

# Salinas Union High School District

Certificated Personnel

Regulation #4112.23

## **SPECIAL EDUCATION STAFF**

Teachers Any teacher assigned to serve students with disabilities shall possess the credential that authorizes him/her to teach the primary disability of the students within the program placement recommended in the students' individualized education programs (IEP). (5 CCR [80046.5](#))

(cf. [4112.2](#) - Certification)

(cf. [4113](#) - Assignment)

(cf. [6159](#) - Individualized Education Program)

(cf. [6164.4](#) - Identification of Individuals for Special Education)

Special education teachers who teach core academic subjects shall possess the qualifications required by the No Child Left Behind Act. (20 USC [1401](#), [6319](#), [7801](#); 34 CFR [200.55-200.57](#); 5 CCR [6100-6126](#))

(cf. [4112.24](#) - Teacher Qualifications Under the No Child Left Behind Act)

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

(cf. [0430](#) - Comprehensive Local Plan for Special Education)

(cf. [1312.3](#) - Uniform Complaint Procedures)

(cf. [4141/4241](#) - Collective Bargaining Agreement)

### **Resource Specialists**

The Board of Trustees shall employ certificated resource specialists to provide services that shall include, but not be limited to: (Education Code [56362](#))

1. Providing instruction and services to students whose needs have been identified in an individualized education program (IEP) and who are assigned to regular classroom teachers for a majority of the school day

A student shall not be enrolled in a resource specialist program for a majority of a school day without approval by the student's IEP team.

2. Providing information and assistance to students with disabilities and their parents/guardians
3. Providing consultation, resource information and material regarding students with disabilities to their parents/guardians and regular education staff members
4. Coordinating special education services with the regular school programs for each student with disabilities enrolled in the resource specialist program

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5. Monitoring student progress on a regular basis, participating in the review and revision of IEPs as appropriate, and referral of students who do not demonstrate sufficient progress to the IEP team
6. Emphasis at the secondary school level on academic achievement, career and vocational development, and preparation for adult life

The District's resource specialist program shall be under the direction of a resource specialist who possesses:. (Education Code [56362](#))

1. A special education credential or clinical services credential with a special class authorization
2. Three or more years of teaching experience, including both regular and special education teaching experience
3. The demonstrated competencies required for a resource specialist as established by the Commission on Teacher Credentialing in 5 CCR 80070.8

No resource specialist shall have a caseload that exceeds 28 students. As necessary and with the agreement of the resource specialist, the Board may request a waiver from the State Board of Education to increase the caseload to no more than 32 students, provided that an individual resource specialist does not have a caseload exceeding 28 students for more than two school years and has the assistance of an instructional aide at least five hours daily during the period of the waiver. (Education Code [56362](#); 5 CCR [3100](#))

(cf. [1431](#) - Waivers)

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

### **Teachers of Students with Autism**

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

1. The teacher has provided full-time instruction for at least one year prior to September 1, 2007, in a special education program that serves students with autism in accordance with their IEP and received a favorable evaluation or recommendation from the District or school to teach students with autism.
2. The teacher has completed a minimum of three semester units of coursework in the subject of autism offered by a regionally accredited institution of higher education.

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The Superintendent or designee shall report teachers assigned under the above conditions to the county office of education as part of the annual assignment monitoring pursuant to Education Code 44258.9. (Education Code 44265.1)

The Superintendent or designee may employ and assign a teacher to provide instruction to students age 3-4 who are diagnosed with autism if the teacher holds a valid preliminary Level I or clear Level II education specialist credential, is authorized to provide instruction to students with autism, and satisfies either of the criteria listed in items #1 and 2 above, except that the prior service shall have been with autistic students age 3-4 or the completed coursework shall have been in the subject of special education related to early childhood education. (Education Code 44265.2)

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

### Legal Reference:

#### EDUCATION CODE

44250-44279 Credentials, especially:

44256 Credential types, specialist instruction

44258.9 Assignment monitoring

44265-44265.99 Special education credential

44268 Clinical and rehabilitative services credential

56000-56865 Special education, especially:

56195.8 Adoption of policies

56361 Program options

56362 Resource specialist program

56362.1 Caseload

56362.5 Resource specialist certificate of competence

56362.7 Bilingual-crosscultural certificate of assessment competence

56363.3 Average caseload limits

56441.7 Maximum caseload, students age 3-5

#### CODE OF REGULATIONS, TITLE 5

3051.1 Language, speech and hearing development and remediation; appropriate credential

3100 Waivers of maximum caseload for resource specialists

6100-6126 Teacher qualifications, No Child Left Behind Act

80046-80046.1 Adapted physical education specialist

80046.5 Credential holders authorized to serve students with disabilities

80048-80048.6 Credential requirements and authorizations

80070.1-80070.8 Resource specialist certificate of competence

#### UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act, especially:

1401 Definition of highly qualified special education teacher

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6319 Highly qualified teachers  
7801 Definitions, highly qualified teacher  
CODE OF FEDERAL REGULATIONS, TITLE 34  
200.55-200.57 Highly qualified teachers  
300.8 Definition of autism  
300.18 Highly qualified special education teachers  
300.156 Special education personnel requirements

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Handbook on Developing and Implementing Early Childhood Special Education Programs and Services, 2001

COMMISSION ON TEACHER CREDENTIALING CODED CORRESPONDENCE

08-13 Alternative Route to Provide Special Education Services to Students with Autism Ages Three and 4, October 9, 2008

08-10 Alternative Route to Provide Special Education Services to Students with Autism, July 7, 2008

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

Standards of Quality and Effectiveness for Education Specialist Credential Programs (including University Internship Options) and Clinical Rehabilitative Services Programs, 1996

WEB SITES

California Association of Resource Specialists and Special Education Teachers:

<http://www.carsplus.org>

California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>

California Speech-Language-Hearing Association: <http://www.csha.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

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