

ARTICLE XI
SPECIAL EDUCATION AND ENGLISH LEARNERS

A. Special Education Days of Work

Special Education unit members and general education who are participating in the coteaching model may return to work up to two (2) days (14 hours) preceding the first scheduled work day for all unit members if they notify the Special Education Director prior to the start of the school year. Teachers hired after June 1st of the previous school year shall notify the Education Director. Such additional days shall be paid at the teacher's per diem rate of pay. These days are for the purposes of planning and preparing student educational materials and IEPs for the upcoming school year.

B. Special Education Professional Development

Special Education Teachers shall be exempt from attending eight (8) school site Professional Development meetings for the purpose of attending District Special Education Department meetings or Professional Development. A minimum of three (3) days shall be designated for Special Education Department professional development. The Special Education Director shall be responsible for notifying school site principals of the scheduling of the District Special Education Meetings or Professional Development. Special Education teachers will be expected to attend site level Professional Development when no District Special Education Meetings or Professional Development meetings are scheduled.

At the beginning of each academic year, special education teachers shall be surveyed by the Special Education Director regarding professional development interests and needs. The Special Education Director shall take teacher feedback into consideration when planning professional developments.

C. District Special Education Committee

The District and Association shall establish a Special Education (SPED) Committee for ongoing communication, problem solving and implementation of solutions regarding SPED issues and concerns.

The District SPED Committee shall be representative of all areas and consist of: The Director of SPED, (1) Elementary Administrator, (1) Secondary administrator, one (1) SDC member, one (1) Service Provider, one (1) Instructional Aide, one (1) General Education member (co-teacher or push-in), one (1) General Education member, and one (1) RSP member.

The committee shall meet monthly during the school year to plan, coordinate and implement the following District wide supports:

1. CPI training for all Instructional Aides offered twice a year; one training held prior to the school year, and one training held during the school year.

2. Articulation and Training for SPED/RSP teachers in specialized reading programs for students with Dyslexia and for Inclusion that are legally defensible.
3. A yearly training for all SPED/RSP Teachers on IEP development, legal requirements, and implementation strategies.
4. Yearly ELD training for RSP/SDC/SAI teachers to support students with IEPs who are also English Learners, which require both specialized academic instruction and English Language Development. This training is essential to ensure compliance with state guidelines and to support equitable access to ELD for all dually identified students.
5. A yearly training for all school principals on the administration of IEP meetings and how to take IEP meeting notes.
6. Any/all other District wide supports as deemed necessary by the District SPED Committee.
7. The District shall provide all trainings and/or supports during paid work time.

D. SPED/RSP Class Size, Staffing Ratios, & Staff Support

1. RSP Teachers (All Grade Levels)
RSP teachers' caseload will not exceed 28 students. All RSP teachers will be provided with at least 1 instructional Aide.
2. SDC Teachers all grade levels
 - a) Mild/Moderate teacher's caseload and class size will not exceed 12 students. Instructional aides will be provided to ensure a student to staff ratio of at least 1:5.
 - b) Moderate/Severe teacher's caseload and class size will not exceed 10 students. Instructional aides will be provided to ensure a student to staff ratio of at least 1:5.
 1. In the event there is a need to establish a Mild/Moderate-Moderate/Severe combo class, the most restrictive caseload and class size shall apply.
 - c) Adult Transition Program teacher's caseload and class size will not exceed 12 students. Instructional aides will be provided to ensure a student to staff ratio of at least 1:5.
 - d) Autism teacher's caseload and class size will not exceed 8 students. Instructional aides will be provided to ensure a student to staff ratio of at least 1:4.
3. To provide the best learning and supportive environment for SPED/RSP students, the District shall provide sufficiently trained behavior support personnel, including behavior aides and specialists, to meet the documented needs of students whose behaviors significantly impact instruction or safety.

4. When a student's behavior requires one-to-one or additional adult supervision, such support shall be provided without delay. Classroom teachers shall not be assigned responsibilities that require specialized behavioral intervention beyond their training.
5. The District shall provide substitute roving Instructional Aides to support classes when regular Instructional Aides are absent.

E. General Education Class Size Adjustment Support for EL/SPED Students

Excluding co-taught classrooms where two certificated teachers are assigned, if, at any time during the school year, the combined number of students classified as ELD Levels 1 and 2 and those receiving Special Education services (IEP) and/or 504 plans exceeds one-fourth (1/4) of the total classroom enrollment (elementary) and per period (secondary), the following provisions shall apply to ensure students are equitably distributed:

1. The class size for that classroom shall be reduced proportionally to account for the excess percentage above the one-fourth threshold.
2. Adjustments to classroom rosters or class size must be implemented within ten (10) working days of identifying non-compliance. A side letter outlining the adjustment plan and compliance steps shall be submitted within this timeframe.
3. In the event this adjustment is not implemented and the classroom remains out of compliance beyond the timeline, the district shall compensate the assigned teacher at a rate of \$250 per month for each student exceeding the one-fourth threshold.

F. Supporting Students with IEPs/504s in General Education Classrooms

It shall be the intent of the District and the Association to support the successful placement of students with IEPs /504s in general education classrooms while also recognizing the impact on the workload of classroom teachers associated with providing specialized instruction for students with IEPs/504s. To that end, the District shall do the following:

1. The District shall notify the affected unit member(s) before assigning students with IEPs/504s into the regular classroom and provide the unit member(s) with a copy of the student's IEP at-a-glance or 504 plans.
2. All classes intended for academic inclusion or co-teaching, as stipulated in IEP documents, should have a balanced ratio of general education students to students with IEPs/504s no greater than 25%. The Special Education specialist should be in the ELA/Math/Science classroom 100% of the time in order to fulfill IEP minutes.

3. Special Education Teachers and General Education Teachers teaching in an inclusive setting shall have the right to schedule a day of planning time to review student IEP goals and to adjust academic plans and content scaffolds once per academic quarter/trimester. Special Education Teachers and General Education Teachers who teach in inclusive settings should receive training on co-teaching and co-planning. Both Special Education Teachers and General Education Teachers shall have the right and flexibility to choose the most effective instructional models based on their professional judgement.

G. Individualized Education Programs (IEPs)

1. All unit members whose duties involve and/or are affected by an IEP will be provided the opportunity to serve on the team responsible for developing, reviewing, and/or revising the IEP.
2. Whenever possible, IEP meetings shall be held during the workday and shall be scheduled outside of a Unit Member's designated preparation time. In accordance with Ed Code 56341.5.c, the IEP meeting shall be scheduled at a mutually agreed-upon time and place.
3. Unit members shall make themselves available during the time that IEPs are scheduled. If additional time beyond the workday is necessary to complete an IEP meeting, the administrator or their designee in attendance at the IEP shall determine whether to schedule an additional IEP date to be held during the workday, or to continue the IEP meeting beyond the workday. Unit members shall be compensated at their hourly rate for such additional time beyond the workday.
4. Unit members who are Case Carriers/Special Education employees shall adhere to all timelines as required by California Special Education code as well as the Codes of Federal Regulations as it pertains to Special Education and related services.
5. All student placement and/or change of placement shall be done in accordance with 34.CFR 300.116. The Special Education Department must be notified of all potential changes of placements prior to the IEP meeting to appropriately accommodate the student within a school. The District shall support the placement recommendation of the IEP team. Upon actual notice to the special education department and school site administrator that an Individual with Exceptional Needs will be assigned to the class of any unit member, an IEP at-a-glance will be provided to the unit member within three (3) days.

H. Administration Roles & Responsibilities During IEP meetings

IEP meetings shall be staffed with an Administrator or their designee who has been trained on their role. In these meetings, the roles and responsibilities of the Administrator or their designee shall be as follows:

1. The Administrator or their designees shall take minutes at all IEP meetings.
2. The Administrator or their designees shall address parent concerns related to school offering, school policy, and budgeting.
3. In the case of a parent/guardian who disagrees with the team's recommendation, the Administrator or their designees will lead all discussion with the parent and support the recommendation of the local education agency as represented by the District IEP team.

I. Case Management Support (IEP planning, assessment, and progress monitoring)

1. Elementary School Support

In order to prepare for, facilitate, and finalize IEP documents and meetings, the District shall provide all Elementary school unit members assigned to SLP, RSP, and SDC up to (10) full release days per year, at no loss of pay or leave, upon request.

2. Secondary School Support

- a) Middle School and High School RSP Teachers shall have an assigned IEP monitoring period, in addition to their preparation period, within the instructional day to prepare for IEP meetings, conduct assessments, hold IEP meetings, and complete IEP paperwork. SLP will have the ability to schedule agreed upon protected work time.
- b) Middle School and High School SDC Teachers will be provided two (2) sub release days per month for IEP planning, assessment, and progress monitoring. This release time will be scheduled with the site administrator.

J. IEP/Behavioral Intervention Plan Student Placement & Support

1. No student shall remain in a placement that fails to provide their educational or behavioral needs as outlined in the IEP/BIP. In such circumstances, Unit Members may request an IEP/BIP review without fear of reprisal. When the student's current placement does not support the educational or behavioral needs as outlined in the IEP/BIP, upon the request of a Unit Members, the review shall be scheduled within ten (10) work days.

K. Administrative Support for Behavioral Issues

1. When a student with an IEP or Behavior Intervention Plan (BIP) persistently disrupts the learning environment despite 6 weeks of documented interventions, the District shall convene the IEP team to review and revise services, supports, or placement within 10 work days.

2. Site administrators shall provide timely and active support to teachers addressing chronic or severe student behavior issues, including direct intervention, parent communication, and attendance at meetings as necessary.
3. Severe behaviors—including but not limited to physical violence, threats of violence, persistent disruption, and major destruction of property(e.g. knocking over furniture, throwing hard objects or using them as weapons) —shall result in immediate administrative intervention and documented consequences consistent with District policy and the student’s IEP/BIP.
4. Unit Members shall not be required to independently manage hostile, aggressive, or high-profile parent interactions. Administrative support shall be provided upon request.