



# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS  
Washington, D.C. 20240



IN REPLY REFER TO:

## National Policy Memorandum

### Bureau of Indian Affairs Office of Indian Education Programs

**Number: NPM-EDUC-4**

**Effective: July 25, 2005**

**Expires: July 25, 2006**

**Title: Caseload Size in Special Education Policy Guidance**

### 1. Purpose

The purpose of this policy is to provide guidance to the staff of all Bureau funded schools for caseload size determinations in special education programs. This information will also assist Agency staff as they work with their schools on the Consolidated School Reform Process (CSRP) Amendment process. Using and applying this information should result in the following:

- A consistent method and procedure in determining special education caseload size across all BIA schools.
- Threshold ranges on when to request additional special education personnel.
- A common understanding of the legal requirements for ensuring a Free Appropriate Public Education (FAPE) to all Indian children with disabilities.
- Maintaining the integrity of the IEP [Individualized Education Program] process in making service and eligibility decisions on an individual basis.

The Individuals with Disabilities Education Act (IDEA) Amendment of 2004 has no provision governing special education caseloads or class size. All such requirements are determined under State laws or policy, and no two States have exactly the same requirements. State policies vary in specificity in terms of the providers and ratios for student caseloads. Some States prescribe caseload ratios while other States suggest general parameters. Schools provide services for students with disabilities through special education teachers and a variety of related service providers such as occupational therapists and physical therapists, psychologists, speech and language therapists, and school nurses.

#### **BEST PRACTICE**

Recent research provides clear empirical direction for States and schools in setting consistent caseload policies (Russ and Chiang, 2001). It is important that a "school system" set clear direction on acceptable caseload size instead of each school setting their own standard. The variable that makes this difficult is that each student is unique and different. Teacher "A" could have 12 students with disabilities with a variety of learning and behavior disabilities—the caseload is manageable and all students are progressing on their IEP goals. Teacher "B," on the other hand, might have six students and because of the severity and unique needs, requires the assistance of a paraprofessional.

### 2. Scope

The provisions of this policy are applicable to Bureau of Indian Affairs (BIA) funded schools.

### 3. Policy and Procedures Guidance on Caseload Size

It is difficult to set a certain caseload size (one size fits all) as a standard that would be appropriate for all situations. The individual and unique needs of each student with a disability are key variables. The school principal and Education Line Office staff should always be consulted before any decision is made that would require the addition of a new teacher, paraeducator, or related service staff. The following are general guidelines to follow:

- *Individualized Education Program*—The IEP Team makes important decisions that impact the size of a special education staff. Please make sure the factors listed below have been addressed before any IEP service decision is made:
  - Does the school offer and implement services under Section 504 and other schoolwide programs such as Title I?
  - Did the school use their Student Assistance Team (pre-referral) before the student was recommended for an evaluation for special education?
  - Does the school staff understand the concept of Least Restrictive Environment (LRE)?
  - Does the IEP start with the general education classroom as the appropriate educational setting for the student? The student should be educated in the general classroom to the fullest extent possible with support and services from special education.
  - Is the school principal actively involved in the IEP process and attends all IEP meetings? The building administrator commits the resources of the school during the IEP process.
  - Does the school staff understand the concept of Free Appropriate Public Education (FAPE)? The IEP services do not need to be the best or most expensive, but they should address the unique education needs of the student.
  
- *Recommended Special Education Caseloads*—Listed below are suggested caseloads for special education staff. The range is based upon the caseload criteria from 31 States. If your school begins to exceed the range, the school principal, special education staff, and Agency staff should meet to discuss the situation to ensure that proper evaluation, eligibility, and placement procedures are being followed.
  - Elementary Grades K–5
    - **Resource Services:** mild/moderate; spends 50 percent or more in general education—Caseload range 15–20
    - **Self-contained Services:** spends 50 percent or more in special education setting—Caseload range 5–10
    - **Speech and Language Pathologist**—Caseload range 1–50  
Less than 20 = .25 FTE      20-30 = .5 FTE      30-50 = 1 FTE
    - **Paraprofessional**—One paraprofessional per 10 students in a resource room setting; one paraprofessional per 5 in self-contained programs.
  - Middle School Grades 6–8
    - **Resource Services:** mild/moderate; spends 50 percent or more in general education—Caseload range 20–25
    - **Self-contained Services:** spends 50 percent of more in special education setting—Caseload range 5–12
    - **Speech and Language Pathologist**—Caseload range 1–60  
Less than 20 = .25 FTE      20-30 = .5 FTE      30-60 = 1 FTE
    - **Paraprofessional**—One paraeducator per 10 students in a resource room setting; one paraeducator per 5 in self-contained programs.
  - High School Grades 9–12
    - **Resource Services:** mild/moderate; spends 50 percent or more in general education—Caseload range 20–25
    - **Self-contained Services:** spends 50 percent of more in special education setting—Caseload range 5–12
    - **Speech and Language Pathologist**—Caseload range 1–60

- Less than 20 = .25 FTE                      20-30 = .5 FTE                      30-60 = 1 FTE
- **Paraprofessional**—One paraeducator per 10 students in a resource room setting; one paraeducator per 5 in self-contained programs.

If the school exceeds the caseload range on any category and requests additional special education staff, including one-on-one paraprofessional, the school must submit justification to the Education Line Officer for approval, using the Request for Additional Staff – Special Education, attached. The Education Line Officer will receive the request for additional Staff for approval and will inform the school principal of such action. Ultimately, the addition of staff must be addressed in the school's CSRP Amendment, at the Center for School Improvement.

#### 4. Roles and Responsibilities

Director, Office of Indian Education Programs (OIEP) The Director, OIEP is responsible for final approval, consistent with the delegated authority identified in 230 DM 1, and submission of final policy to Deputy Director, OIEP.

Deputy Director, OIEP The Deputy Director, OIEP is responsible for the annual review of the policy for overall improvement of school environments. The Deputy Director, OIEP is also responsible for monitoring the Education Line Offices.

Education Line Officer The Education Line Officer is responsible for approval of the CSRP Amendment. The Education Line Officer is responsible for approving the request for the additional special education staff and submission of an FDD [Funds Distribution Document] request reflecting the decision for additional staff

Agency Special Education Coordinator The Agency Special Education Coordinator will review the request for additional special education staff and recommend approval or disapproval to the Education Line Officer.

School Principals The school principals is responsible for completing the additional staff request form for submission to Education Line Officer.

Center for Schools Improvement Office Ensures completion of the final CSRP Amendment approval and notifies the Education Line Officers for additional staff under this guidance per the FDD.

#### 5. Approvals

(sgd) Jim Martin  
for Edward Parisian  
Director, Office of Indian Education Programs

7/25/05  
Date

Bureau of Indian Affairs  
Office of Indian Education Programs  
Center for School Improvement

## Request for Additional Staff Special Education

Please complete the following information and submit to the Agency special education coordinator. Do not mention names of individual students.

School \_\_\_\_\_ Date \_\_\_\_\_

Agency \_\_\_\_\_

A. Describe the current special education caseload and staff.

B. What factors caused the school to exceed recommended caseload numbers?

C. What is the school requesting?

D. Estimated cost \$ \_\_\_\_\_

School principal signature \_\_\_\_\_

Date: \_\_\_\_\_

Special Education Coordinator: \_\_\_\_\_

Date: \_\_\_\_\_

Recommended Actions:

Education Line Officer signature \_\_\_\_\_

Approve

Date

Not Approved

Date