



*The OEA will lead the way for continuous improvement of public education while advocating for members and the learners they serve.*

July 17, 2020

Ohio Education Association members with an interest in special education policy and practice recently reviewed the draft rules for the OAC 3301-51 Education of Students with Special Needs. Based upon their recommendations, the Ohio Education Association would like to offer the following to be submitted for public comment on OAC 3301-51-09 Delivery of Services.

The Ohio Education Association appreciates that Ohio's current caseload maximums (3301-51-09 (I)) have not increased. We feel strongly that to provide the most effective education to Ohio's students with disabilities, intervention specialists and related services providers need reasonable caseload maximums. Additionally:

- When considering 3301-51-09 (I), (1), (g), intervention specialists who serve multiple categories of students, we are concerned that the caseload maximums are too great (sixteen (16) for elementary, middle and junior high school, and twenty-four (24) for high school) for intervention specialists to meet the significant needs of a varied student population. We suggest reducing the caseload maximums to twelve (12) for elementary, middle and junior high school, and sixteen (16) for high school, and that a paraprofessional be required for each intervention specialist in the elementary, middle, junior high and high school serving multiple categories of students to ensure that an effective education can be provided for these students with disabilities.
- We suggest that the Ohio Department of Education, Office for Exceptional Children, add a maximum number of students with disabilities to the OAC 3301-51-09 (I) Delivery of Services, when considering placements in inclusion general education classrooms and mainstreamed general education classrooms, and that special education and general education educators be included in the development of these maximums.

The Ohio Education Association appreciates that the current caseload and workload determination process remains in the draft OAC 3301-51-09 Delivery of Services (I), and that the Ohio Department of Education recognizes the importance of ensuring that educators have enough time to provide FAPE to students with disabilities. We are also pleased to see the addition of the language "services for children with disabilities will be based on the unique needs of the individual child and will take into consideration" in the draft OAC 3301-51-09 (I) (1) (b), as this reinforces that caseloads are determined by workload and not by a number. Additionally,

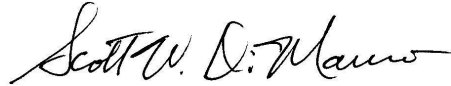
- We request that the language "but not limited to" be retained in the draft OAC 3301-51-09 (I) (a) (1) to ensure that the full extent of an intervention specialist and/or related services provider's job duties can be included in the workload/caseload determination process.
- To strengthen the importance of determining caseload based upon workload, we suggest adding the following language to the OAC 3301-51-09 (I) from Memo 2016-02: "If a provider



cannot perform all workload duties and meet the direct service/specially designed instruction needs for your assigned children, then you must reduce the caseload or workload.”

Thank you for your consideration of these comments to the OAC 3301-51-09 Delivery of Services.

Sincerely,

A handwritten signature in black ink that reads "Scott W. DiMauro". The signature is written in a cursive, flowing style.

Scott DiMauro

President