

# TENNESSEE STATE BOARD OF EDUCATION

## SPECIAL EDUCATION CASELOAD AND CLASS SIZE STANDARDS

3.206

TCA 9-1-104 requires the State Board of Education to develop staffing standards to provide for the learning needs of all students including the needs of students eligible for special education.

This policy is designed to set minimum standards as a first step towards improving staffing practices based on the learning needs of the student and the instructional capacity of the teacher. These caseload and class size limits will allow school systems to be innovative in the way they provide for the learning needs of all students. School systems 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. Implementation of standard one is subject to additional appropriations from the general assembly that addresses the fiscal impact on local school systems.

1. The assignment of any student eligible for special education shall ensure a free appropriate public education and shall be based on the individual educational program (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. Beginning in the school year following the appropriation from the general assembly, each school system shall develop and implement staffing procedures to ensure that no instructional personnel having the primary responsibility for the development, implementation and updating of a student's individualized educational plan (IEP) shall have a caseload that exceeds caseloads specified in the Basic Education Program (BEP) for special education; a school system may increase a teacher's caseload in options 5, 7, and 8 by providing trained paraprofessional support consistent with Department of Education guidelines.

The following standards shall take effect in the 2002-2003 school year.

2. School systems shall establish class size based upon the instructional needs of the students. Special education class size shall not exceed the limits specified for average class size pursuant to TCA §49-1-104(a). In addition to certified instructional personnel, systems may provide trained paraprofessional support consistent with Department of Education guidelines to meet the average class size specifications. Class size limits may be exceeded in such areas as keyboarding, instrumental music, and vocal music, 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:

<b>Grade Level</b>	<b>Class Size</b>
K-3	20
4-6	25
7-12	30

Vocational Education 20

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The Commissioner of Education may grant waivers to the special education caseloads and special education class size including allowing the use of additional trained paraprofessionals.

3. The school system shall submit in writing to the Commissioner of Education a request for a waiver. Requests shall be submitted as an amendment to the school system's comprehensive plan for special education, the school's improvement plan and as an addendum to the system's Title I plan. Documentation shall include:
  - a. A copy of the school system's instructional staffing procedures,
  - b. The circumstances necessitating the waiver,
  - c. A schedule for self monitoring of student IEPs to ensure educational benefit, and
  - d. 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 commissioner shall provide an annual report to the State Board of Education including the number of waivers requested and the number of waivers granted by school system, with the circumstances necessitating each waiver.

4. By September 2003, all school systems shall develop and implement policies for the equitable and educationally sound placement of students including students with disabilities and students eligible for special education services in all classrooms. Policies shall describe how the system ensures that provisions for a free appropriate public education in state and federal laws are being met. These policies shall be included as part of the school system's comprehensive plan for special education, each school's improvement plan and as a part of the system's Title I plan.
5. The State Department of Education shall review each system's policies, Title I plan and school improvement plans to ensure that a continuum of services is being provided consistent with rule 0520-1-9 Special Education Programs and Services and with federal law. Further, policies shall describe how the system ensures the provisions of a free appropriate public education in each eligible child's IEP are being met.
6. The Department of Education will monitor the implementation of this policy, collect data and study the use of service delivery models that encourage inclusion, improve intervention services, and provide extended programming to help all students progress in the general curriculum. It is important to provide funding and resources to support the research regarding innovative programs and document the results in student achievement.