

Fall River Joint Unified School District

Regulation 4112.23

Personnel

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 primary disability of the students within the program placement recommended in the student's individualized education program (IEP). (5 CCR 80046.5)

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; 5 CCR 6100-6126)

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, who have at least three years of full-time teaching experience in each of the 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)

Resource Specialists

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

1. 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
2. Information and assistance to students with disabilities and their parents/guardians
3. Consultation with and provision of resource information and material regarding students with disabilities to their parents/guardians and other 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. Emphasis at the secondary school level on academic achievement, career and vocational development, and preparation for adult life

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

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)

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."

In addition, a teacher whose education specialist credential or other previously issued credential authorizes him/her to provide instruction to students with mild and moderate disabilities may be assigned to provide instruction to students with autism, provided that the teacher consents to the assignment and satisfies either of the following criteria prior to the assignment: (Education Code 44265.1)

1. He/she has provided full-time instruction for at least one year prior to September 1, 2007, in a special education program that serves students with autism in accordance with their IEP and received a favorable evaluation or recommendation from the district or school to teach students with autism.

2. He/she has completed a minimum of three semester units of coursework in the subject of autism offered by a regionally accredited institution of higher education.

The Superintendent or designee shall report teacher assignments under the criteria specified in items #1 and #2 above to the county office of education as part of the annual assignment monitoring pursuant to Education Code 44258.9. (Education Code 44265.1)

Verification of experience or coursework for any teacher of autistic students shall be maintained on file in the district or school office. (Education Code 44265.1, 44265.2)

[NOTE: This section shall become inoperative on October 1, 2013, and is repealed on January 1, 2014, unless a later enacted statute that is enacted before January 1, 2014, deletes or extends the dates on which it becomes inoperative and is repealed. (Education Code 44265.1 (d))]

Caseloads

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

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, 56362.1; 5 CCR 3100)

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)

Legal Reference:

EDUCATION CODE

44250-44279 Credentials, especially:

44256 Credential types, specialist instruction

44258.9 Assignment monitoring

44265-44265.99 Special education credential

44325-44328 District interns

44830.3 District interns, supervision and professional development

56000-56865 Special education, especially:

56195.8 Adoption of policies

56361 Program options

56362-56362.5 Resource specialist program

56363.3 Maximum caseload; language, speech, and hearing specialists

56441.7 Maximum caseload; language, speech, and hearing specialists serving children ages 3-5

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
 80070.1-80070.8 Resource specialist certificate of competence
 UNITED STATES CODE, TITLE 20
 1400-1482 Individuals with Disabilities Education Act, especially:
 1401 Definition of highly qualified special education 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
 COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS
 Education Specialist Teaching and Other Related Services Credential Program Standards, September 2010
 WEB SITES
 California Association of Resource Specialists and Special Education Teachers:
<http://www.carsplus.org>
 California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>
 California Speech-Language-Hearing Association: <http://www.csha.org>
 Commission on Teacher Credentialing: <http://www.ctc.ca.gov>
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 Revised: 10/5/2005, 6/15/2011