

**Special Education Report:**  
**By Cynthia Coble and Becky Wylie**

March 2023

We held our Quarterly Meeting with SPED. [Notes](#)

**Recap Big takeaways:**

- SCOE Programs will not be looked at again until 24/25 year
- The para shortage is still a major concern (an issue at some sites of Paras being pulled to be campus monitors) - no solution the financial cost is too great (Per district)
- Professional Development Dates for next year
  - August 9th (Full Day)
  - August 10th (½ Day)
  - August 11 (½ Day)
- The district agreed to post a list of all sped personnel in a shared location
- They also agreed that teachers would be given the first chance at being BTSA mentors next year. Program Specialists will be secondary if the job is not filled.
- The Telehealth SLP is expensive and causes more problems than it solves. The job of SLP should be made more attractive so we can hire more SLPs.
- Sasha was going to look at documents showing past practice where school psychs had been paid their hourly rate when they agreed to take on extra Independent Educational Evaluations (IEEs) versus recently IEEs being added to site teams' workloads.
- Discussed re-starting safety committee. Sasha said she would talk about this at the VTA check in meeting

February 2023:

The next Quarterly meeting is March 13th

New SPED staff need a lot more support than they are currently receiving. We would like to see a better plan to support these teachers so they are not only more competent in their jobs, but also want to continue with the profession.

A review of IEP procedures (chain of command) would also be important. Within the SPED world not everything has a single answer, but the answers or recommendations from the district can vary widely depending on who you are talking to. And an expectation and procedure for a response time.

For the Mandatory Sped Trainings can there be an opportunity to provide feedback on the training and on future training needs?

January 2023

New:

1. With the new language in our contract re: SPED trainings, do teachers still need to attend the gen ed district training? At the elementary level, they were to "choose one of the grade level trainings to attend".

2. It was brought up that Nurses are being paid by the teacher's salary. In FSUSD they are paid on the SLP pay scale. This might be something to consider.
3. SPED scheduled the first 2-hour training of the 25 hours we negotiated. That 25 hours came out of our request for more training in the meeting we held beforehand Those details were 2 days before the school year, one day after the school year and 2-3 hours a quarter. Was there any clarification on the parameters for that training and if not can we look at adding that for the future.

#### First Committee meeting:

1 Sasha shared the link the Board Meeting presentation for taking over the county programs. She discussed the funding for SPED and how underfunded they are. 20 Million cost and only 6 Million funded. The SELPA takes stuff off the top to fund the county. They wanted to see the numbers to see if they were to take them back. There is no decision yet. If they do say yes the move would not be done until a year later. There was a discussion about the way it was communicated

2. The team previewed the training agenda for this year and next year. There were no concerns.

3. DO say that 20 students would be manageable in the RSP setting. Sites should be able to make some master schedule changes to manage your workload. Even though the changes they suggested were not possible due to the contract limitations. They will only have these conversations after the number moves to over 20. There is nothing in ed code that caps class size for SPED. What is happening is legal.

4. When these overloads happen, they should be brought to the VTA meeting with SPED.

<https://www.ctc.ca.gov/credentials/assignment-resources/special-education-case-management>

This site gives a good description of what a case manager is. There is nothing illegal about what is happening.

5. Elementary: when absent and no minutes were given due to no substitute, then how do you provide make-up minutes? If possible then do but, if not let the DO know. Sped Admin were to communicate with site admin. Should have been communicated as if you can, not that they have to make up minutes. If enough minutes are missed they may need to come up with a way to provide them in the summer.

6. When a new curriculum is chosen, can teachers pilot things before it gets bought? Lot of times things were bought without regard for implementation nor how it fits into current-gen ed curriculum. Sped Admin said the last stuff bought was used with lose it or use it funds and there was no time to pilot.

7. Para support concerns. Para's should be all day. Learning recovery grant option to pay for para? Maybe? No solutions Cost would be too high.

8. Psych and SLP are down speech and psych. Can current psychs be given 1.2 to cover the shortage? Could they be given some timesheeting options or other supports? Sasha wanted to talk to Becky and Andrea outside the meeting to brainstorm ideas. It is on the list for future bargaining.

#### December 2022

1. The first quarterly meeting for SPED/VTA is set for December 12.

- a. Topics for discussion are: County program reabsorption, class size at secondary, elementary case management duties, lack of para support.
2. The issue of program specialists serving as Mentors did not get settled. Last year VTA put out a statement that PS should not serve as mentors to new teachers unless there is no-one else available. They were all just assigned huge caseloads this year. A week ago they started asking teachers to mentor some new teachers as the PS were overwhelmed. I spoke with the person doing the matching and she said she was never informed that PS should not be assigned. Can VTA please make this clear to the district for next year.
3. Elementary special education teachers have to complete service logs documenting service minutes provided to students. There is no time to provide make-up sessions if a RSP teacher is absent and a sub is not provided. SLPs also have to provide make up minutes but typically VUSD offers make up SLP services over ESY. If service providers (elementary RSP teachers, SLPs) have to provide make-up minutes, they are essentially being penalized for using any type of leave or when high workload demands (like numerous assessments) cause them to miss services.
4. With virtual SLP's, more work falls on sped teacher case managers such as printing all the SLP paperwork for IEP meetings. For example at Jepson we have a SLP-Assistant who is doing this, but at schools without this support, sounds like it is falling onto sped teachers.
5. What is being done about current openings at school sites to try and fill open school psychologist positions (Jepson 1 day, Markham 1 day, VHS 2.6 days)?

November 2022

1. Is there a date set for the SPED/VTA quarterly meeting to discuss issues that pertain specifically to SPED? Do you still need anyone?
2. Secondary complaints about class size. Classes are very large and no explanation for when the district will look at staffing. There was some information that came our way that the DO met with Admin over a month ago to discuss class size. Their statement was ideally that RSP class sizes should be no more than 18 at the HS and 15 at the MS and Elementary 10. SDC should be no more than 10 ideally. At VHS and Jepson class sizes started the year off above those numbers. They are aware of the problem but have done nothing to alleviate the issue.
3. Change of working conditions? Para's are being pulled from rooms to be additional adult support in other classrooms. Really those should be classified as a 1-1 and another person hired. They get around hiring by changing the name. Or the minutes are that of a 1-1 but they don't staff it as a 1-1 so then sites are scrambling to fill it with the para's they have that are already stretched thin. If a para is being pulled from a RSP/SDC classroom . . . is that a change in working conditions? This is especially difficult when our classrooms are at exceeding high numbers (See 1 above). So we are asked to monitor a large class with no para support. Some teachers are going without any paras at all.
4. With speech and language pathologists and school psychologists having no increase in pay or decrease in duty day and nothing to improve workloads, what next steps can they take?
5. What is happening in terms of SCOE classes potentially coming back under VUSD? Is anyone addressing the impact this will have on staff (admin, gen ed teachers, sped teachers, school psychs, SLP's, school nurses) at sites with these programs?

6. Dawn's advice for the issue in the elementary of students who are working with students not on their caseloads, was to use ed code 56362.1. For the purposes of Section 56362, "caseload" shall include, but not be limited to, all pupils for whom the resource specialist performs any of the services described in subdivision (a) of Section 56362.

### **Special Education Report:**

**By Cynthia Coble and Becky Wylie**

October 2022

7. Secondary complaints about class size. Classes are very large and no explanation for when the district will look at staffing. There was some information that came our way that the DO met with Admin over a month ago to discuss class size. Their statement was ideally that RSP class sizes should be no more than 18 at the HS and 15 at the MS and Elementary 10. SDC should be no more than 10 ideally. At VHS and Jepson class sizes started the year off above those numbers. They are aware of the problem but have done nothing to alleviate the issue.
8. There was talk about a SPED/MTA quarterly meeting to discuss issues that pertain specifically to SPED. Looking for an Elementary and High School representative to meet quarterly.
9. Change of working conditions? Para's are being pulled from rooms to be additional adult support in other classrooms. Really those should be classified as a 1-1 and another person hired. They get around hiring by changing the name. Or the minutes are that of a 1-1 but they don't staff it as a 1-1 so then sites are scrambling to fill it with the para's they have that are already stretched thin. If a para is being pulled from a RSP/SDC classroom . . . is that a change in working conditions? This is especially difficult when our classrooms are at exceeding high numbers (See 1 above). So we are asked to monitor a large class with no para support. Some teachers are going without any paras at all.
10. In other districts, their union was able to write a letter of concern about issues very similar to ours and they presented it to the school board and got very good traction with it. I am working with Dawn on maybe formulating a similar letter for us to discuss.
11. With speech and language pathologists and school psychologists having no increase in pay or decrease in duty day and nothing to improve workloads, what next steps can they take?
12. What is happening in terms of SCOE classes potentially coming back under VUSD? Is anyone addressing the impact this will have on staff (admin, gen ed teachers, sped teachers, school psychs, SLP's, school nurses) at sites with these programs?
13. Dawn's advice for the issue in the elementary of students who are working with students not on their caseloads, was to use ed code 56362.1. For the purposes of Section 56362, "caseload" shall include, but not be limited to, all pupils for whom the resource specialist performs any of the services described in subdivision (a) of Section 56362.

[Special Education Cheat Sheet](#)

[CTA Quick guide to SPED](#)

[CTA Quick Guide to SPED Advocacy](#)

**Special Education Report:**  
**By Cynthia Coble**

September 2022

1. Teachers met on 9/14 to discuss the current offer pending. A big thank you to Todd for taking the time to attend and explain the details and clear up any misconceptions.
  - There were over 40 members on the call. The consensus was losing the stipend for the 1% multiplier is rough. Both the psychs and the SLPs got a salary bump and got to keep their stipend.
  - For the majority of the members affected it will make the time they are working outside the duty day less than the extra duty rate.
  - The 95 hours flex time language is very concerning. It in essence will tie the sped department's hand to be able to effectively mobilize for future bargaining leverage. The biggest tool we have is Work to Rule: which this would essentially eliminate as a collective bargaining tool.
  - There was a discussion about sending out a survey to the SPED members to get a feeling of where everyone stands with this deal.
  - Psychs and SLPs would also like a survey. The majority of Psychologists do not want any contract language regarding flex hours. They would rather keep what they have than give up their ability to the timesheet.
2. Co-teach language in the contract needs to be cleared up to specify that co-teach classes should have only the students with the service on their IEP and not any other IEP students in the class. Reasonable effort shall be made to keep a minimum of 504 students, equal to or less than other teachers out of the class.
3. Program specialists are still being assigned as Induction Mentors. New teacher support is in their job description. They are double dipping and taking that money out of the pockets of the teachers who are on the ground doing most of the mentoring for the new teachers. In some cases, this leads to a concern to be able to freely trust your mentor that also works closely with district administration.
4. Some teachers are given some sub days so they can finish testing, hold IEP's ect. so they are not late on IEPs. Should they be compensated for the time it takes to create sub plans?
5. Becky Wylie would like to share in the joint SPED/Committee
6. Concern around elementary teachers being asked to be service providers instead of CM. Then being asked to do, in essence, the CM job. This is a way for the District to not hire more teachers and overwork the ones they already have. There is no protection for our teachers to decline this work.

Teacher Concern: I have 1 para and 13 students. I should have two classroom paras and an extra support person. We are doing all the extra work. I have to work at least 2 hours past my contracted hours nearly every day to get everything done. The para I work with leaves on time every day, but she's working extra hard during the school day and doing the job of 2 people. We both should be compensated for this. I have three triennials due by early October. I have a sub for 2 days of testing, but it's not enough time to complete the assessments.

I'm spending my prep to test and I will have to stay past my contracted hours to complete the reports and I hope that I will be able to timesheet the hours.

#### 9.4 Exceptional Needs

The District shall assign students with exceptional needs to a least restrictive environment on a fair and reasonable basis. The District agrees to meet and confer with the Association to determine whether or not the implementation of the State's Master Plan for Special Education has brought about class size/balance problems. If it is determined that problems exist, solutions will be discussed and agreed upon changes implemented. Meetings may be called by either party.

15.7 An ongoing Special Education Safety Committee (SESC) shall be established and convened. The purpose of this committee shall be to work collaboratively to address systemic safety concerns related to those unit members who provide Special Education services. The SESC will discuss unit member and administrative input to provide a safe working environment for unit members and learning environment for students. 15.7.1 The committee shall be comprised of no more than ten (10) unit members (RSP, SDC, Speech Therapist, Psychologist represented) and no more than four (4) district/site administrators. 15.7.2 A SESC planning committee shall collaboratively select the members of the committee. The planning committee shall be comprised of two (2) VTA representatives and two (2) district representatives. 15.7.3 The District Special Education department shall facilitate the SESC and any subcommittees formed from the SESC. The SESC shall report back to the District and VTA by March 1st of each school year on the progress of the committee. 15.7.4 The SESC shall work within the parameters of the collective bargaining agreement. Any recommendation of the committee that would necessitate a change in the collective bargaining agreement shall be referred back to the bargaining teams. The committee shall make no change in the collective bargaining agreement.

#### Future Action Items to discuss

1. Sped would like to see language added to the contract that protects class size.
  - a. For secondary, this would give us equal protection as our Gen Ed counterparts. This would benefit students and would help to be staffed by section and not by case load. Staffing by caseload does not adequately staff us to meet student needs.
  - b. For elementary this would come in the form of the maximum minutes an RSP student could have. This would better help students be placed correctly in RSP vs. SDC and encourage more mainstreaming for students that are ready. Some issues that arise from this are some students are not being allowed to leave SDC because there is no "seat" in the gen ed class. This hurts student growth when they are ready to be mainstreamed. There is also this gatekeeper system that keeps students from accessing SDC. They are given enormous amounts of minutes in the RSP setting, instead of being placed in SDC. This keeps the SDC numbers low and creates an overburden on RSP teachers.
  - c. It would be beneficial to have the term SDC and RSP defined. As some students spend more than 50% of their day outside Gen Ed setting but are still considered RSP.
  - d. 9.8.8 At the secondary level, reasonable effort shall be made to limit the number of students in a single class period to fifteen (15) for Blended Model Special Education teachers. This was the only language in the contract I could find around class size for SPED. No one even is using the blended model. If this is the basis for judging class size then we are way off.
2. Teachers that are required to hold IEPs after school should be paid per diem.

3. Teachers with only one prep should be compensated for holding IEPs on their prep. Since this really takes up their ability to lesson plan. These teachers are given sub days to help with testing, but there is no language about IEP time. Would the flex hours basically negate this complaint?
4. Concern around elementary teachers being asked to be service providers instead of CM. Then being asked to do, in essence, the CM job. This is a way for the District to not hire more teachers and overwork the ones they already have. There is no protection for our teachers to decline this work.