Workload Considerations for Effective Special Education

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Foreword

The recommendations set forth in this manual are intended to assist administrators, teachers, and parents to examine special education teacher workload through a conceptual framework that ensures teachers can address the special instructional needs of students with disabilities and can also meet the unique requirements of their positions. The need to recommend changes in the way special education teacher workload is constructed is driven by the urgent need to attract new teachers to special education and then to ensure that working conditions will compel them to remain in the field.

This manual addresses the issue of workload versus the more traditional concept of caseload and includes a model for examining the workload of special education teachers in Minnesota. The Minnesota model presented here is not intended as a mandate for a minimum or a maximum number of IEPs for which a teacher is an IEP manager. Rather, the model is intended to be a framework that can be adapted to the changing tasks, responsibilities, and requirements of special education teachers. Through comparisons across settings, buildings, and districts, administrators will be better able to analyze the relative workloads of staff and respond proactively to the challenge of planning for teaching students with disabilities.
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In 2001, the Minnesota Department of Children, Families & Learning, Division of Special Education convened the Workload Task Force. The charge to the Task Force was to identify factors that influence special education teacher workload and to develop a set of recommendations to address the issues that influence workload. The Task Force members represented urban and rural Minnesota school districts, and special education administration. The general and special educators represented many different disability areas and areas of expertise. Some individuals served multiple purposes.

**History of Special Education Caseload Mandates in MN**

It is informative to review the evolution of caseload mandates in Minnesota and how the changes across the years may be contributing to current staffing challenges. While the purpose of this manual is to create a framework for analyzing the responsibilities of special education teachers in the context of *workload*, the legislative history speaks only to the more traditional notion of caseload.

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<th>Description of Legal History</th>
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<td>1975</td>
<td>✓ P.L. 94-142 provides basis for caseload limits.</td>
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<td>1976</td>
<td>✓ Caseload limits corresponding to 6 levels of service established in Minnesota.</td>
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| 1983 | ✓ ECSE caseload limits added to Minnesota Rule.  
   ✓ Caseload limits eliminated for indirect and consultative levels of service in kindergarten through 12th grade.  
   ✓ Caseloads increased from 1:15 to 1:18 for resource level of service (all disability areas). |
| 1987 | ✓ Caseload limits for resource level of service eliminated (all disability areas). |
| 1990 | ✓ PL 94-142 reauthorized as *Individuals with Disabilities Education Act (IDEA)*  
   ✓ Minnesota’s “levels of service” are repealed.  
   ✓ Federal settings from *IDEA* replace levels of service. |
| 1991 | ✓ MN Rule 3525.2340 implemented. It provides caseload limits for students who receive special education services in a special education setting for more than 50% of the day.  
   ✓ Caseload decisions for students in special education settings for less than 50% of the day are left to local districts. |
<table>
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<tr>
<th>Year</th>
<th>Description of Legal History (continued)</th>
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| 1994 | ✓ Task Force I convened at direction of Legislature.  
✓ Testimony from the field about substantial increases in caseloads resulted in recommendation from Task Force I to reinstate caseload limits at all age levels. |
| 1995 | ✓ Task Force II convened at direction of Legislature.  
✓ Caseload issues were reviewed again.  
✓ Proposed change to Minnesota Rule is to reinstate the 1:18 teacher-to-student ratio for students receiving services less than 50% of the day. |
| 1997 | ✓ Office of the Legislative Auditor conducted a special education program evaluation. It was concluded that the method used to calculate student-to-staff ratios neither accounts for the diversity of needs within categories nor the specific needs of students.  
✓ IDEA reauthorized. No new regulation about caseload or federal settings. |

It is notable that the current Minnesota caseload rule does not directly correspond to IDEA settings. Minnesota’s 50% “rule” (MR 3525.2340) cuts across two of the federal settings: Federal Setting 2 (out of general education more than 21% but less than 60% of the day) and Federal Setting 3 (out of general education more than 60% of the day). This creates challenges in complying with the requirement of the Minnesota rule due to the common mixture of Setting 1 and 2 or Setting 2 and 3 students within teachers’ caseloads.

Minnesota caseload legislation, with the exception of early childhood special education, has remained unchanged since 1991. However, since that time, the numbers of students found eligible for special education services in more categories of disability have increased. More importantly, the scope of special education teachers’ duties has increased significantly in concert with increased regulation. These factors in combination with greater emphasis (legal and parental) on inclusion have resulted in fewer teacher minutes available for the provision of adequate special education services (CEC, 2000; SpeNSe, 2001; Commission on Excellence in Special Education, 2002).

Appendix B.1 provides detailed charts of the history of caseload legislation and definitions of service levels in Minnesota.

Values and Guiding Principles

To guide their work, Task Force members identified commonly held values based on their desire to use research-based instructional practices and to ensure equitable education for children with disabilities. The Task Force’s work was supportive of special education teachers and their mandate to deliver quality, specially designed instruction. By keeping the focus on instruction, Task Force members saw an opportunity to present proactive ideas to provide a vehicle for discussion about how to support or create the necessary conditions for meeting the many demands of special education teachers’ jobs.
From the values identified by Task Force members, guiding principles emerged as a means for reviewing the literature and national and local models used to determine caseloads and workloads. Task Force members concluded that any model used in Minnesota should:

- be based on the severity of student needs;
- promote data-driven decision making;
- be sensitive to increasing legal requirements;
- include the time required to meet due process requirements during the instructional day;
- apply to a wide range of service delivery models;
- account for increased communication needs;
- be based on student benefit and ensure a *Free Appropriate Public Education*;
- be grounded in political and financial realities; and
- be supportive of special educators.

### Six Elements of Workload

The Task Force reviewed the literature concerning special education teacher retention and documented the reasons special education teachers leave the field. In addition, individual members solicited input from their respective constituencies about how workload is determined in a cross section of MN districts. Information was also gathered about how various job responsibilities are typically scheduled into the day. Based on a synthesis of this information, Task Force members identified the elements or roles and responsibilities of a special education teacher’s position. The premise underlying the final list of elements is that if they are not considered when planning, stress on teachers and the system occur and the workload can become unreasonable.

The six elements that comprise most of the workloads of special education teachers can be documented and are essentially quantitative in nature. The six elements are detailed in Chapter 3 but are outlined below.

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<th>Six Elements</th>
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<td>1. Specially Designed Instruction</td>
<td>Includes direct instruction to meet the individual needs of students related to IEP goals/objectives. Includes indirect service, such as consultation with general education teachers, modification/adaptation of curriculum, demonstration teaching, planning with related service staff, etc.</td>
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<td>2. Evaluations and Re-Evaluations</td>
<td>Initial and re-evaluations average at least 10-20 hours per typical evaluation for a special education teacher.</td>
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<td>3. Due Process Procedures &amp; IEP Management Responsibilities</td>
<td>IEP management includes all aspects of program development and coordination of services, parent communication related to the IEP, annual review, progress monitoring, progress reporting, functional behavioral assessments, manifestation determinations, and behavior intervention plans.</td>
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<tr>
<td>4. Preparation Time</td>
<td>This is time provided within the instructional day to prepare instruction and includes finding materials related to students' needs, devising/creating specific materials, etc.</td>
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Six Elements | Description
---|---
5. Directing the Work of Paraprofessionals | One-to-one, due process, program/resource paraprofessionals require supervision, training, and regular planning time.
6. Other Assignments | These are regularly and intermittently scheduled non-special education assignments, such as a daily supervision, study hall supervision, homeroom duty, advisories, bus duty, field trips, etc.

Tools for evaluating the six elements and the climate for creating a reasonable special education teacher workload are found in Appendix C - Building Special Education Survey. This survey can be used at the building or district level.

Task Force members also identified environmental conditions that impact special education teachers’ workloads, the workplace climate, and their decisions to continue teaching in special education. These conditions are more qualitative than quantitative in nature and include: the political environment; the fiscal situation; and the amount of general and special administrative support available. Understanding that these variables can have an impact on special education teachers is important to creating a climate in which special teachers feel valued versus one in which they feel isolated and undervalued.

**Caseload Policy in Other States**

The issue of how to establish reasonable workloads is not unique to Minnesota. Therefore, Task Force members reviewed information about caseload policy in other states. University of Wisconsin-Oshkosh investigators conducted one of the more thorough reviews of special education caseload policy for the Wisconsin Department of Public Instruction (Rylance, Chiang, Russ, & Dobbe-Whitcomb, 1999; Russ, Bertram, Rylance, & Bongers, 2001). The Task Force used this study to select an approach to develop a workload model for Minnesota in conformance with their guiding principles.

The Wisconsin investigators found that the rules guiding caseloads across the United States are quite varied, which makes comparisons among states somewhat difficult. For the most part, caseload policies address only special education teachers and not other service providers. However, in some states, the caseloads of occupational and physical therapists, speech/language pathologists, and school psychologists are also addressed. The majority of states have separate and fairly prescriptive rules that govern early childhood special education caseloads.

Not all states identify precise caseloads using formulae or criteria. Some provide acceptable ranges for caseloads within disability categories. Others extend their mandate beyond total caseload for an individual special education teacher to placing limits on class size. For example, a teacher might have a maximum of 14 students on his/her caseload, but be limited to teaching only 4 students at a time in a class period. Finally, most states (other than those with local control) maintain provisions for addressing increased caseload by adding a paraprofessional. In all cases, adding a paraprofessional to the staffing formula increases the number of students for whom a special education teacher is the IEP manager.
Based on their national review, the Wisconsin investigators identified caseload approaches that fall into six categories. The categories are:

- Local Control
- Disability
- Special Education Setting
- Teaching Function
- Inclusion
- Student Needs

The Wisconsin investigators (Rylance, et al., 1999; Russ, et al., 2001) conclude that using a “student needs” approach to caseload determination is the most advantageous. In these states, there is a balance of the intensity of student needs and teacher responsibilities. Several years prior to the Wisconsin study, Ahearn (1995) summarized that “there is no single best way to determine appropriate class or group sizes for special programs and services, but those driven by student needs contain admirable theoretical and procedural policies well worth review.”

The need to identify a way to account for student needs and teacher responsibilities is as important for Minnesota as it is for other states. The Task Force chose a “student needs” approach based on the model used in the State of Missouri (State of Missouri Regulations for Special Education, 1994). The advantages and disadvantages for each the six caseload approaches and the states in which each of them is used can be found in Appendix B.2.

Outcomes for the Manual

Workload Task Force members determined that outcomes for this manual are to:

1. Recommend a method for determining reasonable workloads that ensures educational benefit and access to a Free Appropriate Public Education (FAPE) for students who have IEPs in grades K-12.

   Note: Two age groups of students are not addressed in this manual:
   a) Early Childhood Special Education: Minnesota Rule currently contains specific caseload mandates for children receiving early childhood education services, ages birth through five years;
   b) Transition: The services for students ages 18 through 21 are typically different from those provided in K-12 programs. Further, a large number of these students have moderate to severe disabilities, and caseload maximums are mandated by current Minnesota Rule.

2. Recruit and retain more special education teachers by promoting strategies that will create reasonable workloads and ensure effective instructional practices in Minnesota schools.

3. Reach a broad audience of stakeholders (principals, special education directors, superintendents, parent advocates, school boards, special education teachers, and others) to illuminate the issues and to promote a model for reviewing individual, special education teacher workloads and the conditions necessary for effective special education practice.
To achieve these outcomes, the Task Force believed it was important to present a broad range of information to further understanding of workload issues and effective practice.

Topics found in this manual:

- A full accounting of the current problems in the field and a review of the literature can be found Chapter 1.
- In Chapter 2, the six elements are presented in detail so users of the manual will have a thorough understanding of what comprises a special education teacher’s workload and what should not.
- The proposed method for analyzing workload in Minnesota, including practical examples and scenarios, is presented in Chapter 3.
- In Chapter 4, creative ways to respond to workload issues and to promote retention are presented with the recognition that adding staff is not the only way to address these challenges.
- Finally, in Chapter 5, effective instructional practices are highlighted.
Chapter One

Review of the Literature: Issues in Special Education Workload & Teacher Retention

The Challenge

The critical issue of teacher retention and the concerns expressed by practitioners, administrators, and parents about meeting student needs are linked to the workloads of special education teachers. The issue of teacher workload is identified as a priority by the Division of Special Education in its State Improvement Grant and in the Goals and Indicators established for special education in Minnesota (Minnesota Self-Improvement Plan, 2000). In addition, the State Special Education Advisory Council (SEAC) reviewed the issue of teacher workload as a means of addressing the urgent need for improved special education teacher recruitment and retention (CFL Issues in Caseload Policy, 2000). This manual, Workload Considerations for Effective Special Education, was developed as one strategy to address recruitment and retention of a greater number of special education teachers.

The issues that ultimately affect special education teachers’ workload are many and can be identified at the school, district, state, and federal levels. One of the issues was created by the reauthorization of the Individuals with Disabilities Education Act (IDEA) in 1997 and its 1999 regulations, which mandated that districts and special education teachers implement additional legal and procedural requirements. In contrast to a growing amount of work for special educators (CEC, 2000; SPeNSE, 2001), school boards and administrators are increasingly concerned about greater obligation to special education in the face of significant financial pressures in general and special education. The pressure they feel also comes from the federal requirement of maintenance of effort\(^1\) in special education (see Appendix A.1 for policy memo). While spending levels in special education may be maintained, districts’ financial constraints may not have allowed staffing levels to increase commensurate with student needs and special education teachers’ job responsibilities.

Contributing to the problem is that even when positions are available in special education, the ability to hire fully qualified teachers has become increasingly difficult and has resulted in the need to grant a large number of exceptions to teacher licensing rules so districts can fill vacant positions. Between 1999 and 2002, there was a 74% increase in the number of individuals for whom licenses were granted when they were not fully licensed (provisional licenses, limited licenses) or for whom rule exceptions (variances, 34 CFR §300.231: Local Educational Agency (LEA) budgets for the education of children with disabilities must be at least the same total or per-capita amount from the same sources for the most recent prior year….
community expert) were requested for various special education teacher licenses (MN Board of Teaching, 2002).

Recently, the 2002 reauthorization of the Elementary and Secondary Education Act, entitled *No Child Left Behind (NCLB)*, presents even more challenges for compliance with federal requirements. The requirements most impacting special education are related to accountability and teacher qualifications. Since some aspects of the 2003 IDEA reauthorization may be compatible with *No Child Left Behind* with respect to mandates for teacher qualifications and accountability, special education teacher and district responsibilities will likely increase. Therefore, it is incumbent upon the field to create a work environment in which special education teachers will find satisfaction and will remain in their positions and/or in the field (Miller, Brownell, & Smith, 1999; CEC, 2000; Gersten, Keating, Yovanoff, & Harniss, 2001; Billingsley, 2002).

Accountability has become the theme for educational reform movements and legislation enacted in the past few years and forms the basis of *NCLB*, and the mandates of *NCLB* will have a direct impact on special educators and their students. In the final regulations, the mandates for accountability are significant. *NCLB* holds local education agencies accountable for demonstrating achievement among individual subgroups. One of these subgroups is special education (*NCLB* - P.L. 107-110, Title 1, sec. 1001). In a system where procedural compliance is often emphasized, special education may experience great challenge in demonstrating positive and continued academic achievement for student with disabilities.

A system of accountability that is oriented to achievement versus compliance requires that teachers have access to excellent staff development opportunities and that they have the time to concentrate on delivering specially designed instruction that meets the needs of students with IEPs (Boyer & Gillespie, 2000). In a new, more data driven system of accountability, special educators may need training so they can interpret data for instructional decision-making, and they must also have access to data. Finally, they will need access to training that promotes and supports research-based instructional practices (Hughes, 2002; Klingler, Ahwee, Pilonieta, & Menendez, 2002).

The current trend of increasing numbers of students served per teacher in response to budgetary constraints is in diametric opposition to mandates for increased accountability. Special education teachers face expectations of greater collaboration and cross-categorical service delivery, co-teaching and inclusion, demands for content knowledge, and accountability for student learning; but as the demands increase, the resources are decreasing (Higgins, 2001; Coleman, 2001; Education Minnesota, 2002).

When the fiscal realities and pressures of increasing regulation and demands for accountability converge with the shortage of special education teachers and their exodus from the field (Coleman, 2001), it is apparent that creative solutions are needed to retain special educators (Miller, et al., 1999; CEC, 2000; Gersten, et al., 2001; Billingsley, 2002). While most special educators recognize that current fiscal pressures in education are great, the need to address the issue of teacher workload and ensuring the provision of a Free Appropriate Public Education (2) (FAPE) is equally great.

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2 Individuals with Disabilities Education Act, 20 USC §1401 (8), 1412(a)
Workload versus Caseload

It is true that Minnesota school districts are not required to maintain certain caseload levels when students receive special education services outside of the mainstream less than 50% of the day (Federal Setting 1 and some Federal Setting 2 students) given current Minnesota Rule. However, it is also true that many districts have been conscientious in their efforts to create and maintain reasonable caseloads. Still, the need for a change in how the field views and determines special education “caseload” is being heard from many professionals and is verified in the literature. For example, the current state of special education workload concerns is presented through a national sample of special educators in The Council for Exceptional Children’s Bright Futures report (2000). In 2002, The American Speech-Language-Hearing Association (ASHA) published a position statement entitled A Workload Analysis Approach for Establishing Speech-Language Caseload Standards in the Schools.

The position of ASHA can be applied to most special educators, and is:

“caseloads must be of a size to allow (SLPs) to provide appropriate and effective intervention, conduct evaluations, collaborate with teachers and parents, implement best practices….carry out related activities, and complete necessary paperwork and compliance within working hours (ASHA, 2002).”

Adopting a more meaningful way to analyze special education teacher workload requires the language of the field to change. To make this change, it is important to understand the difference between caseload and workload, as encouraging the field to use the term workload represents a significant conceptual shift.

| Caseload refers to the number of students with IEPs for whom the special education teacher is the IEP manager and each student is counted as “one” no matter the needs or severity. |
| Workload refers to all of the responsibilities required of the special education teacher and is based on the severity of student needs. |

All of the responsibilities of a special education teacher can be considered by making the shift to the concept of workload. The concept of workload is in keeping with the conclusions drawn by the Office of the Legislative Auditor in 1997.

….averaging or aggregating data, based on counting each student as “one” in the overall calculation of staff/student ratios whether the student has a need for a minimal number of minutes per week of special education service or a substantial number of minutes per week of special education service, is not sufficiently sensitive to actual student needs.

This conclusion is also consistent with the University of Wisconsin review of states’ caseload policies (Rylance, et al., 1999; Russ, et al., 2001). In their study, investigators determined that the “student needs” model is the most responsive to teacher and student needs.
Special Education Staffing Crisis

The Council for Exceptional Children, in its Initiative on Special Education Teaching Conditions, concludes that “poor teacher working conditions contribute to the large number of special educators leaving the field, teacher burnout, and substandard quality of education for students with special needs (CEC, 2000).” In what some call an “exodus,” a growing number of special education teachers are leaving the field, citing reasons such as increasing paperwork demands, poor working conditions, isolation from other staff, lack of administrative support, and excessively large caseloads. Attrition rates have been reported to be as much as double those of general education teachers (CFL Issues in Caseload Policy, 2000; Sindelar & Brownell, 2001; Boyer & Gillespie, 2000; Carlson & Billingsley, 2001).

The following information illustrates the extent of the problem:

Attrition and Unfilled Positions: In a U.S. Office of Special Education Programs (OSEP) sponsored study (SPeNSE, 2001), more than 12,000 special education positions were reported as unfilled in FY '00, and 98% of U.S. school districts report chronic shortages of special education teachers (Boyer, 2000), which is twice as many (proportionately) as in general education (Carlson & Billingsley, 2001). Some of these vacancies are created by the over 7% of special education teachers who move to general education positions annually (Boyer & Gillespie, 2000), which is ten times more likely to occur than the reverse (Carlson & Billingsley, 2001). What may be even more concerning are the over 30,000 special education positions filled by uncertified personnel who serve approximately 600,000 students with disabilities (Carlson & Billingsley, 2001; Commission on Excellence in Special Education, 2002).

Loss of New Special Education Teachers: There is a great deal of evidence that the special education teachers who leave the field are young and inexperienced (Miller, Brownell, & Smith, 1999; Whitaker, 2000; Carter & Scruggs, 2001; Zabel & Zabel, 2002). Therefore, a successful first year of teaching is a critical factor in retention (Billingsley, 1993). In surveying first-year teachers the factors that provided them with encouragement and contributed to their decisions to stay in the field were: controlled caseloads; well defined and unambiguous roles, and more traditional service delivery that allow ed for skill development (Busch, Pederson, Espin, Weissenburger, 2001). Additionally, they reported that if resources were adequate and there was support from colleagues and administration it allowed the stress of their positions to be more manageable (Carter & Scruggs, 2001).

Future Needs: Projecting into the future, it is estimated that 200,000 special education teachers will be needed by the year 2005 (CEC, 2000). Currently, higher education programs have the capacity to train only about half that many, a problem that is further compounded by the limited number of new teachers entering the field of special education. Data also suggest that many of the teachers who satisfy the requirements for special and general education licenses choose not to enter special education. Rather, these dually licensed teachers may view the special education license as helpful to their future as classroom teachers (Boscardin, 2001; Commission on Excellence in Special, 2002).
Special Education Teacher Job Satisfaction and Retention

The most essential challenge for special education today is to attract special educators and then to keep them in the field once they have been trained (Zabel & Zabel, 2001; Darling-Hammond, 2003).

The shortage of special education teachers has been attributed to problems of teacher retention and recruitment. However, some think the emphasis on improved recruitment to the field of special education or to districts misses the mark. Merrow (1999); Gersten, et al. (2001); Ingersoll & Smith (2002) contend that education has misdiagnosed the "problem" as recruitment when it is retention that is truly at issue.

Loss of new teachers plays a major role in the teacher shortage, but simply pouring new teachers into the system does not solve the retention problem (Ingersoll & Smith, 2003, p. 30).

Data suggest that the root of the teacher shortage problem largely resides in the working conditions within schools and districts (Ingersoll and Smith, 2003).

There is the belief that ‘better working’ conditions for special educators would result in less staff turnover, less flight from special education to general education, and incentives for increased numbers of teachers to complete special education training” (Education Week, McIntire, 2001)

The specific conditions that may be driving teachers out of special education are categorized in the Council for Exceptional Children’s Bright Futures Study (2000). The findings are grouped into six categories to illustrate clearly the issues that contribute to special education teachers’ job satisfaction and the issues that create dissatisfaction. Based on an analysis of the six categories (outlined in this chapter), Boscardin (2001) concluded that providing opportunities for achievement, recognition, quality work, responsibility, and advancement contribute to teachers’ feelings of worth. When none of these conditions are in place, neither salary, physical environment, nor job security will matter to special education teachers. Attrition occurs in systems where special education teachers feel isolated and are not part of a supportive network. Supportive networks reduce isolation and facilitate the process for new special educators to be properly introduced to and accepted into a school or district (Boscardin, 2001; Billingsley, 2002; Greene-Bryant, 2002).

The issues identified by special education teachers in the Bright Futures Study (CEC, 2000) and the impact of those issues on retention are validated by similar feedback and survey results gathered by SPeNSE (2001), Minnesota Administrators of Special Education (1999), Minnesota Department of Children, Families and Learning (1997), Education Minnesota (2002), and the Workload Task Force (2002).

Following is a thorough discussion of each of the six areas identified by teachers as problematic (CEC, 2000). (Note: One category, “fragmented state licensing systems” is not included in this manual as it does not directly pertain to the work school districts can do to help retain special education teachers.)
1. Special Educator Role Clarity

**Issue:** In surveying special education teachers, Gersten, et al. (2001), found that a poorly designed job can have a significantly negative impact, leading to withdrawal from involvement in the job and the eventual decision to leave the position or the field. Poor job design was found to contribute to teachers not feeling productive or effective. (Note: Job description and job design are not synonymous terms. Job design reflects the organization and structure of the job rather than the tasks/responsibilities required of the job.) Fifty-eight percent of special education teachers surveyed report job responsibilities that conflict with the expectations of general education teachers, parents, and administrators (CEC, 2000).

In special education, stress due to poor job design is reported to create a sense of dissonance for teachers. That is, there is a difference between what they believe the job to be (i.e., to teach children with disabilities) and what the job may actually be (i.e., a legalistic environment, wide variations in student needs). Particularly in special education, the degree of role dissonance found in competing and conflicting roles and expectations (i.e., compliance clerk, meeting facilitator, teacher), leads to stress, dissatisfaction, and burnout (Gersten, et al., 2001; CEC, 2000).

**Solution:** Educational administrators, in partnership with special educators, need to design special education positions carefully in order to retain qualified special education teachers. Defining and redefining the roles of special educators is a key component of the Bright Futures Action Agenda (CEC, 2000; Gersten, et al., 2001; Coleman, 2001; Billingsley, 2002).

2. Procedural Compliance

**Issue:** The view of some who have reviewed special education teacher jobs and the effectiveness of IDEA, is that procedural compliance is easier to measure than student outcomes and therefore is overly emphasized (Commission on Excellence in Special Education, 2002).

The emphasis on compliance is a source of special education teachers’ role confusion and creates a compliance monitor role for them. Special education teachers report that excessive paperwork interferes with their ability to serve students effectively and impacts the amount of time spent actually providing direct services. The most frequently cited reason for job dissatisfaction is the “paperwork” required in special education, which teachers report can take an average of five hours per week to complete. Reportedly, this paperwork is often completed at the expense of activities related to teaching, including preparation for individually designed instruction (CEC, 2000; Commission on Excellence in Special Education, 2002; SPeNSE, 2003).

**Solution:** There is a strong suggestion in the literature that technology and clerical support are underutilized as ways to alleviate the “paperwork” burden (Gersten, et al., 2001; SPeNSE, 2003). Defining what clerical staff can do, providing administrative direction for clerical support, and providing access to new technologies for writing IEPs could streamline the paperwork process. Due process clerical support is a reimbursable expense in the State of Minnesota (See MS 125A.76(c)).
Issue: The potential for litigation may put administrators and teachers at odds in terms of where teacher time and attention should be placed. This is not to say that administrators do not have a strong interest in having teachers deliver high quality special education services to their students; rather, the financial implications of legal proceedings can become the focus of compliance and divert special education teachers’ attention from special education services. This conflict may lead to:

- role confusion
- conflict between special education teachers and administrators
- conflict between special education and general education teachers
- legal risk leading to financial liability and implications

Solution: Provide time during the instructional day for special education teachers to complete paperwork and to satisfy procedural requirements. When given dedicated time for this function, the likelihood that timelines will be met and paperwork will be complete is increased.

Solution: Provide teachers with training about conflict resolution and effective working relationships with parents. Teachers report little training in these areas (Whitaker, 2001; Carter & Scruggs, 2001).

Solution: Principals play a key role in ensuring that all staff understand the role of special education teachers in the building. Discussions about the expectations for special education teachers in the building should take place between the principal and the special education staff long before conflict arises. Also, the principal can support the special education teacher during times when there is more paperwork than the teacher can handle.

See Chapter 4: Creative Solutions, for detailed strategies to help principals support special education teachers.

3. Administrative and Systems Support for Special Education

Issue: Building-level support from the principal, assistant principal, and fellow teachers, as well as the overall school attitude about special education, have a strong effect on virtually all aspects of special education teachers’ working conditions. More specifically, the single most important factor identified by special education teachers regarding job satisfaction and a willingness to stay in a special education position is administrative support (Merrow, 1999; CEC, 2000; Gersten, et al., 2001; Billingsley, 2002; Oregon Office of Special Education, 2002; SPeNSE, 2002). However, 44% cite insufficient administrative support (CEC, 2000).

A practical illustration is the frequent concern expressed by special education teachers as to what is perceived to be their total responsibility for students during the course of the day. It is the perception of special educators that these are not typical expectations for general education teachers (Workload Task Force, 2002).
Examples

Teachers of students with emotional or behavioral disorders are frequently called out of lunch or from a preparation period to manage the behavior of a student they serve.

Special education teachers may be asked to address behavioral problems within a building on an on-call basis even when the students do not have IEPs.

Special education teachers may have no preparation time or they are expected to complete evaluations or other procedural requirements during preparation time.

Solution: In combination with access to training and a general understanding of the population being served, building-level support and leadership were found to have a significantly positive impact on teacher job stress and burnout and ultimately retention (Boscardin, 2001; Gersten, et al., 2001).

To be supportive, administrators need to understand the scope of special education teacher responsibilities and then be able to identify unreasonable expectations and their impact on teacher effectiveness, job satisfaction, and stress level.

“Administrative support” means to provide special education teachers access to the necessary conditions to perform their duties and to reflect the knowledge, value, and respect for children with disabilities and their families. Administrative support includes building, district, and school board support; knowledge of special educators’ responsibilities; good job design; and provision of, and access to, essential resources.

Essential administrative supports defined by the Workload Task Force (2002) include:

- relevant professional development
- access to instructional materials that support the specially designed instruction needed by students
- adequate classroom/instructional space
- access equipment
- staffing levels that meet the needs of students
- advocacy for special education teachers and for students with disabilities
- relevant performance evaluations of special educators

See Appendix C - Building Special Education Survey to assist building staffs and administrators to identify whether the necessary conditions for a reasonable workload and work environment are present.

See Chapter 4: Creative Solutions, for detailed strategies to help principals, district administrators and school boards provide supportive work environments for special educators.
4. **Special Education Teacher Isolation**

**Issue:** Isolation can occur when special education teachers are not viewed as having workloads equivalent to general education teachers. This view by general educators might occur because they see the special education teacher as responsible for only 15 students rather than 30 or multiple classes of 28 or more (Workload Task Force, 2002).

Other special education providers experience internal conflicts with their collective bargaining units, which may not consider some special education providers as “teachers” in the same context as classroom teachers. Some of these staff may not be viewed as having equivalent responsibility to teachers because they do not stand in front of a class (i.e., occupational therapists, physical therapists, speech/language pathologists, school psychologists, etc.) (Workload Task Force, 2002).

Special education teachers can also be isolated by other teachers when the students they serve are not valued and are instead seen as “their kids.” Special education teachers may receive feedback from the community, general education teachers, parents, etc., about the impact their students have on a building or a classroom. Additionally, there may be no time for special education teachers to collaborate, which creates frustration and isolation. All of this combined, may create a culture that separates special education from the rest of the school and community and creates isolation (CEC, 2000).

**Solution:** Collegial support diminishes the possibility that special education teachers will feel or actually be isolated. Stress may be reduced when special educators are given the opportunity to engage in meaningful conversations about their jobs and job stress with building administrators and other staff outside of special education. Providing these kinds of opportunities and the environment for these opportunities to occur is a low-cost and highly effective means for principals to involve special educators. More so than for other teachers, special education teachers need a forum for thinking through and discussing conflict, confusion, and the demands of their jobs. Such a forum may also help create a school culture that is supportive of special education and may reduce the tendency toward the isolation of special education (Gersten, et al., 2001).

5. **Match Between Student Need and Teacher Skills**

**Issue:** Often, special education teachers, including those in Minnesota, serve students with many different disabilities and widely divergent needs. Many of the teachers in this situation do not have the training or skills to teach all of the children represented on their caseloads. For example, it is not unusual for a teacher with a learning disabilities license to be teaching students who have cognitive/developmental delays, autism spectrum disorders, emotional or behavioral disorders, traumatic brain injuries, and a wide range of conditions found in the other health disabilities category (Larson, Ayres, Johnson, Mahlke, Sanborn, Tschida, 2000; Workload Task Force, 2002; Education Minnesota, 2002). Often, one teacher is expected to teach multiple subjects, on multiple grade levels, to students with many different types of disabilities (Coleman, 2001).

While there are many reasons this practice has become commonplace, including an extreme shortage of teachers licensed or experienced in low-incidence disabilities, teachers report that the situation contributes to stress and burnout, as well as limit teacher effectiveness for students (Nichols & Sosnowsky, 2002). Although some
teaching skills have overlap and can be generalized, an individual teacher may or may
not possess the skills needed to provide effective instruction to a broad range of
students (MDE, 1997; Nichols & Sosnowsky, 2002). Special education teachers report a
lack of preparation for cross-categorical assignments and feel unable to meet general
education teachers’ expectations of them as the “experts” (Nichols & Sosnowsky, 2002).

The competencies and strategies required to teach a diverse group of students may be
vastly different. This becomes even more apparent as students move into the middle to
secondary grades and issues of transition emerge. Very few teachers are trained in the
broad range of skills required to perform a job that is so large in scope. The teachers
who are trained in these areas and are considered experts are typically itinerant, may
have multiple districts for which they are responsible, and may not be available to staff in
programs as often as they are needed (Larson, et al., 2000; Workload Task Force,
2002).

Creating and then delivering instruction for a multi-disability/cross-categorical and large
group of students, where the students’ fundamental needs are completely dissimilar is
very challenging (Minnesota Rule 8710.5000 – 6400).

**Solution:** Individualized and specially designed instruction is the premise underlying
service delivery for the range of children with disabilities served under IDEA (34 CFR
§300.26 (3 i, ii). It is essential that service delivery models reflect the unique needs of
students when hiring new teachers, planning staff development activities, or assigning
students to individual IEP managers. Teachers report little training in cross-categorical
service delivery or collaborative teaching (Fennick & Liddy, 2001; Nichols & Sosnowsky,
2002). Therefore, specific staff development on these topics is very important.

**Issue:** In addition to the child’s disability, the diverse and changing nature of the student
population also creates great challenge – a challenge for which many special education
teachers are unprepared. Poverty, complex family issues, limited English proficiency,
and multiple agency involvement all converge to create new responsibilities and
pressures (CFL: Reducing Bias in Special Education Assessment, 1998).

**Solution:** Ensure that a comprehensive intervention program is in place for students
who have special needs that are not necessarily the result of a disability. This will
prevent unnecessary special education evaluations and will address the educational
challenges of English language learners, for example, in a more appropriate way.
Special education must not become the “place” where all students are referred when
they encounter difficulties (CFL: Reducing Bias in Special Education Assessment,
1998).

6. **Preparation of New Special Education Teachers**

**Issue:** Teacher retention data confirm that inadequate preparation leads to a loss of job
satisfaction and eventual early departure from the profession (Gersten, et al, 2001).
Inadequate preparation places additional stress on veteran special education teachers
who can’t handle the increased burden of assisting poorly prepared colleagues
(Clement, 2001). This is particularly true when there are no mentorship programs
available or mentorship is not systematic.
The Commission on Excellence in Special Education (2002) concluded that “the current system of pre-service and in-service education is not sufficient to produce personnel who can ensure students with disabilities achieve satisfactory outcomes.” The Commission hypothesizes that the high rate of attrition is partially due to a less than “robust” system of preparation.

There is support in the literature for the Commission's conclusion. For example, there is a lack of connection between the way special education instruction is provided and the responsibilities of special education teachers and the instructional methods taught in teacher preparation programs. In many teacher preparation programs, the focus continues to be on a “resource” model of instruction for students with disabilities, and coursework required for licensure remains disability specific in many states (Fennick & Liddy, 2001; Busch, et al., 2001; Nichols & Sosnowsky, 2002). This is in direct contrast to the collaborative and inclusive manner in which services are delivered and the cross-categorical nature of the students individual special education teachers serve. Further, Fennick and Liddy (2001) found that general education teachers receive little or no training about working in collaborative settings. Finally, they find that teachers have little access to data. When they do have access to data, they do not know how to translate it into effective instructional practices.

Solution: While the problem of new teacher training is well documented, an additional issue is that of the need for veteran special education teachers to continue to be engaged in high quality staff development. Teachers who feel they are being provided with sufficient opportunities to learn on the job are less likely to leave. Special education teachers express a need to continue to learn on the job, regardless of their years of experience (Gersten, et al., 2001). Additionally, the Commission on Excellence in Special Education (2002) calls for professional development and new teacher training that is research-based and linked directly to student learning and achievement.

Solution: Monitor how new special education teachers are doing. Conduct surveys that will assist in continually improving induction programs for new special education teachers. Ask questions such as:

- Are you participating in the mentor program? How is it working for you?
- What has been most useful to you from your teacher education training?
- What do you feel the least prepared to handle?
- What advice would you offer to new special education teachers?
- What is the most challenging thing in your first year?
- What was totally unexpected this year? How can we help to diminish this as a surprise in the future?
- What training needs do you have: (Conderman & Stephens, 2000).

Solution: Create innovative partnerships or collaborate with higher education to improve pre-service teacher training programs. A feedback loop between schools and preparation programs will help to ensure that special education teachers are learning the skills necessary to perform their jobs.
In summary, many factors influence a special education teacher’s decision to stay in or leave a particular job or to leave the field entirely. The indicators of burnout are highly linked to job-seeking behavior and a need to exit the situation (CEC, 2000; Ingersoll and Smith, 2003).

Some Minnesota school districts have adopted practices that are responsive to the elements that comprise a special education teacher’s workload (MASE, 1999; Workload Task Force, 2002; Education Minnesota, 2002). However, the profession as a whole has provided strong feedback that the stresses on special education teachers are negatively affecting retention of teachers in the field, service delivery for students with disabilities, and the attractiveness of the field to future teachers (CEC, 2000).

By realistically examining special education teacher workloads, assurances can be made that teachers are able to engage in effective, research-based practices. Most importantly, assurances can be made about the ability of teachers to provide educational benefit.

In Chapter 2, the six elements that comprise a special education teacher’s workload are presented.
Chapter Two
Six Elements of Workload

Excessive workload and the accompanying pressures are intensified when the basic elements of special education teachers’ responsibilities are not considered in making staff assignments. The six elements presented in this chapter are relatively easy to document and are essentially quantitative in nature, lending themselves to a data-driven decision making approach.

Throughout this chapter, certain points are highlighted with a key. These points are essential to understanding the elements underlying a special education teacher’s responsibilities and a student’s right to a Free Appropriate Public Education (FAPE) (34 CFR §300.13).

Element #1  Specially Designed Instruction

The following diagram illustrates how specially designed instruction as found in IDEA relates to the Minnesota Rules governing special education. Minnesota Rule defines specially designed instruction in terms of direct and indirect service.

\[
\text{Specially Designed Instruction} \\
\text{Federal Requirement - IDEA} \\
34 \text{ CFR} \text{ §300.26 (3 i, ii)}
\]

\[
\begin{align*}
\text{Direct Service} \\
\text{Minnesota Rule} \\
3525.0200, \text{ subp. 2b}
\end{align*}
\]

\[
\begin{align*}
\text{Indirect Service} \\
\text{Minnesota Rule} \\
3525.0200, \text{ subp. 8c}
\end{align*}
\]

Specially designed instruction is a concept fundamental to special education. IDEA defines specially designed instruction as:

\[
\ldots \text{adapting, as appropriate to the needs of an eligible child, under this part, the content, methodology, or delivery of instruction.}
\]
(i) to address the unique needs of the child that result from the child’s disability; and
(ii) to ensure access of the child to the general curriculum, so that he or she can meet the educational standards within the jurisdiction of the public agency that apply to the child (34 CFR §300.26 (3 i, ii))

Specially designed instruction ensures that FAPE is provided for all eligible students. FAPE is defined in IDEA as:

... the term FAPE means special education and related services that:

a. are provided at public expense, under public supervision and direction, and without charge;
b. meet the standards of the state education agency;
c. include pre-school, elementary, or secondary school education; and
d. are provided in conformity with an individualized education program (IEP) that meets the requirements of developing an IEP and accountability for the contents of the IEP (34 CFR §300.13).

In Minnesota, specially designed instruction has been operationalized in two rules that describe direct and indirect services.

A. Direct Service

Direct Service for students with disabilities is the specially designed instruction upon which FAPE is based (IDEA).

Minnesota Rule 3525.0200, subp. 2b defines direct service as:

... special education services provided by a teacher or a related service professional when the services are related to instruction, including cooperative teaching.

The direct services provided by a special education teacher are determined by the IEP team and are based on the goals in a student’s IEP. Goals are based on each student’s identified needs and educational performance as determined by a special education evaluation. Instruction may be strategic in nature, basic skills oriented, or functionally based, where the method of instruction is the critical factor in student progress. Direct services are provided in a variety of ways, ranging from one-to-one and small group instruction in a special education setting to direct instruction delivered in general education classrooms.

Special education is “special” because it addresses the unique needs of students with disabilities. Methods used match the disability, the student’s individual needs, and the student’s learning styles.

The purpose of special education is to meet the student’s unique needs by providing specially designed, direct instruction that is highly individualized.
Direct service is not simply small group instruction where the general education curriculum is simply presented at a slower pace.

Direct service is not simply being present in a general education classroom to help out with the special education students. The service is “direct” only if the activities in which the special education teacher is engaged address the goals in the students’ IEPs.

B. Indirect Service

Indirect service consists of work on the student’s behalf that ensures access, accommodations, and service coordination. It is not direct service, as it does not occur face-to-face with the student on a regularly scheduled basis.

Minnesota Rule 3525.0200, subp. 8c defines Indirect Service as:

. . .on-going progress reviews; cooperative planning; consultation; demonstration teaching; modification and adaptation of the environment, curriculum, materials, or equipment; and direct contact with the student to monitor and observe. Indirect services may be provided by a teacher or related service professional to another general education teacher, special education teacher, related service professional, paraprofessional, support staff, parents, and public and non-public agencies to the extent that the services are written in a student’s IEP...

The amount of indirect service a student needs may be difficult to quantify, but it is essential that an attempt be made to do so because it is critical to meeting all of the student’s needs. Assigning a minimal number of minutes to each student’s IEP may not reveal the intensity of the workload. The combination of direct and indirect service time must reflect the full scope of the team’s determination of a student’s present levels of educational performance, and as a result the real workload of the special education teacher.

The following list is not intended to be exhaustive, but it provides an idea of some of the common indirect services a special education teacher might provide.

Examples of Indirect Service - Special Education Teachers & Speech/Language Pathologists

✓ consult and collaborate with general education teachers about curriculum adaptations and modifications;
✓ plan cooperatively for co-teaching;
✓ develop, implement, and revise behavior intervention plans;
✓ coordinate interagency services if a student receives services outside of the school day relevant to the IEP (i.e., children’s mental health services, developmental disabilities case management, private therapy, etc.);
✓ coordinate services for all of the service providers involved with the IEP;
✓ train general education teachers and paraprofessionals about the nature of a specific student’s disability and that student’s needs; and
✓ monitor student progress through data collection and review.
The special education teachers who provide the majority of specially designed instruction are not the only providers who need to document indirect services accurately. Related service providers (e.g., occupational therapists, physical therapists, educational audiologists, speech/language pathologists, school social workers, school psychologists), low-incidence specialists and consultants (e.g., specialists in autism spectrum disorder, other health or physical disabilities, hearing impairment), and other specialists such as adapted physical education teachers are included in this category. The following list is intended to provide examples only and is not intended to be exhaustive.

**Examples of Indirect Service - Related Service Providers, Low-Incidence Specialists**

- train teachers and paraprofessionals how to use and monitor audiological equipment;
- monitor correct speech sound production in natural environments;
- train paraprofessionals how to lift and position students with physical disabilities to prevent injury to staff and students;
- make on-going adaptations to the physical environment to ensure student access;
- train general education teachers how to prevent over-stimulation in the classroom for students with autism spectrum disorder and how to use intervention strategies when over-stimulation occurs; and
- review assistive technology options that will meet the needs of an individual student and train staff in use of the technology chosen.

A student with more complex needs is likely to require more indirect service because several providers might be involved and services need to be coordinated among providers. This is especially true when several related service providers are involved, as it is essential that everyone is working together toward the same goals and is adapting as the student’s needs dictate.

Indirect service is also time that can be spent observing students outside of the special education setting for purposes of progress monitoring. For example, a student might be observed at lunch, in a classroom, etc., to determine if designated staff are implementing a behavior intervention plan as intended and to determine if the plan is working. These data may be collected at several points in time to determine student progress toward goals.

- Indirect service is **not** time spent conducting re-evaluations or writing IEPs.

**Element #2 Evaluations and Re-Evaluations**

Conducting initial and re-evaluations is a major component of a special education teacher’s job. Depending upon the complexity of the student’s disability and the domains to be included in the evaluation, a comprehensive evaluation could take one special education teacher from 10-20 hours to complete (Larson, Ayres, Johnson, Mahlke, Sanborn & Tschida, 2000).
There may be several special educators on the evaluation team, each of whom spends varying amounts of time on the evaluation in addition to the time spent by the special education teacher. Other evaluations, such as an articulation evaluation conducted by a speech/language pathologist, may take less time, but all of the steps in the process are the same as for a more complex evaluation.

The definition of an evaluation in *IDEA* is:

> procedures used to determine whether a child has a disability and the nature and extent of the special education and related services that the child needs.

34 CFR §500 (b)(2)

The process for conducting an evaluation or re-evaluation for one student is found in the following chart. The information provided in the chart is an overview of the multiple, complex steps involved in conducting an evaluation. It is not intended to provide detailed language from state or federal regulations. For this kind of detail see Minnesota Rule 3525.0750, and 3525.1310-1348, 3525.2710, 3525.3300 and *IDEA* regulations at 34 CFR §300.503-505, CFR §300.530-536 and 34 CFR §300.540-543.

Note that an “O” after a procedure indicates an optional step in the process. However, these steps or procedures are found in many schools as standard practice.

### Evaluations

<table>
<thead>
<tr>
<th>Procedural Category</th>
<th>Procedure</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Meeting (O)</strong></td>
<td>• initial meeting to discuss appropriateness of referral, review pre-referral interventions</td>
<td>• An initial evaluation is required when a student is thought to have a disability and may be in need of an evaluation.</td>
</tr>
<tr>
<td><strong>Notice</strong></td>
<td>• create, send notice for evaluation planning meeting to all prospective participants (ensure parent participation and document attempts)</td>
<td>• For all students currently receiving special education services, a re-evaluation is required at least every three years or when conditions warrant.</td>
</tr>
<tr>
<td><strong>Meeting</strong></td>
<td>• conduct evaluation planning meeting (if parent does not attend meeting after documented attempts, contact parent for input)</td>
<td>• An evaluation is required when a new service is needed, when all services or some aspect of service is discontinued, or there appears to be a need for a change in federal setting (increasing or decreasing the amount of time spent in special education). Each of the procedural steps is followed in these circumstances.</td>
</tr>
<tr>
<td><strong>Notice</strong></td>
<td>• develop evaluation plan, including selecting instruments, procedures, and determine who will be involved in the evaluation</td>
<td>• When a student is suspended or removed for a cumulative total of 10 or more days, a functional behavioral assessment (FBA) is required. Best practice would suggest the need for this earlier in the discipline continuum. An FBA is also required for an initial evaluation when the student is thought to have an emotional or behavioral disorder.</td>
</tr>
<tr>
<td><strong>Notice</strong></td>
<td>• send permission to evaluate to parents with evaluation plan</td>
<td>• There are other situations in which evaluations are required. See Minnesota Rule 3525.2710.</td>
</tr>
<tr>
<td></td>
<td>• monitor return of permission (document attempts to obtain permission)</td>
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</tr>
</tbody>
</table>

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**Workload Considerations for Effective Special Education**

**Six Elements**

17
### Evaluations (continued)

<table>
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<tr>
<th>Procedural Category</th>
<th>Procedure</th>
<th>Frequency</th>
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</thead>
</table>
| **Evaluation**      | • administer tests; conduct observations, teacher interviews and parent interviews; review educational history and progress in curriculum  
                      • arrange for special considerations such as interpreters, translators, special adaptations to materials, assistive technology, etc.  
                      • write report (including teaming with other evaluation team members to synthesize and interpret results)                                                                                               |           |
| **Notice**          | • complete and send meeting notice for meeting at which results will be shared (ensure and make arrangements for interpreters when needed).                                                                   |           |
| **Meeting (O)**     | • conduct evaluation feedback meeting and determine eligibility for special education (may be combined with another meeting, but there must be communication to determine eligibility in which the parents are involved)  
                      • document attempts requesting parent participation                                                                                                                                                   |           |
| **Notice**          | • re-evaluation (if parents do not attend) send evaluation report to parent with page 2 completed, indicating “eligible” or “not eligible” for special education                                                                                     |           |
| **Meeting**         | • if student is found eligible for special education, schedule IEP meeting                                                                                                                                 |           |
| **Notice**          | • complete and send meeting notice for IEP team meeting                                                                                                                                                     |           |

**Note:** For each meeting conducted, schedules for all individuals involved must be coordinated. The parent’s needs are prioritized to the extent possible.

The grades across which the special education teacher’s students are distributed play a critical role in estimating the number of evaluations and re-evaluations a teacher will need to conduct. For example, a special education teacher working with students in the early elementary grades may conduct many initial evaluations but few re-evaluations. Teachers who work in the middle and secondary grades will likely have many re-evaluations to complete. Additionally, 8th and 9th grade teachers may have a large number of transition evaluations to complete (e.g., must be conducted at the time the student turns 14 or enters the 9th grade, whichever comes first).
In making decisions about special education teachers' workloads, it is important to have data to use as a basis for decision-making. It is useful to collect data about the effectiveness of the referral process. These data will allow for analysis of the “hit rate” or the referral-to-eligibility ratio. This ratio is the total number of students evaluated versus the number of students found eligible for special education. A low rate-of-referral-to-eligibility (i.e., 50%) typically means that a lot of students are evaluated but very few are found eligible. This may indicate a need to improve a school’s referral review process. A high rate-of-referral-to-eligibility (i.e., 80%) typically means that fewer students are being evaluated, but they are more likely to be found eligible, which is indicative of a referral process that includes elements that are more predictive of the outcome of the process (Brown, 1983).

Another useful data source is the number of referrals for special education evaluations and who is making them. Discerning a pattern of appropriate and inappropriate referrals can help a team rework its process and can provide data for staff development for general education teachers.

Due to the amount of time and the number of procedures required to conduct an evaluation or a re-evaluation, it is essential that the number of evaluations each teacher is required to conduct be monitored carefully and predicted to the degree possible. The number of re-evaluations for the year should be predicted prior to the start of the school year based on the evaluation cycle (every 3 years or when conditions warrant).

It is not acceptable to cancel scheduled services for students on a routine basis in order to complete evaluations. The district has an obligation to provide the minutes of special education service documented in the IEP.

Conducting evaluations is not preparation for teaching. Teachers must prepare for their specially designed instruction.

Element #3 Due Process, Required Procedures, and IEP Management Responsibilities

Due Process is the term often used by teachers to describe the documentation required to ensure procedural safeguards for students with disabilities. The system of procedural compliance, as guided by IDEA and Minnesota law, is designed to guarantee informed parental consent, accountability, and a student's right to FAPE.

It is the “paperwork” to which special education teachers refer when they talk about tasks that have become burdensome. Often it is the IEP manager who has the most responsibility in this area.

According to Minnesota Rule 3525.0550:

. . . the district shall assign a teacher or licensed related service staff who is a member of the pupil's IEP team as the pupil's IEP manager to coordinate the instruction and related services for the pupil. The IEP manager's responsibility shall be to coordinate the delivery of special education services in the pupil's IEP.
and to serve as the primary contact for the parent. A district may assign the following responsibilities to the pupil's IEP manager: assuring compliance with procedural requirements; communicating and coordinating among home, school, and other agencies; coordinating regular and special education programs; facilitating placement; and scheduling team meetings.

Documentation for procedural compliance is time intensive. In the Bright Futures study (CEC, 2000), teachers report spending a day or more per week meeting basic procedural requirements. While the importance of meeting these requirements is not intended to be minimized, teachers report being frustrated when they are torn between fulfilling these responsibilities versus providing instruction.

The amount of time spent on certain required procedures will vary based on the needs of the students served by the special education teacher.

Examples

✓ A teacher with several high needs students who have emotional or behavioral disorders might need to convene significantly more IEP team meetings due to the need for manifestation determinations, functional behavioral assessments, and/or the development and review of behavioral intervention plans.

✓ An IEP manager with a caseload comprised of students with developmental cognitive disabilities who receive many services must ensure that all service providers coordinate their efforts and their communication with families. This might entail meetings with other special education teachers (i.e., developmental adapted physical education teacher) and related service providers (i.e., speech/language clinician, occupational therapist, physical therapist, school nurse, educational audiologist, school social worker).

✓ A senior high school special education teacher has a caseload of 18 students with mild emotional and behavioral disorders and specific learning disabilities. Many of the students have intermittent assistance from a special education teacher during the school day as a component of their IEPs. This means students drop into the teacher’s classroom to: have tests from general education coursework read to them; have an assignment modified; use the computer for word processing in a quiet place; take a test in a quiet place; or to provide time out from a stressful situation.

A cycle of procedural requirements for one student during a school year is outlined in the following chart. The information provided in the chart is an overview of the multiple, complex steps involved in conducting progress reviews and writing IEPs. It is not intended to provide detailed language from state or federal regulations. For this kind of detail see Minnesota Rule 3525.2810, 3525.2900, 3525.3010, 3525.3300 and IDEA regulations at CFR §300.309 (b), CFR §300.342-347, 34 CFR §300.501, 34 CFR §300.503-505, and 34 CFR §300.523-524.

Note that an “O” after a procedure indicates an optional step in the process. However, these steps or procedures are found in many schools as standard practice.
## Progress Reviews

<table>
<thead>
<tr>
<th>Procedural Category</th>
<th>Procedure</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Data Collection</strong></td>
<td>✷ Collect information about progress in general education curriculum. ✷ Make modifications and accommodations as needed in general education based on reports of progress. ✷ Report, informally, progress to parents, which may entail a daily notebook entry for parents or daily phone calls. ✷ Monitor progress toward IEP goals through data collection, observation, pre-/post-tests, etc.</td>
<td>Ongoing during school year or by agreement in IEP (i.e., weekly, daily, etc.)</td>
</tr>
<tr>
<td><strong>Progress Report</strong></td>
<td>✷ Document progress toward IEP goals. ✷ Communicate progress to parents. ✷ Send progress report to parents (O).</td>
<td>At least as often as a student in general education receives a report of progress (e.g., at report card time).</td>
</tr>
<tr>
<td><strong>Notice &amp; Meeting</strong></td>
<td>✷ Adjust goals based on progress (requires an IEP meeting).</td>
<td></td>
</tr>
</tbody>
</table>

## IEP Development & Required Procedures

<table>
<thead>
<tr>
<th>Procedural Category</th>
<th>Procedure</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Data Collection – Annual Review</strong></td>
<td>✷ Conduct annual review of progress. This is one of the required progress reviews in a school year. ✷ Work with team to determine new, on-going, or emerging needs based on annual review of IEP progress. ✷ Review appropriateness of accommodations and modifications for curriculum, statewide testing, districtwide testing, and equipment and staff training needs. ✷ Develop preliminary proposed IEP (with all special education and general education team members) to present at IEP meeting (O). ✷ Analyze data across year to determine eligibility for extended school year (results of review to be introduced at IEP Meeting)</td>
<td>Annual IEP for each student served. Responsible for IEPs where the teacher is IEP manager and for developing goals, etc. for IEPs served.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Initial IEP for each student newly identified during the school year.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Interim IEP and new annual IEP for new students moving into the school district with an active IEP from other states.</td>
</tr>
</tbody>
</table>
### IEP Development & Required Procedures (continued)

<table>
<thead>
<tr>
<th>Procedural Category</th>
<th>Procedure</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Notice</strong></td>
<td>✷ Coordinate schedules for the IEP meeting, create notice, and send to all members of IEP team.</td>
<td>At least annually or as often as an IEP team meeting is requested or needed.</td>
</tr>
<tr>
<td></td>
<td>✷ Document attempts to have parent at meeting.</td>
<td></td>
</tr>
<tr>
<td><strong>Meeting</strong></td>
<td>✷ Conduct IEP team meeting. Note: For an initial IEP, parent must be included and consent given or IEP cannot be finalized.</td>
<td>At least annually or as often as an IEP team meeting is requested or needed.</td>
</tr>
<tr>
<td></td>
<td>✷ Arrange for interpreter when needed.</td>
<td></td>
</tr>
<tr>
<td><strong>Notice</strong></td>
<td>✷ Finalize IEP based on input of the full team at the IEP team meeting.</td>
<td>Annually for each student.</td>
</tr>
<tr>
<td></td>
<td>✷ Send finalized IEP with Notice of Special Education Services to obtain parent approval to proceed.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>✷ Arrange for translation of IEP and notice as needed.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>✷ Monitor return of Notice of District’s Proposed Action or Denial and follow up to obtain permission as needed.</td>
<td></td>
</tr>
<tr>
<td><strong>Notice&amp; Meeting</strong></td>
<td>✷ If parent objects to IEP, start process of scheduling another IEP meeting.</td>
<td>As needed.</td>
</tr>
<tr>
<td><strong>Meeting</strong></td>
<td>✷ Conduct IEP meeting and attempt to resolve disagreement.</td>
<td>As needed. If not resolved at this point, may move into conflict resolution phase.</td>
</tr>
</tbody>
</table>

In addition, the following other procedures may be required at some point during the year. These procedures and requirements for data collection are a bit less predictable than the cycle for the annual IEP.

- **Functional Behavior Assessment (FBA):** A pre-requisite to development of a behavior intervention plan to determine what is the function (cause) of undesirable behavior and what interventions will be effective and a prereferral and requirements for conditional procedures.
- **Manifestation Determination:** The connection between a student’s misconduct and disability must be established if the student is suspended for 5 consecutive days or on the 11th cumulative day of removal, which requires review and summary of data and several meetings.
- **Extended School Year (ESY):** If student found to be in need of ESY services, a plan must be developed that becomes a part of the IEP.
- **Alternate Assessment:** For any student exempted from participation in statewide testing.
• Transition Evaluation & Plan: For students by age 14 or 9th grade (whichever comes first).
• Data collection for State and Federal Child Count: This occurs between September and January of each year.
• Non-Discriminatory Practices: Special procedures and considerations for English language learners and their families.
• Dispute Resolution: If parents object to an IEP, an IEP manager may need to participate in mediation, conciliation, facilitated IEP, complaint investigation, or a due process hearing.

The time needed to prepare for instruction does not include time needed to complete procedural requirements and IEP management responsibilities.

Element #4 Preparation Time

Special education teachers are required to provide specially designed instruction for their students with IEPs. This means creating many individualized lessons to address individual goals and objectives for each student served by the special education teacher. Within an instructional hour, this could mean a different preparation for each student to be taught during that hour. Preparation time for special education teachers is qualitatively different than for general educators, as there is little prepared curriculum.

Following are examples of essential components of preparation time for special education teachers.

- curriculum modification
- grading/progress monitoring
- data collection and analysis
- make and adapt materials
- prepare materials for paraprofessionals
- identify relevant assistive technology (e.g., software)
- identify new interventions for specific students (e.g., research)
- develop a method of instruction such as using mnemonic strategies
- develop strategies for organization and management of the school day

By most teacher contracts, preparation time is provided within the instructional day so that special education teachers can prepare specially designed instruction as described in a student’s IEP goals and objectives.

All teachers, general and special education, are entitled to the same preparation time within the instructional day to prepare for instruction. A district’s negotiated teacher contract typically defines the amount of preparation time per day or week that is to be made available for all teachers and when this time is to occur.

Special education teachers should be involved in scheduling preparation periods during the instructional day with building administrators to the same extent that general education teachers in the building are involved in such a process. There are many
benefits to this approach, such as being able to have common planning time between
general and special education teams. This is important, as the demands for greater
collaboration and inclusion have increased dramatically, yet teachers report little
scheduled mutual planning time (Fennick & Liddy, 2001).

Preparation time is intended for instructional planning and is not designated time
for conducting evaluations, re-evaluations, or complying with procedural
requirements.

Element #5 Directing the Work of Paraprofessionals

Paraprofessionals work with and under the direction of licensed teachers to support and
assist in the provision of special education services. Over the past few years, the
assistance provided to students with disabilities by paraprofessionals has become an
important component of special education programming and staffing.

As the shortage of special education teachers has persisted, the number of
paraprofessionals employed by Minnesota school districts has increased significantly.
For example, between 1991 and 1997, the number of paraprofessionals employed by
special education programs in Minnesota grew by 38%, compared to a 14% increase in
licensed teachers (CFL, 1999).

There is some question as to whether adding paraprofessionals to assist with large
caseloads is always an effective solution due to the need for training and supervision
(Rylance, et al., 1999). In order for a paraprofessional to provide quality assistance to
students, the following is required of the special education teacher:

- Regular Communication: requires the teacher to organize and manage
  schedules to ensure cooperation, planning, and information sharing.
- Preparation for Instruction: requires the teacher to organize and provide
  materials and resources necessary to carry out the objectives for each
  paraprofessional’s activity.
- Daily Direction: requires the teacher to identify skill areas and needs for staff
  development and provide ongoing constructive feedback.
- Training: requires the teacher to train and model appropriate intervention
  and teaching techniques.
- Accountability: requires the teacher to follow through with programming.
  (French, 2001; Riggs & Mueller, 2001)

In some cases, it is reported to the Minnesota Department of Education that a special
education teacher may be giving daily work direction to as many as six
paraprofessionals, all with different duties. Clearly, ensuring that paraprofessionals are
properly prepared to assist students on a daily basis requires time. Often
paraprofessionals work only during the hours students are in attendance. This makes
finding time to perform these functions a challenge.
In order to understand what paraprofessionals are legally allowed to do and the full range of a district’s responsibilities with respect to training and supervision, it is helpful to review IDEA and Minnesota regulations.

1. Minnesota Statute 125A.76 (c) identifies two types of paraprofessionals considered to be “essential personnel,” thus making a portion of their salaries reimbursable with state special education funds. The first type is the paraprofessional who works directly with students (either individually, in classrooms, or in small groups). The second is a:

   …paraprofessional or clerical providing support to teachers and students by preparing paperwork and making arrangements related to special education compliance requirements, including parent meetings and individual education plans."

2. IDEA specifically states that school districts may allow paraprofessionals who are properly trained and supervised (in accordance with state law, regulations, or written policy), to assist in the provision of special education and related services to children with disabilities (34 CFR §300.136(f)).

3. Minnesota Rule 3525.0200 subp. 10a defines a paraprofessional for purposes of special education as:

   … a district employee who is primarily engaged in direct interaction with one or more pupils for instructional activities, physical or behavioral management, or other purposes under the direction of a regular education or special education teacher or related services provider.

Based on this definition, a district’s responsibility to train paraprofessionals who serve students with disabilities is detailed in Minnesota Statute 125A.08(7) (b):

For paraprofessionals employed to work in programs for students with disabilities, the school board in each district shall ensure that before or immediately upon employment, each paraprofessional develops sufficient knowledge and skills in emergency procedures, building orientation, roles and responsibilities, confidentiality, vulnerability, and reportability, among other things, to begin meeting the needs of the students with whom the paraprofessional works; annual training opportunities are available to enable the paraprofessional to continue to further develop the knowledge and skills that are specific to the students with whom the paraprofessional works, including understanding disabilities, following lesson plans, and implementing follow-up instructional procedures and activities; and a district wide process obligates each paraprofessional to work under the ongoing direction of a licensed teacher, and where appropriate and possible, the supervision of a school nurse.
While districts are responsible for ensuring that training is available, the responsibility for day-to-day direction and work falls to the special education teacher. This causes a certain degree of frustration and stress on the part of special education teachers, as they do not necessarily have the necessary time to attend to all the needs of paraprofessionals in their delivery of services to students with disabilities.

See Chapter 4 for ideas to address these issues.

- Paraprofessionals cannot be made responsible for developing the instructional program for a student.
- Paraprofessionals cannot be assigned sole responsibility for a student.
- Paraprofessionals cannot be the primary contact between home and school.
- Paraprofessionals can reinforce instruction, provide drill and practice, and follow-up on the initial presentation of specific instruction.

**Element #6 Other Assignments**

Frequently, special education teachers are assigned non-special education activities on a regularly scheduled basis, such as supervision of:

- homeroom
- study hall
- recess
- 504 plans
- advisories
- lunch
- bus duty

Special education teachers can perform any of these functions; however, these general education functions cannot be funded by special education. For example, in a five period day, a teacher who is responsible for supervising a study hall each day would be considered a special education teacher for approximately 80% of the day and a general education teacher for approximately 20% of the day.

Special education teachers at the secondary level often have scheduled classes, but these classes cannot be modified versions of the general education curriculum, i.e., *Basic Social Studies*. The “class” must reflect the needs of students according to their IEPs. A special education teacher could teach the skills identified on the IEP through a content area, but the purpose of the class must be to address the IEP goals not the content area.

The following activities may be assigned to special education teachers but cannot be funded by special education. Some of the activities may occur after the duty day and are considered voluntary and do not relate to how the position is funded.
- field trips
- student scheduling and/or other duties of a counselor
- conducting pre-referral interventions
- substituting in the building for general education classes
- proctoring statewide or districtwide tests, ACTs, final exams, military entrance exams
- required general education building or district committees
- chaperoning
- liaison to outside groups
- beginning or end-of-year, building clean-up activities

Please note that some of these activities may be allowed if the purpose is to assist a student with disabilities meet IEP goals (e.g., field trips).

See Appendix A.2 Use of Special Education Funded Personnel (Minnesota Rule 3525.1310) State Policy Memo dated 3/11/03.

See Appendix D.4, D.5, and D.6 - Worksheets for Analyzing Workload.

In Chapter 3, a model for analyzing workload is presented with real life examples and information about data that should be gathered in order to apply the model. The six elements are reflected in the model as a means of determining reasonable workload.
Chapter Three

Workload Analysis Model

Introduction

The presentation of a workload analysis model is a specific strategy intended to increase
the retention of special education teachers by evaluating their work environment
(Missouri Special Education Regulations, 1994; CEC, 2000;). Information obtained by
CEC (2000) leads to the conclusion that a more robust and responsive system of
workload determination should incorporate the individual needs of students and the
broad array of requirements for which special education teachers are responsible.

As has been presented previously, the number of students for whom a special education
teacher is the IEP manager does not provide a picture of workload (the intensity of the
work). An analysis of workload will provide the information necessary to make a
determination of its reasonableness. Each special education teacher’s tipping point, or
the point at which the workload becomes unreasonable, is different. However, there are
some fundamental assumptions that can be made about what constitutes “reasonable.”
These assumptions include ensuring that: preparation time is part of the instructional
day; there is a duty free lunch; the time needed for evaluations is incorporated into the
analysis of workload; and the time to complete required due process procedures is
allotted. The following model for analyzing a workload incorporates these assumptions.

Using the Information in this Chapter

Many Minnesota school districts have longstanding, local policies that demonstrate their
commitment to support reasonable working conditions for special education teachers.
Districts with good systems for allocating staff may not need to use the workload
analysis model presented in this chapter. However, even in these cases, administrators
are encouraged to review the information to ensure that all essential variables are taken
into account in any allocation formula or model and to ensure that workload versus
caseload is being considered. This model emphasizes the analysis of individual
workload versus district or building caseload averages, which is a shift in the way the
field has previously thought about special education teacher staffing.

Districts that implement this model may need special educators to conduct time
sampling to reflect time spent on various tasks accurately. For example, special
educators report that it is difficult to quantify indirect service delivery time. Therefore, it
might be helpful to use the *Workload Analysis Worksheets* found in Appendix D.1 and D.2. A special educator would record activities on a per student basis for a two-week period, for example. This could provide a more realistic accounting of indirect service delivery time for IEPs, which would in turn provide more accurate information for use in the workload analysis. It may also be useful to review with special educators all of the components that comprise indirect service (see Chapter 2, pages 15-16).

Most special educators can use the workload analysis model. The model presented in this chapter is adjusted to accommodate itinerant versus school-based staff or teachers versus related services staff (i.e., occupational therapists, physical therapists, and at times speech/language pathologists). The basic concept is the same for each of the groups, but there are slight differences in its application as can be seen in the examples. The examples and explanations for the components included in the workload analysis model are presented in sections outlining the following two types:

<table>
<thead>
<tr>
<th>Type A:</th>
<th>special education teachers assigned to one school</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type B:</td>
<td>itinerant special educators and related service providers</td>
</tr>
</tbody>
</table>

See Appendix D.7 for a list of positions that fit into each of the types. Some sections will need to be filled in based on ranges established by individual districts or cooperatives.

### Workload versus Caseload

Some Minnesota districts have set caseload targets of 12 to 16 for elementary age students and 17 to 21 for secondary age students receiving special education services outside of the general education classroom for less than 50% of the school day (students in Federal Setting 1 and some Setting 2 placements).

Special education teachers’ caseloads have typically been determined by counting the total number of IEPs and then dividing by the number of special education teachers in a school or district. In some cases, districts have used their own weighted formulas. While these practices may result in reasonable workloads, more often they provide limited information about what affects the workload of individual special education teachers. Basing workload decisions on the number of students for whom a teacher is the IEP manager does not account for the variability and/or severity of student needs, the responsibilities required of a special education teacher, or what can reasonably be accomplished within the time constraints of the instructional day. Finally, the model of counting students only does not provide a systematic means for analyzing workload if conditions change during the school year.

In order to move away from the concept of caseload, the language of the field needs to change. There needs to be a recognition by special educators and administrators that *caseload* refers to the number of students with IEPs for whom the teacher is the IEP manager. *Workload* refers to all activities required of the special education position, and it more accurately reflects the relatively reasonable or unreasonable nature of an
individual special educator’s position. The concept of workload is the premise upon which the model found in this chapter is based.

Components of the Workload Analysis Model

The basic model is:

\[ \text{Contact Minutes} + \text{IEPs Managed} = \text{Workload} \]

Rather than recommend a maximum caseload based on the student’s disability, number of IEPs managed, or levels of service, the workload analysis model is based on the severity of student need or the time required to meet the identified needs of the students related to his or her disability. This kind of analysis will allow a district to plan properly. Because excessive workload is not a universal problem in Minnesota, it is essential that any method for determining workload be responsive to the circumstances of individual special education teachers and the students with IEPs for whom the teacher is responsible. In so doing, this model is responsive to the needs of school districts and to individual special education teachers.

An effective workload analysis model identifies excessive workload when it occurs. The approach described in this chapter provides a model for workload analysis that contributes to an increased ability to meet the needs of students by special education teachers and will result in increased job satisfaction. The six quantifiable elements found in Chapter 2 are incorporated into the Minnesota model for workload analysis.

The six elements are:

- Specially Designed Instruction
- Evaluations and Re-Evaluations
- Due Process Procedures and IEP Management Responsibilities
- Preparation Time
- Directing the Work of Paraprofessionals
- Other Assignments

A district’s target range of 12-16 for elementary age students, for example, would remain the same in this model. However, target ranges need to be thought of as workload rather than caseload ranges. That is, the number of students served by will not necessarily match the number in the range. The number resulting from use of the model represents the teacher’s workload. That number should fall into the target range.
Workload Analysis Model Definitions

The following is a snapshot of the components of the calculations used in the workload analysis model. Detailed descriptions for each component follow.

<table>
<thead>
<tr>
<th>Contact Minutes</th>
<th>+ IEPs Managed or IEPs Served</th>
<th>= Workload</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total special education service minutes provided by the teacher divided by the total number of minutes available for instruction = contact minutes. The two numbers in this calculation are:</td>
<td>Type A: The number of IEPs for which the special education teacher is the IEP Manager. Type B: The total number of IEPs on which the special educator is provider.</td>
<td>The final number represents the actual workload.</td>
</tr>
</tbody>
</table>

1. Numerator: The total number of special education service minutes per week for all students served, which includes:
   - providing specially designed instruction (direct)
   - indirect service minutes for IEPs managed (Type A) or served (Type B)
   - conducting evaluations/re-evaluations

2. Denominator: The total number of minutes available for instruction during the week.

Example:

<table>
<thead>
<tr>
<th>Service Minutes Per/Week</th>
<th>Instructional Minutes P/Wk</th>
</tr>
</thead>
</table>

Contact Minutes - Numerator

The contact minutes category is comprised of two components, containing three pieces of data.

1. *Specially Designed Instruction* is a direct accounting of the severity or intensity of student instructional needs. It is comprised of the number of minutes of service (direct and indirect) for all of the students for whom a special educator provides service.
• Direct service includes all instructional and “walk-in” time listed in the IEP. For example, it is stated in the IEP that the student will go to the special education resource room to take tests or to reduce anxiety during the course of the day. The amount of time needed for these interventions is included in direct time.

Type A: Count direct service minutes for all students served.
Type B: Count direct service minutes for all students served.

• Indirect service includes time spent collaborating with general education teachers, implementing accommodations, designing curriculum modifications, and implementing environmental adaptations (see Chapter 2, pages 13-14 for detailed information about what constitutes an indirect service).

Type A: Count indirect service minutes on IEPs for which the teacher is the IEP manager.
Type B: Count indirect service minutes for all students served.

2. **Evaluations and Re-Evaluations** is the number of evaluations and re-evaluations for which a special education teacher is primarily responsible.

Type A: Typically this means the teacher is the IEP manager or is likely to be the IEP manager for a student found eligible for special education after an initial evaluation.

Evaluations and re-evaluations are calculated by averaging the number of hours per week spent conducting evaluations during the instructional day. Total the number of initial evaluations predicted based on prior year data and the number of mandatory three-year re-evaluations. The average number of evaluation hours per week is added to the total number of minutes of specially designed instruction. Total evaluation hours are not used in the formula because it is expected that teachers do some work before and after school. There are some components of an evaluation that can only be completed during the student instructional day. Since the model for analyzing workload is based on the instructional day, only those specific components of an evaluation are incorporated into the analysis.

Type B: Count all evaluations and re-evaluations.

For example, the following evaluation components can only be completed during the instructional day:

- conducting student observations
- conducting tests with the student
- conducting student interviews
The following is an example of how to calculate average evaluation hours:

<table>
<thead>
<tr>
<th>Description of Calculation</th>
<th>Example</th>
<th>Calculation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimate the time needed during the student day to complete typical evaluation or re-evaluation activities.</td>
<td>6 hours</td>
<td></td>
</tr>
<tr>
<td>Multiply the hours needed for each evaluation by the total number of evaluations to be conducted during the year.</td>
<td>6 initial evaluations, 5 re-evaluations, 6 hours needed for each evaluation</td>
<td>$6 \times 11 = 66$ hours needed during the year for evaluations</td>
</tr>
<tr>
<td>Calculate weeks of school in which evaluations can occur. Subtract first and last weeks of school to arrive at the final number.</td>
<td>172 student days, 5 days per week</td>
<td>$172 \div 5 = 34.4$ weeks, $34 - 2 = 32$ weeks for evaluations</td>
</tr>
<tr>
<td>Divide evaluation hours by total weeks of school to arrive at the number of hours per week to add to the contact minutes in the numerator of the model.</td>
<td>66 hours per year, 32 weeks</td>
<td>$66 \div 32 = 2.06$, $2$ hours per week for evaluations is added to the total service hours in the numerator</td>
</tr>
</tbody>
</table>

### Instructional Minutes - Denominator

1. **Instructional Minutes** are the exact number of minutes a teacher is available during the student day to provide specially designed instruction and to conduct evaluations. Subtract the following from the minutes in the district’s student day to arrive at the number of minutes per day the teacher is available:

   - **Type A:**
     - duty free lunch (time varies based on individual district contracts)
     - preparation time
     - other assignments (general education duties such as monitoring a study hall, lunch room duty, bus duty, homeroom, etc.)

   - **Type B:**
     - include travel time between sites.

2. **Directing the Work of Paraprofessionals** often takes place outside of the student day. However, if regularly scheduled meetings are held with paraprofessionals during the student day, this time needs to be deducted from the amount of time available for instruction.
**Number of IEPs Managed or Number of Students Served**

IEPs Managed or served includes due process procedures and writing and implementing the IEP. This number is added to the total contact minutes.

**Type A:** Count the number of students with IEPs for whom the special education teacher is the IEP manager.

**Type B:** Count the number of students served.

**Summary of Steps Used to Calculate the Workload Analysis**

1. **Calculate Contact Minutes**
   
   a. Total the number of minutes per week the teacher provides specially designed instruction (direct and indirect) and conducts evaluations.
   
   b. Calculate the number of instructional minutes available per day.
   
   Example:
   
   ♦ 6-hour student day equals 360 minutes per day
   ♦ 30-minute lunch and a 50-minute prep period equals 80 minutes per day not considered “instructional”
   ♦ A total of 280 instructional minutes available per day
   
   c. Multiply the number of instructional minutes per day x 5 days per week.
   
   Example: ♦ 1,400 total instructional minutes available per week
   
   d. Divide the total number of special education service minutes by the available instructional minutes.

   \[
   \text{Contact Minutes} = \frac{\text{Student Service Minutes Per Week}}{\text{Instructional Minutes Per Week}}
   \]

2. **IEPs Managed**
   
   Add the number of IEPs for which the special education teacher is the IEP manager (total served for Type B) to the total contact minutes calculated based on the above example.

3. **Workload - What the Number Means**
   
   The number derived from this model reveals the special teacher’s workload based on actual service minutes and actual availability during the instructional day. For example, a special education teacher is currently the IEP manager for 10 students. Based on the amount of service in those IEPs and availability of the teacher, the number derived is 14. This actually means the workload is equivalent to 14 students.
Using the Minnesota Workload Analysis Model
Type A Examples

Type A applies to special education teachers who are based in one building and who serve as IEP managers for the majority of students they serve.

Three examples are provided using the workload analysis type A. Each example illustrates how factors such as the number of students, amount of indirect time needed, direct specially designed instruction, and the number of evaluations conducted influence workload.

In Minnesota, caseloads have historically ranged from 12 to 16 students at the elementary level and 17 to 21 at the secondary level. These ranges are used for purposes of the following examples (EDRS data, MDE, 1997; Larson, et al., 2000; Workload Task Force, 2002).

Keep in mind that suggested ranges and the numbers resulting from the examples represent WORKLOAD. This is not the number of students the teacher serves; it is the sum of the work.

Example 1: Junior High Teacher – Students with Moderate Service Needs

<table>
<thead>
<tr>
<th>Contact Minutes</th>
<th>+ IEPs Managed</th>
<th>= Workload</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Student Service Minutes Per Week = 5,452</strong>&lt;br&gt;(Equals direct, indirect, evaluation minutes)</td>
<td>+ 14</td>
<td>= 18</td>
</tr>
<tr>
<td>• 17 @ 50 minutes per day x 5 days&lt;br&gt;= 4,250 minutes per week</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• 6/17 students with additional “drop-in” needs of 20 minutes per day x 5 days&lt;br&gt;= 600 minutes per week</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• 2/17 students with additional tutorial @ 90 minutes per week each&lt;br&gt;= 180 minutes per week</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• 14 students @ 30 minutes per week indirect time for curriculum modifications, etc.&lt;br&gt;= 420 minutes per week</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• 11 evaluations @ 6 hours each/32 weeks</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Instructional Minutes Per Week = 1,400<br>(Based on 1,800 minutes per week, subtracting 250 minutes per week for prep and 150 minutes per week for lunch) | | |
Using the data provided above, the example is summarized below:

<table>
<thead>
<tr>
<th>Contact Minutes Calculation</th>
<th>Contact Minutes Ratio</th>
<th>IEPs Managed</th>
<th>IEPs Managed + Contact Minutes Ratio</th>
<th>Workload</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,452</td>
<td>= 3.9</td>
<td>14</td>
<td>4 + 14</td>
<td>18</td>
</tr>
</tbody>
</table>

Most of the secondary students in Example 1 have mild to moderate needs for direct minutes of special education service, have relatively high “walk-in” needs, and few or no related service needs, which reduces some of the need for extensive indirect services. These are predominantly students with learning disabilities.

The resulting workload of 18 is within the expected range of 17 to 21 for a reasonable workload. This example is representative of “federal setting 1” students of any disability. Current Minnesota Rule leaves the determination of caseload for these students to the local district.

Example 2: Elementary Teacher - Students with High Service Needs/High Related Services

<table>
<thead>
<tr>
<th>Contact Minutes</th>
<th>Number of IEPs</th>
<th>Workload</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Service Minutes Per Week = 8,999 (Direct, Indirect, Evaluation Minutes)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14 students with direct services</td>
<td>8,128 minutes per week</td>
<td></td>
</tr>
<tr>
<td>14 students with indirect services</td>
<td>870 minutes per week</td>
<td></td>
</tr>
<tr>
<td>6 re-evaluations @ 6 hours each/32 weeks</td>
<td>1 hour per week on average</td>
<td></td>
</tr>
<tr>
<td>Instructional Minutes Per Week = 1,400 (Based on 1,800 minutes per week, subtracting 250 minutes per week for prep and 150 minutes per week for lunch)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>+ 14</td>
<td>= 20</td>
<td></td>
</tr>
</tbody>
</table>

Using the data provided above, the model is summarized below:

<table>
<thead>
<tr>
<th>Contact Minutes Calculation</th>
<th>Contact Minutes Ratio</th>
<th>IEPs Managed</th>
<th>IEPs Managed + Contact Minutes Ratio</th>
<th>Workload</th>
</tr>
</thead>
<tbody>
<tr>
<td>8,999</td>
<td>= 6</td>
<td>14</td>
<td>6 + 14</td>
<td>20</td>
</tr>
</tbody>
</table>
The elementary students in Example 2 have a high need for direct special education services, as well as a significant need for indirect minutes to collaborate with general education teachers, adapt environments, and to coordinate services with occupational therapists, speech/language clinicians, teachers of the deaf/hard of hearing, etc. Additionally, some re-evaluations may be complicated, involving many providers, assistive technology, etc. The average for one of these evaluations is approximately 15 hours. The workload is comprised of students with many disabilities: physical impairments, developmental cognitive disability (mild to moderate), autism spectrum disorder, health disabilities, hard of hearing.

The resulting workload of 20 is outside the expected range of 12 to 16 for a reasonable workload.

**Example 3: Senior High School Teacher - Students with Low Service Needs**

<table>
<thead>
<tr>
<th>Contact Minutes Calculation</th>
<th>Number of IEPs</th>
<th>Workload</th>
</tr>
</thead>
</table>
| **Student Minutes Per Week = 2,171.5**  
(Direct, Indirect, Evaluation Minutes) | = 17 | = 18.5 |
| * 4/19 students @ 50 minutes per day  
= 1,000 minutes per week | + 17 | 18.5 |
| * 7/19 students @ 100 minutes per week  
= 700 minutes per week | | |
| * 6/19 students @ 50 minutes per week  
= 300 minutes per week | | |
| * 17 students @ 10 minutes per week indirect service  
= 170 minutes per week | | |
| * 9 total evaluations @ 6 hours each/32 weeks | | |

**Instructional Minutes Per Week = 1,400**  
(Based on 1,600 minutes per week, subtracting 250 minutes per week for prep and 150 minutes per week for lunch)

Using the data provided above, the example is summarized below:

<table>
<thead>
<tr>
<th>Contact Minutes Calculation</th>
<th>Contact Minutes Ratio</th>
<th>IEPs Managed</th>
<th>IEPs Managed + Contact Minutes Ratio</th>
<th>Workload</th>
</tr>
</thead>
<tbody>
<tr>
<td>2,171.5</td>
<td>1.5</td>
<td>17</td>
<td>1.5 + 17</td>
<td>18.5</td>
</tr>
<tr>
<td>1,400</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The students in Example 3 have a low need for direct special education services. While the number of students is somewhat large, the workload and number of students is essentially equivalent. The result is 18.5 and is within the range of 17 to 21 for a reasonable workload.
Using the Minnesota Workload Analysis Model
Type B Examples

Type B applies to special educators who serve large numbers of students but who are typically not IEP managers. It also applies to itinerant special education teachers. The workloads of the following special educators may best be analyzed by using this version of the workload analysis model.

Speech/language pathologists are included here rather than in the Type A section. Speech/language positions are unique as they can be IEP managers and related service providers within one assignment. Therefore, Type B best reflects their workload, as it is a bit more descriptive. That is, they will be able to account for all students served versus just those for whom they are the IEP managers as is the case with Type A.

- occupational therapists
- physical therapists
- adapted physical education teachers
- itinerant teachers of students with physical and/or health disabilities
- itinerant teachers of the deaf/hard of hearing
- itinerant teachers of blind/visually impaired
- speech/language pathologists

Type B differs from Type A because it includes travel time and number of students served versus IEPs managed. Other factors relevant to these unique positions can be built in at the district level.

\[ \text{Contact Minutes} + \text{IEPs Served} = \text{Workload} \]

The following is a snapshot of the components of the calculations used in the workload analysis model. In the examples, evaluations are counted at a total of 6 hours each and reflect evaluation hours needed during the instructional day. This number is used for purposes of illustration only and can be changed to reflect the actual assignment. For example, a speech/language pathologist who conducts a large number of articulation evaluations would likely need to reduce the amount of time per evaluation.
Contact Minutes

Total special education service minutes provided by the special educator divided by the total number of minutes available for instruction = **contact minutes.** The two numbers in this calculation are:

1. **Numerator:** The total number of special education service minutes per week for all students served, which includes:
   - providing specially designed instruction (direct & indirect)
   - conducting evaluations/re-evaluations

2. **Denominator:** The total number of minutes available for instruction during the week.

<table>
<thead>
<tr>
<th>Contact Minutes</th>
<th>+ IEPs Served</th>
<th>= Workload</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total special education service minutes provided by the special educator divided by the total number of minutes available for instruction</td>
<td>Combination of students for whom the special educator is the IEP manager and/or the students for whom the special educator is one of the providers on the IEP.</td>
<td>The final number represents the actual workload.</td>
</tr>
</tbody>
</table>

Contact Minutes - Numerator

The contact minutes category is comprised of two components, containing three pieces of data. The following is a brief summary of the detailed information provided previously in this chapter.

1. **Specially Designed Instruction** is a direct accounting of the severity or intensity of student needs. It is comprised of the total number of minutes of service (direct and indirect) for all of the students for whom the special educator provides instruction and that is documented on the IEP.

2. **Evaluations and Re-Evaluations** is the number of evaluations and re-evaluations in which the special educator participates. Calculate in the same manner as Model A.

Instructional Minutes - Denominator

*Instructional Minutes* are the exact number of minutes a teacher is available during the student day to provide specially designed instruction and to conduct evaluations.
Subtract the following from the student day to arrive at the number of minutes per day the teacher is available:

- duty free lunch (time varies based on individual district contracts)
- preparation time
- other assignments (general education duties such as monitoring a study hall, etc.)
- travel time between buildings and/or districts

See Appendix E.1 for a sample job description for itinerant staff.

**Summary of Steps Used to Calculate the Workload Analysis – Type B**

1. **Calculate Contact Minutes**
   a. Total the number of minutes per week the special educator provides specially designed instruction (direct and indirect) and conducts evaluations.
   b. Calculate the number of instructional minutes available per day.

   **Example:**
   - 6-hour student day equals 360 minutes per day
   - 30-minute lunch and a 50-minute prep period equals 80 minutes per day not considered “instructional”
   - 30 minutes per day travel between buildings
   - A total of 250 instructional minutes available per day
   c. Multiply the number of instructional minutes per day x 5 days per week.

   **Example:**
   - 1,250 total instructional minutes available per week
   c. Divide the total number of special education service minutes by the available instructional minutes.

2. **Students Served**
   Add the total number of students served to the total contact minutes calculated based on the above example.

3. **Workload - What the Number Means**
   The number derived from this model reveals the special educator’s workload based on actual service minutes and actual availability during the instructional day.

   **Example:** A speech/language pathologist currently serves 42 students. Based on the amount of service in the IEPs and availability of the speech/language pathologist, the number derived is 45. This actually means the workload is equivalent to 45 students versus 42.
Two examples are provided using Type B. Both examples illustrate how factors such as the number of students served, amount of direct and indirect service, travel time, and time spent conducting evaluations influence workload.

Keep in mind that the numbers resulting from the examples are expressed as workload not caseload. This is not reflective of the number of students the special educator serves; it is the sum of the work.

Example #1: Junior High Speech/Language Pathologist

<table>
<thead>
<tr>
<th>Service Minutes – Instructional Minutes</th>
<th>+ Students Served</th>
<th>= Workload</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Service Minutes Per Week = 2,630 (Direct, Indirect, Evaluation Minutes)</td>
<td>+ 34</td>
<td>= 36</td>
</tr>
<tr>
<td>• 10 evaluations @ 3 hours each/32 weeks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Instructional Minutes Per Week = 1,400 (Based on 1,800 minutes per week, subtracting 250 minutes per week for prep and 150 minutes per week for lunch)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Using the data provided above, the example is summarized below:

<table>
<thead>
<tr>
<th>Contact Minutes Calculation</th>
<th>Contact Minutes Ratio</th>
<th>Students Served</th>
<th>Students Served + Contact Minutes Ratio</th>
<th>Workload</th>
</tr>
</thead>
<tbody>
<tr>
<td>2,630</td>
<td>= 1.88</td>
<td>34</td>
<td>34 + 2</td>
<td>36</td>
</tr>
<tr>
<td>1,400</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The speech/language pathologist in this example is assigned 1.0 FTE to a junior high school with a total population of 950 students. This junior high school has a functional skills program for students with mild-moderate cognitive developmental disabilities; a center-based autism program; and a center-based program for students with severe cognitive development disabilities.

The range established by the district will determine whether the resulting workload of 36 is within the expected range for a reasonable workload. Current Minnesota Rule leaves the determination of caseload for these services to the local school district.
Example #2: Occupational Therapist

<table>
<thead>
<tr>
<th>Service Minutes – Instructional Minutes</th>
<th>+ Students Served</th>
<th>= Workload</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Service Minutes Per Week = 2,252 (Direct, Indirect, Evaluation Minutes)</td>
<td>25 evaluations @ 4 hours each/32 weeks</td>
<td>65</td>
</tr>
<tr>
<td>Instructional Minutes Per Week = 1,190 (Based on 1,800 minutes per week, subtracting 250 minutes per week for prep, 150 minutes per week for lunch, 60 minutes per week required supervision of COTA, 150 minutes per week for travel)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Using the data provided above, the example is summarized below:

<table>
<thead>
<tr>
<th>Contact Minutes Calculation</th>
<th>Contact Minutes Ratio</th>
<th>Students Served</th>
<th>Students Served + Contact Minutes Ratio</th>
<th>Workload</th>
</tr>
</thead>
<tbody>
<tr>
<td>2,252</td>
<td>= 1.89</td>
<td>65</td>
<td>65 + 2</td>
<td>67</td>
</tr>
</tbody>
</table>

| 1,190                      |                      |                |                                        |          |

In this example, the occupational therapist serves 3 elementary schools, 1 junior high school, and 1 senior high school. She does not go to every building every day. The occupational therapist supervises one 40 hour per week certified occupational therapy assistant (COTA). In all but one of the buildings, there is at least one center-based class for students with moderate to severe disabilities (i.e., autism, severe DCD, etc.).

The resulting workload of 67 may be reasonable based on the district’s policies. Current Minnesota Rule leaves the determination of caseload for these services to the local district.
Special Education Teacher Workload Analysis - Type A

 Directions

The data requested for this form will help determine staffing levels for the coming school year. It may also be used to determine if there are inconsistencies in staffing during the current year. Please make sure each area of service is addressed for each student. If a column asks for information not relevant for the student, write NA.

1. Direct Student Minutes Per Week: The number of direct service minutes you provide per week for all students served. Direct service includes all specially designed instruction provided by you as found in the IEP no matter the location or type of service, and is all "face-to-face" time with students. Direct service also includes "walk-in" time when it is a service in the IEP.

2. Indirect Student Minutes Per Week: The number of indirect service minutes you provide per week for each student for whom you are the IEP Manager. Examples of indirect services are: adapting physical environments, implementing adaptations, consulting with general education teachers, etc. Make sure you document all of the time you spend on behalf of students in your IEPs.

3. Number of all types of re-evaluations predicted for the coming year.

4. Number of initial evaluations you will complete this school year to use as a predictor for the coming year

Teacher Name _________________ School ______________

Estimated # Re-Evaluations Next Year _____ # of Initial Evaluations This Year ____
Total # of Evaluations x 6 hours __________

Current Students

<table>
<thead>
<tr>
<th>#</th>
<th>Student Last</th>
<th>Student First</th>
<th>Grade</th>
<th>Federal Setting</th>
<th>Primary Disability</th>
<th>Direct Service Minutes P/Week</th>
<th>Indirect Service Minutes P/Week</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Totals

See Appendix D.3 for a copy of Type A: Special Education Teacher Workload Analysis Worksheet.
Special Education Teacher Workload Analysis - Type B

**Directions**
The data requested for this form will help determine staffing levels for the coming school year. It may also be used to determine if there are inconsistencies in staffing during the current year. Please make sure each area of service is addressed for each student. If a column asks for information not relevant for the student, write NA.

1. **Direct Student Minutes Per Week:** The number of direct service minutes you provide per week for all students served. Direct service includes all specially designed instruction provided by you as found in the IEP no matter the location or type of service, and is all "face-to-face" time with students.

2. **Indirect Student Minutes Per Week:** The number of indirect service minutes you provide per week for all students served. Examples of indirect services are: adapting physical environments, implementing adaptations, consulting with general and special education teachers, training staff to meet specific students’ needs, etc. Make sure you document all of the time you spend on behalf of students in your IEPs.

3. Number of all types of re-evaluations predicted for the coming year.

4. Number of initial evaluations you will complete this school year to use as a predictor for the coming year.

Teacher Name _________________ School ______________

Estimated # Re-Evaluations Next Year _____   # of Initial Evaluations This Year _____
Total # of Evaluations x 6 hours __________

<table>
<thead>
<tr>
<th>Current Students</th>
</tr>
</thead>
<tbody>
<tr>
<td>#</td>
</tr>
<tr>
<td>---</td>
</tr>
<tr>
<td>1</td>
</tr>
<tr>
<td>2</td>
</tr>
<tr>
<td>3</td>
</tr>
</tbody>
</table>

Totals

See Appendix D.4 for a copy of Type B: *Special Education Teacher Workload Analysis Worksheet.*
The following sample worksheet provides a sample analysis of the workloads of a whole school's special education teaching staff (Type A). It is often helpful to look at a whole school to see where there may be discrepancies among individual teachers. A whole group of a certain kind of staff can also be compared (Type B).

**Sample Worksheet: Type A Workload Analysis Summary**

**School Name** Adams Middle School

**Type of Position Reviewed** Special Education Teachers

After completing an analysis of individual special educator’s schedules, fill in the following chart with the information for each person. The completed chart provides an overview to help determine if the workloads in the building or district are balanced.

<table>
<thead>
<tr>
<th>IEP Manager/ Service Provider Name</th>
<th>Amy</th>
<th>Jeff</th>
<th>Shelly</th>
<th>Bob</th>
<th>Ellen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Direct Minutes Per Week for all Students</td>
<td>8694</td>
<td>3810</td>
<td>7384</td>
<td>7945</td>
<td>4425</td>
</tr>
<tr>
<td>Total Indirect Minutes Per Week for IEPs Managed</td>
<td>320</td>
<td>50</td>
<td>170</td>
<td>130</td>
<td>235</td>
</tr>
<tr>
<td>Total Number Evaluations/Re-Evaluations</td>
<td>8</td>
<td>6</td>
<td>5</td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td>Total Hours of Evaluations/Re-Evaluations</td>
<td>96</td>
<td>72</td>
<td>60</td>
<td>60</td>
<td>48</td>
</tr>
<tr>
<td>Average Weekly Hours Evaluation (Evaluation hours divided by 34 weeks)</td>
<td>2.8</td>
<td>2.1</td>
<td>1.8</td>
<td>1.8</td>
<td>1.4</td>
</tr>
<tr>
<td><strong>Total Number Student Service Minutes</strong></td>
<td>9016.8</td>
<td>3862.1</td>
<td>7555.8</td>
<td>8076.8</td>
<td>4661.4</td>
</tr>
<tr>
<td>Special Education Instructional Minutes Available (deduct prep, lunch, etc.)</td>
<td>1400</td>
<td>1400</td>
<td>1400</td>
<td>1400</td>
<td>11501</td>
</tr>
<tr>
<td><strong>Total Contact Minutes Per Week - Ratio</strong></td>
<td>6.44</td>
<td>2.76</td>
<td>5.40</td>
<td>5.77</td>
<td>4.05</td>
</tr>
<tr>
<td>IEPs Managed</td>
<td>13</td>
<td>8</td>
<td>17</td>
<td>10</td>
<td>15</td>
</tr>
<tr>
<td>Contact Minutes + IEPs Managed</td>
<td>19.44</td>
<td>10.76</td>
<td>22.40</td>
<td>15.77</td>
<td>19.05</td>
</tr>
<tr>
<td><strong>Workload</strong></td>
<td>19</td>
<td>11</td>
<td>22</td>
<td>16</td>
<td>19</td>
</tr>
</tbody>
</table>

1 In this example, the teacher spends 50 minutes per day monitoring a homeroom. Those 50 minutes are subtracted from the available instructional minutes per day.

See Appendix D.5 for a copy of Type A: Building Workload Analysis Worksheet and D.6 for a copy of Type B: Position Workload Analysis Worksheet (for use with specific positions such as speech-language pathologist).
Tipping Point

Does this sound familiar? You have had a fairly typical day at work, navigating your way through a sea of crises, nagging little problems, and seemingly unreasonable demands on the little time you have that day between a series of all-important meetings. You have made it through the day with relative calm, dealing with each situation as it arose and moved on. It is late in the day, and most people have left the office. You are going to try to get one important memo out before you leave. You finish the memo and for some reason the printer will not work. No matter what you do, you can’t get the printer to work and that memo is just not going to get done today. At that point, the day just collapses in on you. You wonder how you can continue to work at this pace. You have finally reached your tipping point.

According to Gladwell (2002), a tipping point is the last event in a series of events that provokes a major change for an individual or community. Little causes can have big effects and one potentially dramatic moment can cause rapid, rather than gradual, change. This is particularly true in a rapidly changing field like special education. Further, the impact of tipping points can be contagious, meaning that an entire building’s special education staff can suddenly seem burned out or ineffective. In the past, the team had seemed to handle the stresses of the job.

The Workload Analysis Model is intended to prevent the problems that come with having too many responsibilities and too little time in which to accomplish them. This concept is particularly applicable to the state of special education teachers’ workloads. Acknowledging “tipping points” is crucial in preventing attrition and increasing retention. When special education teachers are sending signals that they are stressed or burned out, it is worth taking a few minutes to analyze the workload. The surface numbers of students being served may not tell the whole story. While each person’s tipping point is different, the level of equilibrium present at the time the point is reached is extremely important. Therefore, when a teacher with a reasonable workload, working in a supportive environment, enters a high-demand time period and something goes wrong, a sense of balance may be maintained. This is not the case for the special education teacher who is already struggling with the demands of a very difficult job and who feels unsupported or isolated.

Analyzing special education teachers’ workloads and making necessary adjustments is critical to retaining special education teachers in the field. Additional solutions for creating reasonable workloads and supportive environments for special education teachers are offered in Chapter 4.
This manual is focused on the critical elements that comprise a special education teaching position and how those elements can be considered when analyzing and then determining a reasonable workload. The force driving the need to establish reasonable workloads is the well-documented evidence that the field of special education is struggling to retain those who are currently teaching (Zabel & Zabel, 2001; Darling-Hammond, 2003).

There are many specific “tipping points” (Gladwell, 2000) identified by teachers who hit a point in the day, year, or in their careers when the demands of the job become unreasonable. While some of these may be the “little” things, others are reflective of the climate issues that are well documented in the literature as the predominant reasons special education teachers leave their positions or the field (Merrow, 1999; CEC, 2000; Gersten, et al., 2001; Billingsley, 2002; Oregon Office of Special Education, 2002; SPeNSE, 2002).

- An IEP draft must be completed for an IEP meeting at 3:00. There is no computer available to the IEP manager when she has the time to complete it.
- A teacher must develop a new set of skills in order to serve a new student. There is no disability-specific consultant available for two weeks, or the teacher may rarely see the consultant because consultants are assigned to a huge geographic region.
- A requisition for instructional materials to meet the critical needs of a group of students is denied by the building principal.
- Moving from room-to-room during the day creates a situation where critical documentation has been misplaced, and the teacher often arrives in one classroom only to find that the range of materials she needs for the hour are in another classroom.
- Schedules for 2nd semester come out, and some students are not scheduled correctly. No time is allotted in the day for special education services.
- Two new special education teachers have never written an IEP. The veteran teacher on the team is assigned to help and now the IEPs are late.
- No general education teachers attend an IEP meeting so it must be rescheduled.
- Three new students enroll in the middle of the semester with active IEPs. No files have been sent. When files finally arrive, the evaluation report is missing or due next week. The IEP is overdue because the family has been moving from place to place.
- There are no substitutes provided when paraprofessionals are out sick, so the teacher goes for two to three days without preparation time or lunch.
It is important to note that in addition to staffing a building properly, there are ways a district’s or an individual school’s leadership can be supportive of special education teachers, while at the same time gaining efficiencies in the system. The ideas that follow either create time for teachers through staffing alternatives, building capacity, creating supportive climates, or they are geared toward stress relief and wellness.

See Appendix C - Building Special Education Survey to help determine if there are specific areas that need to be addressed.

**Staffing**

**Differentiation in Staffing:** In the recent literature, the multiple responsibilities expected of special education teachers are related to the potential that they will leave their special education positions or the field of special education. The on-going examination and redesign of teaching positions is presented as a solution. “More differentiation in teaching assignments than is typically seen is highly recommended (i.e., attempt to match specific skills and aptitudes of teachers to tasks that need to be done … rather than using the *one size fits all* model so common)” (Johnson, 2000). The concept of differentiation in staffing recognizes the learning curve for new special education teachers by not requiring that they take on such great responsibilities immediately. It also recognizes the need to create capacity in a system where there is a gap between expectations and resources.

The following are examples of role/responsibility differentiation that can be considered, while keeping in mind the size of the district and nature of the district’s special education population.

1. **District or Building Evaluation Team:** One of the primary and most time consuming responsibilities of special education teachers is that of conducting evaluations (on average an additional two hours per week of paperwork, SPeNSE, 2003). Further, it is an area that requires increasing expertise, understanding of complicated procedural requirements, and the ability to tailor evaluations to increasingly complex student needs. Re-allocating staff to conduct evaluations as their sole assignment creates efficiencies and improves procedural compliance in general, as only a few special education teachers (and other staff such as speech/language clinicians) require intensive training. Increased capacity for special education teacher workload, consistency in application of eligibility criteria, and reduction in the potential for hearings may be additional benefits.

2. **Behavior Analyst/Specialist:** This person is highly trained to analyze behavioral problems, conduct functional behavior assessments (FBAs), develop behavior intervention plans, and develop progress-monitoring systems to measure the effectiveness of behavior intervention. Depending upon the breadth of their experience and the needs of the district, a school psychologist, a special education teacher, or a school social worker could fill this position. A behavior analyst could be itinerant and might be called upon to help for any or all of the following reasons: 1) when a student’s behavior escalates; 2) when new behavioral problems emerge or a student’s behavior changes dramatically;
3) when a behavior intervention plan no longer appears to be working; or 4) when assistance is needed with FBAs, evaluations, behavior intervention plans, or with IEP development. The behavior analyst would assist staff and conduct training in positive behavioral interventions and other strategies at the same time. Preferably, the behavior analyst position would not be a disability specific assignment.

**Due Process Paraprofessional/Due Process Clerical:** Frustration with paperwork is a principal complaint of special education teachers. “Because the U.S. is trying to raise students’ academic performance and address teacher shortages, any conditions that contribute to teacher attrition and interfere with teachers’ ability to devote their time, attention, and talent to meeting the instructional needs of their students cause increased concern (SPeNSE, 2001). Since studies have shown that special education teachers spend an average of 5 hours per week (a full instructional day) on paperwork, assigning a clerical person to do some of this work is a highly cost effective way to address the problem (SPeNSE, 2001). Clerical staff can perform some of the more time-consuming functions, such as: arranging IEP and evaluation meetings; tracking the return of forms; tracking IEP and evaluation dates; placing follow-up phone calls to parents to have forms and test protocols returned; completing the basic content of forms; copying, mailing, and distributing information to teachers; maintaining due process files; tracking non-resident students; and completing child count data; etc.

In fiscal year 2002, the activities of a due process paraprofessional became reimbursable with state special education funds in Minnesota:

> “paraprofessional or clerical providing support to teachers and students by preparing paperwork and making arrangements related to special education compliance requirements, including parent meetings and individual education plans.” (Minnesota Statute 125A.76 (c)).

See Appendix E.2 for a sample job description for a due process paraprofessional/clerical.

**Dedicated School Psychologist to Train Paraprofessionals:** To relieve teachers of the larger paraprofessional behavioral intervention and prevention training demands, time in a school psychologist’s schedule can be dedicated to train and follow-up with paraprofessionals. For example, one school psychologist might provide training to paraprofessionals assigned to programs for students with emotional or behavioral disorders. Cohorts of paraprofessionals (i.e., EBD group, DCD group, autism spectrum disorder group) could meet with the assigned school psychologist on a monthly basis (after initial training) for on-going training and idea sharing. The school psychologist would be responsible for bringing in key people for training and presentations as needed. This type of position creates efficiency and consistency in the system and is intended to ensure that paraprofessionals receive training when there might not be time in individual teachers’ schedules to train. Therefore, it provides support for teachers.
Autism Spectrum Disorder (ASD) Specialist: Depending upon the size of a district’s ASD population, a district autism specialist would be helpful as the demands on regional autism consultants may be quite high. This specialist spends time in classrooms, assists with IEP development, helps to conduct evaluations, helps to train paraprofessionals, helps to analyze behavior, and develops behavioral intervention plans. This specialist might also be responsible for providing training to general education teachers. Regular meetings with those who teach students with autism spectrum disorders could be scheduled for problem solving, support, and on-going training.

Floating Special Education Substitute(s): Floating substitutes provide incidental or situational respite for special education teachers. The floating substitute is a contract teacher, licensed in special education, but who is not assigned to any one school. The floating substitute circulates among schools for some of the following reasons: to relieve special education teachers while they conduct evaluations; conduct some testing when there is a high demand for evaluations in a specific building; provide direct service in a program when a new high need student enrolls and the teacher needs time to understand the student’s needs; provide special education teachers with a day to do paperwork; etc.

Floating Paraprofessional Substitute(s): Great stress is placed on teachers when paraprofessionals are absent if those paraprofessionals are assigned to students who must have adult assistance at all times or who are in programs for students with EBD, ASD, etc. The floating paraprofessional is trained to work with a broad range of students and is able to function flexibly in any situation.

Paperwork Substitute: One day per month, provide substitute teachers to allow special education teachers to have a paperwork day.

Extra Time for Paraprofessionals: Most paraprofessionals work only during student hours. This makes it difficult for special education teachers to meet with them to plan for instruction, review behavior plans, etc. Extra hours may be budgeted for teachers to meet with paraprofessionals, before or after school, on a bi-weekly or monthly basis. This could total slightly more than an additional day per year, per paraprofessional.

Meeting Facilitator at IEP or Evaluation Meetings: Identify a person in the building who is responsible for facilitating meetings and documenting the proceedings. Time is built into his/her schedule for this purpose.

Building Lead Staff: Designate a lead staff person in each school by allocating a portion of a special education teacher’s position (e.g., .2 FTE or .4 FTE depending upon the size of the building). This person is the key communicator from that building to the director/district office. This person might also be trained more intensively regarding regulations so there is a due process specialist in each building. A stipend for extra meetings and responsibilities could be paid consistent with the district’s contract for this type of assignment. Due Process Facilitator/Program Coordinator (non-supervisory) is a reimbursable expenditure in Minnesota.
Curriculum Specialist: This is a district level, special education funded position. The curriculum specialist works collaboratively with the general education curriculum department to ensure that special education teachers: have access to research-based practices; review curriculum; work with teams to develop curriculum; and are provided with training in learning strategies. The curriculum specialist could also be responsible for analyzing outcome data to ensure that curriculum decisions are data driven. Duties could include analyzing statewide and district testing programs and helping teachers learn to use the data for program planning.

Pay for Extended Time: Since many IEP meetings take place before or after the student or contract day, stipends or extended time for teachers could be budgeted. Depending upon the provisions of individual contracts, it may also be possible to allow the staff person take compensation time versus extra pay.

Prep Time Allocation: For each self-contained class, particularly autism spectrum disorders, students with moderate to severe developmental cognitive disabilities, and EBD, allocate additional full-time equivalencies (e.g., .2 FTE per special class) to ensure that staffing is sufficient for special education teachers to have preparation time. If a district has several self-contained programs, a prep time teacher might float between programs in a large building or between buildings in a district. The prep time provider role may be filled in many ways. For example, in a building with a Setting 3 EBD program, extra social worker time might be allocated. The social worker provides prep but is also delivering services specific to the students’ IEPs at the same time.

Floating or Unassigned Staff: Special education licensed staff are hired specifically to manage overloads in buildings or in the district. A .5 school psychologist, 1.0 social worker, or 1.0 special education teacher would go to buildings with overloads, trouble shoot, and intervene as needed (provide direct service). A district could also allocate one unassigned position every year to float to high caseload buildings. These individuals are hired with a slightly different job description, with the understanding that they will provide crisis intervention and assist in programs that are overloaded.

Technology Support Specialist: This is a district level position designed to support special educators for their own and for their students’ technology needs. The technology support specialist provides training and support for students’ assistive technology, including training in specific software use, ensures that student technology is in good repair, trains teachers and students in use of assistive technology, and researches assistive technology. Additionally, the technology specialist trains new special educators in the use of the district’s IEP software and maintains staff computers and equipment, and completes district equipment orders.

Service Coordinator: This is an interagency position, responsible for overseeing interagency agreements, coordinating services across agencies, and other interagency needs. This is a particularly helpful position in early childhood special education 3-5 year old programs, as it provides a continuum of services from the birth to 2 program where service coordination is required.
Low Workload Teachers: When workload is lower than expected, assign staff to special projects or to other buildings for part of the day to conduct evaluations, work with small groups, or work with individual students.

Building Substitutes: Use building substitutes not assigned that day to give special educators extra paperwork time.

Staff Development & Training

When teachers are given opportunities to learn on the job, they are less likely to find reasons to leave. Serious professional development programs are not the only solution but tend to alleviate the problem (Gersten, et al 2001). Formalized and on-going staff development is absolutely critical to retaining expertise in a dynamic, fast-moving field such as special education. In recent years, special education teachers report that their ability to attend staff development opportunities designed especially for them has diminished due to their required participation in building-based activities, i.e., graduation standards training. This trend needs to be examined carefully by principals and district administrators.

Special education teachers, particularly new teachers, report feeling unprepared to address the individual needs of their students with interventions and methods that are research-based and effective (Lloyd, Forness, & Kavale, 1998; Klingler; Ahwee, Pilonieta, & Menendez, 2002; Billingsley, 2002; Nichols & Sosnowsky, 2002).

There are a variety of ways in which training can take place. Some ideas are:

Back-to-School Updates: Provide an annual legal update about special education and special education related initiatives (i.e., Pupil Fair Dismissal Act) before the start of school each year. This update could be provided to general education and special education staff.

Back-to-School Workshops: Ensure that some time during back-to-school workshops is dedicated to special education teachers’ needs. For special education cooperatives, it is most helpful if common workshop days can be scheduled for special education teachers employed by the districts who are members.

Monthly IEP Technical Assistance: Identify staff with the necessary expertise to conduct monthly meetings so teachers can drop in and ask questions, bring IEPs for review, etc. Another idea is to have a topical calendar published at the beginning of the year (at the district or building level) with a list of the topics to be discussed or presented each month. For example, extended school year plans could be a topic in January, and open-ended questions could follow the presentation. This would be a particularly helpful strategy to meet the needs of new special education teachers.
Communication Systems for Teaching Strategies/Interventions: Develop paper or e-mail newsletters that are sent to every special education and general education staff person and to principals. For example, a teaching strategy or behavior intervention could be featured each month along with a due process/legal tip or procedural reminder. Featured websites could be included for teachers to access intervention strategies or resources helpful to parents.

Include Paraprofessionals in Staff Development: Often paraprofessionals are contracted to work only on student days. This means they may not be invited to back-to-school workshops or staff development day activities. Budget one or two extra days per year for all paraprofessionals to attend activities specifically for paraprofessionals on workshop days or include them in some teacher activities.

Time for Networking: It is helpful for special education teachers in specific disability areas to network and to spend time sharing ideas and instructional strategies (i.e., DCD teachers, EBD teachers, ASD teachers). These could be monthly or quarterly meetings. To be maximally effective, meeting such as this require a facilitator of some sort. Facilitators could be school psychologists, lead teachers, or district disability specialists or coordinators.

Staff Development for General Education Teachers: Twelve percent of general education teachers report feeling unprepared to address the needs of students with disabilities, and fifty-nine percent feel only moderately prepared (SPeNSE, 2001; Commission on Excellence in Special Education, 2002). For this reason, it is essential to broaden staff development opportunities to address the needs of general education teachers relative to special education. Most important is their understanding of their roles in IEP development and implementation, as well as having access to student and disability specific information.

Journals/Newsletters: Purchase subscriptions to relevant journals and newsletters for each building to ensure teachers have access to high quality information about interventions and strategies.

Develop New Areas of Expertise: Ask teachers to identify new areas of interest. They might express an interest in becoming specialists in areas such as: Autism Spectrum Disorder, English language learners with disabilities; evaluation; cultural representation or liaison functions (i.e., Somali, American Indian culture). Teachers might also choose to help develop training and become trainers. They might focus on providing training to general educators, parents, or paraprofessionals.

Working with Paraprofessionals: Special education teachers report that they receive little or no training in how to direct the work of paraprofessionals, either through higher education or through staff development. As a result, they report using “real life experience” as their primary source of information (French, 2001; Riggs & Mueller, 2001). Unfortunately, this has led to practices that create a certain degree of stress for special education teachers, and paraprofessionals do not necessarily receive the amount of training and support they need to serve students properly (French, 2001).
The following concerns were identified in studies of the practices employed by districts and special education teachers in working with paraprofessionals. Consider these issues in developing staff development or adjusting procedures within the district.

- lack of teacher involvement in hiring decisions
- lack of clarity about supervision
- few regularly scheduled, sit-down meetings with paraprofessionals
- overlap in duties and tasks or lack of clarity in roles and responsibilities
- oral instructions as primary communication tool versus written plans

(French, 2001; Riggs & Mueller, 2001)

**Stress Relief & Wellness**

Isolation and symptoms of stress are key indicators of a special education teacher’s likelihood for leaving a position or the profession altogether. When special education teachers feel they are valued as members of the school community, they are more likely to be productive, long-term employees (Boscardin, 2001). Conversely, stress and burnout lead to job seeking (Hastings & Brown, 2000). Therefore, the ability to manage stress is critical to special education teacher retention (Brownell, 1997).

The following are some ways to address these needs.

- **Periodic Recognition and Rewards:**
  - recognize a teacher of the month or year
  - provide treats or bags of little gifts when special requests require additional work
  - feature a special education teacher in a district or school newsletter to commend extra effort, a job well done, or to provide a better understanding of what the person does for the students in the district
  - provide a routine pressure relief session or forum for the district as a means of recognizing the issues

- **Create a Receptive Climate:** Often teachers may not ask for help when they need it because they do not perceive that help will be forthcoming. Ensure that teachers understand that they have permission to seek “overload” help by setting up a non-threatening structure to have their workload reviewed.

- **Mini-Retreats:** Provides opportunities for networking, renewal, and rejuvenation for teachers of students with high needs. These could take place on staff development days or before or after school either annually or semi-annually.

- **Access to Information:** Set up meetings where all special education staff are able to ask questions about how staffing was determined and to discuss resources and staffing issues openly with those who make the decisions.

- **Stress Management:** Sponsor workshops designed specifically to help special education teachers mediate the effects of stress and to reduce the likelihood of
“burnout.” Stress management workshops, in combination with peer collaboration/support programs, can increase job satisfaction and commitment to the school or district (Billingsley, 2002). Other areas to include in a program geared toward stress management are teaching teachers how to set realistic expectations and how to develop personal coping strategies (Brownell, 1997).

- **Managing Workload**: Provide teachers with useful strategies for streamlining their workloads through the use of organizational systems, access to technology, time management, efficient ways to prepare for students, scheduling, distribution of work, and other organizational systems.

- **Recognize Need for Rejuvenation**: Provide a change in the nature of the position held by a long-term special education teacher. Such changes could include, part-time classroom/part-time district jobs, restructured jobs becoming a mentor for new staff, and researching and training in effective practices.

- **Improve the Quality of the Environment**: Provide special education teachers with access to all of the facilities and materials available to the general educators in the building. Ensure that their teaching space is conducive to learning and that it remains the same during the day.

- **Preparing for Change and Adaptations**: Offer talks/seminars on proactive change management, create one to five year plans for teachers, and provide opportunities for teachers to project and adjust to changes that are predictable and can be seen in population trends.

### Strategies for Principals

The single most important factor identified by special education teachers regarding job satisfaction is administrative support (Billingsley, 2002; Oregon Office of Special Education, 2002; Merrow, 1999; SPENSE, 2002; Gersten, et al., 2001; CEC, 2000). There are two kinds of support cited by special education teachers - emotional or relationship support and material support (Billingsley, 2002). Further, when teachers identify who the administrators are in “administrative support,” they overwhelmingly refer to their principals (Zabel & Zabel, 2002). Therefore, principals are very important in implementing comprehensive strategies to increase the retention of special educators.

As special education services and systems expand and become more complex, principals have become important partners in the delivery of quality special education services. Responsibility for ensuring that special education programs are staffed properly and function effectively is a partnership between special education administrators and building principals. However, a principal’s commitment to students with IEPs as equal members of the school community is essential to addressing special education teacher retention and recruitment. Principals taking ownership for special education programs, staff, students, and parents is vital. In the view of one Minnesota junior high school principal, “special education is the heartbeat of the school; when it does not function well, the building does not function well.”
Some of the action items from *Bright Futures* related specifically to principals are.

- Organize the school and schedules so special and general education staff can collaborate and plan together.
- Recognize, include, and overtly support special education services and personnel.
- Ensure access to staff development that stresses research-validated practices.
- Evaluate teachers on their use of research-validated practices.
- Publicize the school’s use of research-validated practices.

(CEC, 2000)

The following are suggestions to assist principals in promoting and monitoring the effectiveness of special education programs and services in their schools. Many of the ideas in this section are found in “Tips for Principals to Improve Their Special Education Programs” (Potter & Hulsey, 2001).

**Opening School Special Education Meeting:** Bring all special education staff together prior to the start of the school year. Include paraprofessionals, related service staff, itinerant staff, and others who interact regularly with special education such as school nurses and guidance counselors. If possible, promote leadership by planning and co-facilitating this meeting with a key special education teacher. The reason for such a meeting is to start the year positively, to help staff know they are supported, to promote communication, to review procedures, and to start the year connecting the staff with the administration.

Topics might include:

- ensuring a positive entry for new staff through introductions by providing a team-based orientation;
- orienting staff to changes in the building that might affect students with IEPs;
- ensuring that staff understand supervision structures for paraprofessionals;
- reviewing mentoring assignments;
- ensuring that the needs of newly arriving students are addressed;
- identifying student issues/concerns the principal needs to know;
- ensuring that schedules are correct for all students with IEPs;
- ensuring that staff have the necessary materials and supplies;
- reviewing the special education structure in the building and making adjustments as needed, (i.e., referral process, discipline procedures, etc); and
- clarifying who to talk to when problems or concerns arise, (i.e., when to involve special education director or designee versus the principal).

**Annual Special Education Planning Meeting:** Bring all special education staff together in the spring to discuss issues for the coming year, such as staffing, equipment, and programming needs. This is an opportunity to check in with the special education staff to determine what did and didn’t work during the year and what changes would be beneficial, such as: review workloads, discuss staffing options to relieve workload burdens, and then advocate for proper staffing levels.
at the district level. While it may not be possible to solve each teacher’s workload issues, it is important for principals to acknowledge the issues and plan for future discussions.

Annual Special Education Training: Devote time during pre-school workshop week or other staff development days to special education topics. At the school level, this training may be best targeted toward general education teachers. This type of training is particularly helpful for new general and special education teachers. Enlist the assistance of special education staff to plan the training so they can be proactive and involved.

Topics might include:

- basic overview or update about general education teachers’ responsibilities in the IEP process;
- roles and responsibilities in curriculum modification and examples;
- methods to support behavioral intervention plans in general education classes;
- when to make a referral for a special education evaluation;
- the process for referring students for a special education evaluation;
- overview of certain disabilities that might be prevalent in the building and how; to meet the needs of those students in the general education classroom; and
- overview of specific students with small group of teachers who will teach those students in their classes - focused on how to meet needs, what to expect, how to use equipment, etc.

Support Staff Development/Training Opportunities: Ensure that all special education staff (licensed and unlicensed) attend staff development activities that pertain to their specific disciplines and assignments. They may miss activities in their assigned schools, but this training is often less relevant to their teaching assignments. It is vital that special educators maintain their levels of expertise in order to be maximally effective, to feel they continue to learn new ways to address the needs of their students, to prevent potential problems, and to ensure they feel valued (Billingsley, 2002; SPeNSE, 2002; Carlson & Billingsley, 2001; Boscardin, 2001; Potter & Hulsey, 2001).

Hire Qualified Staff: This seems like an obvious suggestion, but it is a most challenging task. Ensure that individuals hired meet the requirements of the vacant position with respect to licensure and experience. Overall, hiring better prepared teachers reduces attrition. National studies indicate that those who are less well prepared are most likely to leave their positions (Carlson & Billingsley, 2001; Potter & Hulsey, 2001; Billingsley, 2002; Darling-Hammond, 2003).

Example: A teacher of students with emotional or behavioral disorders who has worked in a resource setting may not have the skills to teach in a self-contained program. If a new teacher’s skills are not a perfect match for the requirements of the position, it is critical that a solid mentorship program be in place, that special education administration know the training needs of the teacher, and that building leadership check on this classroom regularly to monitor and support.
Visit All Special Education Classrooms Regularly: Isolation is one of the most problematic issues for special education teachers. This is particularly true for teachers of students who spend most of the day in a special education setting (i.e., teachers of students with moderate-severe cognitive disabilities, severe autism, emotional or behavioral disorders). Regular visits by the principal to special education classrooms affords many benefits:

- the principal gets to know the students;
- the principal gains an understanding of the challenges facing these special education teachers;
- the principal promotes a sense of belonging to the school for special education teachers;
- the principal is afforded a great opportunity to engage with parents of students with IEPs in a positive way during parent conferences or IEP meetings because he or she knows the student; and
- the principal’s presence in special education classrooms promotes communication with special education teachers - when the principal understands the students and the setting, the special education teacher is more likely to seek out the principal to discuss problems, concerns, and successes.

Provide Leadership on Behalf of Special Education: A calm and positive attitude about special education fosters a positive climate for special education in the school. It is important that general education teachers receive information about the needs and responsibilities of special educators and that special education teachers are meaningfully included as members of the faculty and building leadership committees. Additionally, students with IEPs are members of the student body and building administrators plan and advocate for them as they would for any student.

Adjust Teacher Observation Protocols: Observation of direct instruction is a very important component of evaluating the performance of untenured special education teachers. However, there are many other competencies that need to be addressed that are unique to special education. Typically, principals cannot adequately conduct reviews of IEPs and evaluation reports but nonetheless should be aware of how these skills are evaluated. Principals can, however, observe other critical areas of competency. Information can also be shared with mentors to adjust their support/training and so that targeted follow-up can occur. It is important to remember that new special education teachers leave their positions most frequently because they do not believe they are prepared for the requirements of the position (Billingsley, 1993; Miller, et al., 1999; Busch, Pederson, Espin, & Weissenburger, 2001; Coleman, 2001; Billingsley, 2002).

Examples of areas for observation by building principals include:

- quality and effectiveness of collaboration and communication with general education staff;
- skill in conducting an IEP team meeting;
- quality of parent communication;
• ability to direct the work of paraprofessionals; and
• documentation of phone and parent contact.

Appendix E.3 is a list of general competencies for special education teachers.

Attend Carefully to New Special Education Teachers: Being aware of the needs of new special education teachers can help principals develop specific strategies for supporting them, as first year teachers are often reluctant to ask for help because they do not want to appear incompetent (Whitaker, 2000). Attending to the needs of new special education teachers has a direct impact on increasing teacher retention, because a successful first year is critical to retention. A successful year is characterized as one where the teacher’s role is structured carefully and is well defined (Whitaker, 2000). The workload is more carefully monitored, and there may be an emphasis on a more traditional service delivery model, recognizing that most entry-level special education teachers have little or no training in inclusive or cross-categorical service delivery (Busch, et al., 2001). Specifically, new special education teachers who decided to return to their positions identified the presence of the following factors as helping them to make a decision to stay in their positions. Many of these factors can be addressed by principals.

• adequacy of resources
• collegial interaction and support from colleagues (and help from administrators when colleagues were not receptive to specific students)
• support from administrators (emotional and material support)
• mentorship tailored specifically to the needs of special education teachers
• system information about the school and district and about required special education procedures
• help with student discipline
• access to training about effective instructional practices and curriculum (Carter & Scruggs, 2001; Whitaker, 2000)

Strategies for District Administrators & School Boards

It is generally understood that school boards must have a basic knowledge of special education rules and regulations, special education finance, and more specifically, a district’s obligation to provide FAPE to students with disabilities and maintenance of effort. This knowledge base is critical for them to make informed budget and policy decisions. It is the responsibility of superintendents to ensure that the school boards receive required updates from special education directors on these important issues.

Often the public has negative impressions of the impact special education has on a district’s budget. When school board members are well informed, they can engage in more informed dialogue with the public about the myths and realities of special education. School board members also need to have a solid understanding of the special education population in the district so they understand budget and programming requests and decisions presented by district administration.
In addition to the foundational knowledge a school board must have, school board members can be instrumental in addressing issues of reasonable workloads and work environments for special educators by setting specific policies.

Policies for consideration are summarized from the *Bright Futures Action Agenda* (CEC, 2000):

- **Recruit from Within**: Establish a policy for tuition reimbursement for teachers who are interested in pursuing additional licensure in low-incidence or hard-to-find licensure areas (i.e., EBD, PI, D/HH, etc.), and identify paraprofessionals who are interested in pursuing teaching licensure. Develop criteria for tuition reimbursement and encourage principals to identify staff and make recommendations.

- **Hire Qualified Staff**: Adopt a policy of hiring only properly licensed special education teachers. Provide this policy to principals and assist them in identifying fully qualified teachers when vacancies occur.

- **School Accountability**: Require every school to demonstrate that it is using research-validated practices. Provide training to principals about how to identify such practices and provide tools for evaluating teachers in this area. This level of accountability should include a quality-based review process for IEPs to ensure practices are research validated.

- **Commitment to Technology**: Require that all licensed special education staff have up-to-date hardware and software to facilitate efficient management of workload.

- **Commitment to Clerical Support**: Provide funds and training for paraprofessionals to support special educators in carrying out due process requirements.

- **Clarify Roles/Responsibilities**: Clarify the roles and responsibilities of special education teachers by developing detailed and up-to-date job descriptions. For example, these job descriptions should differentiate between general education responsibilities and special education responsibilities. The job descriptions should be shared with principals and widely disseminated to general and special educators.

- **Clarify Workload Expectations**: Establish guidelines for special education teacher workload in the district and make the guidelines easily accessible to special educators.

- **Provide Staff Development for Principals**: Having knowledgeable principals is key to ensuring that education programs and services for students with disabilities are managed effectively (Greene-Bryant, 2002). Compliance with mandates for services to students with disabilities has dramatically altered the role of the building principal, and principals find that special education has become a far more integral component of overall school programming than ever before (Greene-Bryant, 2001; Potter & Hulsey, 2001; Davidson & Algozzine,
A district that fails to place importance on the training of its principals in special education may find itself in legal trouble, as these are the administrators who make the day-to-day decision about policy and practice that most directly affect the lives of students with disabilities (Davison & Algozzine, 2002).

Principals, particularly new principals, report a need for additional preparation in education law and effective instructional practices in order to run successful special education programs in their schools (Davidson & Algozzine, 2002). Specifically, they need up-to-date information about: a) effective inclusion practices; b) parent participation; c) research-based instruction and curriculum; and d) effective IEPs. They particularly want information about instruction and programming for students with behavioral problems and how to handle discipline properly (NASSP, 2001). Principals’ ability to assess the effectiveness of instruction is now as important for special education students as it is for general education students based on the accountability mandates of NCLB.

Mentorship Programs

Mentorship Program Development

Mentorship programs are quite common and are available to many new teachers in Minnesota school districts. However, mentorship programs are rarely differentiated to meet the needs of new special education teachers. To some extent, a good mentorship program focused on the needs of special education teachers relieves veteran teachers from having to assume additional duties (Clement, 2001).

Definition: Mentors, in this case, are special education teachers with a varied range of expertise to address the needs of new special education teachers (e.g., EBD teachers, DCD/Autism teachers, etc.)

The following are components of a differentiated mentorship program:

- Provide release time for new teachers to observe experienced special education teachers in the same area of licensure or who serve students with similar needs (Boyer & Gillespie, 2000; Boyer, 2001).
- Schedule regular mentor/mentee group sessions to share experiences, concerns, and questions (Boyer & Gillespie, 2000; Boyer, 2001).
- Provide content training in developing/writing IEPs, working with paraprofessionals, managing behavior, adapting curriculum, determining appropriate accommodations, and use of assistive technology (low and high tech) (Boyer & Gillespie, 2000; Boyer, 2001).
- Provide opportunities for reflection on teaching practices and student outcomes (Boyer & Gillespie, 2000):
- Team mentor teachers with principals to observe the new teacher in order to provide feedback about effective instructional practices.
- Provide special education teachers with a list of competencies for their positions and focus some mentoring sessions on those competencies.

- Create technology connections to enable frequent and easy communication between mentors and mentees (Boyer & Gillespie, 2000).

**Mentorship to Prevent Attrition**

Mentorship programs can provide a first line of defense in preventing new special education teachers from leaving a district or their positions. Mentors may come from the special education team at the building level. Such programs also provide leadership opportunities and avenues for developing new skills for veteran special education teachers, which keeps them positively engaged and renewed. With retention in mind as one outcome of a good mentorship program, it is important to have answers to the following questions (Clement, 2001):

1. Why do teachers leave the district or school? Conducting exit interviews will provide useful information.

2. What type of support and assistance do new special education teachers want and need? This information can be obtained from regular mentor/mentee sessions and by conducting an end-of-the-year survey.

3. How are new teachers evaluated? Ensure that the skills required of special education teachers are incorporated into the district’s new teacher performance review process.

**Principals and Mentorship Programs**

If the district does not have a formal mentorship program with a focused component for special education, make it available in the building. However, exercise caution with a school-based approach. It is not advisable to simply ask the senior special education staff to mentor new teachers by helping with evaluations and IEPs and walking them through procedures. This places a burden on special education teachers with full workloads and may backfire. Rather, try to carve out time in one special education teacher’s schedule to engage in mentorship activities on a weekly basis or consider a stipend of some kind for this responsibility. Then, meet with the mentor and mentee on a regular basis. It is also important to provide mentorship for new paraprofessionals in a similar way. Quality mentorship is one of the best ways to ensure that new teachers will continue in their positions. (Whitaker, 2000)

**Parent Education**

Improvements in the overall special education system can occur through increased parent awareness and training. Attention to parent education can help to reduce the individual communication demands for special education teachers, establish positive expectations for special education services; decrease miscommunications; and increase parent understanding of the scope of special education. Additionally, positive parent relationships can be further realized by training teachers in effective parent communication strategies.
In Minnesota's Self-Improvement Plan – Part II (CFL, 2003), several barriers to authentic parent involvement are identified.

1. Communication problems based in overuse of educational jargon.
2. Lack of understanding of the school system.
3. Lack of knowledge about how to help their child.
4. Feelings of inadequacy.
5. Logistical problems such as lack of childcare or transportation.

Activities geared toward improving parent involvement and parent training and awareness activities can occur at the district or building level. It may be helpful to conduct needs assessments to determine exactly what parents need in order to participate.

The following are examples of district and building level training and outreach activities:

**District Level:** Training at this level can be accomplished by district staff or by having parent organizations conduct training on behalf of the district. The following are examples of what can be provided in such training:

- Facts about individual disabilities and research-based instructional practices;
- Resources for families of children with disabilities, such as professional organizations, newsletters, websites, etc.;
- Training about IDEA and the role of parents on the team;
- Information about the district and the continuum of special education services;
- Information about high stakes testing, graduation standards as they apply to students with disabilities, how to interpret test data, alternate assessment, etc.;
- Transition to post-secondary life; and
- Creating parent-to-parent support groups or networks.

**Building Level Parent Support:** Training or support at this level might be focused on issues specific to individual schools, such as:

- Discipline policies;
- Networking with other parents of students with disabilities in that school;
- Structuring opening school or open house activities, and conferences to meet the needs of parents of students with disabilities, particularly for parents of students with more severe disabilities;
- Actively seek the participation of parents of students with disabilities on building planning and leadership committees;
- Information about transition from school-to-school or grade-to-grade, e.g., what to expect, what's different, etc.; and
- Information about services available to all students in the school and how to access those services, e.g., clubs, homework assistance, counselors, etc.
Also, training for special education teachers can provide opportunities for improved communication and can ultimately lessen the possibility of conflict or miscommunication. Examples of training might include:

- How to run an IEP meeting in a child/family centered manner;
- How to mediate conflict; and
- Positive communication systems.

A summary of effective special education practices is presented in Chapter 5.
**Chapter Five**

**Effective Instructional Practice**

This chapter provides the link from workload to effective practice or to the delivery of *FAPE*. Without a reasonable workload, special education teachers’ instructional effectiveness is reduced. Without information about effective practices, teachers lack the information needed to work effectively with students with disabilities and to deliver *FAPE* even under optimal conditions.

### Instructional Group Size in Special Education

Although workload has been discussed thoroughly in this manual, the concept of group size in special education is not often addressed in most of the literature. Group size, independent of workload, is a critical issue as it affects a special education teacher’s ability to deliver effective, specially designed instruction. Large group size in special education promotes instructional practices that cannot be responsive to the range of student needs, so the positive effects of a reasonable workload can be negated. In order to increase the likelihood of student progress, group size must be considered when designing a school’s and/or a special education teacher’s schedule.

Logic would suggest that if class size is a significant factor in educational progress for general education students, group size must be at least as significant for special education students. However, there have been relatively few studies conducted on the effect of group size on progress for special education students (NASDSE, 2000). The majority of studies on the issue of group size and achievement for students with disabilities have been conducted by investigators at the University of Minnesota’s Instructional Alternatives Project (Ysseldyke, Thurlow, & Wotruba, 1987; Ysseldyke, Thurlow, & Wotruba, 1988; Ysseldyke, 1988). Not surprisingly, the studies conclude that for students with disabilities, progress and academic engagement are greater in smaller groups. However, McCrea (1996) found that student-teacher ratios for special education students in Minnesota could be as large as 15:1, but there are many variables included in the construction of groups (e.g., use of paraprofessionals, behavior of students).

Other researchers confirm these findings, noting the relationship of significantly greater achievement levels to smaller class sizes for students with disabilities (Keith, Keith, Young, & Fortune, 1993). Gottlieb and Alter (1997) recommend group sizes of no more than five. They also found that special education teachers believe that group size should only be minimally increased when a paraprofessional is added to the staffing. Rylance’s, et al. (1999) review of the literature found strong teacher perception that...
increased group size leads to decreased student achievement. In summary, the available research indicates that the smaller the instructional group, the more effectively individualized instruction can be delivered. Groups of five to eight will allow for effective individualized instruction (Ysseldyke, et al., 1988).

To provide effective individualized instruction, the size of the group needs to be set with the following factors in mind:

- diversity of student needs
- grade and age of students
- range of skills of the students
- behavioral problems of specific students
- students’ ability to work independently
- nature of the instruction (i.e., content and what is taught)

(McCrea, 1996; NASDSE, 2000)

Some caution should be exercised in viewing group or class size as the sole reason for increased achievement for any student. While student engagement and intensity will increase with reduced group size, considerations for the size of the instructional group must be combined with staff development about effective and research validated instructional practices (Holbach, Erle, Zahorik, & Molnar, 2001).

The “Special” in Special Education: Responsibilities of Special Educators

The Individuals with Disabilities Education Act (IDEA) defines special education as (34 CFR § 300.26 (a) (1)):

...specially designed instruction, at no cost to parents, to meet the unique needs of a child with a disability.

Specially designed instruction is defined in IDEA 34 CFR § 300.26 (a) (3) as:

... adapting, as appropriate to the needs of an eligible child, under this part, the content, methodology, or delivery of instruction:

to address the unique needs of the child that result from the child’s disability; and

to ensure access of the child to the general curriculum, so that he or she can meet the educational standards within the jurisdiction of the public agency that apply to all children.
From this definition comes the assurance of a free appropriate public education for all children eligible for special education services under IDEA. Along with other members of the IEP team, the role of the special education teacher in providing individualized, specially designed instruction or the assurance of FAPE is to:

- identify the student’s strengths and weaknesses in all domains (academic, social-emotional, communication, mobility, etc.);
- determine how the student’s disability affects progress in the general education curriculum;
- implement specially designed instruction to address the areas that limit the student’s ability to progress in the general education curriculum (i.e., extreme organizational problems require strategic instruction in study skills, test-taking skills, etc.);
- monitor student progress and the effectiveness of the specially designed instruction;
- monitor the effectiveness of adaptations, accommodations, and curricular modifications in general education and adjust as needed;
- explain the impact of the student’s disability to the general education teacher;
- seek input from the general education teacher about the supplementary aids and services needed for the student to be successful in the classroom;
- assist in planning modifications or adaptations to the general education curriculum in collaboration with the general education teacher; and
- determine relevant adaptations, goals, accommodations, modifications, goals, and objectives in the IEP and ensure that all teachers who work with the student have access to the IEP and implement their portions of the IEP.

In recent years, the mission of special education has become somewhat confused with the advent of standards-based education and high stakes testing. The expectation that special education teachers are responsible for these measures of accountability for students with IEPs has confused the roles of special education teachers. Further, the desire for inclusion has often translated into special education teachers becoming responsible for ensuring that students pass content-based classes such as social studies or science. The emergence of these trends has made it difficult to discern what is “special” about special education in many cases. The following provides a comparison of effective special education and some current trends and practices:
<table>
<thead>
<tr>
<th>Effective Practice</th>
<th>Ineffective Practice</th>
</tr>
</thead>
<tbody>
<tr>
<td>Through the evaluation process, the impact of the student’s disability on progress in the general education curriculum is determined. The specially designed instruction is targeted toward the deficits that are impacting the student’s progress in the general education curriculum.</td>
<td>The specially designed instruction is the general education curriculum at a slower pace with modified content.</td>
</tr>
<tr>
<td>The IEP team decides who on the team is responsible for which aspects of the student’s day. The general education teacher may have some responsibility for helping to develop and implement accommodations or modifications in the general education classroom.</td>
<td>Special education teachers are responsible for developing all accommodations (curricular or environmental) and/or modifications to the general education curriculum.</td>
</tr>
<tr>
<td>Decisions about the appropriateness of the student’s participation in the general education setting and the place best suited for special education services are made by the IEP team. The decisions are based on the principle of least restrictive environment.</td>
<td>Inclusion means the general education classroom is the best place for all special education service delivery.</td>
</tr>
<tr>
<td>The special education teacher provides direct instruction in the general education classroom. The time spent is IEP goal directed.</td>
<td>The inclusion model is implemented as special education teachers helping out, focus is on the general education classroom.</td>
</tr>
<tr>
<td>A student with an IEP has the right to access the general education teacher for after-school help, homework assistance, extra curricular activities, test reviews, etc.</td>
<td>Special education teachers are responsible for helping students with IEPs with most or all homework, test preparation, etc. for content based classes because they have IEPs.</td>
</tr>
<tr>
<td>Decisions about the amount of direct instruction a student needs from special education providers cannot be limited by the school structure. Services are based on individual needs and the necessary flexibility is built into the schedule.</td>
<td>The amount of special education service is determined by the building schedule.</td>
</tr>
<tr>
<td>Special education is based on the goals in the IEP. Content area curriculum could be used as a vehicle to work toward a student’s reading and writing goals, but the reading and writing goals are the focus, not the content area.</td>
<td>Some students with IEPs have trouble with content classes such as social studies or health, so special education teachers assume responsibility for teaching “special education health” or a “special education social studies” class.</td>
</tr>
</tbody>
</table>
Effective Practice | Ineffective Practice
---|---
The assistance of a paraprofessional is provided to assist the student but service is provided under the direction of a special education teacher. | Inclusion means assigning a paraprofessional to students for most of the day with a goal of no “pull out.”

A paraprofessional provides assistance to the student under the direction of a special education teacher. | A paraprofessional is assigned to the student for purposes of inclusion so the student will not be “pulled out.”

Specially designed instruction is based on a student’s individual needs and may require any or all of the following:
- different method
- different pace
- different learning style approach
- different mode
- different focus (34 CFR §300.26) | Cross-categorical service delivery means that all students will benefit from the same special education instruction.

Specially designed instruction directly addresses the evaluated needs of the student with disabilities. | “Support” or homework help is the special education service.

IEP goals are based on the student’s present levels of educational performance. The focus of the specially designed instruction is to teach the skills that impact progress in the general education curriculum due to the disability. | IEP goals for secondary students are based on expectations for all students, such as “pass all classes,” “improve attendance,” “pass the Basic Standards Tests.”

**Responsibilities of General Educators in the IEP Process**

When IDEA was reauthorized in 1997, the requirement for general education teacher participation in the IEP process increased significantly as did the importance of students making progress in the general education curriculum. The U.S. Congress wrote:

“The majority of children identified as eligible for special education and related services are capable of participating in the general curriculum to varying degrees with some adaptations and/or modifications.”

“The education of children with disabilities can be made more effective by having high expectations for such children and ensuring their access in the general curriculum to the maximum extent possible.”

“This provision is intended to ensure that children’s special education and related services are in addition to and are affected by the general education curriculum, not separate from it.” 20 USC § 33 (1400) (c)
The decision about the amount of time a student with an IEP spends in general education versus special education settings is determined by the IEP team. The decisions are based on a review of the student’s present levels of education performance related to his or her disability and how the disability affects progress in the general education curriculum. As a required member of the IEP team, the general education teacher participates in the development of a student’s special education services and in the delivery of those services. The following section provides specific information about required general education teacher involvement.

**A. IDEA Requirements for General Educators as IEP Team Participants**

- **Attend Scheduled IEP Meetings:** At least one general education teacher of the student is a required participant on an IEP Team except when a student is not participating in the general education environment in any way and is not reasonably expected to participate in the near future or when (Federal Register, Vol. 64, p 12477).

- **Participate at IEP Meetings:** This includes assisting the team with the following (34 CFR § 300.346(d)):
  - developing, reviewing, and as appropriate, revising the IEP;
  - determining appropriate positive behavioral interventions and strategies for a student;
  - determining supplementary aids and services, and program modifications for the student; and
  - determining the support school personnel need so the “child makes progress in the general curriculum.”

While it is required, more importantly, it is essential that general education teachers participate in the development of specific portions of special education programming because they will be responsible for implementing some aspects of that programming in the general education classroom. Without such participation, it is difficult to ensure that the IEP can be fully or properly implemented.

**Example #1a - Ineffective Practice:** A behavior intervention plan states that a specific strategy be used in the presence of a target behavior, and that two specific positive interventions be used to prevent the behavior from occurring. The science teacher receives a copy of the IEP and decides that the interventions cannot be implemented in his classroom. The teacher did not attend the IEP meeting. As a result, when the behavior occurred, the teacher sent the student to the special education classroom. Two weeks into the new semester, the student’s behavior deteriorated in the science class, and the teacher wanted him removed and placed in special education for the rest of the semester.
Know and Implement the Contents of the IEP: It is the responsibility of the IEP manager to ensure that the student’s IEP is accessible to each general education teacher, special education teacher, related service provider, or any other service provider responsible for its implementation. All adaptations, modifications, and accommodations must be implemented in the general education classroom as outlined in the IEP. A teacher cannot decide that a certain component will not be implemented in a certain class. There are significant consequences for not following the IEP, such as entering into legal proceedings against the district; possible poor performance evaluations that impact employment; and most importantly that the student does not have access to an appropriate education designed to meet the needs of his/her specific disability (Weishaar, 2001).
Report on Progress: **IDEA** requires that the annual goals in the IEP relate to helping the student be involved and progress in the general curriculum, so the input of general education teachers is essential to determining the effectiveness of some components of the IEP. Progress reviews are required by **IDEA** and must occur at least as often as parents are informed of progress of students without disabilities (e.g., report card time). Therefore, timely response to requests for information is important to determining progress toward IEP goals.

**Coordinate English as A Second Language Services:** For a student who is an English language learner, the student’s language needs must be considered as they relate to the IEP. If ESL services are provided in addition to special education services, the IEP must outline how these services will be coordinated between the two types of services.

### B. Expectations of General Education

With greater emphasis on accountability for student achievement, the expanded role of general educators in the education of students with disabilities is not likely to diminish; rather, it is likely that even greater emphasis will be placed on quality involvement in general education settings and progress in the general education curriculum. It is not the function of special education to teach the content of general education classes. Special education is intended to mitigate the effects of the disability on educational progress through individualized instruction based on needs, to teach strategies for success, to ensure that general education teachers have the information and training they need to include the student in the classroom, and to collaborate with general education to ensure that all needs are addressed.

The following is a list of expectations that can be distributed to general education teachers):

- Review the student’s special education file if necessary, especially the current IEP and most recent evaluation report.
- Implement the classroom accommodations listed in the IEP.
- Communicate with the student, parent, and IEP manager to ensure student success.
- Request IEP meetings when new concerns arise.
- Request additional special education evaluation if necessary.
- Advocate for the student.
- Support paraprofessionals working with the student in the classroom.
- Maintain student confidentiality.

(Thanks to the St. Anthony/New Brighton Public Schools, Special Education Department for contributions to this list.)

The intent of **IDEA** ‘97 requirements for general education teacher participation is to create IEP teams that can address all of the student’s needs and promote achievement in the general education curriculum. Unfortunately, there seems to
be a discrepancy between reality and the ideal set forth in IDEA '97. Students benefit when the IEP team is composed of teachers with different roles and training. Each teacher knows the student’s strengths and needs as observed in a variety of settings (Menlove, Hudson, Suter, 2001). The rationale for a team approach is based on three assumptions:

1. Decisions made by a group are better than those made by an individual.
2. Students in special education have diverse needs and few individual service providers have all of the expertise to address all of the needs.
3. Evaluation and placement decisions made by teams reflect broader perspectives and are less biased by individual perspectives (Menlove, et al., 2001).

The logistics of general education teacher involvement is a significant challenge (NASDE, 1998). General education teachers report dissatisfaction with the IEP process and their involvement. The most dissatisfaction and difficulty is often found at the secondary level where students have multiple general education teachers and the solutions to increase effective participation are difficult to develop (Weishaar, 2001). The following are the major reasons teachers are dissatisfied: lack of team connection; lack of time; inadequate training; and lack of IEP relevance (Menlove, et al, 2001).

The following charts contain examples of the commonly cited concerns of general education teachers (Menlove, et al, 2001). This information can be used to make training decisions, modify team structures in individual schools, improve communication systems in individual schools, etc.

General education teachers report the following concerns about the IEP process.

<table>
<thead>
<tr>
<th>Lack of Team Connection</th>
<th>Lack of Preparation</th>
<th>Lack of Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>† input not valued or requested</td>
<td>† meetings held too early in the year, they don’t know the student</td>
<td>† IEP meetings are scheduled for the convenience of parents not teachers</td>
</tr>
<tr>
<td>† decisions made before the meeting</td>
<td>† meetings are too long</td>
<td>† meetings too long so general education teachers not always able to stay for entire meeting</td>
</tr>
<tr>
<td>† not sure how content of IEP developed and why things they observe are not considered</td>
<td>† unaware of what they should be prepared to discuss</td>
<td>† not enough time to get the work done let alone additional work for special education</td>
</tr>
<tr>
<td>† IEP meetings are a special education process and they are not really involved</td>
<td>† no discussion prior to the meeting so role is unclear</td>
<td></td>
</tr>
<tr>
<td>† they are there to document attendance and to sign forms</td>
<td>† special education teachers lack time to plan with general education prior to meeting</td>
<td></td>
</tr>
<tr>
<td>† not always invited to meetings</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The following are possible solutions to the general education teacher concerns listed above.

<table>
<thead>
<tr>
<th>Solutions to Lack of Team Connection</th>
<th>Solutions to Lack of Preparation</th>
<th>Solutions to Lack of Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>♦ focus on team-based decision making</td>
<td>♦ use agenda to organize IEP meetings</td>
<td>♦ schedule multiple IEP meetings on 1 day, arrange for a substitute teacher</td>
</tr>
<tr>
<td>♦ provide training to help general education teachers understand the importance of being on the team</td>
<td>♦ distribute agenda prior to meeting to reduce time discussing the agenda at the meeting</td>
<td>♦ Consider general education schedules when setting up IEP meetings</td>
</tr>
<tr>
<td>♦ invite all general education teachers associated with the student to IEP meetings</td>
<td>♦ tell teachers what to bring to the meeting</td>
<td>♦ Schedule IEP meetings before or after school or in the evening</td>
</tr>
<tr>
<td>♦ model general education teachers’ importance by soliciting specific ideas for inclusion in the IEP</td>
<td>♦ send blank IEP forms to team members before meeting. They use the forms to make notes, prepare information, think ahead, anticipate discussion, &amp; seek support prior to the meeting.</td>
<td>♦ use technology options, e.g., IEP meetings by speaker phone, disseminate non-confidential information on Web pages, discuss potential goals &amp; objectives by e-mail</td>
</tr>
<tr>
<td>♦ increase level and quality of communication – allot time to general and special education teachers to work and plan together</td>
<td>♦ team has planning meeting to generate ideas for each IEP section &amp; introduce proposed ideas together.</td>
<td>♦ provide transportation or childcare so parents can meet during school hours</td>
</tr>
</tbody>
</table>

Additionally, general education teachers cite the following concerns about their involvement with the IEP process.

<table>
<thead>
<tr>
<th>Inadequate Training</th>
<th>Lack of IEP Relevance</th>
</tr>
</thead>
<tbody>
<tr>
<td>♦ do not understand the expectations</td>
<td>♦ IEPs unrelated to what students are learning</td>
</tr>
<tr>
<td>♦ do not understand role or how to fulfill it</td>
<td>♦ IEPs unrelated to problems in the classroom - perception that IEPs not beneficial</td>
</tr>
<tr>
<td>♦ lack of information about what “forms” mean, what acronyms and terminology means</td>
<td>♦ IEP goals unrealistic or vague</td>
</tr>
<tr>
<td>♦ do not know how to chart progress in the manner expected</td>
<td>♦ structure of classrooms not considered</td>
</tr>
<tr>
<td>♦ lack of training about student’s disability &amp; purpose of programming and/or plans</td>
<td>♦ IEPs focus on what students cannot do with little about what they can do</td>
</tr>
<tr>
<td>♦ lack of training about how to address needs of students in the classroom &amp; how to implement some aspects of an IEP</td>
<td>♦ focused on special education learning not progress in general curriculum</td>
</tr>
<tr>
<td>♦ unsure who is accountable for student progress, how to monitor, &amp; who monitors</td>
<td>♦ unsure how to implement goals &amp; objectives in general education classes</td>
</tr>
</tbody>
</table>

Workload Considerations for Effective Special Education

Effective Practice
The following are possible solutions to the general education teacher concerns listed above.

<table>
<thead>
<tr>
<th>Solutions to Inadequate Training</th>
<th>Solutions to Lack of IEP Relevance</th>
</tr>
</thead>
<tbody>
<tr>
<td>♦ provide resources or training about IEP terms and the reason certain forms are used</td>
<td>♦ solicit IEP goals and objectives that promote progress in general education curriculum</td>
</tr>
<tr>
<td>♦ provide training about progress monitoring systems</td>
<td>♦ provide staff development for linking IEP goals to instruction</td>
</tr>
<tr>
<td>♦ training about the roles of all IEP team members</td>
<td>♦ ensure that all general education teachers have copy of IEP</td>
</tr>
<tr>
<td>♦ create video training tapes featuring effective team meetings with model general education teacher participation</td>
<td>♦ special education teachers spend time in classrooms to ensure relevance</td>
</tr>
<tr>
<td>♦ training in collaborative teaming</td>
<td>♦ distribute IEP prior to meeting and have general education teachers comment on current IEP goals/objectives, etc. and make suggestions in preparation for the meeting specifically about adaptations in general education, including identifying who is responsible and how implementation is to occur.</td>
</tr>
<tr>
<td>♦ training about specific disabilities, and effective practices for those disabilities</td>
<td></td>
</tr>
</tbody>
</table>

Evidence-Based Practices

This section provides information about the instructional practices found to be most effective for students with high incidence disabilities that comprise approximately 81% of the special education population (CFL, 2002). Low-incidence disabilities such as autism spectrum disorder and moderate to severe cognitive impairments have a body of research regarding effective practices. Some resources for this information can be found in the Resources section of the manual.

A. Instructional Practices

In 1997, the U.S. Congress expressed frustration about insufficient focus on applying replicable research about proven methods of teaching and learning for children with disabilities (20 USC § 33 (1400) (c) (4). Over the past few years, researchers have also expressed increasing concern about the gap between “what works” instructionally and what special education teachers actually do (Conderman & Katsiyannis, 2002; Klingler, et al., 2003).

In discussing the issues of effective instructional practices in special education, Hughes (2002) writes:

“Education in general has a tendency to embrace fads in adopting instructional approaches. Special education is not exempt from this tendency, as the field has
seen many non-validated methodologies that are validated become popular. For example, sensory integration, vision training, patterning, modality training have come and gone over the years.”

In the late 1990s, several important studies were completed that provided reviews and analysis of academic interventions used in special education over the past 20 years. None of the previously mentioned methods were found to be effective. Hughes (2002) hypothesizes that unlike some of the more “cutting edge” interventions, the most effective practices can be somewhat mundane and routine and may not hold the interest of teachers to the degree that trendy approaches do. Also, teachers may choose instructional practices that are familiar to them ran than methods that are more effective Conderman & Katsiyannis, 2002).

Nonetheless, practices found to be most effective require that instruction be:

- Intensive
- Explicit
- Frequently Monitored

- Repetitive
- Organized
- Frequently Adjusted

(Lloyd, et al., 1998; Swanson, 1999; Hughes, 2002).

Swanson (1999) found two instructional methods to be superior to all others reviewed. These are direct instruction and strategic instruction, and it is the combination of these two methods that yield the best outcomes for students. Additionally, the key components to effective outcomes were a sequence of drill-repetition-practice-review. The two methods include the components outlined in the table below:

<table>
<thead>
<tr>
<th>Method</th>
<th>Components</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Direct Instruction</strong></td>
<td>♦ sequenced presentation – breaking down the task and providing step-by-step prompts&lt;br&gt;♦ segmentation – breaking skills into parts and then synthesizing parts to whole&lt;br&gt;♦ directed questioning and responses – teacher incorporates process and content questions at all points in instruction&lt;br&gt;♦ repeated feedback&lt;br&gt;♦ control of task difficulty – build from simple to complex&lt;br&gt;♦ use of technology&lt;br&gt;♦ teacher modeled problem solving&lt;br&gt;♦ small group instruction&lt;br&gt;♦ strategic cues – mnemonics, think aloud models, visual cues/reminders&lt;br&gt;♦ repetition – repeated opportunities for practice and application&lt;br&gt;♦ systematic probes</td>
</tr>
<tr>
<td>Lloyd, et al., 1998; Swanson, 1999; Hughes, 2002; Conderman &amp; Katsiyannis, 2002</td>
<td></td>
</tr>
</tbody>
</table>

Workload Considerations for Effective Special Education | Effective Practice | 78
Method

Strategic Instruction
Lloyd, et al., 1998; Swanson, 1999; Hughes, 2002; Bulgren & Schumaker, 2001

Components
- All of the components of direct instruction are built into strategic instruction
- Teach students a strategy for “how” to learn versus teaching the content
- Elaborate explanations – includes extensive use of visual prompts, organizers, and mnemonics to facilitate recall
- Teacher questions and feedback are process versus content-oriented
- Outcome is independent application of a strategy to the content

B. Strategic Instruction

Learning strategies are... techniques, principles, or rules that facilitate the acquisition, manipulation, integration, storage, and retrieval of information across situations and settings (Alley & Deschler, 1979, page 13).

Learning strategies are tools and techniques used to learn and understand new skills or materials. All students, including adult learners, use simple and complex strategies to aid learning and task completion. For many learners, the use of certain strategies may not be a conscious decision (i.e., the approach to writing a paper, tricks for remembering facts, taking notes in a lecture). For students with disabilities (learning disabilities in particular), figuring out how to approach the task may be more difficult than the task itself. Therefore, strategic instruction presents step-by-step procedures that teach the student “how” to learn.

Investigators at the University of Kansas have researched the use of learning strategies since the 1970s. The research base that has resulted over the past 30 years demonstrates the effectiveness of directly teaching students how to use strategies to acquire skills and information, how to apply those strategies, how to generalize to other settings and other materials. A brief summary of this research is that learning strategies are effective in teaching students with learning disabilities to approach and complete tasks and provides them with learning techniques that develop independence in acquiring academic information and completing academic tasks (Sturomski, xxxx NICHY Digest).

A review of the literature reveals that students earn passing grades in content areas at a significantly greater rate when they are exposed to carefully planned, structured instructional routines based on specific strategies (Bulgren & Schumaker, 2001). As students get older, direct instruction from special education teachers tends to decrease and supports designed to help students pass classes increase. This service delivery trend is inconsistent with validated practices. Outcomes for students with disabilities are...
further enhanced when general education teachers reinforce learning strategies or incorporate similar strategies into their instruction. In fact, all students in the class profit from learning strategies. In a review of the literature, Bulgren & Schumaker (2001) found that secondary students enrolled in content area classes with “supports,” accommodations, and curricular modifications but no strategic instruction demonstrated significantly poorer test scores and course grades.

Historically, the high school dropout rate for students with disabilities has been approximately twice that of students without disabilities (Thurlow, Sinclair & Johnson, 2002). Clearly, this is not totally attributable to a student’s inability to compete academically. However, the inability to compete academically has a compounding impact. With the advent of high-stakes testing and graduation standards, there are increasing concerns about how this will affect students with disabilities, their willingness to stay in school, and their ability to graduate with the expected skill levels.

While the data available are not extensive, indications are that students with disabilities are not performing at high levels on high stakes tests. This calls for a careful review of special education service delivery at the secondary level in particular, including a need to identify what is “special” about special education. Services must extend beyond modifying content and providing support to ensure students pass classes. Modifications and accommodations are important to help students access curriculum; however, these functions cannot replace direct instruction. Direct and strategic instruction are essential components of effective instruction.

As has been emphasized in this manual, the most essential challenge for special education today is to attract special educators and then to keep them in the field once they have been trained (Zabel & Zabel, 2001; Darling-Hammond, 2003). In order to have an impact on special education teacher attrition, working conditions in schools and school districts need to change (CEC, 2000; Ingersoll and Smith, 2003). One of the most significant changes that can be made is to shift from the concept of caseload to the concept of workload. By recognizing the sum of the work teachers do and the severity of student needs, teachers will be able to concentrate on providing effective instruction that meets the needs of students with disabilities.

In the next section, resources to promote professional practice and to provide additional resources to that promote special education teacher retention are provided.
Resources

I. Minnesota Department of Education

The Minnesota Department of Education has many resources for use by teachers.

Web Site:  http://education.state.mn.us

A. Documents can be printed directly from the website or downloaded to individual computers in PDF format.

- Minnesota Assistive Technology Manuals
- SLD Companion Manual
- ELL (English Language Learners) Companion to the Reducing Bias in Special Education Evaluation
- Promising Practices for the Identification of Individuals with Autism Spectrum Disorders
- Resource Manual for Graduation Standards Implementation in Separate Sites and Self-Contained Programs
- English-Hmong Dictionary of Special Education
- Due Process Manual
- Meeting the Needs of Students with Physical Impairments

B. Some manuals not found on the Minnesota Department of Education website are available for purchase from the Educational Cooperative Service Unit (ECSU).

- Conducting Functional Behavioral Assessments and Developing Positive Programs for Students with Challenging Behaviors
  - Practitioner’s Manual  $9.10
  - Trainer’s Manual  $16.80
- Reducing Bias in Special Education Assessment for American Indian and African American Students  $22.00
- A Guide to the IEP  $4.50
II. Retention & Recruitment Resources

1. **National Clearinghouse for Professions in Special Education**: Purpose is to enhance the nation’s capacity to recruit, prepare, and retain well-qualified, diverse educators and related service personnel for children with disabilities. Offers recruitment tool kit, a practical guide of strategies and activities geared toward retention of special educators, and a month e-mail newsletter (*Connections*).
   
   Website:  www.special-ed-careers.org

2. **Oregon Special Education Recruitment & Retention Project**: A collaborative effort between the Oregon Department of Education, Office of Special Education, and Teaching Research at Western Oregon University. The purpose is recruit and retain qualified special education personnel. Some information is specific to Oregon, but much of the information is useful to schools in general.
   
   Website:  www.tr.wou.edu/rrp/

3. **Educational Research Services**: Provides periodicals, newsletters, and publications designed toward retention and recruitment of teachers.
   
   Website:  www.ers.org

III. Professional Organizations

1. **National Association of School Psychologists**
   
   Website:  nasp.org

2. **Speech-Language-Hearing Association**
   
   Website:  msha.org  (Minnesota)
             asha.org  (National)

3. **Education Minnesota**
   
   Website:  educationminnesota.org

4. **School Psychology Resources**: Access to a very broad base of information about specific disabilities, research based practice, publications, brochures for parents and teachers, etc.
   
   Web Site:  www.schoolpsychology.net

IV. Educational Services and Supports

1. **No Child Left Behind**: Extensive information about the new law. Electronic newsletter available.
   
   Website:  www.nclb.gov
2. **Minnesota Paraprofessional Consortium**: On-line training resources available, sample job descriptions and competencies.
   Website: www.icl2.umn.edu/para

3. **Missouri Innovations**: A resource designed to promote information about educating diverse learners. Electronic newsletter available that is focused on instructional practices.
   Website: Cise.Missouri.edu – on-line

4. **IDEA Practices**: A great deal of information about the implementation of IDEA, including a pre-referral guide to prevent overrepresentation, teacher/paraeducator collaboration guide, links to resources on all aspects of special education service and all types of disabilities including “effective and promising practices.”
   Web Site: www.idea-practices.org

5. **Children & Adults with Attention-Deficit/Hyperactivity Disorder (CHADD)**: Membership information, ideas for teachers, information for parents, etc.
   Web Site: www.chadd.org

6. **National Information Center for Children and Youth with Disabilities (NICHCY)**: Access to publications and resources for a wide range of disabilities and services. Excellent links to other sites in specific disability areas. Especially good information about transition services.
   Web Site: www.nichcy.org/

7. **Great Lakes Regional Resource Center**: 
   Web Site: www.glarrc.org

8. **US Department of Education – Office of Special Education Programs**: Access to national research and studies, publications, legal information, etc.
   Web Site: www.ed.gov/offices/OSERS/OSEP

9. **Council for Exceptional Children**: On-line journals and newsletter, extensive number of publications available.
   Web Site: www.cec.sped.org

10. **Schwab Learning**: Site primarily for parents to access ideas to help their children who have learning disabilities. Good resources for teachers to provide information to parents. E-mail newsletter available, free parent guide, etc.
    Web Site: www.schwablearning.org/index.asp

11. **LD On-Line**: Free newsletter available, research-based practices, instructional materials, “how-to” information for teachers, experts in the field of LD answer questions, and includes information about teaching students with ADD.
    Web Site: www.ldonline.org
12. **University of Kansas – Center for Research on Learning**: Excellent information for teachers about instructional strategies, research, and articles.
   Web Site: www.ku-crl.org/htmlfiles/products.html

13. **Get Ready to Read**: Site devoted to developing early literacy with assessment information and instructional strategies.
   Web Site: www.getreadytoread.org

14. **Council for Learning Disabilities**: Journal articles, resource information, good links to other sites, newsletter
   Web Site: www.cldinternational.org

15. **Teaching Learning Disabilities**: A subdivision of the Division for Learning Disabilities of the Council for Exceptional Children. The purpose of this web site is to provide trustworthy and up-to-date resources about teaching students with learning disabilities. Includes resources, teaching “how-to,” and “current practice alerts” that report on the effectiveness of certain instructional practices, e-mail newsletter.
   Web Site: www.teachingld.org

16. **Coordinated Campaign for Learning Disabilities**: Good parent information and tips for how general education teachers can work with students with learning disabilities in their classrooms.
   Web Site: www.aboutld.org

17. **National Center for Secondary Education and Transition**: Provides access to technical assistance and information about secondary transition. Helpful links to information for teachers and families (e.g., age of majority issues for families) are also available. Publications feature information for teachers that are particularly useful (e.g., *Secondary Strategic Reading: Improving Secondary Students’ Reading Comprehension Skills; Effective Accommodations for Students with Disabilities in High School; Never Too Late: Approaches for Reading Instruction for Secondary Students with Disabilities*).
   Web Site: www.ncset.org

18. **Evidence-Based Practice**: A newsletter that summarizes recent promising research in a wide range of topics – autism, reading, etc.
Bureau of Special Education Pennsylvania Department of Education
Evidence-Based Practices
PaTTAN
200 Anderson Road
King of Prussia, PA 19406  800 441-3215
Positive Behavioral Interventions and Functional Behavior Assessment

1. **Rehabilitation Research Training Center on Positive Behavioral Support**
   A national research and training effort to develop and disseminate effective, practical, and empirically validated procedures for improving support for individuals with disabilities and problem behavior. Includes standards for effective practice for functional behavior assessment and behavior intervention plans.
   Web Site: www.rrtcpbs.org

2. **OSEP Technical Assistance Center on Positive Behavioral Interventions and Support**
   Practical information about positive behavioral supports in the school, the classroom, and for the family.
   Web Site: www.pbis.org/files/TAG1.doc

3. **Kentucky Department of Education: The Behavior Home Page**
   Information shared on effective practices and technical assistance concerning the full range of behavior problems and challenges displayed by children and youth in school and community settings, as well as other behavioral issues that may affect their success in school. Interactive feature to join discussions about specific behavior problems or to ask specific questions.
   Web Site: www.state.ky.us/agencies/behave/homepage.html

4. **Functional Behavioral Assessment and Positive Behavioral Supports**
   Provides sample behavioral intervention plans, case studies, and formats for behavioral intervention plans.
   Web Site: www.albany.edu/psy/autism/behavior.html

5. **Creating Positive Behavioral Supports**
   Site provides information about positive behavioral intervention plans and supports.
   Web Site: www.cecp.air.org/fba/problembehavior3/text3.htm

Developmental Cognitive Disabilities

1. **Family Village**
   Designed to provide service-based information to families and providers of individuals with cognitive delays.
   Web Site: www.familyvillage.wisc.edu/index.html

2. **State of Wisconsin – Division of Special Education**
   Adaptive skills resource guide addresses all domains of functional skills with practical instructional information for teachers. This is a manual that can be downloaded in PDF format.
   Web Site: www.dpi.state.wi.us/dpi/dlsea/een/cd.html
Autism Spectrum Disorders

1. **State of Kentucky – Division of Special Education**: Autism manual resource that contains information to address in IEPs across domains, strategies for managing behavioral challenges, discipline, etc.
   Web Site: www.kde.state.ky.us/cgi-bin/MsmFind.exe?QUERY=Autism&Image=Go%21

2. **State of Wisconsin – Division of Special Education**: Autism interventions and strategies for success in manual form that can be downloaded in PDF format.
   Web Site: www.dpi.state.wi.us/dpi/dlsea/een/autism.html

3. **Indiana Resource Center for Autism**: Exhaustive list of video presentations on techniques for teaching children with autism spectrum disorder, screening tools for speech/language clinicians, information for teachers about autism – good for general education teachers, good links to other good web sites.
   Web Site: www.iidc.indiana.edu/irca/

4. **Autism Society of MN**: Information links for parents, teachers and administrators. Current events information and links to library resources, online courses, newsletters, legislative links and summer camps.
   Web Site: www.ausm.org/

5. **Autism Asperger Publishing Co**: Resources, publications, national conference links, extensive informational links and colorful graphic organizers to direct you.
   Web Site: www.asperger.net/

6. **Autism Society of American**: An advocacy, information and research site with current events highlights and user database for e-newsletter distribution.
   Web Site: www.autism-society.org

7. **Autism Asperger Resource Center**: University of Kansas Medical Center site that has links to publications, activities and to many other groups and resources.
   Web Site: www.kumc.edu/aarc

II. Journals and Publications

The journals listed in this section were chosen for their practicality and day-to-day usefulness to teachers. They do not contain a lot of research reports; rather, they contain ideas for teachers based on current research and peer reviewed.

1. **Journal of Positive Behavioral Supports**: View three issues free of charge online. To review this journal, see the web site.
   Web Site: www.catchword.com/titles/10983007.htm
2. **Focus on Exceptional Children**: Monthly newsletter that translates theory into strategies for action. Each issue focuses in depth on a single topic, such as assessment, cooperative learning, attention deficit disorders, inclusion, classroom management, discipline, and other timely issues. Published monthly except June, July, and August. $36.00 per year. See web site for ordering information and other publications and materials.

   Web Site: www.lovepublishing.com

3. **Teaching Exceptional Children**: On-line access to a journal published for teachers with practical interventions and strategies.

   Web Site: www.journals.cec.sped.org/

4. **Informal Co-Teaching Rating Scale & Coteaching Rating Scale Profile**: A tool schools can use to evaluate the quality of co-teaching and collaboration efforts (published in Exceptional Children, March/April 2001). For information about using the rate scale:

   E-Mail: sgately@rivier.edu
   Address: Susan E. Gately
            Department of Education
            Rivier College
            Nashua, New Hampshire 03060

5. **Paraprofessional Decision-Making Tool**: A tool schools can use to evaluate individual students’ needs for support from a paraprofessional. Included in this rating system are: 1) Intensive Needs Checklist; 2) Student Abilities and Assistance Needs Matrix; 3) Plan for Paraeducator Assistance (published in Exceptional Children, July/August 2001). For information about using the decision-making tool:

   E-Mail: evrgrneducl@aol.com
   Address: Patricia A. Mueller
            Evergreen Educational Consulting
            10 Chestnut Lane
            Essex Junction, Vermont 05452
References


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## Appendices

| Appendix A | 1. Policy Letter: Special Education Maintenance of Effort  
|            | 2. Policy Letter: Special Education Reimbursement for General Education Duties |
| Appendix B | 1. History of Caseload Mandates in Minnesota  
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MEMORANDUM

TO: Superintendents
    Directors of Special Education

FROM: Cecelia Dodge, Supervisor    Chas Anderson, Assistant Commissioner
       Division of Special Education    Office of Management Services

DATE: January 29, 2003

SUBJECT: Federal Requirements for Maintenance of Effort (MOE)
for Special Education Services

I.D.E.A. Requirements For MOE
The Individuals With Disabilities Education Act (IDEA) requires that federal funds
“…may not be used to reduce the level of expenditures for the education of children with
disabilities made by the LEA from (state and) local funds below the level of those
expenditures for the preceding fiscal year....” (34 C.F.R. §300.231). This requirement is
referred to as maintenance of effort (MOE).

Annually, the Division of Special Education’s Funding and Data Unit reviews the MOE of
each local education agency (LEA), including each local school district, charter school
and special education cooperative and reports the state’s MOE to the federal office.
This memorandum summarizes the IDEA requirements used in that review.

The IDEA, 20 U.S.C. §1413 specifically requires that federal funds

...provided to the local education agency under this part...

(i) Shall be used only to pay the excess cost of providing special
    education and related services to children with disabilities;
(ii) Shall be used to supplement State, local and other Federal funds
    and not to supplant such funds; and
Shall not be used …to reduce the level of expenditures for the education of children with disabilities made by the local education agency from local funds below the level of those expenditures for the preceding fiscal year.

Exceptions to these requirements, also set forth in 20 U.S.C. §1413, allow LEAs to

…reduce the level of expenditures where such reduction is attributable to:

(i) The voluntary departure, by retirement or otherwise, or departure for just cause, of special education personnel, who are replaced by qualified, lower-salaried staff;

(ii) A decrease in the enrollment of children with disabilities;

(iii) The termination of the obligation of the agency, consistent with this part, to provide a program of special education to a particular child with a disability that is an exceptionally costly program, as determined by the State educational agency, because the child:

(1) Has left the jurisdiction of the agency;

(2) Has reached the age at which the obligation of the agency to provide a free appropriate public education has terminated;

(3) No longer needs such program of education; or

(iv) The termination of costly expenditures for long-term purchases, such as the acquisition of equipment or the construction of school facilities.

Calculation Of MOE

The Funding and Data Unit calculates MOE through the comparison of expenditures reported on EDRS from the 2000-2001 school term with those expended in the 2001-2002 school term. This comparison includes allocations of state special education aid. The MOE comparison may be made on total expenditures or on a per-capita amount (34 CFR § 300-231).

What Happens When MOE Is Not Maintained

LEAs that failed to maintain effort from 2000-2001 to 2001-2002 will forfeit federal special education dollars this current year (2002-2003) equal to the amount that they fell short in 2001-2002 (34 CFR § 300.154). For example, if an LEA did not meet its MOE by $10,000 in 2001-2002, it would receive $10,000 less in federal aid in 2002-2003.
Gopherville EXAMPLE: (MOE compares data for two years)
- All state special education expenditures. (FSC A)
- Expenditures allocated to single districts by Host, Cooperative and Intermediate School Districts.

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>State expenditures (FSC A)</td>
<td>$1,137,234.39</td>
<td>$1,068,498.15</td>
</tr>
<tr>
<td>Expenditures allocated from Hosts/Coop</td>
<td>14,700.00</td>
<td>18,625.00</td>
</tr>
<tr>
<td><strong>Comparison</strong></td>
<td><strong>$1,151,934.39</strong></td>
<td><strong>$1,087,123.15</strong></td>
</tr>
</tbody>
</table>

If the Gopherville district could not justify the reduction of expenditures from 2000-2001 to 2001-2002, then $46,051.24 would be withheld from the district’s federal allocation in 2002-2003 and the LEA continues to be responsible to provide a free appropriate public education under IDEA. Three school districts including one charter school forfeited federal funds as a result of last year’s comparison.

**Certain Federal Funds May Be Treated As Local Funds**
Under IDEA, the state education agency may allow LEAs to treat as local funds up to 20 percent of the amount of Part B federal funds they receive in one year that exceeds the amount they received under Part B for the previous year. In other words, 20 percent of the increase in federal funds from the previous year to the current year may be used to reduce a District’s MOE. (20 U.S.C. §1413 (a)(2)(c)). This allows for a one-time exception and the LEA will need to replace the federal funds with local funds in determining MOE in the outlying years.

Questions related to this memorandum may be directed to Cecelia Dodge at (651) 582-8264 or cecelia.dodge@state.mn.us.
MEMORANDUM

TO: Directors of Special Education

FROM: Norena A. Hale, Supervisor
       Division of Special Education

DATE: March 11, 2003

SUBJECT: Use of Special Education Funded Personnel

Please share this with your superintendent(s) and principals.

There have been several recent inquiries concerning the use of special education funded personnel for duties that fall outside of special education. Understandably, some districts choose to assign all personnel, including special education teachers and paraprofessionals, to regularly scheduled duties including supervision of study halls and advisory periods, as well as playground, lunch, and bus duties. Some districts choose to use personnel for direct services in conjunction with general education pre-referral activities and regularly scheduled duties that fall before or after the school day. It is the prerogative of the school district to assign duties that are not considered to be “special education” functions. The portion of time spent on the duties, however, cannot be reimbursed with special education funds. Districts can only claim reimbursement with special education funds for the portion of full-time equivalency (FTE) that personnel are serving in a special education function.

Workload Considerations for Effective Special Education  Appendix A.2
Activities that are eligible for reimbursement with special education funds are outlined in Minnesota Rule and include:

**STATE AID FOR SPECIAL EDUCATION PERSONNEL**

Salaries for essential personnel who are teachers and related services and support services staff members are reimbursable for the following activities:

A. child find and pupil identification;
B. necessary short-term indirect or consultative services that are provided in conjunction with regular education prereferral activities to an individual suspected of having a disabling condition to determine whether referrals for evaluation shall be made;
C. evaluation, progress reporting, and IEP planning for individual pupils;
D. instruction or related and support services to pupils who have an IEP;
E. parental involvement and due process;
F. school psychological services and school social worker services provided for pupils identified as emotional or behavioral disordered according to part 3525.1329 alone or in conjunction with the instructional program outlined in any pupil's IEP;
G. other related services provided in conjunction with the instructional program as outlined in a pupil's IEP;
H. paraprofessional services provided under the direction of a regular or special education teacher or a related services provider that:
   (1) enhance the instruction provided by the teacher or related services staff; and
   (2) supplement instructional activities or provide extended practice in instances in which the paraprofessional has had training and ongoing support from a special education teacher or related services staff;
I. program coordination; and
J. due process facilitation, except for attorney costs for suit preparation.

Ongoing services for at-risk students, for example, truancy, suicide prevention, child abuse, or protection, are not reimbursable.  

Minn. R. 3525.1310

If you have any questions regarding this memo, please contact the Cecelia Dodge in the Special Education Funding & Data Team at 651-582-8264.
History of Caseload Mandates in Minnesota

1956 - 1975
Special education rules do not include staff-to-student ratio language.

1975 - 1983
The Education for All Handicapped Education Act (P.L. 94-142) provides basis for caseload language in Minnesota Rule. In 1977, caseload limits were established in Minnesota rule (5 MCR § 1.0122). Special education service was divided into six levels based on the amount of time students spent in a special education setting. Caseloads varied according to placement “level” and disability.

<table>
<thead>
<tr>
<th>Levels 1 &amp; 2</th>
<th>Teacher-to-Student Ratio</th>
<th>Teacher-to-Student Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monitoring &amp; consultation for students in regular education full time</td>
<td>Speech/Language Impairments: 1:60</td>
<td>All other disabilities: 1:30</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Level 3</th>
<th>Teacher-to-Student Ratio</th>
<th>Teacher-to-Student Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resource room at least one hour per day, primary placement in regular education</td>
<td>Speech/Language Impairments: 1:40</td>
<td>All other disabilities: 1:15</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Level 4</th>
<th>Teacher-to-Student Ratio</th>
<th>Teacher-to-Student Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary placement in special education in resource room or part-time special class</td>
<td>Trainable Mentally Impaired or Vision Impaired: 1:8</td>
<td>All other disabilities: 1:15</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Levels 5 &amp; 6</th>
<th>Teacher-to-Student Ratio</th>
<th>Teacher-to-Student Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary placement in special education in full-time class, special station, special school, or residential school</td>
<td>Autism or deaf/blind (with 2 management aides): 1:6</td>
<td>All other disabilities: 1:8</td>
</tr>
</tbody>
</table>

(5 MCAR§1.0122)

1983 - 1990
In 1983, Minnesota caseload limit language was revised, and caseload limits were established for early childhood special education (5 MCAR§1.0124 (c)) along with new guidance on case management and considerations (5 MCAR§1.01226 and 1.01229). The Minnesota Legislature then directed the State Board of Education to eliminate caseload limits for Level 2 for all disabilities except early childhood (consultation and indirect services), and to increase caseloads from 1:15 to 1:18 for all students with disabilities requiring Level 3 services.
### 1983 - 1990 (continued)

<table>
<thead>
<tr>
<th>Level 1</th>
<th>Monitoring &amp; consultation</th>
<th>Teacher-to-Student Ratio</th>
<th>Teacher-to-Student Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Speech/Language Impairments</td>
<td>All other disabilities</td>
</tr>
<tr>
<td>Repealed</td>
<td></td>
<td>Repealed</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Level 2</th>
<th>Monitoring &amp; consultation</th>
<th>Teacher-to-Student Ratio</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>1:60</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>1:30</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Level 3</th>
<th>Resource room at least 1 hour per day</th>
<th>(also included Adapted Physical Education)</th>
<th>Teacher-to-Student Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>1:40</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1:18</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Level 4</th>
<th>Primary placement in special education</th>
<th>Teacher-to-Student Ratio</th>
<th>Teacher-to-Student Ratio</th>
<th>Teacher-to-Student Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Deaf/Blind, Autistic, Severely Multiply Handicapped</td>
<td>Mild Mental Handicap or Learning Disabled</td>
<td>All other disabilities</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1:3</td>
<td>1:12</td>
<td>1:8</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1:6 with one aide</td>
<td>1:15 with one aide</td>
<td>1:10 with one aide</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1:12 with two aides</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Levels 5 and 6</th>
<th>Full-time placement in special education</th>
<th>Teacher-to-Student Ratio</th>
<th>Teacher-to-Student Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Deaf/Blind, Autistic, Severely Multiply Handicapped</td>
<td>All other disabilities</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1:4 with one aide</td>
<td>1:8 with one aide</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1:6 with two aides</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Early Childhood Special Education</th>
<th>Teacher-to-Student Ratio</th>
<th>Teacher-to-Student Ratio</th>
<th>Teacher-to-Student Ratio</th>
<th>Teacher-to-Student Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1:24</td>
<td>1:4 with one aide</td>
<td>1:8 with one aide</td>
<td>1:8 with one aide</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1:6 with two aides</td>
<td>1:12 with two aides</td>
<td>1:12 more than 1 class, 1 aide</td>
</tr>
</tbody>
</table>

(5 MCAR§1.01224)

---

**Workload Considerations for Effective Special Education**

**Appendix B.1**
1990 - 2001
In 1991, Minnesota Rule 3525.2340 was enacted. Caseload limits for early childhood special education and for students who receive special education services for more than 50% of the day were maintained, but all others were repealed. Caseloads for students receiving special education services for less than 50% of the day are to be determined at the local level. The following reflects current Minnesota Rule.

### 50% of the Day or more but less than 100% of the Day in Special Education

<table>
<thead>
<tr>
<th>Disability</th>
<th>Caseload w/ no aide</th>
<th>Caseload w/ 1 aide</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Deaf/Blind</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>• Autism Spectrum Disorders</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Developmental Cognitive Disabilities (severe-profound range)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Severe Multiple Impairments</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Developmental Cognitive Disabilities (mild-moderate range)</td>
<td>12</td>
<td>15</td>
</tr>
<tr>
<td>• Learning Disabilities</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 50% of the Day or more but less than 100% of the Day in Special Education

<table>
<thead>
<tr>
<th>Disability</th>
<th>Caseload w/ 1 aide</th>
<th>Caseload w/ 2 aides</th>
</tr>
</thead>
<tbody>
<tr>
<td>All other disabilities (i.e., EBD)</td>
<td>10</td>
<td>12</td>
</tr>
</tbody>
</table>

### 100% of the Day in Special Education

<table>
<thead>
<tr>
<th>Disability</th>
<th>Caseload w/ 1 aide</th>
<th>Caseload w/ 2 aides</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Deaf/Blind</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td>• Autism Spectrum Disorders</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Developmental Cognitive Disabilities (severe-profound range)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Severe Multiple Impairments</td>
<td></td>
<td></td>
</tr>
<tr>
<td>All other disabilities (i.e., EBD, LD, DCD-Mild, D/HH)</td>
<td>8</td>
<td></td>
</tr>
</tbody>
</table>

### Early Childhood Special Education Programs

<table>
<thead>
<tr>
<th>Service Category</th>
<th>Teacher Caseload</th>
</tr>
</thead>
<tbody>
<tr>
<td>Birth through 2 years (typically homebased)</td>
<td>12</td>
</tr>
<tr>
<td>3 through 6 years (typically centerbased or integrated pre-k classroom)</td>
<td>16</td>
</tr>
<tr>
<td>Birth through 6 years (community based)</td>
<td>14</td>
</tr>
</tbody>
</table>

(MR 3525.2340)

**Note:** Minnesota Rule requires that ECSE classes have at least one aide in the classroom while students are in attendance irrespective of number of students in attendance. The maximum number of pupils in an ECSE classroom at any one time with a teacher and an aide is 8. The maximum number of students in an ECSE classroom with an early childhood team (2 licensed and 2 aides) is 16.
Overview of Caseload Policies

Rylance, Chiang, Russ, & Dobbe-Whitcomb (1999) conducted a national review of caseload policy. These investigators assigned the caseload policies they reviewed into six categories and presented the following advantages and disadvantages for each. The states in which each of the policies is found is also provided in the chart below.

<table>
<thead>
<tr>
<th>Caseload Approach</th>
<th>Advantages</th>
<th>Disadvantages</th>
<th>States</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Local Control</td>
<td>Flexibility allows local authorities to be responsive to regional, demographic, or economic variables in a way that state mandates cannot.</td>
<td>Local flexibility could result in inequitable caseloads or “inconsistent and unequal educational services for children within a state.”</td>
<td>Alaska, Arizona, Connecticut, Colorado, Delaware, Florida, Idaho, Indiana, Montana, Oregon, South Dakota, Texas, Vermont, Wyoming, Washington</td>
</tr>
<tr>
<td>2. Special Education Setting</td>
<td>Attempts to recognize the teacher’s responsibilities based on severity of the student.</td>
<td>The settings “resource” and “self-contained” fail to account for the complex needs of students, the extent of services (i.e., resource could be 1 hour per day or 4 hours per day), or recognize the duties of the teacher.</td>
<td>Georgia, Mississippi, New Jersey, South Carolina, Utah, Virginia</td>
</tr>
<tr>
<td>Caseload Approach</td>
<td>Advantages</td>
<td>Disadvantages</td>
<td>States</td>
</tr>
<tr>
<td>---------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------------</td>
</tr>
<tr>
<td><strong>3. Disability Category</strong></td>
<td>This method assigns numerical caseload limits according to disability category. Some use broad categories (i.e., “mild,” “moderate,” and “severe”), while others use precise IDEA terminology.</td>
<td>Implies that students with the same disability have the same needs and does not recognize the intensity of individual student needs. Possible negative incentive for teachers to control caseloads by determining that a student has a “severe” versus “moderate” need, for example. No provisions for itinerant teachers (as is the case in some states) or other responsibilities of special education teachers. Disability category alone is a fairly ineffective approach to determine the needs of students or the responsibilities of teachers.</td>
<td>Alabama, Illinois, Michigan, Nevada, North Dakota, Ohio, Rhode Island</td>
</tr>
<tr>
<td><strong>4. Teaching Function</strong></td>
<td>This method defines numerical caseloads based on the function of the teacher (resource, self-contained, itinerant, consulting). Caseloads can be further divided by disability category to establish the final caseload number for low incidence disabilities (i.e., Deaf/Hard of Hearing, Blind/Visually Impaired, Autism Spectrum Disorders). Recognizes the broad range of special education teacher responsibilities and offers advantages over those models that do not account for them. Equity is offered in the specific numerical caseloads derived from the model.</td>
<td>Basing caseloads on teacher duties alone is less sensitive to individual student needs.</td>
<td>Arkansas, Kansas, Kentucky, Maine, Louisiana, Some aspects of California</td>
</tr>
<tr>
<td>Caseload Approach</td>
<td>Advantages</td>
<td>Disadvantages</td>
<td>States</td>
</tr>
<tr>
<td>-------------------</td>
<td>------------</td>
<td>---------------</td>
<td>--------</td>
</tr>
<tr>
<td><strong>5. Inclusion</strong></td>
<td>Philosophically in line with IDEA, educating students with disabilities starts in the general education setting. Uniformity and consistency is present within a state.</td>
<td>Does not account for additional teacher responsibilities. Including students full time doesn’t necessarily address whether the student’s needs are being met within a regular classroom setting As with other methods that rely on disability as a determining factor in caseload size, neither individual student needs nor severity of need are taken into account.</td>
<td>Massachusetts Minnesota New Hampshire New Mexico North Carolina Oklahoma Oklahoma West Virginia</td>
</tr>
<tr>
<td><strong>6. Student Needs</strong></td>
<td>Closely reflects the intent of IDEA and applies the federal mandate in a practical and considered manner. Teacher and student needs are considered,</td>
<td>May require a district to gather new or different data from teachers.</td>
<td>Delaware Hawaii Iowa Maryland Missouri Nebraska New York Pennsylvania Tennessee</td>
</tr>
</tbody>
</table>
This survey addresses the conditions necessary for a viable special education program and a climate that promotes retention of special educators. For purposes of this survey, special educator includes all licensed special education staff (i.e., teachers, speech/language pathologists, therapists, etc.)

Respond by answering yes or no to each of the questions.

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Students with disabilities are represented on building committees (i.e., parent advisory committees).</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>All licensed special educators have a duty-free lunch each day.</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>All licensed special educators have a preparation period during the student day.</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Students with IEPs are scheduled for special education services according to their needs.</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>All licensed special education staff have adequate working technology equivalent to rest of staff (e.g., working phone, voice mail, computer, network access for e-mail and IEP writing, etc.)</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Classroom supplies (e.g., paper, pencils, markers, etc.) are available to all licensed special educators.</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Licensed special educators have an instructional materials budget in the building to purchase materials specifically for special education students.</td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>Licensed special educators have assigned classrooms that do not change during the day and are equivalent to those of other teachers.</td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>OTs, speech clinicians, PTs, itinerant teachers, school psychologists, (who are not present in the building all day, every day) have assigned space in which to work whenever they are in the building.</td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>All licensed special education staff have scheduled time in the instructional day for evaluations, re-evaluations, and due process responsibilities.</td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td>Building staff development funds are available to special education staff (including paraprofessionals) in amounts equal to general education staff.</td>
<td></td>
</tr>
<tr>
<td>12.</td>
<td>Special education staff are released to attend staff development activities essential to effective practice in area of licensure or assignment, that are paid for or sponsored by the district’s or cooperative’s special education department.</td>
<td></td>
</tr>
<tr>
<td>13.</td>
<td>Students are assigned to special education teachers primarily by area of licensure, expertise, and/or training.</td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
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</tr>
</tbody>
</table>

14. During the instructional day, special education staff are assigned to reimbursable, special education activities (i.e., not study hall, homeroom, detention, in-school suspension, advisories, etc.).

15. The principal is aware of the issues of special educator workloads and how they are determined for all special educators in the building.

16. The principal is aware of how special education staff are allocated to the building, the district’s expectation for workload, and how to analyze a workload to determine reasonableness.

17. The contributions special educators make to the school are recognized, included, and overtly supported, and opportunities for meaningful connections between general and special education staff and students are created.

18. Licensed special educators are encouraged to attend disability or discipline specific meetings held at the district or cooperative level.

19. The multiple roles of special education teachers are understood by general education teachers and administrators.

20. Principal has clearly communicated the responsibility for directing the work of paraprofessionals.

21. When students with IEPs are suspended and/or disciplined, the appropriate special education staff are notified in systematic manner.

22. The principal is aware of special education staff who have variances to teach special education, the extent of their skills, and the responsibility for supervision.

23. The principal (in collaboration with special education administration) examines/analyzes the skills of teachers with variances to determine their qualifications for completing evaluations, IEPs, and general due process requirements.

24. General education staff:
   a. are notified of the students in their classes who have IEPs.
   b. have access to the IEPs for the students in their classes.
   c. understand and implement the components of IEPs required for students to participate in general education.

25. General education teachers have regular updates or staff development about their responsibilities for students with IEPs.

26. New special education teachers tend to stay or express a desire to stay in this building.

Total Yes _____  Total No _______

For No answers, see Chapters 2, 3, or 4 for information relevant to the specific issues identified in the question or consult with the district’s special education director.

Survey format from *Reducing Bias in Special Education Assessment for American Indian and African American Students* (CFL, 1998), and thanks to the Minneapolis Public Schools, Special Education Department, for contributions to this survey.

Workload Considerations for Effective Special Education  Appendix C
Sample
Special Education Workload Analysis Worksheet

<table>
<thead>
<tr>
<th>Student Name</th>
<th>Direct Services</th>
<th>Indirect Services</th>
<th>Evaluation Activities</th>
<th>Due Process and Other Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Johnny</td>
<td>60 minutes: small group therapy</td>
<td>20 minutes: Discuss current language intervention with LD teacher to coordinate services</td>
<td></td>
<td>30 minutes: 3rd party documentation 15 minutes: Progress note in parent notebook</td>
</tr>
<tr>
<td>Mary</td>
<td>20 minutes: individual therapy</td>
<td>30 minutes: Observe in classroom for spontaneous use of sounds. Talk to teacher about how to provide cues.</td>
<td></td>
<td>30 minutes: 3rd party documentation 90 minutes: Write updated levels of performance and draft goals for new IEP 60 minutes: IEP Meeting</td>
</tr>
<tr>
<td>Tyler</td>
<td>Not currently in service: initial evaluation in process</td>
<td>NA</td>
<td>40 minutes: test student 20 minutes: language sample 30 minutes: score tests and language sample</td>
<td></td>
</tr>
</tbody>
</table>
## Special Education Workload Analysis Worksheet

<table>
<thead>
<tr>
<th>Student Name</th>
<th>Direct Services</th>
<th>Indirect Services</th>
<th>Evaluation Activities</th>
<th>Due Process and Other Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

Adapted from materials found at the American Speech-Language-Hearing Association website at [www.asha.org](http://www.asha.org).

Workload Considerations for Effective Special Education  
Appendix D.2
**Teacher Name** ____________________________  **School** ____________________________

**Estimated # Re-Evaluations Next Year** _____________  **# of Initial Evaluations This Year** ___

**Total # Evaluations x 6 hours** _____________

### Current Students

<table>
<thead>
<tr>
<th>#</th>
<th>Student Last</th>
<th>Student First</th>
<th>Grade</th>
<th>Federal Setting</th>
<th>Primary Disability</th>
<th>Direct Service Minutes P/Week</th>
<th>Indirect Service Minutes P/Week</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ex.</td>
<td>Smith</td>
<td>Jimmy</td>
<td>5</td>
<td>2</td>
<td>EBD</td>
<td>500</td>
<td>100</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
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<td>2</td>
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<td>13</td>
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<td>16</td>
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<td>17</td>
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<td>20</td>
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</tr>
</tbody>
</table>

**Totals**

Thanks to the Rum River Special Education Cooperative for contributions to the worksheets.

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**Appendix D.3**
**Special Education Teacher Workload Analysis**

**Type B**

**Directions:** The data requested for this form will help determine staffing levels for the coming school year. It may also be used to determine if there are inconsistencies in staffing during the current year. Please make sure all areas of service are addressed for each student listed. If a column asks for information not relevant to the student, write **NA**.

1. **Direct Student Minutes Per Week:** The number of direct service minutes you provide per week for all students served. Direct service includes all specially designed instruction provided by you as found in the IEP no matter the location or type of service, and is all "face-to-face" time with students.

2. **Indirect Student Minutes Per Week:** The number of indirect service minutes you provide per week for all students served. Examples of indirect services are: adapting physical environments, implementing adaptations, consulting with general and special education teachers, training staff to meet specific students' needs, etc. Make sure you document all of the time you spend on behalf of students in your IEPs.

3. Number of all types of re-evaluations predicted for the coming year.

4. Number of initial evaluations you will complete this school year to use as a predictor for the coming year.

---

### Current Students

<table>
<thead>
<tr>
<th>#</th>
<th>Student Last</th>
<th>Student First</th>
<th>Grade</th>
<th>Federal Setting</th>
<th>Primary Disability</th>
<th>Direct Service Minutes P/Week</th>
<th>Indirect Service Minutes P/Week</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ex.</td>
<td>Jones</td>
<td>Mary</td>
<td>2</td>
<td>1</td>
<td>PI</td>
<td>20</td>
<td>40</td>
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</tr>
</tbody>
</table>

**Totals**

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Thanks to the Rum River Special Education Cooperative for contributions to the worksheets.

*Appendix D.4*
After completing an analysis of individual special education teacher's schedules, fill in the following chart with the information for each person. The completed chart provides an overview to help determine if the workloads in the building or district are balanced.

### School Name

<table>
<thead>
<tr>
<th>IEP Manager Name</th>
<th></th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Total Direct Minutes Per Week for all Students Served</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Indirect Minutes Per Week for all IEPs Managed</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Number Evaluations/Re-Evaluations</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Hours of Evaluations/Re-Evaluations</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Average Weekly Hours Evaluation</td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Number Student Service Minutes</strong></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Special Education Instructional Minutes Available (deduct prep, lunch, etc.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Contact Minutes Per Week - Ratio</strong></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IEPs Managed</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contact Minutes + IEPs Managed</td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Workload</strong></td>
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</tr>
</tbody>
</table>

Thanks to the Rum River Special Education Cooperative for contributions to the worksheets.
After completing an analysis of individual special educator's schedules, fill in the following chart with the information for each person. The completed chart provides an overview to help determine if the workloads of specific positions (i.e., speech/language pathologists, occupational therapists, etc.) are balanced.

**Worksheet: Type B Workload Analysis Summary**

After completing an analysis of individual special educator's schedules, fill in the following chart with the information for each person. The completed chart provides an overview to help determine if the workloads of specific positions (i.e., speech/language pathologists, occupational therapists, etc.) are balanced.

<table>
<thead>
<tr>
<th>Type of Position Reviewed</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Educator Name</td>
<td></td>
</tr>
<tr>
<td>Total Direct Minutes Per Week for all Students Served</td>
<td></td>
</tr>
<tr>
<td>Total Indirect Minutes Per Week for all Students</td>
<td></td>
</tr>
<tr>
<td>Total Number Evaluations/Re-Evaluations</td>
<td></td>
</tr>
<tr>
<td>Total Hours of Evaluations/Re-Evaluations</td>
<td></td>
</tr>
<tr>
<td>Average Weekly Hours Evaluation</td>
<td></td>
</tr>
<tr>
<td>Total Number Student Service Minutes</td>
<td></td>
</tr>
<tr>
<td>Special Education Instructional Minutes Available (deduct travel, prep, lunch, etc.)</td>
<td></td>
</tr>
<tr>
<td>Total Contact Minutes Per Week - Ratio</td>
<td></td>
</tr>
<tr>
<td>Students Served</td>
<td></td>
</tr>
<tr>
<td>Contact Minutes + IEPs Managed</td>
<td></td>
</tr>
<tr>
<td><strong>Workload</strong></td>
<td></td>
</tr>
</tbody>
</table>

Thanks to the Rum River Special Education Cooperative for contributions to the worksheets.
Applying Workload Analysis Model to Special Education Positions

This ranges on the chart should be completed by individual districts and cooperatives.

<table>
<thead>
<tr>
<th>Position Title</th>
<th>Function</th>
<th>Type</th>
<th>Workload Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Teacher: Special Education (LD, EBD, DCD, etc.)</td>
<td>Federal Setting 1</td>
<td>A</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Federal Setting 2 (21% to 50% of the day)</td>
<td>A</td>
<td></td>
</tr>
<tr>
<td>Teacher: Special Education (LD, EBD, DCD, etc.)</td>
<td>Federal 2 (more than 50% of the day)</td>
<td>Minnesota Rules</td>
<td>See Appendix B.1, Page 3</td>
</tr>
<tr>
<td></td>
<td>Federal Setting 3</td>
<td>Minnesota Rules</td>
<td>See Appendix B.1, Page 3</td>
</tr>
<tr>
<td>Teacher: Deaf/Hard of Hearing</td>
<td>Itinerant</td>
<td>B</td>
<td></td>
</tr>
<tr>
<td>Teacher: Deaf/Hard of Hearing</td>
<td>Resource Centerbased</td>
<td>A</td>
<td>Minnesota Rules</td>
</tr>
<tr>
<td>Teacher: Vision/Blind Visually Impaired</td>
<td>Itinerant</td>
<td>B</td>
<td></td>
</tr>
<tr>
<td>Teacher: Blind/Visually Impaired</td>
<td>Resource Centerbased</td>
<td>A</td>
<td>Minnesota Rules</td>
</tr>
<tr>
<td>Teacher: Autism Spectrum Disorder</td>
<td>Itinerant</td>
<td>B</td>
<td></td>
</tr>
<tr>
<td>Teacher: Autism Spectrum Disorder</td>
<td>Resource Centerbased</td>
<td>A</td>
<td>Minnesota Rules</td>
</tr>
<tr>
<td>Teacher: Developmental Cognitive Disability (mild to severe)</td>
<td>Resource Centerbased</td>
<td>A</td>
<td>Minnesota Rules</td>
</tr>
<tr>
<td>Teacher: Physical/Health Disabilities</td>
<td>Itinerant</td>
<td>B</td>
<td></td>
</tr>
<tr>
<td>Teacher: Developmental Adapted Physical Education</td>
<td>All</td>
<td>B</td>
<td></td>
</tr>
<tr>
<td>Occupational Therapist</td>
<td>Itinerant ECSE – 12</td>
<td>B</td>
<td></td>
</tr>
<tr>
<td>Occupational Therapist</td>
<td>Birth through 2 (as IFSP manager)</td>
<td>Minnesota Rules</td>
<td>See Appendix B.1, Page 3</td>
</tr>
<tr>
<td>Speech/Language Pathologist</td>
<td>All</td>
<td>B</td>
<td></td>
</tr>
<tr>
<td>Physical Therapist</td>
<td>All</td>
<td>B</td>
<td></td>
</tr>
<tr>
<td>Educational Audiologist *</td>
<td>All</td>
<td></td>
<td></td>
</tr>
<tr>
<td>School Psychologist *</td>
<td>All</td>
<td></td>
<td></td>
</tr>
<tr>
<td>School Social Worker *</td>
<td>All</td>
<td></td>
<td></td>
</tr>
<tr>
<td>School Nurse *</td>
<td>All</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Reflects time spent providing evaluations or services to special education students only.

Workload Considerations for Effective Special Education Appendix D.7
Sample Job Description
Itinerant Special Education Teachers

Purpose: This job description provides a general listing of the day-to-day activities of itinerant teachers, primarily in the low-incidence disability areas of blind/visually impaired, deaf/hard of hearing, physical health disabilities, and autism.

Many of the items on the list could constitute indirect time for individual student IEPs. This indirect time includes training for general and special education staff when the training is specific to a student.

Activities
1. Attend IEP meetings when IEP manager is not properly licensed in the area of disability, reviews progress, and makes recommendations for changes to the IEP.
2. Plan and conduct regularly scheduled meetings for all teachers (relevant to the role of the itinerant position) in the district (or cooperative) for purposes of staff development and assurance of consistent practice across the district.
3. Provide training to general education teachers about specific disabilities.
4. Provide in milieu training for teachers and paraprofessional in a variety of ways: modeling, team teaching, observation, etc.
5. Provide leadership in service delivery “best practices” for assigned programs.
6. Provide individualized student interventions as needed.
7. Participate in evaluations and re-evaluations as the teacher licensed in the area of disability and who is “knowledgeable about the disability.”
8. Train general and special education teachers and students how to use equipment and specially designed materials.
9. Conduct assistive technology/equipment trials with students to determine what works best for the student and if the equipment is needed.
10. Provide resource materials to parents and teachers about the specific disability and certain methodologies.
11. Conduct in-services for general education teachers about the nature of the disability and specific interventions regarding specific students (i.e., at transition points such entering junior high school).
Itinerant Activities (continued)

12. Provide training for paraprofessionals about general intervention strategies for specific disabilities and help IEP manager develop strategies for monitoring effectiveness.

13. Participate on child study teams, student/teacher assistance teams when it is suspected a child may need to be referred for an evaluation (includes reviewing reports from outside agencies, medical reports, etc.)

14. Work with building teams to set up programs for specific students who are new to the district, transitioning from more restrictive placements, etc.

15. Assist in developing annual staff development plan for special education teachers and paraprofessionals to ensure that the program is continuously improving.

16. Represent the district or cooperative on State and Regional disability-specific committees as appropriate and disseminate information.

Thanks for contributions by the Shakopee Public Schools, Special Services Department (2001)
Sample Job Description
Due Process Paraprofessional/Clerical

This is a sample job description and is not meant to be exhaustive or to suggest that any or all of the
duties listed must be adopted by a district.

Purpose: Provides clerical support to the special education team by completing routine due
process procedures, compiling and maintaining data, and maintaining tracking
system for IEPs and special education evaluations. Training is provided through the
district.

Responsibilities

A. Referrals to Special Education

1. Process new referrals to special education:
   • schedule referral review meetings
   • notify special education staff of referrals and referral review meeting dates and
times
   • distribute information about the referral to relevant staff
   • take notes at meeting

2. Maintain log of all referrals to special education and action(s) taken.

3. When the team decides that a special education evaluation is to be conducted, the
following will occur:
   • start new due process file
   • schedule an evaluation planning meeting with the parent
   • send out parent questionnaires (that will be brought to the evaluation planning
meeting completed whenever possible)

B. Evaluations and Re-Evaluations

1. Develop annual calendar of all re-evaluations to be completed during the school year,
and distribute to special education team. Calendar includes projected dates the team
needs to meet in order to complete the re-evaluation on time.

2. For all evaluations:
   • attend all evaluation planning meetings
   • take meeting notes for inclusion in the due process file
   • ensure that consents to release/obtain information are completed during the
meeting by the parent, as needed
   • bring all relevant forms to the meeting to use as worksheets during the
discussion (i.e., evaluation plan forms)
   • after the meeting, formalize and complete the evaluation plan, and send out to
parents for purposes of obtaining consent
   • if parent does not attend meeting, log all attempts to reach the parents and
schedule at an agreeable time, and maintain parent contact log in due process
file
B. Evaluations (continued)

3. As needed, follow-up with parents to obtain permission to evaluate, permissions to obtain/release information, parent questionnaires, etc. Maintain log of parent contact.

4. When permission to evaluate has been received from parents, stamp the date received on the form and count forward 30 school days and write that date in the “due date” section. Copy the signed and dated evaluation plan, and distribute to each member of the evaluation team so they know it is time to begin and they know the timeline.

5. Send relevant questionnaires, surveys, checklists to general education teachers and parents. Monitor return of these materials and notify teachers. Log follow-up attempts.

6. Computer score test protocols and return to special education teachers; record scores on the evaluation report form.

7. Schedule evaluation feedback meetings, copy evaluation reports for the meeting, and prepare all necessary forms that will be needed at the meeting.

8. At the conclusion of the evaluation period, ensure that all test protocols, questionnaires, checklists etc., are put together in the file and clearly identified with the school year the evaluation was conducted. Also, evaluation reports, information from outside sources, all meeting notices, permissions, meeting notes, etc. are filed chronologically in the due process file.

C. IEPs and Progress Reports

1. Develop annual calendar of IEP due dates. Send reminders to special education teachers at least 3 weeks before due date to ensure that meetings are scheduled.

2. For all IEPs:
   • schedule IEP meetings within one year of the previous year’s meeting
   • send out meeting notices to all those invited
   • make copies of the old IEP for reference at the meeting and draft of new IEP for each participant
   • when IEP is completed by special education team, finalize forms permission forms and send to parent with the new IEP
   • monitor return of permission and follow-up with parents as needed; document all contacts with parents
   • when permission is received, make copies of the IEP and distribute to those identified by the IEP Manager, including all of the student’s general education teachers

3. Update due process file with originals of signed consents, new IEP, and meeting notes.

4. Send progress reports to parents as indicated by IEP manager, and make copies for the due process file.
D. General Responsibilities

1. Arrange for interpreters at IEP meetings when needed.
2. Arrange for translation of due process forms, evaluation reports, and IEPs as needed.
3. At the end of the school year, organize files to be sent to receiving school for students transitioning to the next building. Maintain documentation of which files have been sent and to whom they were sent.
4. Assist with data collection for annual December 1\textsuperscript{st} child count report and other data collection requirements of the district.
5. Set up new due process files for students entering the school with active IEPs from other districts.
6. When requests for information are received by the school (with direction from the IEP manager) copy the requested information, document what is sent and to whom, and mail to person requesting.
7. Assist staff with data entry and collection when they are involved with documenting services for purposes of third party billing.
8. Assist in identifying and tracking non-resident special education students and informing the person who is responsible for sending out tuition agreements, etc.

Thanks for contributions by the Shakopee Public Schools, Special Services Department (2001).
The following is a list of general competencies for special education teachers that can be considered when reviewing performance.

A. Program Planning

1. Reviews all files of students for which the teacher is IEP Manager, resulting in an understanding of each student's needs.

2. Summarizes the focus of instruction for each student based on needs.

3. Articulates methodology and strategies designed to meet goals and needs and differentiates methodology based on needs and learner profile for each student served.

4. Teams with general education teachers to implement effective strategies and accommodations, how to modify curriculum, and participates in overall curriculum planning (related to the special education students) for the general education classroom.

5. Develops informative progress-monitoring systems for students based on baseline data. Data are used to develop annual IEPs, conduct progress reviews, alter IEPs as necessary, and conduct re-evaluations.

6. Develops positive behavioral interventions based on functional behavioral assessment, and plans for all students with needs in the behavioral/social/emotional domain, including what the role of general education teachers will be in helping to implement/support the plan.

7. Demonstrates an understanding of positive behavioral interventions and the need for Behavioral Intervention Plans and follows all required steps to implement (including conditional procedures – restraints and use of time out for seclusion).

8. Demonstrates IEP management responsibilities by: awareness of what all providers involved with the student are doing; conducting update meetings as needed; maintaining communication with the family; coordinating services to ensure they are complementary and not duplicative; ensuring that the team is aware of dates for annual review, etc.; and ensuring that the IEP is developed in an integrated and timely manner.

9. Demonstrates a thorough understanding of Minnesota Graduation Requirements and the role of special education regarding these requirements; designs an appropriate and comprehensive approach to district and Minnesota Standards, including state and district assessments; and all procedures and processes are reflected in the IEP.

10. Demonstrates familiarity with general education curriculum and develops IEPs consistent with the student meeting grade level requirements or develops a meaningful alternative curriculum with accompanying alternative assessments.

11. Develops transition plans by age 14 that are functional, relevant to the student's needs, and properly included in the IEP.
B. Due Process Procedures

1. Reviews each file annually, and develops a calendar identifying when each of the following is to occur: annual reviews, progress reviews, re-evaluations. Each of these is completed in a timely manner.

2. Demonstrates a working knowledge of all state and Federal due process procedures governing annual reviews, periodic reviews, scheduling and conducting IEP meetings, conducting re-evaluations, etc., and demonstrates proper use of all due process forms and meeting notices as demonstrated through review of Due Process files.

3. Writes technically adequate IEPs.

4. Demonstrates a working knowledge of applicable data privacy practices.

5. Attends all mandatory due process training and review sessions provided by the district.

C. Evaluation Practices

1. Administers district approved achievement and behavioral instruments such as the Woodcock-Johnson and BASC, using proper and standardized test administration procedures.

2. Has a working understanding of Minnesota eligibility criteria for area of licensure and/or assignment and can apply it in the eligibility determination process.

3. Determines eligibility and student needs through comprehensive evaluation components such as: historical factors; observations; teacher/parent interviews; rating scales; systematic observations; review of progress in the general education curriculum; achievements tests; curriculum-based measures; current classroom performance; review of on-going progress monitoring data, etc.

   Addresses a student’s continuing need for special education based on results of a re-evaluation and addresses the appropriateness of current services.

4. Assembles relevant information from all student evaluation components and writes an informative and technically adequate Evaluation Summary Report. (LD teachers: applies LD standards, addresses exclusionary factors and discrepancy formula.)

5. Conducts re-evaluations when the needs of the student change in order to add or remove services or to exit student from special education.

6. Uses progress-monitoring systems, that are based on student data, to develop the annual IEP, make determinations about the effectiveness of the program, etc.

7. Reviews progress monitoring data after student breaks, long-term absences and summer break to determine regression/recoupment in preparation for annual Extended School Year review.
D. Other

1. Provides required documentation for non-resident students receiving special education services in the district, including maintaining communication with the resident district.

2. Conducts IEP meetings in an efficient and informative manner, ensuring full participation of parents and all other providers.

3. Participates in new teacher staff development and discipline-related meetings on a regular basis (EBD Meetings, DCD cohort, mentor/mentee, etc.)