

Paraprofessionals

1. Is there a law that stipulates how many hours a paraprofessional is assigned to a special education class? (2010 Summer)

No, this is a contract issue that should be decided by the classified union in your district. The special education local plan in your area is required to stipulate the number of paraprofessionals and other classified staff for special education but there is no minimum numbers of hours per employee required. The only exception to this is the caseload waiver agreement for a resource specialist program. If the district files a caseload waiver with the State Board of Education and the resource specialist agrees to the waiver, they are guaranteed a five-hour paraprofessional each day.

2. Is there a law that states the number of paraprofessionals that can be assigned to a teacher providing specially designed academic instruction? Or is there a law that allows a minimum number of paraprofessional hours per teachers? (2009 Winter)

The answer is no to both questions. The only language that exists is Ed. Code 56362 (f) "At least 80% of the resource specialists within a local plan shall be provided with an instructional aide." Note the words "local plan" not district and it is only 80% of the resource specialists who will have a paraprofessional and the amount of time is not indicated. This means that the time each resource program has a paraprofessional could range from a few minutes to a full day.

One of the reasons there seems to be a reduction in paraprofessional time in districts is the new IDEA "04/NCLB requirements. It has made recruitment and retention of paraprofessionals more difficult. Paraprofessionals are required to have much more schooling than in previous years and with the cost of health benefits districts are reluctant to hire at a percentage that would force them to pay for benefits. In other words, paraprofessionals are being asked to have more schooling but when hired are getting less hours (less pay) so that districts don't have to pay health benefits. This makes it very difficult for districts to retain and attract new paraprofessionals.

If this is a problem in your area CARS+ suggests you work with your local CSEA unit. This is the bargaining unit for the classified personnel in your district. Their contract will have language that designates how jobs are allocated. Maybe by working with them you can suggest language for special education paraprofessionals that will benefit students and employees.

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