

## **ARTICLE 27**

### **SPECIAL EDUCATION**

#### **27.1 Local Plan Development**

27.1.1 When developing and/or updating a Special Education Local Plan (SELP), the District shall notify the Association of its intent to do so and shall inform the Association of the number of general and special education teachers that need to be selected for the SELP Committee. The selection process for these unit members shall be conducted by the Association. Bargaining unit members shall be released from their regular duties for purposes of serving on the SELP Committee.

27.1.2 When developing and/or updating a SELP, the SELP Committee shall survey unit members whose duties would be impacted by the plan in order to determine their recommendations.

#### **27.2 Reorganization Rights**

27.2.1 Prior to reorganizing a Special Education Local Plan Area, the District shall meet and negotiate with the Association regarding its impact as applicable to the Rodda Act.

#### **27.3 Individual Educational Program (IEP)**

27.3.1 Unit members who participate in meetings for an Individualized Educational Program (IEP) beyond their conference period shall be granted release time from their regular duties.

27.3.2 The District shall make every effort to schedule IEP meetings during the school day.

27.3.3 Teachers assigned a pupil with an IEP shall be provided a copy of the IEP (IEP At-A-Glance) of the incoming pupil within one (1) week of enrollment or notified that the IEP is pending.

27.3.4 The District recognizes that some individual pupils may not meet or exceed the growth projected in the annual goals and objectives of the pupil's Individualized Education Program. In such instances, a unit member's accountability shall be limited to having implemented the resources provided by the District.

27.3.5 Release time may be provided for each full time special education teacher to work on IEPs at the discretion of the principal. This time will be approved and scheduled with site administration in advance. Special education teachers are required to be present in the workplace the entire day.

## 27.4 Fair Hearings

- 27.4.1 When a unit member is required to participate in a fair hearing or other due process procedure, the District shall provide the unit member with release time without loss of compensation.
- 27.4.2 Counsel retained to represent the District in any such hearing shall consult with the unit member regarding preparation for the hearing.

## 27.5 Instructional Assistant Assignment

- 27.5.1 All special education teachers shall have an instructional assistant assigned to work with them during direct teaching assignments, not to include preparation periods and collaboration periods. The special education advisor and assigned teacher will propose the assignment of the special education instructional assistant to be presented for the approval of the site administration.
- 27.5.2 The site principal or assistant principal shall assign the instructional assistant. Department Chairs shall not have input in the assignment process or be consulted. The administrator in charge shall consult with the special education teacher on the assignment of the instructional assistant. Department Chairs shall not move, reassign or evaluate assistants assigned to the teacher.

## 27.6 Resource Specialist

- 27.6.1 Resource specialist caseload shall not exceed twenty-eight (28) pupils unless a waiver is granted by the State Department of Education. The Association shall be notified prior to the request for waiver being sent to the SDE.

## 27.7 Professional Development

- 27.7.1 The utilization of new instructional models shall not be required of unit members assigned to special education positions until after the District has provided released time for and offered appropriate training to unit members regarding the use of such models.
- 27.7.2 All teachers possessing a mild-to-moderate credential and serving in a mild-to-moderate assignment must receive Highly Qualified Teaching (HQT) certification in a core subject area; i.e. English, math, science or social science no later than the last day of the 2010-2011 school year. Teachers who do not meet HQT certification in at least one core subject area shall meet with the Assistant Superintendent of Personnel and develop a plan to meet HQT certification requirements by October 1, 2009.
- 27.7.3 All teachers possessing a mild-to moderate credential must possess an Autism Authorization prior to October 31, 2013.

## 27.8 Special Education/General Education – Co-Teaching

The Chaffey Joint Union High School District and Associated Chaffey Teachers jointly support the least restrictive educational environment for pupils with disabilities.

- 27.8.1 Special education teachers who co-teach with general education teachers (collaboration model) deliver specialized instruction within the classroom.
  - 27.8.2 Site administration will make every effort to assign teachers who are co-teaching to a common preparation period.
  - 27.8.3 Teachers assigned to co-teaching periods shall be present in the assigned classroom the entire period.
  - 27.8.4 Special education teacher's co-teaching assignment shall not include more than two (2) general education teachers.
  - 27.8.5 Every effort shall be made to accommodate mutual co-teaching requests.
- 27.9 Teachers will follow the placement recommendations of the IEP.
- 27.10 Support for collaboration between general education teachers and special education teachers
- 27.10.1 Prior to or within the first quarter of the school year, training shall be offered for teachers who teach remedial level or special education classes.
  - 27.10.2 Staff development training shall be offered for unit members with “included” pupils in their classes.
  - 27.10.3 Requests for additional support shall be mutually agreed upon by teacher/unit member and administration.
  - 27.10.4 If a teacher/unit member disagrees with the range of supports and services recommended by the IEP, that teacher/unit member may request a meeting with an administrator and/or parent to determine more appropriate supports and services for the pupil.
    - 27.10.4.1 The teacher/unit member is required to provide the accommodations written into the IEP until the IEP is revised.
- 27.11 General education teachers who are assigned special education pupils shall not be required to participate in a co-teaching class setting.
- 27.11.1 Special Education unit members and administration shall mutually agree on the number of co-teaching periods. No unit member shall be required to co-teach for more than two (2) subjects.

## 27.12 Special Education Inclusion

- 27.12.1 When five (5) or more pupils with an IEP are mainstreamed in a general education class, the teacher may request a meeting with the appropriate administrator to resolve the issue.
- 27.12.2 If the number of special education pupils exceeds one-third (1/3) of the total class size assigned to a full inclusion class, a special education teacher or an instructional assistant will be assigned to the classroom with the teacher's approval. The District will make every effort to ensure that classes are balanced to limit the number of classes that exceed one-third (1/3) of the total class size.

## 27.13 Special Education Advisor

- 27.13.1 The responsibilities of the special education advisor include but are not to be limited to:
  - 27.13.1.1 Facilitation of IEP meetings.
  - 27.13.1.2 Facilitation of collaboration.
  - 27.13.1.3 Provide in-District alternative placements for special education pupils.
  - 27.13.1.4 Provide expertise and guidance in the area of special education compliance.
  - 27.13.1.5 Assist counselors and case carriers in monitoring graduation requirements of special education pupils.
  - 27.13.1.6 Assist counselors and case carriers in coordinating intervention programs outside the regular school day.
  - 27.13.1.7 Assist counselors and case carriers in coordinating transition plans for special education pupils in career technical education programs.
  - 27.13.1.8 Calendar timelines for legal requirements directly associated with special education.
  - 27.13.1.9 Provide expertise in “response to intervention.”
  - 27.13.1.10 Facilitate instructional programs at the site to assist with program improvement requirements.