

**COUNTERPROPOSAL FROM
SADDLEBACK VALLEY UNIFIED EDUCATORS ASSOCIATION
TO
SADDLEBACK VALLEY UNIFIED SCHOOL DISTRICT**

September 17, 2025

**Add to ARTICLE XVI: SPECIAL TEACHING SITUATIONS
SECTION 7: EDUCATIONAL SPECIALIST AND STUDENT SUPPORT STAFF
CASELOADS**

A. Educational Specialist Caseloads: (Caseload to include individual, ~~and~~ group, consultation)

- Mild to Moderate Support Needs (MMSN) Caseload = ~~not to exceed 28~~ **20 students (K-6th grade) or 22 students (7th-12th grade)**

Includes specific learning disabilities; autism; emotional disturbance; intellectual disability; multiple disabilities; orthopedic impairment; other health impairment; specific learning disability; traumatic brain injury; and authorizes service in grades K–12, transitional kindergarten, and in classes organized primarily for adults through age 22.

- Extensive Support Needs (ESN) Moderate to Severe Caseload = ~~not to exceed 15~~ **10 students (K-6th grade) or 12 students (7th-12 grade)**

Includes autism; deafblind; intellectual disability; multiple disabilities; orthopedic impairment; other health impairment; emotional disturbance; traumatic brain injury, and authorizes service in grades K–12, transitional kindergarten, and in classes organized primarily for adults through age 22.

- Early Childhood Special Education (ECSE)

Includes the mild to moderate support needs and extensive support needs listed above; authorizes service to children ages birth to kindergarten only.

- Mild to Moderate Support Needs (NMSN) Caseload = ~~15~~ **not to exceed 14 (preschool-TK)**
- Extensive Support Need (ESN) Caseload = **not to exceed 10 (preschool-TK)**

B. Speech Language Pathologists (Caseload to include individual, ~~and~~ group, consultation)

- Ages birth (0) to 5 years **Caseload:** = The caseload of each full-time equivalent (FTE) Language, Speech, and Hearing (LSH) Specialist shall be limited to no more than forty (40) students
- Ages ~~5~~ 6 years to 22 years **Caseload:** The caseload of each full-time equivalent (FTE) Language, Speech, and Hearing (LSH) Specialist shall be limited to no more than fifty-five (55) students
- Extensive Support Needs (ESN) **Caseload** = The caseload of each full-time equivalent (FTE) Language, Speech, and Hearing (LSH) Specialist shall be limited to no more than forty (40) students
- Caseload Considerations
 - Utilization of District-wide data for SLP caseloads
 - Blended caseloads to be prorated

- ~~Off Ratio assignments~~ Alternative assignments with a caseload of zero shall not be included in the caseload formula

C. School Psychologists

- ~~Not to exceed~~ The District shall maintain a minimum staffing ratio of 1000 students to 1 School Psychologist (1000:1) ~~1000:1 ratio of students to School Psychologists~~. Student count is based on districtwide enrollment.
- Caseload Considerations
 - The above-mentioned ratio shall be maintained by the District with the following considerations:
 - ~~Off Ratio assignments~~ positions ~~Alternative assignments are not to be included in caseload staffing formula~~ (e.g., preschool assessment, district assessment team, bilingual assessments, mentor support, CPI training, floater/assessment helper, Regional Center, etc.)
 - Personnel may be added to improve the specified ratios in any given year.

D. Mental Health Counselors

- **Caseload not to exceed 25 students**
- Caseload considerations
 - Caseload to include direct service (e.g., individual and group) and consultation

SVEA Rationale:

A. Rationale for Educational Specialist Caseload Proposal

In 2013, the California Statewide Special Education Task Force emphasized that California's system too often treats special education as a separate add-on to general education rather than fully integrating supports within a coherent and inclusive system. Research consistently demonstrates that inclusive practices, integrated service delivery, and coherence across general and special education are essential to achieving positive outcomes for students with disabilities. These practices require not only thoughtful program design but also reasonable caseloads that reflect the intensity and diversity of student needs.

In Saddleback Valley Unified School District (SVUSD), however, program design and staffing expectations remain misaligned. Around the time of the Task Force's work, SVUSD dismantled its continuum of services by eliminating the Resource Specialist Program (RSP) and Special Day Class (SDC), consolidating students with a wide range of needs into a single program structure. While this blended model was intended to promote inclusion, the **caseload expectation for Education Specialists remained unchanged at 28 students**.

This structure creates several systemic problems:

- **Broader and more intensive student needs per classroom:** Educators are now responsible for meeting the needs of both students who previously would have been served in RSP settings and those requiring SDC-level supports. This significantly increases instructional complexity and individualized support demands.

- **Undefined programs:** SVUSD programs such as Basic, Co-Teach, Collab, Foundational, Autism, ABIC, and TBIC lack clearly defined design and criteria. This absence of structure has resulted in inappropriate student placements, misaligned staffing, overreliance on 1:1 instructional assistants, and the increasing normalization of costly contract agency staff for both teachers and instructional assistants. In addition, insufficient training and continued dependence on out-of-district placements further undermine the effectiveness and sustainability of these programs. All resulting in adverse fiscal impact to SVUSD.
- **Safety and effectiveness concerns:** Without clearly defined supports and staffing structures, educators face difficulty providing safe, equitable, and effective learning environments, particularly for students with significant behavioral challenges.

The current caseload structure does not reflect these realities. It contradicts both the recommendations of the Statewide Task Force and the district's stated commitment to inclusive practices. Importantly, it also fails to align with the Fiscal Crisis and Management Assistance Team (FCMAT) recommendations, which establish industry-standard caseloads to ensure both program quality and fiscal responsibility. Maintaining caseloads above these standards undermines both educational outcomes and operational efficiency.

For these reasons, the Saddleback Valley Educators Association (SVEA) is proposing adjusted special education caseloads for Education Specialists. These caseloads are designed to:

- Align staffing expectations with the broader range of student needs.
- Ensure that programs are staffed and supported adequately to meet diverse learner needs.
- Create the conditions necessary for safe, effective, and inclusive classrooms.
- Bring SVUSD caseloads into alignment with FCMAT's industry standards, providing a fiscally sound and research-based framework for staffing.
- Support the development of a coherent, integrated service delivery system consistent with state-level research and recommendations

Lastly, SVEA has had to rely on the California Commission on Teacher Credentialing's definitions for Educational Specialists when outlining caseloads, as SVUSD has not established clear definitions for its special education programs nor updated job descriptions to align with them.

By adopting these caseload adjustments, SVUSD will take a meaningful step toward realizing the vision of an integrated, inclusive, and high-quality special education system that supports both students and educators, while also ensuring alignment with statewide industry standards.

Educational Specialist Caseload Consideration - Consultation

The resource specialist program as outlined in California Education Code (EC) Section 56362(a), must, at least, provide:

- A **resource specialist or specialists** who provide **instruction and services** for individuals with exceptional needs who are assigned by the IEP team to regular classroom teachers for the majority of the school day;
- *information and assistance to individuals with exceptional needs and their parents;*
- **consultation**, resource information, and material to parents and staff;

- *coordination of special education services with the regular school programs for those students enrolled in RSP;*
- *monitoring of pupil progress and participate in the individualized education program; and emphasis at the secondary school level on academic achievement, career and vocational development, and preparation for adult life.*

The inclusion of consultation services in this list indicates that such activities are considered part of the Educational Specialist's responsibilities and, by extension, their caseload.

FCMAT evaluates staffing and caseloads based on statewide guidelines and industry standards. FCMAT considers these activities - including consultation - when evaluating overall caseloads.

B. Rationale for Speech Language Pathologist Caseloads

0-6 Caseload

“The maximum caseload for a speech and language specialist providing services exclusively to individuals with exceptional needs, between the ages of three and five years, inclusive, as defined in Section 56441.11 or 56026, shall not exceed a count of 40”. [Cal. Educ. Code § 56441.7]

6-22 years Caseload

“The average caseload for language, speech, and hearing specialists in special education local plan areas shall not exceed 55 cases, unless the local plan specifies a higher average caseload and the reasons for the greater average caseload”. [Cal. Educ. Code § 56363.3]

“Caseloads of full-time equivalent language, speech and hearing specialists providing instruction and services within the district, SELPA, or county office shall not exceed a district-wide, SELPA-wide, or county-wide average of 55 individuals unless prior written approval has been granted by the SSPI”. [5 C.C.R. § 3051.1]

SVUSD’s interpretation of EC §56363.3 is incorrect. The statute does not permit compliance to be measured by calculating a single “average SLP caseload” across the SELPA. Rather, the plain language of EC §56363.3 establishes that the caseload of **each language, speech, and hearing specialist within** the SELPA shall not exceed an average of 55. The intent is to protect individual specialists from excessive caseloads, not to allow disproportionate workloads to be masked by a district- or SELPA-wide calculation.

This interpretation is further reinforced by **5 C.C.R. § 3051.1**, Read together, these provisions clarify that caseload protections apply directly to specialists, and any deviation requires formal approval by the State Superintendent of Public Instruction.

Additionally, a recent CDE Corrective Action response dated July 10, 2025 from Melissa Branson, Interim Education Administrator II from the Complaint Resolution Unit indicated the following:

The District argued that it was in compliance with **EC §56363.3** because the *overall average* SLP caseload across the SELPA was 54.

But that's a **misinterpretation** of the law.

- **What the District claimed:** Compliance can be shown if you take all SLPs in the SELPA, average their caseloads, and the number is under 55.
- **What the law actually states:** Each **individual SLP's caseload** must not exceed an average of 55. The statute applies to the caseloads of the specialists themselves, not just to a district- or SELPA-wide mathematical average.

Extensive Support Needs (ESN) Caseload = 40: Speech-Language Pathologists (SLPs) serving students with Extensive Support Needs (ESN) face unique challenges that require smaller, carefully managed caseloads to ensure effective, individualized services. These students often require highly intensive interventions, multi-modal communication support, frequent collaboration with educators and families, and extensive assessment and IEP preparation.

Caseload Considerations:

Utilization of District-wide data for SLP caseloads

SELPA-wide averages do not accurately represent the scope of responsibilities or service delivery demands placed on SVUSD Speech-Language Pathologists (SLPs). Specifically, the inclusion of Laguna Beach Unified School District (LBUSD) caseload data skews the SELPA average and creates an inaccurate and inequitable comparison.

Key considerations include:

- **Misaligned averages due to smaller district caseloads**
 - SVUSD SLPs serving students ages 6–22 carry an average caseload of 46.05 students.
 - LBUSD SLPs serving the same age span carry an average caseload of 31.05 students.
 - When combined, the SELPA-wide average becomes 44.75, a figure that understates the workload of SVUSD SLPs and inflates LBUSD's proportional influence on the overall calculation.
- **Differences in continuum of services**
 - LBUSD does not operate a full continuum of special education programs within its own district.
 - Students with extensive needs are either placed into SVUSD programs or referred to nonpublic schools (NPS).
 - This limits the range and intensity of services LBUSD SLPs are required to provide, while SVUSD SLPs directly serve students with more complex needs across multiple programs.
- **Differences in scope of responsibilities**

- LBUSD SLPs manage narrower responsibilities due to fewer in-district programs for students with moderate to extensive support needs.
- SVUSD SLPs are responsible for providing speech and language services across a broader set of programs (Basic, Co-Teach, Collab, Foundational, Autism, ABIC, TBIC, and Extensive Support Needs) as well as supporting students in more intensive settings.
- These broader responsibilities demand more time for assessment, IEP compliance, collaboration, consultation, and intervention planning.
- **Basic Aid (community-funded) distinction**
 - Yes, LBUSD is a “Basic Aid” district, also known as a community-funded or excess revenue district.
 - LBUSD receives its primary funding from local property taxes, which exceed the state’s per-pupil funding target, allowing LBUSD to retain excess revenue.
 - This funding advantage enables LBUSD to operate with smaller caseloads and greater staffing flexibility.
 - By contrast, SVUSD does not have this funding structure and cannot equitably be compared to LBUSD when determining caseload formulas.

Conclusion:

Using the SELPA-wide average, which is disproportionately influenced by LBUSD’s lower caseloads and narrower program scope, and Basic Aid funding advantage, is not in the best interests of SVUSD students or staff. Doing so misrepresents the actual workload of SVUSD SLPs and risks under-allocating staff. Lastly, the usage of SELPA-wide average is not outlined within the SOC SELPA Local Plan. For these reasons, district-specific caseload averages and FCMAT industry standards provide a more accurate and equitable framework for determining SVUSD SLP caseloads.

Blended caseloads (0-5 years and 6-22 years) to be prorated:

- The California Department of Education (CDE) issued a letter on December 12, 2009, authored by Mary Hudler, Director of Special Education, providing guidance on prorating Speech-Language Pathologist (SLP) caseloads when serving students across different age groups. This letter clarified that when an SLP serves both preschool (ages 3–5) and school-age (ages 6–22) students, their caseloads should be prorated to reflect the differing service intensities and program needs associated with each age group.
- This guidance aligns with Fiscal Crisis and Management Assistance Team (FCMAT) industry standards, which emphasize the importance of considering the complexity and intensity of services when determining appropriate staffing levels. Prorating caseloads ensures that SLPs can provide effective, individualized services while maintaining manageable workloads.

Alternative assignments with a caseload of zero shall not be included in the caseload formula:

- Reflects Actual Workload: Including zero-caseload alternative assignments inflates calculated averages without reflecting the real number of students an SLP is responsible for serving. Caseload formulas are intended to measure direct service responsibility, not role or position type.
- Basic Mathematical Accuracy: From a purely mathematical standpoint, averaging in zeros for assignments that do not involve student contact artificially lowers or skews caseload numbers, resulting in misaligned staffing decisions.
- The Fiscal Crisis and Management Assistance Team (FCMAT) and other industry guidance recommend that staffing formulas consider only active student assignments when determining appropriate caseloads.
- Excluding zero-caseload alternative assignments ensures staffing levels are equitable, compliant, and fiscally responsible, reflecting the actual intensity of services required.

Service Delivery Model - includes direct service (individual, group) and consultation:

5 CCR § 3051.1

§ 3051.1. *Language, Speech and Hearing Development and Remediation.*

(a) Language, Speech and Hearing Development and Remediation services include:

(1) Referral and assessment of individuals suspected of having a disorder of language, speech, or hearing. Such individuals are not considered as part of the caseload pursuant to Education Code section 56363.3 unless an IEP is developed and services are provided pursuant to sections 3051.1(a)(2) and (3).

(2) Specialized instruction and services for individuals with disorders of language, speech, and hearing, including monitoring of pupil progress on a regular basis, providing information for the review, and when necessary participating in the review and revision of IEPs of pupils.

(3) Consultative services to pupils, parents, teachers, or other school personnel.

(4) Coordination of speech and language services with an individual's regular and special education program.

Legal Basis

- EC §56363.3 and 5 C.C.R. §3051.1 require caseload limits for individual specialists.
- Consultation and coordination are explicitly recognized as part of the specialist's responsibilities under 5 C.C.R. §3051.1(a)(3)–(4).

Why Consultation Counts

- Providing consultative services to students, parents, teachers, or other school personnel takes significant time and impacts workload. Consultation requires the same professional responsibilities and workload demands as direct intervention.

- Excluding consultation from caseload language risks undervaluing the professional time, expertise, and workload required, and creates inequities in assignment distribution.
- FCMAT (Fiscal Crisis and Management Assistance Team) considers consultation services when evaluating the caseloads of related service providers

Speech Language Pathologist	September 2023	September 2024	September 2025
Total FTE	47.7	47.7	47.7
FTE 0-5 years	?	?	?
FTE 6-22 years	?	?	?
FTE alternative assignment	5.2	3.2	4.8

*****SLP Caseload data provided by SVUSD does not differentiate between 0-5 years, 6-22 years and/or alternative assignments. Therefore, caseload data is unable to be calculated.**

C. Rationale for School Psychologist Ratio Proposal

SVEA agrees with a minimum ratio of 1000:1 student-to-School Psychologist. It aligns with recognized professional and industry standards established by the Fiscal Crisis and Management Assistance Team (FCMAT).

Additionally, alternative assignments shall not be counted in the staffing formula. Including these assignments would artificially inflate ratio calculations and fail to reflect the true number of students for whom a School Psychologist is actively responsible.

- Basic Mathematical Accuracy: From a purely mathematical standpoint, averaging in zeros for assignments that do not involve direct school or student contact artificially lowers or skews ratio numbers, resulting in misaligned staffing decisions.
- The Fiscal Crisis and Management Assistance Team (FCMAT) and other industry guidance recommend that staffing formulas consider only active student assignments when determining appropriate caseloads.
- Excluding zero-caseload alternative assignments ensures staffing levels are equitable, compliant, and fiscally responsible, reflecting the actual intensity of services required.

School Psychologist	2023-24	2024-25	2025-26
Total FTE	30.28	30.79	30.79
FTE school assignment	24.7	26.3	25.4
FTE alternative assignment	5.58	4.49	5.39

C. Rationale for Mental Health Counselor Caseload Proposal

SVEA agrees with Mental Health Counselor Caseload not to exceed 25 students. It aligns with recognized professional and industry standards established by the Fiscal Crisis and Management Assistance Team (FCMAT).

Caseload considerations

Caseloads for school-based specialists should reflect **all service delivery models**, including direct (individual or group) services as well as indirect services provided through consultation. Consultation requires the same professional responsibilities and workload demands as direct intervention. Specifically, when providing consultative services, specialists are still required to:

- Conduct assessments and ongoing data collection to determine student needs.
- Prepare written reports and progress updates aligned with IEP goals.
- Develop and update IEP documents to accurately reflect consultative supports.
- Participate in IEP meetings and collaborate with team members to design, monitor, and adjust interventions.
- Provide ongoing communication and guidance to teachers, parents, and other service providers.

Excluding consultation from caseload language risks undervaluing the professional time, expertise, and workload required, and creates inequities in assignment distribution. For these reasons, caseload language should explicitly include consultation services, alongside direct individual and group services, to ensure equitable workload distribution and sustain high-quality support for students.