

TENNESSEE STATE BOARD OF EDUCATION

SPECIAL EDUCATION CASELOAD AND CLASS SIZE STANDARDS

3.206

Policy Sections

- I. Purpose
- II. Caseload Requirements
- III. Class Size Requirements
- IV. Waiver Requests

I. Purpose.

T.C.A. § 49-1-104(b) requires the State Board of Education to establish class size and caseload standards for instructional personnel and teachers having the primary responsibility for developing, implementing, and updating a student's individualized education program (IEP). In addition to caseload requirements, these standards shall address class size in all classrooms that include students with disabilities and students eligible for special education services.

This policy is designed to set minimum standards toward improving staffing practices based on the learning needs of the student and the instructional capacity of the teacher. These class size limits allow LEAs and public charter schools to be innovative in the way they provide for the learning needs of all students. LEAs and public charter schools shall develop policies to ensure each teacher's ability to succeed in addressing the educational needs of all students as they continue to advance in the general curriculum.

II. Caseload Requirements.

The assignment of any student eligible for special education to a caseload shall ensure a free appropriate public education (FAPE) and shall be based on the IEP of each child as required by the Individuals with Disabilities Education Act (IDEA) and all state statutes, rules and regulations enacted or promulgated pursuant to such Act. Each LEA and public charter school shall develop and implement staffing procedures to ensure that instructional personnel having the primary responsibility for the development, implementation and updating of a student's IEP have a caseload determined based on the unique needs of students being served in a manner that ensures all students receive a free and appropriate public education FAPE.

III. Class Size Requirements.

LEAs and public charter schools shall establish class sizes based upon the instructional needs of the students. However, special education class size shall not exceed the limits specified for average class size pursuant to T.C.A. § 49-1-104(a). The average size of any grade level unit for a special education class shall not exceed the average class size required by T.C.A. § 49-1-104(a), however, any individual special education class within that grade level unit may exceed the average; provided, that no class shall exceed the prescribed maximum size pursuant to T.C.A. §

TENNESSEE STATE BOARD OF EDUCATION

SPECIAL EDUCATION CASELOAD AND CLASS SIZE STANDARDS

3.206

49-1-104(a). Class size limits may be exceeded in such areas as typewriting, junior reserve officer's training corps (JROTC), and instrumental and vocal music classes; provided that the effectiveness of the instructional program in these areas is not impaired and the individual needs of the child are met. The class size limits are the following:

| Grade Level | Average Class Size |
|-------------|--------------------|
| K-3 | 20 |
| 4-6 | 25 |
| 7-12 | 30 |
| CTE Classes | 20 |

IV. Waiver Requests.

The Commissioner of Education may grant waivers of the special education class size requirements including allowing the use of additional trained paraprofessionals who work under the direct supervision of a licensed and endorsed special education teacher.

The LEA or public charter school shall submit in writing to the Commissioner of Education a request for a waiver. Documentation shall include:

- (1) A copy of the LEA or public charter school's instructional staffing procedures;
- (2) The circumstances necessitating the waiver;
- (3) A schedule for self-monitoring of student IEPs to ensure educational benefit; and
- (4) Assurances that the needs of children eligible for special education and the mandates of the IDEA and all state statutes, rules and regulations enacted or promulgated pursuant to such act are met.

The Department shall post to its website any waiver of statutes, rules, regulations, or policies granted by the Commissioner pursuant to State Board of Education Rule 0520-01-02-.12.