

**SAINT PAUL FEDERATION OF EDUCATORS
PROPOSAL # 10
September 12, 2019**

TEACHER CONTRACT

Proposal for Support for Special Education Student Learning

[New] ARTICLE XX:

The following establishes required class sizes and staffing for Special Education classrooms.

1. Weighted points per student will be designated by information in the most current Evaluation Summary Report (ESR) and Individualized Education Plan (IEP) using the following criteria:
 - Percent of day spent with a licensed SPED teacher:
 - 100% of day (5),
 - 80-99% of the day (4),
 - 60-79% of the day (3),
 - 21-59% of the day (2),
 - less than 21% of the day (1)
 - Toileting/Self-Help:
 - High amount of support, such as toileting, diapering, or dressing (5),
 - Moderate support - supervision necessary (3),
 - Minimum support (independent) (1)
 - Behavior - frequency of behaviors noted in IEP or ESR (recommend FBA (Functional Behavior Assessment):
 - Daily aggressive behavior (5),
 - Aggressive weekly (3),
 - No aggressive behaviors (1)
 - Communication/language:
 - Nonverbal - AAC device - high support to participate (5),
 - Moderate skills - can communicate wants/needs - need support to follow classroom routines and directions (3),
 - Minimal needs - verbal - high functioning language skills (1)
 - Running/Safety:
 - Flight risk - high amount of adult supervision (5),
 - Moderate supervision to stay safe and with group (3),
 - Minimum safety risk (1)
 - Medically fragile:
 - High medical needs (5),
 - Moderate medical needs (3),

- Minimal/No medical needs (1)
- Self-regulation break:
 - High self-regulation needs-ongoing adult intervention to be with them to calm the body (5),
 - Moderate self-regulation needs -Needs adult intervention to prompt the work (3),
 - Minimal self-regulation needs (1)

Maximum points per student = 35

Minimum points per student = 7

2. CLASS SIZE: Using the weighting formula, class sizes and staffing for SPED Federal Setting 3 Special Education Classrooms will have class sizes of 4-10 students. Class sizes and staffing will be determined using the following guide:

- Students with 18 or more points - 1 adult per 2 pupils
- Students with less than 18 points - 1 adult per 3 pupils
- There will be a maximum of 6 students who have 18 or more points in one classroom (1 teacher + 2 EAs)
- There will be a maximum of 10 students who have less than 18 points in one classroom (1 teacher + 3 EAs)
- If there is a combination of greater than 18 points and less than 18 points students, total cannot exceed 10 students in a classroom, with student to staff ratios remaining the same based on student points (typically, 1 teacher + 3 or 4 EAs There will be no more than 150 “points” per classroom, or 10 students per classroom, whichever is reached first
- There will be a minimum of 2 EAs assigned to each Setting 3 classroom
- When a student’s IEP includes a 1:1 EA, that EA is not counted towards the classroom total

3. CASELOAD: SPED caseload sizes determined using the following guide:

- Federal 3: Caseloads will not exceed more than 150 “points” or 10 students, whichever is reached first
- Federal 2: Caseloads will not exceed more than 180 “points” or 20 students, whichever is reached first
- Federal 1: Caseloads will not exceed more than 210 “points” or 25 students, whichever is reached first
- If a case manager serves students over multiple Federal Settings the “majority” of students served will be used to determine caseload size

4. Best Practices. Placement, school administrators, and staff should make every reasonable effort to ensure that students are placed in Setting 3 classrooms with similar aged classmates and levels of support needed. If a teacher feels such efforts were not reasonable; the matter shall be discussed at the next Special Education Professional Issues Committee (SPED PIC) meeting. Common scheduling of mainstream classes should be used to maximize paraprofessional support.
5. Open SPED Classroom Teaching Positions. Special Education coach positions will remain open and posted until a minimum of 98 percent of classroom Special Education teaching positions that provide direct services to students are filled.
6. Co-Teaching. Consistent with the co-teaching model adopted by the District, no co-taught class with students receiving special education services shall contain more than $\frac{1}{3}$ special education students. Placements into co-taught settings must be appropriate for each individual student. If the majority of non-administrative licensed staff on a student's IEP team believe a particular co-teaching placement is inappropriate, they will: 1. Raise their concern with the appropriate school administrator; 2. If the issue is not addressed to the satisfaction of the non-administrative licensed staff on the student's IEP team, the group may initiate a grievance as described in Article 15 of this Agreement.
7. Professional Development. Special Education licensed staff and Educational Assistants will be allowed to attend special education professional development with other special educators in the district on professional development days.
8. Nothing in this Agreement is intended to supersede other agreements regarding staffing for specific special education programs such as Bridge View School or the Birth to Three Program.

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ADDITIONS TO ARTICLE 13. TEACHER'S BASIC CONTRACT YEAR AND TEACHER'S DAY

SECTION 3.

Subd. XX [New]

Preparation time shall not be used for conducting special education evaluations, reevaluations, or complying with due process procedural requirements without compensation for missed preparation time as provided in APPENDIX D of this Agreement. This includes IEP and 504 plan meetings.

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[New] ARTICLE XX:

This section establishes maximum permitted caseloads for Occupational Therapists (OTs), Physical Therapists (PTs), and Speech Language Pathologists (SLPs).

1. Caseloads for OTs, PTs, and SLPs will include the number of students for whom a service provider delivers indirect and/or direct services. The determination of the appropriate ratio for an individual therapist must take into consideration the following:
 - The severity of each eligible child's needs
 - The level and frequency of services necessary for the children to attain IEP goals/objectives
 - Time required for planning services
 - Time required for evaluations including classroom observations
 - Time required for coordination of the IEP services
 - Time required for staff development
 - Time required for follow up
 - Travel time required for the number of buildings served
 - Case Management Duties
 - Billing and Documentation
 - FTE of provider (i.e., FTE of 0.8 would be 80% of suggested numbers)

1. The caseload for each service provider working with students receiving special education services in Federal Settings 1, 2, or 3 will not exceed the following numbers:
 - SLP Elementary - 35
 - SLP Secondary - 45
 - OT - 55
 - PT - 40

1. The caseload for each service provider working with students receiving special education services in Federal Setting 4, due to travel time required for the number of buildings served and severity of student needs, will not exceed the following numbers:
 - SLP - 30
 - OT - 50
 - PT - 35

1. The caseload for each service provider working with students receiving services in Federal Settings 31, 32, 33, 34, 44, and 45, due to considerations made in number 1, will not exceed the following numbers:
 - SLP: 30
 - SLP (speech only): 25
 - OT: 50
 - PT: 45

EDUCATIONAL ASSISTANT CONTRACT

ARTICLE 7. EMPLOYEES' BASIC WORKDAY AND YEAR, Section 7.7.2

7.7.2 Non-Student Contact Days. Educational assistants are assigned five (5) workdays within the work year for participation in program planning and staff development opportunities. These five (5) days shall occur during opening week and throughout the school year. **SPED Educational Assistants will be allowed to attend special education professional development with other special educators in the district on professional development days.**