

## Personnel

AR 4112.23 (a)

### SPECIAL EDUCATION STAFF

Any teacher assigned to serve students with disabilities shall possess an appropriate credential or other authorization that specifically authorizes him/her to teach students with that disability within the program placement recommended in the students' individualized education program (IEP). (5 CCR 80046.5, 80048.7))

(cf. 4112.2 - Certification)

(cf. 4113 - Assignment)

(cf. 6159 - Individualized Education Program)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

Special education teachers who teach core academic subjects shall possess the qualifications required by the No Child Left Behind Act. (20 USC 1401, 6319, 7801; 34 CFR 200.55-200.57, 300.18; 5 CCR 6100-6126)

(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

The Superintendent or designee may request the Commission on Teacher Credentialing (CTC) to issue a special education limited assignment teaching permit to authorize a qualified special education teacher, with his/her written consent, to serve outside the specialty area of his/her credential. In so doing, the district shall submit a Declaration of Need for Fully Qualified Educators that satisfies the requirements of 5 CCR 80026. If the teacher has not yet obtained permanent status, the Superintendent or designee shall assign one or more experienced educators in the special education subject area(s) of the permit, to provide guidance and assistance to the permit holder. (5 CCR 80027.1)

The district may employ a person with an appropriate district internship credential to provide classroom instruction to students with disabilities, provided he/she has met the subject matter requirement specified in Education Code 44325 and receives guidance, supervision and professional development through an established district internship program. (Education Code 44325, 44326, 44830.3)

(c.f. 4112.21 – Interns)

### Caseloads

No resource specialist shall have a caseload which exceeds 28 students. As necessary and with the agreement of the resource specialist, the Board may request a waiver from the State Board of Education to increase the caseload to no more than 32 students, provided that an individual resource specialist does not have a caseload exceeding 28 students for more than two school years and has the assistance of an instructional aide at least five hours daily during the period of the waiver. (Education Code 56362; 5 CCR 3100)

(cf. 1431 - Waivers)

The average caseload for language, speech, and hearing specialists shall not exceed 55 cases unless otherwise specified and reasons stated in the SELPA plan. The maximum caseload for speech and language specialists exclusively serving children with disabilities age 3-5 shall not exceed 40. (Education Code 56363.3, 56441.7)

The Superintendent or designee shall ensure that caseloads for special education teachers are within the maximum caseloads established by law, collective bargaining agreements, and/or the comprehensive plan of the Special Education Local Plan Area (SELPA) in which the district participates.

(cf. 0430 - Comprehensive Local Plan for Special Education)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 4141/4241 - Collective Bargaining Agreement)

### Resource Specialists

The district's resource specialist program shall provide but not be limited to: (Education Code 56362)

1. Resource specialist(s) to provide instruction and services for students whose needs have been identified in an individualized education program (IEP) and who are assigned to regular classroom teachers for a majority of the school day.

A student shall not be enrolled in a resource specialist program for a majority of a school day without approval by the student's IEP team.

2. Information and assistance to students with disabilities and their parents/guardians
3. Consultation, resource information and material regarding students with disabilities to their parents/guardians and regular education staff members.
4. Coordination of special education services with the regular school programs for each student enrolled in the resource specialist program
5. Monitoring of student progress on a regular basis, participation in the review and revision of IEPs as appropriate, and referral of students who do not demonstrate sufficient progress to the IEP team
6. At the secondary school level, emphasis on academic achievement, career and vocational development and preparation for adult life.

The district's resource specialist program shall be under the direction of a resource specialist who possesses the qualifications specified in Education Code 56362 and 5 CCR 80070.8. (Education Code 56362)

Resource specialists shall not simultaneously be assigned to serve as resource specialists and to teach regular classes. (Education Code 56362)

### Teachers of Students with Autism

A teacher may be assigned to provide instruction to students with autism if he/she meets the qualifications described above in the section entitled "Qualifications/Assignment of Special Education Teachers."

*Legal Reference:*

EDUCATION CODE

*44250-44279 Credentials, especially:*

*44256 Credential types, specialist instruction*

*44258.9 Assignment monitoring*

*44265-44265.99 Special education credential*

*44830.3 District interns, supervision and professional development*

*56000-56865 Special education, especially:*

*56195.8 Adoption of policies*

*56361 Program options*

*56362 Resource specialist program, contents, direction; resource specialists, case-loads, assignments, instructional aide; pupil enrollment*

*56362.1 Caseload*

*56362.5 Resource specialist certificate of competence*

*56362.7 Bilingual-cross-cultural certificate of assessment competence*

*56363.3 Maximum caseload; language, speech and hearing specialists*

*56441.7 Maximum caseload (programs for individuals with exceptional needs between the ages of three and five inclusive)*

CODE OF REGULATIONS, TITLE 5

*3051.1 Language, speech and hearing development and remediation; appropriate credential*

*3100 Waivers of maximum caseload for resource specialists*

*6100-6126 Teacher qualifications, No Child Left Behind Act*

*80021 Short-term staffing permit*

*80021.1 Provisional internship permit*

*80025.4 Substitute teaching, special education*

*80026 Declaration of need for fully qualified educators*

*80027.1 Special education limited assignment teaching permit*

*80046.1 Adapted physical education specialist*

*80046.5 Credential holders authorized to serve students with disabilities*

*80047-80047.9 Credentials to provide instructional services to students with disabilities*

*80048-80048.9.3 Credential requirements and authorizations*

*80070.1-80048.9.3 Resource specialist certificate of competence*

UNITED STATES CODE, TITLE 20

*1400-1482 Individuals with Disabilities education Act, especially:*

*1401 Definitions, highly qualified teacher*

*6319 Highly qualified teachers*

*7801 Definitions, highly qualified teacher*

CODE OF FEDERAL REGULATIONS, TITLE 34

*200.55-200.57 Highly qualified teachers*

*300.8 Definition of autism*

*300.18 Highly qualified special education teachers*

*300.156 Special education personnel requirements*

*Management Resources:*

*California Department of Education Publications, Handbook on Developing and Implementing Early Childhood Special Education Programs and Services, 2001*

*Commission on Teacher credentialing Coded Correspondence,*

*10-15 Alternative Route to Provide Special Education Services to Students with Autism, September 7, 2010*

*10-13 Approval of Title 5 Regulations Pertaining to Special Education Services Credentials, July 21, 2010*

*10-12 Approval of Title 5 Regulations Pertaining to Special education Teaching Credentials Requirements, July 21, 2010*

*09-16 Approval of Additions to Title 5 Regulations Pertaining to Added Authorizations in Special education, July 23, 2009*

*09-15 Approval of Amendments to Title 5 Regulations Pertaining to General and Special Education Limited Assignment Teaching Permits, July 23, 2009*

*08-13 Alternative Route to Provide Special education Services to Students with Autism Ages Three and 4, October 9, 2008*

WEB SITES

*California Association of Resource Specialists and Special Education Teachers: <http://www.carsplus.org>*

*California Speech-Language-Hearing Association: <http://www.csha.org>*

*Commission on Teacher Credentialing: <http://www.ctc.ca.gov>*

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ORCUTT UNION SCHOOL DISTRICT  
Orcutt, California