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### ARTICLE 27 – SPECIAL EDUCATION

#### 27.1 SPECIAL EDUCATION CASELOADS

The District and the Association recognize that several variables impact the workload of Special Education staff. The District will attempt to maintain caseloads as set forth below and class sizes as set in Article 8, the workloads will be balanced based on the criteria set forth below.

##### 27.1.1. Definitions

**27.1.1.1.** “Education Specialist Teacher” refers to any teacher holding an Education Specialist credential.

**27.1.1.2.** “Caseload” refers to the number of students with IEPs for whom the special education teacher, any teacher with an Education Specialist credential, is assigned, and each student is counted as “one” no matter the needs or severity.

**27.1.1.3.** “Class size” refers to the number of students with IEPs for whom the special education teacher is providing direct services to in a separate classroom or special education setting.

**27.1.1.4.** “Resource Specialist Program Teacher,” “RSP Teacher,” and “Resource Teacher” shall indicate to the same position as defined by California Regulations and Educational Code (Cal. Ed. Code) § 56362.

**27.1.1.5.** “Case Manager” is defined as the employee assigned as the case manager in the District system.

**27.1.1.6.** “Special Day Class,” “Special Education Class,” or “SDC” shall indicate a non-regular education classroom in which the assigned teacher has an Education Specialist Teacher credential. Special Day Classes also include Counseling Enriched Classes or “CEC” classes.

**27.1.1.7.** “Assigned” refers to any student with an IEP for whom the Education Specialist Teacher is providing direct or consultation services or is



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assigned as a case manager.

**27.1.1.8.** “Workload” refers to all of the responsibilities required of the special education teacher and is based on the degree of the student needs.

### **27.1.2. Mild to Moderate and Moderate to Severe Special Day Class Assignments**

In an effort to ensure that teachers are prepared, have access to appropriate curriculum, additional materials, training and support, PEA and PUSD will make every effort to clarify job duties and roles for special day class teachers:

**27.1.2.1.** Any teacher assigned to a mild/moderate special day class, regardless of additional descriptions to the mild/moderate special day class (autism, CEC, etc..), shall NOT be assigned students whose IEP teams, per the student’s current IEP, determined and noted any ONE of the following on the student’s IEP:

1. ELA and Mathematics curriculum are 50% or more modified, to address functional concepts, which can be noted by the following or similar language under MODIFICATIONS, “Focus on mastery of more functional concepts in mathematics and English Language Arts”.
2. The student’s IEP team has written only functional goals for the student addressing content standards in English Language Arts and Mathematics two or more years below the student’s current grade level.
3. The student’s IEP team determined the student will take the California Alternative Assessments as noted on the student’s current IEP.
4. The student’s most recent triennial, or current initial, assessments (Eligibility Evaluation) determined the student is performing three or more years behind same age typical peers in these two areas: Academic and Adaptive/Daily Living Skills (For Teachers teaching in Preschool, TK and Kindergarten this indicator will likely be the only one that determines the appropriate classroom teacher).



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**27.1.3.2.** Any teacher assigned to a moderate/severe special day class, regardless of additional descriptions to the moderate/severe special day class (Autism, CEC, etc.) shall ONLY be assigned students whose IEP teams, per the student's current IEP, determined and noted any ONE of the following on the student's IEP.

1. ELA and Mathematics curriculum are 50% or more modified, to address functional concepts, which can be noted by the following or similar language under MODIFICATIONS, "Focus on mastery of more functional concepts in mathematics and English Language Arts".
2. The student's IEP team has written only functional goals for the student addressing content standards in English Language Arts and Mathematics two or more years below the student's current grade level.
3. The student's IEP team determined the student will take the California Alternative Assessments as noted on the student's current IEP.
4. The student's most recent triennial, or current initial, assessments (Eligibility Evaluation) determined the student is performing three or more years behind same age typical peers in these two areas: Academic and Adaptive/Daily Living Skills (For Teachers teaching in Preschool, TK and Kindergarten this indicator will likely be the only one that determines the appropriate classroom teacher).

### **27.1.4. Preschool Special Day Classes**

**27.1.4.1.** Any Education Specialist Teacher assigned to teach a preschool special education class will have a caseload cap of 14 students.

**27.1.4.2.** Any Education Specialist Teacher assigned to teach a preschool special education class shall be assigned one full time special education para educator for every three students assigned to the teacher.



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### **27.1.5. RSP Teacher**

**27.1.5.1.** Resource Support Program Teachers (RSP) will have a caseload cap of no more than 21 students.

**27.1.5.2.** All Initial IEPs, in which assessments have been assigned to a RSP, during the assessments and until such time as the related IEP is held, shall count toward the assigned Resource Teacher's caseload.

**27.1.5.3.** RSP teachers shall be assigned one full time special education aide. The aide assigned to the RSP teacher cannot be utilized by any administrative decision as one on one support for any one student for more than 30 minutes per day.

**27.1.5.4.** During the 2023/2024 school year, RSP teachers required to complete student service logs for students on their caseload, shall receive one half day of training during the paid workday, on completing service logs. Thereafter, any new RSP teacher shall receive one half day training during their regular workday on completion and use of service trackers.

**27.1.5.5.** RSP teachers required to complete student service logs for students on their caseload shall receive two extra paid days in the 2023/2024 calendar school year to complete service logs for the 2023/2024 school year that are overdue.

**27.1.5.6.** RSP teachers required to complete student service logs for students on their caseload shall be released 30 minutes early from each Wednesday PD/Staff Meeting to complete service logs for the previous week or be compensated 30 minutes pay each week to complete service logs on their personal time at the teacher's request.



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### 27.1.6. SDC Teacher

**27.1.6.1.** Special Day Class Teachers shall be assigned one full time special education aide per every three students assigned to the teacher.

**27.1.6.2.** During the 2023/2024 school year, SDC teachers required to complete student service logs for students on their caseload, shall receive one half day of training during the paid workday, on completing service logs. Thereafter, any new SDC teacher shall receive one half day training during their regular workday on completion and use of service trackers.

**27.1.6.3.** SDC teachers required to complete student service logs for students on their caseload shall receive two extra paid days in the 2023/2024 calendar school year to complete service logs for the 2023/2024 school year that are overdue.

**27.1.6.4.** SDC teachers required to complete student service logs for students on their caseload shall be released 30 minutes early from each Wednesday PD/Staff Meeting to complete service logs for the previous week or be compensated 30 minutes pay each week to complete service logs on their personal time at the teacher's request.

**27.1.6.5.** Special Day Class Teachers shall not be assigned students in more than two consecutive grade levels in any academic year, resulting in, for example, combo classes of no more than two grade levels, eg. k/1, 2/3, 4/5 etc.

**27.1.6.6.** Education Specialist Teachers assigned to a Mild/Moderate Special Day Class, shall be trained, during the scheduled workday, for 6 or more hours, at minimum once every three years, in creating accommodations to and utilization of the regular education curriculum.

**27.1.6.7.** Education Specialist Teachers assigned to a Moderate/Severe SD Class, shall be trained, during the scheduled workday, for 6 or more hours, at minimum once every three years, in the district adopted alternative curriculum.



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**27.1.6.8.** SDC Teachers at the Jr High School Level, that co-teach courses and students with other SDC teachers, will have caseload caps of no more than 16 students.

**27.1.6.9.** SDC Teachers at the High School level that co-teach courses and students with other SDC teachers, will have caseload caps of no more than 22 students.

**27.1.6.10** SDC Elementary SDC Teachers caseload cap will be their class size cap as stipulated in Article 8.

### **27.1.7. Caseload Monitoring**

Caseloads will be monitored on a regular basis, consistent with general education class size monitoring, to ensure compliance with the collective bargaining agreement. Additionally, individual educators who are over caseload shall be able to report such overage.

The District shall provide to the Association disaggregated class size and caseload numbers of all Education Specialist Teachers in the District by October 15 and February 15 of each school year. At any time, the Association believes that an imbalance may exist, the Association may request, and shall receive from the District within 5 working days, the enrollment report for each classroom and class period for the requested site.

## **27.2. SPECIAL EDUCATION COLLABORATION TIME**

**27.2.1.** At all school sites, administrators will ensure common planning time between Education Specialist Teachers and the Regular Education Teachers whom they currently share students with or will be sharing students with, for at least one hour per month during the workday.

## **27.3. WORKLOAD**

### **27.3.1. Equitable Distribution of Workload**

**27.3.1.** Caseloads shall be equitably distributed at each school site and special education classes across the District not by equal caseload numbers,



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but based on the application of the Elements of Special Education Workload identified and defined in this Section.

**27.3.2.** Workloads shall be equitable at school/work sites and across special education classes in the District. The requirement that workloads be equitably distributed at work/school sites and across special education classes in the District, based on application of the Elements of Special Education Workload.

### **27.3.2.** Elements of Special Education Workload

**27.3.2.1.** Specialized Academic Instruction - Includes direct instruction and indirect service such as consultation with general education teachers, co-teaching, modification/adaptation of curriculum, and planning with related service staff.

**27.3.2.2.** Assessments and Reassessments - Includes initial assessments, interim assessments, three-year reviews, and other special education assessments as needed.

**27.3.2.3.** IEP Management Responsibilities - Includes program development, coordination of services, parent communication related to the IEP, annual review, progress monitoring and reporting, behavioral assessments, manifestation determinations, and behavior plans.

**27.3.2.4.** Preparation Time - Includes time within the instructional day to prepare instruction.

**27.3.2.5.** Directing the Work of Paraprofessionals - Includes directing work, training and planning for one-to-one aides, and other paraprofessionals.

**27.3.2.6.** Other Special Education Assignments - Includes lunch or recess supervision of special education students.