

Service Delivery

*** Service Delivery for students with disabilities – March 27, 2009, Jack O’Connell (see addendum)**

1. I have always been a Resource Specialist but now my district calls me an Instructional Support Teacher. I am told that with this new title I no longer have a caseload. Is this true? (2008 Fall)

It depends on your new role. If your new job description corresponds with the duties and responsibilities of a “resource specialist or specialist” caseload limits would apply. Ed. Code 56362(a) delineates the job responsibilities. For a complete description see the summer 2007 issue of the CARS+ newsletter or Google the education code itself.

However, if your new job description does not correspond with the duties and responsibilities of a “resource specialist or specialist” caseload limits may not apply.

2. This year all of my special education students are “fully included”. So what is my role now? (2008 Fall)

Your job description is still Ed. Code 56362(a-f). Your new role is under the consultative or collaborative model, where you are providing services within the general education setting. In the consultative model instruction is done by the general education teacher with the special educator providing resources. In the collaborative model the general education teacher provides the core instruction and the special educator may provide some instruction. For a more complete description of your roles see the fall 2007 issue of the CARS+ newsletter.

In either role you are the advocate for special education students. Any change in service delivery should be made to meet the needs of the special education students at your site. The change should ensure that all IEPs can be fully implemented.

3. My principal says that all Special Education services will be provided in general education classrooms. Is this legal? (2009 Fall) (2010 Summer)

No. The principal is only one person on the IEP team. The IEP team makes the decision about which services students will receive. “Each meeting to develop, review or revise the individualized education program of an individual with exceptional needs shall be conducted by an individualized education program team.” (Ed. Code 56341 (a)).

4. I am a Resource Specialist and RtI has been fully implemented at my school. My entire day is spent teaching from the moment academics begin until the end of the day. When I have yard duty my only break is lunch. With meetings many days before and after school, I am feeling overwhelmed. I feel like I cannot do my job. What are my responsibilities and how do I gain back the time I need to perform the duties of my job? (2009 Winter)

Education Code 56362 clearly outlines the duties of the resource specialist/specialist. The following is a summary of these responsibilities:

- * Provide instruction and services for students with an IEP who are in general education for the majority of the day
- * Provide information and assistance to the students with IEPs and their parents
- * Provide consultation, materials and information related to students with disabilities to general education
- * Coordination of services listed in IEP
- * Monitoring student progress
- * At the secondary level develop a transition plan in preparation for adult life

If you are unable to implement the IEPs of the student on your caseload it is important that you begin to document this problem. First complete “The Simple One-Page Look at Your Entire Caseload” on page 22 of this newsletter. This will assist you in determining on a regular basis if you are able to implement your students’ IEPs appropriately. Failure to implement IEPs is one of the most non-compliant areas in California and is one of the issues that special educators struggle with every year. Each year you are asked to do more and are given less time to do it. Evaluating whether or not your students’ IEPs are being implemented appropriately is a critical part of your job.

Once you have completed this template and determined that you cannot meet your students’ IEPs write a letter to your administrator explaining the problem. Ask for assistance in changing the situation. It is also very helpful if you include suggestions that will allow you to implement the IEPs appropriately. If you are not successful at this level, present documentation to the special education director or assistant superintendent of your district. If you are still unable to resolve the issue contact your bargaining unit for help or contact the California Department of Education and file a complaint.

5. Can RSP, SDC, mild/moderate and moderate/severe be served together? (2009 Fall)

Special education is a service, not a place. The continuum of program options must be available for all students (Ed Code 56360). The IEP determines the needs of the students and decides on the appropriate option. Once service is decided, the district should ensure that the teacher is appropriately credentialed to meet the needs of the student. You also need to be certain that the needs of your students can be met in this model. If they cannot, documentation and communication with administration should begin immediately.

6. What if the new service delivery at my site is not working for my students? (2008 Fall)

In the fall 2007 CARS+ newsletter we outlined the steps to take. These steps help you in documenting your concerns and the inability to fully implement students' IEPs. See addendum.

For more information or help, please contact your region director.