

*Proposed on Dec 9, 2021*

*MFT Proposal: Article XII Working Conditions*

*The following proposal was made by the Minneapolis Federation of Teachers, based on input from educators, parents, students, and/or community members, and is subject to modifications and additions throughout the bargaining and/or mediation process.*

12.2 Caseload Recommendations.

12.2.1 Special Education Teacher Caseload Recommendation:

**Special Education Teacher Caseloads:**

**The following caseload guidelines shall remain in place until a workload formula is created:**

a. It is recommended that staffing caseloads take into consideration the need to engage in the broad range of professional activities necessary to:

1. Meet the intent of the Individuals with Disabilities Education Act (IDEA) by implementing appropriate and effective service options, and providing interventions designed to meet individual student needs,
2. Implement evidence-based practices, and
3. Meet mandated compliance, third-party billing, paperwork and other responsibilities.

**Audiologists:** ~~It is recommended that staffing caseloads of audiologists~~ **shall** follow a ratio of 1:10,000 as a guideline at all general education settings across all grade levels.

**Developmental/Adapted Physical Education Teachers (DAPE):** ~~It is recommended that staffing caseloads of DAPE teachers~~ **shall** follow a ratio of 1:40.

**Early Childhood Special Education (ECSE):** Caseloads of ESCE shall follow a ratio of no more than 1:16.

**Licensed Deaf/Hard of Hearing Itinerant Services Teachers:** ~~It is recommended that staffing Caseload/Staffing of deaf/hard of hearing services teachers~~ **shall** follow a ratio of 1:20.

**Licensed School Nurses:** ~~It is recommended that the District staff Licensed School Nurses at a 1:750 ratio for students in regular education, and 1:225 students in special education.~~ **There shall be a Licensed School Nurse (LSN) in every building every day for the duration of the contract duty day. Additional allocations beyond this minimum staffing pattern for LSNs as indicated by the workload/caseload formula or nursing acuity model shall be provided to each building.**

**Occupational Therapists:** ~~It is recommended that staffing~~ Caseloads of occupational therapists shall follow a ratio of 1:25 with a capped ratio of 1:50.

**Physical Therapists:** ~~It is recommended that staffing~~ caseloads of physical therapists shall follow a ratio of 1:25 with a capped ratio of 1:50.

**School Psychologists:** ~~It is recommended that staffing~~ Caseloads of school psychologists shall follow a ratio of 1:4000 500 as a guideline at all general education settings across all grade levels, with a capped ratio of 1:750 at all general education settings across all grade levels.

For school psychologists working with students receiving special education services, caseloads shall follow a ratio of 1:125, with a capped ratio of 1:175.

**School Social Workers:** ~~It is recommended that staffing caseloads of school social workers follow a ratio of 1:600 as a guideline at all general education settings across all grade levels.~~ There shall be a minimum of one Licensed School Social Worker in every site every day for each duty day of the established work week. Additional allocations beyond this minimum staffing pattern indicated by the workload/caseload formula shall be provided to each building. The District shall staff additional School Social Workers at a 1:250 ratio for elementary, middle, and high schools, with a capped ratio of 1:300 students.

**Special Education Resource Teachers (SERTs):** The District shall require ~~sites~~ buildings to staff special education resource teachers at a ratio of 1:15 at the elementary level and 1:20 at the secondary level, but no greater than 1:18 at the elementary level and 1:23 at the secondary level ~~students~~ during the spring budget allocation staffing process. The Special Education Department shall enforce this ratio through the budget tie-out process. The District shall work toward the reduction of maximum recommended caseloads for Special Education Resource Teachers ~~as noted above, from 1:23 to 1:20 as budget constraints allow.~~ The district shall take all reasonable actions to finalize student placement decisions before budget tie-out to enable accurate data for determining student and staffing needs. Both parties acknowledge that additional placements may be needed after summer student address changes.

**Speech Language Clinicians:** ~~It is recommended that the~~ The District shall staff speech language clinicians at a ratio no greater than 1:23 students, with a capped ratio of 1:28 students.

**Vision Services Teachers:** ~~It is recommended that~~ The District shall staffing caseloads of vision services teachers follow at a ratio of 1:22, with a capped ratio of 1:28 students.

#### **12.2.2 Licensed School Counselors Caseload Allocation**

**Licensed School Counselors:** ~~It is recommended that the~~ The District shall staff licensed school counselors at a 1:250 ratio for elementary, middle, and high schools for secondary counselors, with a capped ratio of 1:300 students, and 1:400 for elementary counselors, with a capped ratio of 1:450 students. There shall be a minimum of one Licensed School counselor in every site every day for each duty day of the established work week. Additional allocations beyond this minimum staffing pattern indicated by the workload/caseload formula shall be provided to each building.

### **12.3 Special Education Labor Management Committee: (SELM)**

12.3.1 Purpose: A joint committee shall meet on a monthly basis to develop and review policies and practices related to the delivery of student and Special Education services in the District and be proactive in resolving issues of concern to both parties.

12.3.2 Membership: The committee shall consist of an equal number of members appointed by the President of the Minneapolis Federation of Teachers, Local 59 and the Superintendent. As much as possible, the committee will represent all areas of special education. The MFT President shall review and appoint MFT members and the Superintendent shall review and appoint District representatives. The SELM Committee shall select from the recommended candidates.

12.3.3 Scope: Topics that the committee shall address include but are not limited to:

- a. Workloads Working Conditions
- b. Paperwork reduction, duplication, data collection and information management
- c. Support for IEP due process requirements
- d. Selection and use of funds for curriculum and materials
- e. Facilities and working conditions
- f. Professional development
- g. Support for schools to deliver focused interventions for students with special needs
- h. Preparation time
- i. Residency Program for Special Education

**12.3.4 Right to Introduce Issues:** Teachers shall have the right to initiate discussions or bring issues to this committee relative to any of these topics with the expectation that this committee shall act as a non-partial mediating body to address concerns and resolve issues that are systemic in a timely manner.

**SELM Committee members who participate in additional work duties outside of attending the monthly meetings (e.g., Task Forces, Subgroup work, etc.) shall be compensated at the Hourly Leadership Rate.**

#### **Special Education Workload:**

##### **Subd. 1. Establishment of Special Education Teacher Workload Formula**

**The District and MFT recognize that special education workload involves a broad range of professional activities necessary to:**

- Meet the intent of the Individuals with Disabilities Education Act (IDEA) by implementing appropriate and effective service options, and providing interventions designed to meet individual student needs,
- Implement evidence-based practices, and
- Meet mandated compliance, third-party billing, paperwork and other responsibilities.

Workloads for specific special education programs are delineated in MN Rule 3525.2340. Further, the state law specifies that the following factors must be considered when determining a workload formula for special education staff who work with students receiving services for 60% or less of their instructional day:

1. Student contact minutes;
2. Evaluation and reevaluation time;
3. Indirect services time;
4. Management of Individual Educational Programs (IEPs).
5. Travel time required for provision of services or management of IEPs;
- and
6. Other services required by the IEPs of eligible students.

Within 6 months of 2021-2023 contract ratification, the District shall complete implementation of workload formulas (limits) for all special education providers.

Implementation shall minimally include the following steps:

1. The District shall work with the assistance of the Special Education Labor Management Committee (SELM) as needed. Updates will be provided at each SELM meeting;
2. Complete a systems review of Special Education functions to address issues, student services and workload within six (6) months of 2019-2021 contract ratification.
3. Review weighting of student caseloads by student needs as in the State's weighting formula.
4. Complete a systems review of each special education service area including staff feedback;
5. Establish workload formulas (limits) for each special education service area that takes into consideration the factors listed above as well as time spent on early intervention services (i.e., Individual Family Service Plan, or IFSP, pre-interventions).
6. Once the workload formula has been determined, each special education provider shall complete workload analysis that identifies the relevant factors required by the workload formula.
7. Annually, the workload formulas will be reviewed and updated by SELM and the Special Education Director.
8. In recognition of the need to balance due process responsibilities with instructional obligations to students, changes in workload shall not exceed a

special educator's formula unless by mutual consent of the special education professional and the District.

9. If at any point in the school year, a special educator's workload exceeds the limit for their FTE, the following shall apply:
  - The District must seek the special educator's consent before assigning the additional workload, or alternatively, must remove other workload responsibilities or provide additional due process days (e.g., meetings, due process paperwork, etcetera).
  - If a special educator accepts additional workload during the school year and the workload causes the special educator to fall within a higher FTE range, the District shall pay the special educator a stipend for additional time based on their prorated hourly rate
  - The District and SELM shall also continue collaborating to explore and provide additional supports such as:
10. Creating a Special Education Teacher Emeritus cadre to rotate between schools to assist in completion of Special Education paperwork.
11. Increase capacity to fill Special Education Assistants (SEA) absences with SEA reserves.
12. Increase teacher reserve capacity, when needed, so teachers can meet due process requirements. Half- or full-day due process days allowable by Article 2.3 are to be taken at the discretion of the special education teacher/provider and shall not be denied by site or district administrators.
13. Provide sufficient reserve teacher staff to allow Special Education teachers release time to meet due process requirements no fewer than the equivalent of one day(s) per quarter.

SELM shall forward the Special Education Labor Management Committee monthly minutes each month, recommendations, and actions directly to the Superintendent, Senior Executive Officer and Senior Academic Officer for review and required action.