therefore, I agree that:

I will hold any information that I obtain regarding any other student or staff member during my observation of student \_\_\_\_\_

In the truest confidence as required by law. I understand that I cannot use any information that I obtain about any student or staff member for any reason. I understand that if I violate this confidentiality agreement I shall never again be allowed to observe any student in the North Providence School Department and legal action could be taken against me. I further agree to indemnify the North Providence School Department in the event that I violate my confidentiality requirement and legal action is taken against North Providence School Department for any damages assessed against North Providence School Department.

I have read this confidentiality agreement and agree to its terms.

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

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

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

The North Providence School Department does not discriminate on the basis of race, color, religion, ancestral origin, sex, sexual orientation, gender identity or expression, age, disability, marital status, citizenship, genetic information, or any other characteristic protected by law. Individuals with disabilities may contact the Superintendent's office to request reasonable accommodation to participate in a program or activity sponsored by the North Providence School Department.