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QTA – A brief analysis of a critical issue in special education

Caseload/Class Size in Special Education

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Introduction

The size of instructional groups has always been an important issue in the provision of special education services. It has been assumed that students with disabilities who have difficulty in a general class setting would be more successful in a smaller group with more individualized attention. However, federal legislation governing the education of students with disabilities, the Education for All Handicapped Children Act—passed in 1975 and later renamed the Individuals with Disabilities Education Act (IDEA)—had no specific provision concerning caseloads or class size. Subsequent reauthorizations of the law did not add such provisions. All such requirements are set up under individual state laws and no two states have exactly the same specifications. Project FORUM at the National Association of State Directors of Special Education (NASDSE) documented extensive variation among states on this topic (Ahearn, 1995; Project FORUM, 2000).

School districts provide services for students with disabilities through teachers and a wide variety of related service providers, such as speech and language therapists, occupational and physical therapists, psychologists, etc. State regulations/policies vary in specificity in terms of the providers and ratios covered by their requirements. Some prescribe ratios for all types of service providers, while others make only general distinctions between teachers and related service personnel (Ahearn, 1995; Project FORUM, 2000).

To address frequent inquiries on this topic, Project FORUM updated its previous work for this QTA, which provides an overview of current state regulations/policies on caseload/class size for special education. Data collection for and writing of this QTA was conducted by Project FORUM through NASDSE's Cooperative Agreement with the U.S. Department of Education's Office of Special Education Programs (OSEP).

Background

Federal laws governing services for students with disabilities do not contain any specific requirements for caseload or class size. The Assistant Secretary of the Office of Special Education and Rehabilitative Services at the U.S. Department of Education explained the role of federal oversight in this area in a letter to a member of the House of Representatives who had inquired about the issue (Letter to Fascell, 1991). The letter states that IDEA does not specify student-teacher ratios and that states may establish such ratios. However, it notes that, in doing

so, the states must ensure that a free appropriate public education (FAPE) is provided for all children in the least restrictive environment. Thus, although the federal government does not prescribe specific instructional group sizes or caseloads, it does have oversight responsibility in this area through OSEP's monitoring of state implementation of the IDEA.

It is not unusual for states to differ in the implementation of IDEA in the absence of specific federal provisions on certain topics. There are many factors that have operated over time to support and extend the differences among states. For example, caseload and/or class size is sometimes negotiated by teachers' unions or other professional bargaining units.

Another possible reason for the significant variance in caseload/class size provisions among the states is the absence of research linking caseload/class size and improved student outcomes. A literature review published in 2001 states, "The extant research provides few clear empirical directions for policy makers, administrators and educators attempting to formulate consistent caseload policies" (Russ, Chiang, Rylance and Bongers, 2001, p.167).

Methodology

Data collection for this QTA was a three-step process. The first step was a search of the National State Policy Database (NSPD)¹ in March 2003. Second, if information was not found on a specific state in the NSPD, that state's Department of Education website was searched. The third step involved sending a letter in April 2003 to all directors of special education in the 50 states and 11 non-state jurisdictions requesting caseload/class size regulations or guidelines that could not be obtained electronically through either of the first two steps. A reminder letter was sent in May 2003 to those states that did not respond to the first letter.

Terminology

There is no uniformity in the way states use the terms caseload and class size in their regulations/policies. Also, some use only class size, some use both terms and others use the term teacher-pupil ratio. For the purposes of this document, the following definitions are used to be consistent with previous Project FORUM documents. **Caseload** refers to the total number of students for whom a teacher has some degree of responsibility. **Class size** refers to the number of students a teacher is instructing at any given time (Ahearn, 1995; Project FORUM, 2000).

Report of Findings

State Regulations/Policies

Thirty-one states have some regulations and/or policies on caseload/class size. Two of the 31, Massachusetts and North Carolina, are currently revising their regulations/policies. Nineteen states *do not* have state regulations/policies on caseload/class size.² However, two of the 19 are

¹ The National State Policy Database at <http://www.glarrc.org/Resources/NSPD.cfm> is a joint project of NASDSE and the Great Lakes Regional Resource Center to provide searchable access to state departments of education rules and regulations for special education.

² Project FORUM did not receive feedback from one state and the 11 non-state jurisdictions.

currently working on developing regulations/policies. Kansas removed caseload/class size requirements from its special education regulations in 2000. See Table 1.

Table 1
States with Regulations/Policies on Caseload and/or Class Size

States with Regulations/Policies N=31	States with No Regulations/Policies N=19
AR, CA, CT, GA, IA, IL, IN, KY, LA, MA, ME, MI, MN, MO, MS, NC, NH, NJ, NM, NV, NY, OH, OK, PA, RI, SC, TN, UT, VA, WI, WV	AK, AL, AZ, CO, DE, FL, HI, *ID, KS, MD, MT, ND, NE, OR, SD, TX, VT, WA, *WY

* ID and WY are currently developing regulations/policies.

LEA Policies

The three states that do not have state-level requirements for caseload/class size offered information as to the responsibility of the local education agency (LEA). For example, Arizona’s LEAs are required to set their own caseload/class size requirements. Maryland uses a local staffing plan submission as a local administrative planning tool. Oregon has a non-prescriptive caseload provision that leaves determination of caseload to LEAs. This provision is based on “...a belief that students with disabilities receive an appropriate education based on their IEPs rather than on a caseload regulation” (Oregon Department of Education, 2001, p.6).

Characteristics of State Regulations/Policies

The 31 states that have regulations/policies on caseload/class size base them on one or more of the following factors: age/grade of student, presence of a paraeducator, educational setting, type of service, disability category or severity of disability. The most common is age/grade of student (24 states) and the least common is severity of disability (15 states). However, 30 of the 31 states with regulations/policies in this area use a combination of factors. Table 2 and the narrative that follows summarize the individual factors and a subsequent section discusses combinations.

Table 2
Factors/Characteristics of State Regulations/Policies

Factors/Characteristics	Number of States
Age/Grade of Student	24
Presence of a Paraeducator	23
Educational Setting	22
Type of Service	20
Federal Disability Category	20
Severity of Disability	15

Age/Grade of Student

Twenty-four states specify regulations/policies on caseload/class size by age or grade of student. The following examples reflect the diversity of state policy. Tennessee determines its regulations/policies by three grade level groupings (K-3, 4-6, 7-12). Maine's regulations/policies specify teacher/student ratios for self-contained services: ages 5-9, 1:6; ages 10-14, 1:8 and ages 15-20, 1:10.

Presence of a Paraeducator

Twenty-three states tie their caseload/class size regulations/policies to the presence of a paraeducator (e.g., an aide or assistant in the classroom who supports the teacher in the provision of educational services). For example, Virginia permits a maximum class size of eight students when a paraeducator is in the classroom 100 percent of the time and a maximum of six students without a paraeducator 100 percent of the time. This Virginia policy also varies by disability category. Minnesota's regulations/policies specify one program support assistant for ten students and two program support assistants for 12 students. As in the case of Virginia, this policy also varies by disability category.

Educational Setting

Twenty-two states have regulations/policies for caseload/class size based on the educational setting (i.e., the environment in which the student is receiving the special educational services). For example, in Utah a teacher's active caseload for the homebound/hospitalized self-contained service option for students with disabilities may not exceed 15. In Rhode Island, when half of the class is on work placement, the maximum class size may exceed 10 children with disabilities.

Type of Service

Twenty states have regulations/policies that refers to the type of service provider (e.g., speech/language therapist, resource specialist, audiologist, physical therapist). For example, in California the average caseload for language, speech, and hearing specialists in districts or special education local plan areas cannot exceed 55 cases. Ohio's regulations/policies state that an audiologist may provide services to no more than 100 school-age children or no more than 75 preschool children; an occupational therapist may provide services to no more than 50 school-age children and no more than 40 preschool children.

Disability Category

Twenty states specify caseload/class size for at least one or more of the federal disability categories.⁵ Louisiana has regulations for all 13 federal disability categories. For example, a maximum of four students with autism are permitted in a self-contained classroom in elementary and secondary school. Arkansas' regulations specify provider/pupil caseload for three

⁵ Federal disability categories include: autism, deafness, blindness, emotional disturbance, hearing impairment, mental retardation, multiple disabilities, orthopedic impairment, other health impairment, specific learning disability, speech or language impairment, traumatic brain injury and visual impairment.

disabilities—speech/language impairment, hearing impairment and visual impairment. For example, the caseload is 1:20 for students with hearing impairments receiving itinerant services.

Severity of Disability

The least common factor/characteristic found in state regulations/policies on caseload/class size is the severity of disability—15 states. For example, in Illinois, instructional classes for students who have either a profound/severe disability or multiple disabilities may have a maximum enrollment of five students; whereas, classes for children whose primary disability is moderate visual or auditory impairment may have a maximum enrollment of 12 students. In New Hampshire, a maximum teacher/student ratio of 1:8 or 2:12 shall be maintained, unless the severity of disabilities warrants the assignment of additional staff.

Preschool/Early Childhood

At least 18 states have caseload/class size regulations/policies for children birth through five years of age, although not all of the 18 states cover this full age range. Information on the birth through two age range may be incomplete because only 11 state education agencies (SEAs) are the lead agency for this age group; therefore, caseload regulations/policies may not be available on the NSPD or state department of education website. Also, Project FORUM did not specifically request information for this age group.

Combination of Factors/Characteristics

As noted previously, of the 31 states that have regulations/policies on caseload/class size, 30 use multiple factors/characteristics. There are five states that use all six factors/characteristics and four states that use as few as two factors/characteristics in its regulations/policies. See Table 3.

Table 3
Number of States with Multiple Factors/Characteristics in Regulations/Policies

Number of Factors/Characteristics	Number of States
6	5
5	9
4	5
3	7
2	4

North Carolina uses a combination of *five* Factors/Characteristics (disability category, presence of a paraeducator, age/grade of student, educational setting and severity of disability) in its regulations/policies. For example, hearing impaired students in a separate class, pre-K through 6th grade, shall have a maximum class size of seven students with one aide. Hearing impaired students in grades 7-12 shall have a maximum class size of nine with an aide. The maximum class size is four with an aide for hearing impaired students who are severely handicapped.

New Mexico uses a combination of *four* characteristics (age/grade of student, educational setting, type of service, and severity of disability). For example, the teacher-student ratio for school-aged children shall not exceed 1:24 for a special education teacher and 1:35 for a speech/language pathologist when special education services are provided less than 50 percent of the school day. For 3 and 4 year olds in center-based special education programs, the teacher-student ratio must be 1:4 and for children with profound educational needs, 1:2.

Pennsylvania uses a combination of *three* Factors/Characteristics (disability category, type of service and age/grade of student) in its regulations/policies. For example, the teacher-student ratio for students in a full time life skills curriculum at the elementary level is 1:12 and 1:15 at the secondary level. For teachers/professionals providing itinerant services to students with visual impairments, the maximum caseload is 50.

Wisconsin uses only *two* Factors/Characteristics (type of service and presence of a paraeducator) in its regulations/policies. For example, the maximum caseload for a full time school physical therapist may be 30 children or 45 children with one or more school physical therapist assistants.

Characteristics of caseload/class size regulations/policies by state can be found in Table 4.

Other Criteria

Some states' regulations/policies reference factors/characteristics other than those described above. Iowa specifies that the teacher of a resource-teaching program shall serve no more than two attendance centers. Connecticut's regulations/policies specify that the number and age range of children requiring special education and related services assigned to a class shall be such that the specifications of each child's individualized education program (IEP) can be met. Similar to Connecticut, North Carolina states that the class size of a special education teacher and the caseload of a related service provider shall be limited in number to allow the type and intensity of services required by the IEP. Eleven other states also make similar references to implementation of the student's IEP in regard to caseload/class size—Georgia, Illinois, Mississippi, New Hampshire, New Jersey, New Mexico, New York, Oklahoma, Pennsylvania, Rhode Island and Minnesota.

Concluding Remarks

Over 60 percent of states have some type of regulation/policy addressing caseload/class size in regard to students with disabilities. However, these regulations/policies vary greatly from state to state. Most commonly, regulations/policies are based on a combination of the following factors/characteristics—presence of a paraeducator, age/grade of student, educational setting, type of service, disability category and/or severity of disability.

Since Project FORUM's 2000 review of state regulations on caseload/class size, eight states have made some changes with regard to this issue—four states no longer show caseload/class size as part of their regulations/policies, two states are revising their current policies and two states are implementing new procedures. As is the case with other policy areas, caseload/class size regulations and policies are changing and evolving.

In the absence of a strong research base on caseload/class size related to outcomes for student with disabilities, states are expected to continue to develop or revise policy based on input from teacher unions, related service provider associations and other states' regulations/policies.

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Russ, S., Chiang, B., Rylance, B.J., & Bongers, J. (2001). Caseload in special education: An integration of research findings. *Exceptional Children*, 67, 161-172.

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Table 4
 Characteristics of Caseload/Class Size Regulations/Policies by State

State	Age/ Grade	Paraeducator	Educational Setting	Type of Service	Disability Category	Severity of Disability	Number of Factors
AR		X	X	X	X	X	5
CA	X			X			2
GA	X	X	X		X	X	5
IA	X	X	X	X	X		5
IL	X	X	X	X	X	X	6
IN	X	X					2
KY	X		X	X	X		4
LA	X	X	X	X	X	X	6
MA	X	X	X				3
ME	X	X	X				3
MI		X	X	X	X	X	5
MN	X	X			X	X	4
MO		X	X	X	X		4
MS	X		X	X			3
NC	X	X	X		X	X	5
NH	X	X	X			X	4
NJ	X	X	X		X	X	5
NM	X		X	X		X	4
NV		X	X	X	X	X	5
NY	X	X	X	X	X	X	6
OH	X			X	X		3
OK			X	X			2
PA	X			X	X		3
RI	X	X	X	X	X	X	6
SC	X	X	X	X	X		5
TN	X	X	X				3
UT	X	X	X	X	X	X	6
VA	X	X			X		3
WI		X		X			2
WV	X	X		X	X	X	5
	24	23	22	20	20	15	