

**SPECIAL EDUCATION STAFF**

Teachers assigned to serve students with disabilities shall possess the credential that authorizes them to teach the primary disability of the students within the program placement recommended in the student's individualized education program (IEP). (5 CCR 80046.5)

*(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 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 Governing Board shall employ certificated resource specialists to provide services which shall include, 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.

**SPECIAL EDUCATION STAFF** (continued)

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

The resource specialist program shall be directed by a resource specialist who is a credentialed special education teacher or who has a clinical services credential with a special class authorization, and who has three or more years of teaching experience, including both regular and special education teaching experience. (Education Code 56362)

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)

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

*Legal Reference:*EDUCATION CODE

44250-44279 *Credentials, especially:*

44256 *Credential types, specialist instruction*

44265 *Special education credential*

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 *Average caseload limits*

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*

80046.5 *Credential holders authorized to serve students with disabilities*

80048-80048.6 *Credential requirements and authorizations*

**SPECIAL EDUCATION STAFF** (continued)

UNITED STATES CODE, TITLE 20

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

200.61 Parent notification regarding teacher qualifications

300.18 Highly qualified special education teachers

Management Resources:

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>