

# MAINE STATE LEGISLATURE

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**Date:** September 29, 2022

**Source of Report:** [LD 633 \(Resolve 2021, Chapter 94\)](#), Resolve, Directing the Department of Education to Review Diversity, Equity and Inclusion Training and Other Professional Development for School Staff

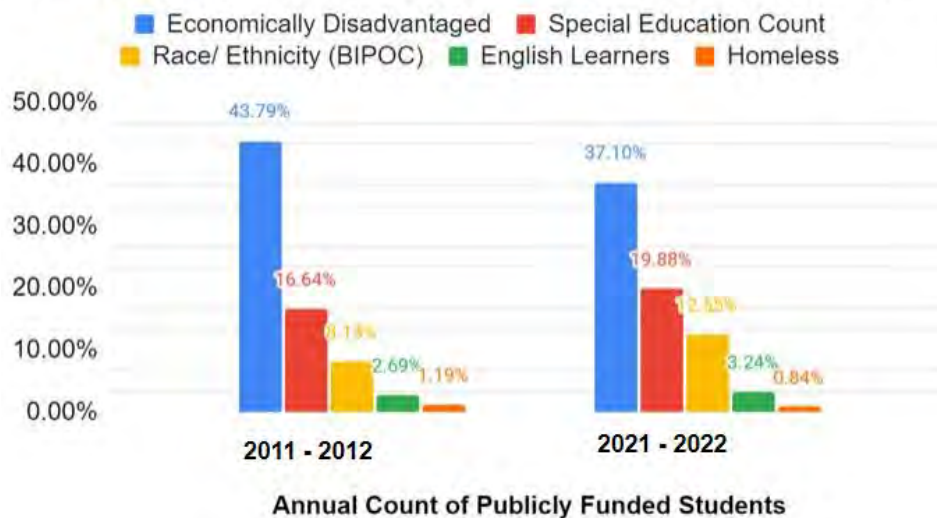
**Topic:** Diversity, Equity, and Inclusion Training and Professional Development Requirements

### Context

LD 633 directs the Department of Education (DOE) to review diversity, equity, and inclusion (DEI) training and other professional development requirements for school staff. Section 1 of the directive is specific to DEI training and asks the DOE to review best practices for training of school staff on issues related to DEI; to identify gaps in training, areas of strength; areas needing improvement; and curricula best suited to the needs of the State, its students, and school staff. Section 2 of the bill asks the DOE to review all current statewide professional development requirements and identify gaps in professional development, areas of strength, and areas needing improvement.

As student diversity increases in the Maine public schools, so does the need for diversity, equity, and inclusion (DEI) training. In the past 11 years, there has been a demographic shift across the state with a 4.42% increase in Black, Indigenous, People of Color (BIPOC); a 3.24% increase in special education students (age 6-21 years old); and 0.55% increase in English Learners.

### Maine Department of Education - Student Demographic Data



Source: Maine Department of Education, Data Warehouse 2022

\*Black, Indigenous, People of Color (BIPOC)

As there may be many different understandings of what constitutes DEI professional learning, the following definitions were developed by the DEI committee within the Department of Education and the definitions reflect the combined expertise of Maine's educational organizations.

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- **Diversity:** Recognizes the presence of difference within the school community often defined by various demographic indicators, such as: race, sex, age, gender identity, gender expression, language, physical and intellectual disability, socioeconomic status, sexual orientation, indigenous origin, and religion.
- **Equity:** The process of ensuring access to learning is provided to all students fairly and impartially with an emphasis on removing barriers and providing equitable resources for students of all demographics.
- **Inclusion:** The act of welcoming difference into the school environment by creating safe, inviting, and responsive spaces where diverse perspectives, experiences and cultures are valued.

## Actions

The DOE engaged in several activities to gather background information and data as directed in LD 633. The DOE organized meetings with internal and external stakeholders, including two student focus groups, developed a survey to gather data from the field, and conducted a review of mandatory professional learning.

### Meetings

**August 2021:** Internal - The DOE personnel developed a research plan and identified resources to support this work.

DOE personnel met with the Maine Education Policy Research Institute (MEPRI) and Southern Maine Partnership (SMP) representatives to discuss the resolve and areas on which the group could collaborate. Because MEPRI and DOE were given similar reports SMP agreed to assist with developing a survey to learn about school staffs' experiences with DEI professional learning during school year 2020 – 2021. As the work progressed, SMP connected DOE team members with Jeff Beaudry, Professor, USM, who conducted an analysis of the survey data.

**September 2021:** External – The DOE engaged with the Maine School Boards Association, Maine School Management Association, Maine Principals Association, Maine Education Association, Maine Administrators of Services for Children with Disabilities, Maine Curriculum Leaders Association to review the draft of survey and solicit feedback.

### DEI Survey to the Field

**November – December 2021:** The LD 633 Survey on the DEI Professional Learning Experiences of School Staff in School Year 2020 – 2021 was released. The survey was sent out through Maine DOE communication channels. Additionally, Maine's education organizations (Maine School Board Association, Maine School Management Association, Maine Principals Association, Maine Education Association, Maine Administrators of Services for Children with Disabilities, Maine Curriculum Leaders Association) shared the survey with their members.

### Student Focus Groups

Recognizing the importance of including a broad range of student voices in the work of LD 633, the Department worked with community partners and the Maine Principals Association to organize student

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focus groups. The timeline prescribed by LD 633 required the DOE to complete student focus groups during the school year. This timeframe proved to be a challenging time to engage with some students.

**November 2021:** Student focus group with the Maine Young People’s Caucus (total of six students) to listen to their experiences and perspectives with diversity, equity, and inclusion in their schools.

**December 2021:** Student focus group with members of the Maine Civil Rights Teams (total of six students) to listen to their experiences and perspectives with diversity, equity, and inclusion in their schools.

### **Review of Mandatory Professional Development Requirements**

**November 2021:** The DOE internal workgroup conducted a review of current statewide professional development requirements.

## **Findings**

### **Diversity, Equity, and Inclusion Survey**

#### **Survey Methodology**

The survey instrument was designed to fulfill the requirements of LD 633 through collecting information from staff, in Pre-K-adult public education, regarding their participation in training related to DEI. Instead of using the term training, the report adopted the congruent, and commonly understood term in the field, professional learning.

#### **Respondent Sample**

The survey was sent to all staff, in all Maine public schools. In school year 2020-21, the total staff in Maine public schools, from teachers to nurses, principals to bus drivers totals 25,762. The total sample size of respondents is 1,749 (6.7%) and represent school staff from all Maine counties.

The largest group to respond to this DEI Survey was teachers (n=850), followed by administrators (n=357). Respondents also include nurses, bus drivers, and custodians among other professionals. All grade levels and Adult Education were represented in the sample as well, Pre-K-grade 3 (n=620), grade 4 – 8 (n=809), grade 9 – 12 (n=669), and adult education (n=66).

#### **Survey Questions**

The survey instrument includes twelve questions, eleven were forced-choice questions, and one was open-ended. In Part 1, Questions 1 – 3 gathered demographic information, and the remainder asked about the DEI professional learning, and Part 2 collected data about the DEI professional learning. Respondents were permitted to have more than one choice for questions 4 – 11 in Part 2.

#### **Survey Findings**

Table 1 shows that there was a broad distribution of attendance of professional learning by school staff. Respondents were given the option to select more than one professional learning session, and many staff indicated attending multiple professional learning sessions. While there was a total of 3,671 professional development trainings attended, notably, 21.5% (n=376) of respondents indicated that they had not attended any professional learning sessions in the listed topic areas.

Altogether, there were 1,204 respondents who attended professional learning related to Racism, Comprehensive DEI and the DEI “other” category. The second most attended topic areas focused on

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Gender Identity / Gender Expression and LGBTQ+ / Sexual Orientation, with a total of 1,107 participants. Related topics on Physical and Intellectual Disabilities, Socioeconomic Status (SES), Indigenous People / Wabanaki Studies, and Language Diversity were attended by at least 180 respondents.

Table 1. DEI Professional Learning Topic Areas (Question 4)

<b>Training</b>	<b>Frequency</b>	<b>Percent</b>
Race/ Racism	668	38.20%
Gender Identity/ Expression	555	31.70%
LGBTQ+ Sexual Orientation	552	31.60%
Physical Disability / Intellectual Disability	500	28.60%
DEI Comprehensive Training	468	26.80%
Socioeconomic Status (SES)/ Poverty	451	25.80%
Indigenous People / Wabanaki Studies	260	14.90%
Language Diversity	183	10.50%
Diversity, Equity, and Inclusion (Other)	68	3.90%
World Religion	59	3.40%
None	376	21.50%

Professional learning opportunities were offered in virtual, in-person, and hybrid settings with respondents reporting that the most prevalent format for trainings events was “in-person” (48.1%) followed by “virtual” (35%). Nearly an even split of respondents reported having a choice to attend or being required to attend DEI professional learning (Question 5 and Question 7).

Table 2. shows that the most frequent source for DEI professional learning was provided to staff from “Outside Experts” (37%) with “Administrator/Staff” (27%) covering the next largest provider. A significant majority of respondents reported that professional learning opportunities tended to be “one-time” trainings of 1-5 hours in length, with less than 20% of professional learning sessions attended being more than 20 hours (Question 8).

Table 2. Training Provider (Question 6)

<b>Training</b>	<b>Outside Expert</b>	<b>Maine DOE</b>	<b>Prof. Assoc.</b>	<b>Higher Education</b>	<b>Admin/ staff in SAU</b>
Indigenous People / Wabanaki Studies	108	47	48	36	78
DEI Comprehensive Training	257	47	92	60	110
Diversity, Equity, and Inclusion (Other)	29	5	16	6	18
Race / racism	343	55	122	54	182

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Language Diversity	40	15	28	38	76
Gender Identity / Gender Expression	224	40	106	32	156
LGBTQ+ Sexual Orientation	241	35	105	30	153
Physical Disability / Intellectual Disability	138	84	93	143	174
Socioeconomic Status (SES)/ Poverty	160	36	73	64	171
World Religion	13	5	10	21	13

When asked to reflect on the quality of the DEI professional learning they had participated in, there was consistency across topics. More than 85% of respondents reported “Strongly Agreed” or “Agreed” with the positive impact of the DEI offerings on their preparation to serve diverse populations. Less than 15% of the respondents reported feeling less prepared to serve diverse populations (Question 9).

Table 3. shows a comparison between DEI professional learning that respondents attended over this past school year, with the DEI topics they would like more professional learning on in the future (Question 10). Of interesting note, respondents indicated participating in a total of 3,764 professional learning opportunities over the 2020-21 year, from across the topic areas but reported the desire for more than 5,400 trainings across topic areas for future DEI professional learning. The most requested topic respondents would like to see for the future would be related to “Poverty/Socio-Economic Status” with “Gender Identity/Expression” and DEI comprehensive professional learning following close behind.

Table 3: Comparison of DEI Topics Attended from 2020-21 and Desire for Future Trainings Topics

<b>Rank</b>	<b>2020 - 2021</b>	<b>Rank</b>	<b>Future Offerings</b>
1	Race/racism	1	Socioeconomic Status (SES)/Poverty
2	Gender Identity/Gender expression	2	Gender Identity/Gender expression
3	LGBTQ+ Sexual Orientation	3	DEI Comprehensive Training
4	Physical disability/Intellectual disability	4	LGBTQ+ Sexual Orientation
5	DEI Comprehensive Training	5	Indigenous People / Wabanaki Studies
6	Socioeconomic Status (SES)/Poverty	6	Race/racism
7	Indigenous People / Wabanaki Studies	7	Physical disability/Intellectual disability
8	Language Diversity	8	Language Diversity
9	World Religion	9	World Religion

## **Survey Limitations**

The 1,749 participant responses represent 6.7% of the total amount of school staff in the state (25,762). The largest group to respond was teachers (n=850), followed by administrators (n=357). The responses to the survey included a range of answers, some of which were consistent with the DEI definition from the survey and others that were outliers.

## **Findings from Student Focus Groups**

In order to learn about the school-related experiences of students pertaining to diversity, equity, and inclusion, the Department worked with community partners and the Maine Principals Association to hear directly from student representatives from across the state. Participating in focus groups organized by the DOE, students responded to open questions and discussed their experiences in schools. Responses were collected and collated and using qualitative analysis, a set of common themes emerged.

## **Uneven Training and Implementation**

Students shared some teachers had more knowledge, experience, confidence, and a commitment to incorporating diversity, equity, and inclusion in the classroom than others. Student examples include decisions and skills with curricula, pedagogy, and formal and informal interactions. Examples include some teachers only focusing on diversity on MLK, Jr. Day or Pride month and some teachers making insensitive comments about race. Students recommended that teachers learn to use more inclusive language.

## **Staff/Teachers need more professional learning**

Students reported the need for more DEI professional learning for teachers and staff. They would like teachers to be better prepared when teaching difficult lessons and stressed the need for better DEI practices, specifically in communicating with Black, Indigenous, people of color (BIPOC) students. Students shared several examples illustrating the need for teachers to diversify the curriculum and expressed a desire for student input in staff trainings. Also included in this theme was a request for more teacher training around mental health and neurodiversity. Students want to feel supported and connected.

## **Assumptions/Responses/Impact**

Students shared some teachers make inaccurate assumptions about them/their peers resulting in harmful interactions and expectations. Examples include wrong assumptions about students' sexual orientation, gender identity, capabilities/potential/intelligence based on race/ethnicity resulting in lower or higher academic expectations, experiences, and opportunities, as well as disproportionate disciplinary actions. Additionally, students reported teachers not addressing hate speech in the classroom and the need to foster a climate of mutual respect.

## **Best Practices for DEI Professional Learning**

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Research indicates that best practices for professional learning include active learning, supportive collaboration, expert coaching, feedback, reflection, and sustained duration, as well as, creating conditions (adequate resources, positive school culture, shared vision) for effective learning (Learning Policy Institute, 2017). While these practices are also essential to effective DEI professional learning, Valenzuela (2021), emphasizes the importance of faculty buy-in and creating a safe space for honest and difficult conversations when initiating DEI work. DEI includes a range of potentially sensitive topics, and ensuring participants have a space where it's okay to not know something, for self-reflection and exploration is important. Acknowledging that DEI work is a process, DEI professional learning is most successful when led by a skilled and knowledgeable facilitator (Krownapple, 2017).

During school year 2020 – 2021, the Maine DOE offered a series of DEI professional learning opportunities. Participants responding to exit surveys emphasized the importance of providing differentiated professional learning opportunities, as staff members may be at varying levels of development with DEI topics, and to provide DEI resources for content areas beyond the humanities. Indeed, in thinking about best practices for DEI professional learning for all school staff, considering the roles of the participants and ensuring the content is relevant to them is another critical component of effective DEI professional learning (Lewi, 2021).

### **Review of Current Statewide Professional Learning Requirements**

Current mandatory statewide professional learning for all staff includes emergency evacuation (fire drill, shelter-in-place, lockdown), mandated reporter, sexual harassment, suicide prevention, bullying/cyberbullying, and bloodborne pathogens. Other professional learning designated to a “sufficient number of staff or administrators” includes restraint/seclusion, fire extinguishers, video display terminals/ergonomics. Additional professional learning specific to certain staff positions includes asbestos, hearing conservation and respiratory protection for custodial staff, certified food protection manager for food service personnel, performance evaluations for all educators prior to system implementation and before evaluations are done, and youth mental health first aid training for health educators employed in secondary schools. Please see Appendix A for a detailed list of mandatory professional learning for school staff.

The content of professional learning for the renewal of professional certificates is determined at the local level. Professional staff obtain approval for their professional learning through their school administrative unit's (SAU's) local credentialing committee (LCC). School administrative units verify if a certificate may be renewed. Hours of professional learning required for renewal range from three (3) semester hours of approved study or 45 contact hours for education technicians, to six (6) semester hours of approved study or 90 contact hours for teachers, administrators, and education specialists. Detailed information about professional learning hours required for professional certificate renewals is noted in [Rule Chapter 115: The Credentialing of Education Personnel, Part 2: Requirements for Specific Certificates and Endorsements](#).

### **Required Professional Learning Specific to DEI:**

Exceptionalities Course: In order to become a certified teacher, administrator, and in some cases an educational specialist (ex. School counselor, library media specialist) in Maine, candidates must successfully complete an approved course for teaching students with exceptionalities in the regular classroom.



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DEI Course: The adopted changes to rule Chapter 115, Maine’s educator credentialing requirements, effective June 10, 2022, include a required diversity-centered course (e.g., culturally responsive teaching, multicultural education, intercultural education, second language acquisition or world language teaching methods).

### Recommendations

1. Enhance the Diversity, Equity, and Inclusion (DEI) professional learning opportunities across the state so that they are clear, consistent, and collaborative. The DOE will work with educational organizations to frame outcomes for DEI trainings in order to accomplish this recommendation.
2. The DOE will support educational organizations to use data from the focus groups, surveys, and the final MEPRI report as they continue to provide differentiated professional learning opportunities with a focus on race, anti-racism, socioeconomic status, poverty, gender identity, and gender expression.
3. Increase the capacity of DOE staff in order to provide DEI professional learning across the state. An increase in capacity will ensure that all public school staff feel supported and prepared to teach inclusive education practices.

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APPENDIX A



***Training Requirements for Public Schools***

Various Maine and Federal laws and/or regulations impose requirements for employee training. Some training is required for all employees, but some applies only to targeted groups. School administrators and supervisors need to know what training is required, which employees need it, and the frequency of each training course. Employee training records must be maintained by the school unit. The following list provides an overview of staff training requirements for various target groups in schools. MSMA has also identified training that is not specifically required but is recommended for the purpose of reducing school unit risk of exposure to liability. MSMA has also identified the three training platforms available through MSMA, and others as listed. While this list is current and to the best of our knowledge is accurate in August 2019, changes in laws/regulations may require modification or additions to this list.

**REQUIRED TRAINING**

	ALL STAFF		
Subject/Hazard		Frequency	Platforms: Live (L) PowerPoint (PP) Target Solutions (TS)
Sexual Harassment	All employees employed regularly.	Initial (upon hire, within first year)	TS
Emergency Evacuation, Fire Evacuation, and Emergency Action	All employees: evacuation drills (fire, shelter-in-place, lockdown, etc.) vary with the school type: High Schools: 6 Middle Schools: 8 Elementary Schools: 10  The first two must be fire evacuation drills and must occur within the first two weeks of school.	Annual	TS

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Restraint/Seclusion	All employees.	Annual awareness for all; DOE approved cert program for a “sufficient number of staff, administrators”	Contact Maine DOE
Suicide Prevention	All employees must have awareness training and designated staff must have “gatekeeper” suicide prevention training.	Initial and annual, gatekeeper: 5-year	Contact Maine DOE
Bloodborne Pathogens (some or all staff)	“Designated” employees must have initial and refresher training. The school’s exposure plan must spell out designated employees (7 job classifications are mandatory) <u>and it does NOT need to include all staff.</u>	Initial and annual and when new tasks risk exposure	L, PP, TS
Bullying/ Cyberbullying	School units are required to provide professional development and staff training in “best approaches” to bullying.	At least once, recommended annual refresher.	TS
Fire Extinguisher	“Designated” employees must have initial and refresher training. The school’s fire plan must spell out designated employees <u>and it does NOT need to include ANY staff.</u>	Initial and annual	L, PP, TS
Video Display Terminals/Ergonomics	Employees using a computer workstation more than 4 hours per day; more than a total of 20 hours per week.	Initial and annual	L, PP
	<b>TARGET GROUPS</b>		
	<b>Custodial, Food Service, Maintenance, Shop, Art and Science Teacher Staff</b>		

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Hazard Communication	Hazard Communication training, including global harmonization. Hazardous chemicals are expected in these areas: kitchens, custodial/maint, shops, art. <u>Note:</u> HazCom for science teachers has its own training standard (Lab Safety Standard).	Initial and SDS-specific training when chemicals change. (Annual)	L, PP, TS
Fire Extinguisher	If assigned, staff must be trained in use and purposes of extinguishers. Check fire plan.	Initial (1 hour) and annual review	L, PP, TS
Bloodborne Pathogens	Those employees identified in the exposure control plan (e.g. nurses, coaches, special ed techs, bus drivers, custodial, and kitchen).	Initial and annual	L, PP, TS
	<b>Custodial/Maintenance Only</b>		
Lockout/Tagout	Required if an employee repairs <u>any</u> equipment, work on buses, or work with energy (electric, pneumatics).	Initial and if program changes	L, PP, TS
Universal Waste	Required if an employee collects/manages waste, fluorescent bulbs, or computer monitors.	Initial	L, PP
Asbestos	Required for custodians, who work in a building with asbestos, and Asbestos Designated Person.	Initial and annual	L, PP, TS
Hearing Conservation	Required if an employee is exposed to 85 decibels for 8 hours or more. (contact MSMA for details).	Initial and annual	L, PP, TS
Respiratory Protection	Required if an employee is exposed to welding or paint fumes, or issued a	Initial and annual	L, PP, TS

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	respirator (not recommended).		
Confined Space	Required for employees working around deep sump pits, pellet silos, septic tanks, and other <u>dangerous to life spaces</u> -called permit-required confined spaces.	Initial upon hire	L, PP
Ladders, genie lifts, scaffolding, and forklifts	Required for employees required to routinely use a ladder, or for employees that use a genie lift, forklift or scaffolding. Must comply with owner's manual.	Initial upon hire	L, PP, TS
Integrated Pest Management (IPM)	The district-appointed IPM Coordinator needs two initial training courses as well as annual refreshers (1 hour). Contact the Board of Pesticides Control (BPC) in Maine Dept. of Agriculture.	Initial and annual	Contact BPC
	<b>Bus Driver Only</b>		
Topic	Emergency Evacuation on the Bus	Initial and twice annually	Maine Pupil Transportation Group (MAPT)
Topic	Safe Riding Rules and Practices	Initial and twice annually	MAPT
	<b>Food Service Only</b>		
Certified Food Protection Manager	Required to be on-staff if accepting federal funds for programs. Contact Department of Education for details.	Initial	Contact Maine DOE
	<b>Other Groups</b>		
Performance Evaluations	Required for all educators prior to system implementation and	Initial	Contact Maine DOE

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	before evaluations are done.		
Concussions/Head Injuries	Required for athletic directors, coaches, and other designated employees.	Initial and every two years, or if protocols change	Contact Maine DOE
Freedom of Access Act	Required of board members and any school's designated "public access officer".	Initial, upon oath/appointment	
Administering Medications	Required of all non-licensed staff who administer meds to students.	Initial and annual	
Homeless Students	Required of all homeless liaisons to the school.	Initial	
Mandated Reporter	Required of all staff to report the possibility of child abuse.	Initial, review every 4 years	Maine DHHS (only)
Child Sexual Abuse	Required K-5 staff to attend training in addition to above regarding child sexual abuse.	1 hour	Maine DOE, LD1180

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**RECOMMENDED TRAINING**

	<b>ALL STAFF</b>		
Confidentiality of Student Info (FERPA)	All employees and volunteers, includes notification and reintegration teams.	Not specified, at least once recommended	
Gender Equity	Board members, teachers, and administrators	Not specified, at least once recommended	
Slips/Trips/Falls Injury Prevention	All employees and in particular staff involved in custodial, food service, maintenance, special ed, and bus driving activities.	Not specified, recommend yearly for at-risk staff and every 3 years for all staff	L, PP, TS
Soft Tissue (muscle, tendon, etc.) Injury Prevention	All employees and in particular staff involved in custodial, food service, maintenance, special ed, and bus driving activities.	Not specified, recommend yearly for at-risk staff and every 3 years for all staff	L, PP, TS
Special Education Injury Prevention	All special education staff	Not specified, recommend yearly	
Crossing Roadways (not directing traffic)	Recommended of school employees (paid or volunteers) engaged in crossing students on public roadways to and from school buildings.	Initial	
	<b>TARGET GROUPS</b>		
Various	MSMA maintains a list of available beneficial training courses not required by law.	Various	Contact MSMA

***Ways to Obtain Training***

MSMA provides members with three platforms to obtain both required and recommended training courses:



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1) **Live Presentations.** MSMA's Risk and Safety Manager, Ed Antz at [eantz@msmaweb.com](mailto:eantz@msmaweb.com), offers live safety training course presentations. MSMA has 30 or so safety-related PowerPoint presentations, focused on public school activities, which are well-suited for custodial, food service, maintenance, and bus driver staff.

2) **Train-The-Trainer PowerPoint Presentations.** MSMA offers to train school unit staff to be able to present the PowerPoint presentations for use in training their own staff. Trainers should be familiar with the materials being presented or perhaps sit in and attend one or more of the live presentations for topic-specific information.

3) **Online Training.** MSMA contracts with TargetSolutions to allow members free access to more than 150 health, safety, and human resource types of training courses. The online training platform also allows members to easily track and assign training courses. These courses are suited best to individual learning for people with good reading skills. Most courses are general-industry oriented, not school-specific. For more information, please contact **Amy Cline** at TargetSolutions: [amy.cline@vectorsolutions.com](mailto:amy.cline@vectorsolutions.com) or call 1-858-524-3330.

Disclaimer: MSMA provides this list, and the training course presentations themselves, for information only. The information is not intended as legal advice or to substitute for the advice of a school unit's legal counsel. MSMA makes no representation as to the completeness or accuracy of the list or the completeness or adequacy of courses offered. School units are solely responsible for compliance with applicable laws and regulations. Questions regarding specific training requirements should be directed to the applicable regulatory agency.