



Interpretive Memorandum 2012-3

DATE: **REVISED July 20, 2022** (Originally issued December 6, 2012 and revised August 17, 2015)

TOPIC: **GROUP I EDUCATION PROFESSIONAL ASSISTANT POSITIONS AT SCHOOL DISTRICTS OR SAUs SHOULD BE REPORTED AS EMPLOYEE MEMBERS**

PURPOSE:

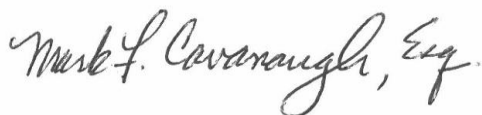
The purpose of this memorandum is to discuss the membership classification of professional assistant positions or “paraeducators” at school districts and school administrative units (SAU’s).

SUMMARY:

Individuals working in professional assistant positions should be enrolled as Group I Employees,¹ not Teachers.

ANALYSIS:

Historically, NHRS has viewed assistant professional positions such as certified occupational therapy assistants, certified physical therapy assistants, speech pathologist assistants, and nursing assistants as Employee Members. Professional assistant positions generally require less education, experience, and have less rigorous professional licensure or certification requirements than persons holding professional positions such as nurses, occupational therapists, speech pathologists, or physical therapists. Assistants generally act under the direction of a supervisor who is licensed in the relevant field. This interpretation is consistent with, and supported by, the definitions of “teacher” and “paraeducator” contained in N.H. Admin. R. Ed 501.02(aj) and (aa) adopted by the N.H. State Board of Education. Consequently, school districts and SAUs should enroll all individuals in professional assistant positions as Employee Members, not Teachers.



July 20, 2022

Approved by Mark F. Cavanaugh, Esq.
Associate Counsel and Compliance Officer

Approval Date

¹ Capitalized terms shall have the meanings as provided in the Interpretive Memoranda Glossary of Terms.

