

## **ARTICLE 49 – SPECIAL EDUCATION**

### **1. Class Size/Case-Load Maximums**

- 1.1. Class size and/or case load maximums for special education professionals shall be (see attached chart)
- 1.2. Special education professionals shall be defined as nurses, speech/language pathologists and special education teachers.
- 1.3. Adjustments to case load during the school year are to be made after maximums have been exceeded for ten (10) consecutive days after which the District has ten days to take action to alleviate the excess caseloads above the maximum outlined above.
- 1.4. When mainstreaming Special Day Class students in grades K-6, District site leaders will attempt to assign students equitably amongst all classes at the appropriate grade level.
  - 1.4.1. It is the intent of the District to notify the affected unit member(s) prior to assigning students with special needs into the regular classroom.
- 1.5. On a monthly basis the Association shall be provided with a report from Special Education listing the class size/case load for every special education teacher and nurse.

### **2. Professional Development**

- 2.1. Bargaining unit members will be provided opportunity to participate in training programs either prior to or concurrently with the implementation of new instructional and/or assessment programs in either special education or regular education classrooms.

### **3. IEP Development and Review Meetings**

- 3.1. All special education professionals shall have up to one (1) day of release time per semester available on an annual basis for the purpose of assessing current or potential students, preparing IEPs and conducting IEP meetings.
- 3.2. General education teachers who are members of an Individual Education Plan (I.E.P.) development or review team shall be provided released time to attend such meetings that may be held during the teacher's instructional time.
  - 3.2.1. General Education teachers shall be invited to the IEP Team meeting when mainstreaming into their class will be considered. Where existing IEPs identifying mainstreaming are to be implemented, pre-planning and consultation between the teachers and/or administrative staff will occur.

### **4. Assignment**

- 4.1. RSP teachers shall not be simultaneously assigned to serve as resource specialists and to teach general education classes, if funded solely by Special Education.
- 4.2. Any student who does not have a valid IEP shall not be served by the Resource Specialist Program. (RSP)

- 4.3. Any teacher who possesses a Special Education credential and is assigned to teach in the Special Education Program shall be paid his/her per diem rate when providing services during the extended year program [i.e. between the close of one academic year and the beginning of the succeeding academic year] to a student whose IEP requires extended-year special education services that are comparable in standards, scope and quality to the special education services provided during the regular school year.
- 4.4. Subject to the approval of the site principal, the nurse will develop, at the beginning of the school year, a work schedule inclusive of record-keeping time based on school/student needs. During this scheduled record-keeping time, students will be seen only in cases of emergency.
  - 4.4.1. If a nurse's scheduled duty-free 30 minute lunch break is interrupted for emergencies or special situations, compensatory time shall be granted or the lunch period extended so that the situation is handled in accordance with the Hours provision of this agreement.
  - 4.4.2. Any special education professional serving in an itinerant capacity shall be given appropriate travel time between sites.
    - 4.4.2.1. This travel time shall not be construed to be in place of their daily prep time or duty free lunch as outlined in the Hours article of this contract.
  - 4.4.3. Other than nurses, special education professionals shall not be required to perform medical procedures for students or assume responsibility for the performance of such procedures except for the routine administering of medication. However, voluntary training for Special Education teachers shall be provided, at Employer expense, if specialized physical/health services are required.
  - ~~4.4.4. Every effort will be made to ensure that no more than 10 percent of all students enrolled in any general education physical education class are identified emotionally or physically handicapped.~~

## 5. Facilities, Supplies and Equipment

- 5.1. Each Special Education professional shall be assigned to a classroom/adequate work area with appropriate privacy and furniture for students and Paraprofessionals. This classroom shall include adequate ventilation and secure storage for instructional materials and records.
  - 5.1.1. SLPs shall have a secure, designated place for storing their instructional materials at each school site.
  - 5.1.2. Whenever a Special Day Class (SDC) is placed on a District campus, which includes general education classes, preference shall be given to locating the SDC class in close proximity to age-appropriate general education classes.
  - 5.1.3. Special education professionals shall have, on an equal basis with general education unit members at the site, access to all school site equipment and instructional material designated for general use by regular classroom teachers.

5.1.4. Special education professionals shall be invited to participate in the interview process to fill paraprofessional and aide vacancies in their programs.

## **6. Special Education Committee**

- 6.1. In an effort to improve communication and collaborative problem-solving, a special education committee shall be established.

ARTICLE 49 – SPECIAL EDUCATION – FTA PROPOSAL for NOV 14, 2013

**HIGHLIGHTS: Parties Agree on Language**

Class Size*	Preschool /Kindergarten			Grades 1-3			Grades 4-6			Middle School			High School
	No Aide	1 Aide	2+ Aides	No Aide	1 Aide	2+ Aides	No Aide	1 Aide	2+ Aides	No Aide	1 Aide	2 Aides	
<b>Mild-Moderate</b>													
SDC	NA	8	12	NA	12		NA	15		NA	15		15-1 Aide
<b>SDC-Functional Skills</b>			10			10			10			10	10-2 Aides
<b>SDC-Severe/Profound</b>	NA	NA	8	NA	NA	8	NA	NA	8	NA	NA	8-2Aides	
<b>DHH/V/OH</b>													
SDC	NA	8		NA	8		NA	8		NA	9		9-1 Aide
<b>Autism</b>													
SDC	NA	NA	8	NA	NA	9	NA	NA	9	NA	NA	10	10-2 Aides
<b>Emotionally Disabled</b>													
Mental Health Day Treatment	NA	NA	NA	NA	NA	8	NA	NA	8	NA	NA	8	8-2 Aides
Intensive/Intervention	NA	NA	NA	NA	NA	8	NA	NA	8	NA	NA	8	8-2 Aides
Social-Emotional Intervention	NA	NA	NA	NA	NA	10	NA	NA	10	NA	NA	10	10-2 Aides
<b>Total Case Load**</b>													
<b>Mild-Moderate</b>													
RSP/CBI/ Inclusion	28												
<b>DHH/V/OH</b>													
Itinerant	16												
DIS: SLP, APE, OT, PT	50												
<b>Infant Program</b>													
	18												
<b>ISGI</b>	50	No more than two (2) instructional periods per day											
<p><b>*SDC/Class Size is to be defined as the number of students in a special education class. (These are students who receive more than 50% of their daily instruction from a special education teacher and/or are on an SDC classroom roster.)</b></p> <p><b>**Case load is to be defined as the number of special education students that are serviced weekly by a special education professional. (These are students who are on the general education class roster and receive special education services for less than 50% of the school day)</b></p>													