

Waivers

Alternative Graduation Waiver

Caseload Waiver

November 21, 2008

Alternative Graduation Waiver

- Purpose:

- Addresses non-compliance with State Rules

(iii) beginning with students entering the 10th grade in 2005-06, districts shall maintain an accurate accounting of graduation pathways for students with disabilities and ensure that 80-100 percent of seniors with disabilities graduating in 2008 and later years are on the standard pathway

Instructions

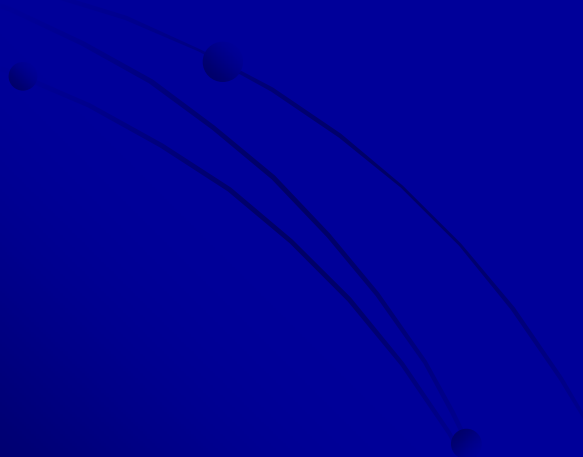
- Complete this form electronically
- submit it via e-mail to Lori Bachman at lori.bachman@state.nm.us
- Must be from the Superintendent's or designee's e-mail. Note: the boxes automatically expand as you add text.
- Complete district or school information if more than one high school
- Provide the Date of Submission
- Does local school board policy require board approval prior to this request? Yes No
- If yes, has board approval been obtained? Yes No
- Date of Board Approval
- School Code

APPLICABLE STATUTE AND/OR STATE RULE

- ii) Beginning with students entering the 10th grade in 2005-06, districts shall
- maintain an accurate accounting of graduation pathways for students with disabilities and ensure that 80-100 percent of seniors with disabilities graduating in 2008 and later years are on the standard pathway,
 - No more than ten to 15 percent of students with disabilities shall graduate on the career readiness pathway, and
 - No more than one to three percent of students with disabilities shall graduate on the ability pathway.
 - Districts exceeding the above maximum percentages must submit a request for a waiver to the PED special education bureau for review on each student affected.

APPLICABLE DISTRICT OR CHARTER SCHOOL POLICY

- **Must include the district or charter policy that addresses alternative graduation options**



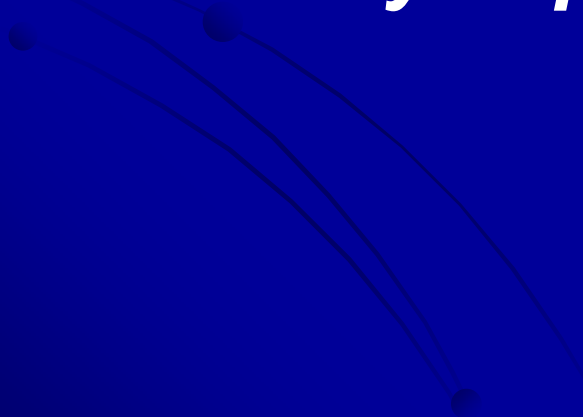
Students Exceeding Maximum

- How many students are in the Career Readiness Pathway?
- How many students are in the Ability Pathway?
- By how many students do you exceed the 15% limit on the Career Readiness Pathway?
- By how many students do you exceed the 3% limit on the Abilities Pathway?

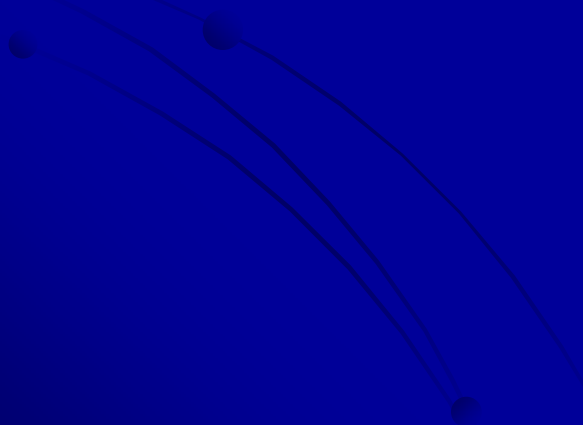
WAIVERS FOR MULTIPLE STUDENTS

- Student name and unique ID
- Graduation Option
- Justification
- Strategies, modifications, accommodations prior to changing program of study
- Relationship of program of study to post-school goals

RATIONALE FOR REQUEST

- *how a waiver will help the school*
 - *how intent fits into school and district policy*
 - *identify supporting documentation*
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CORRECTIVE ACTION PLAN

- *Explain what the district will do to ensure that graduation rates meet the requirements of NMAC 6.30.2.10 (J)(9)(D)(iii).*
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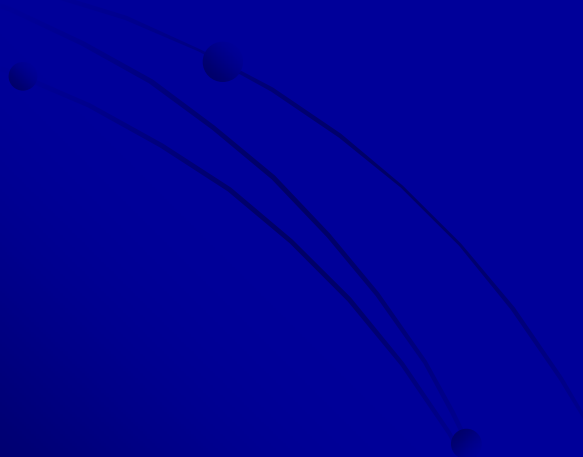
PROVISION OF A FREE APPROPRIATE PUBLIC EDUCATION (FAPE)

- *What the district will do to ensure that FAPE is provided as defined in NMAC 6.31.2.7 (b)(6), when alternative graduation options are used.*

Special Education Caseload Waiver Request

Purpose

- Addresses non-compliance with State Rules



APPLICABLE STATUTE AND/OR STATE RULE

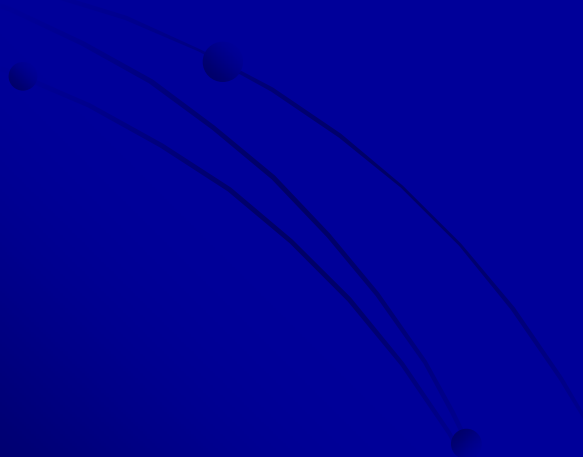
Student/staff ratios in gifted and special education

- The student/staff ratio shall not exceed 35 for a special education teacher and 60
- for a speech-language pathologist for special education programs providing minimal amount of special education.
- minimal amount of special education services
- The student/staff ratio shall not exceed 24 for a special education teacher and 35
- for a speech-language pathologist for special education programs providing a moderate amount of special education services
- The student/staff ratio shall not exceed 15 for special education programs providing extensive amount of special education services
- The student/staff ratio shall not exceed eight (8) for special education programs providing maximum amount of special education services
- The student/adult ratio shall not exceed four (4) for center-based special
- The student/adult ratio shall not exceed two (2) for center-based special education program

Instructions

- Complete this form electronically
- submit it via e-mail to Lori Bachman at lori.bachman@state.nm.us
- Must be from the Superintendent's or designee's e-mail. Note: the boxes automatically expand as you add text.
- Complete district or school information
- Provide the Date of Submission 40th, 80th, 120th,
- Does local school board policy require board approval prior to this request? Yes No
- If yes, has board approval been obtained? Yes No
- Date of Board Approval
- School Code
- IF USING MULTIPLE WAIVERS, PLEASE USE A SEPARATE REQUEST FOR EACH.

APPLICABLE DISTRICT OR CHARTER SCHOOL POLICY:

- **Must include the district or charter policy that addresses student/staff ratio.**
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How To Figure Caseload Maximums

- **For teachers with position codes:**
- 94 regular education teacher of gifted
- 95 related service caseload teacher
- 96 preschool teacher
- 97 special education teacher

How To Figure Caseload Maximums

- each “A or minimum” level student (receives special ed) $1/35$ or .029 FTE
- each “A or minimum” related service student $1/60$ or .017 FTE
- each “B or moderate” level student $1/24$ or .042 FTE
- each “B or moderate” related service student $1/35$ or .029 FTE
- each “C or extensive” level student $1/15$ or .067 FTE
- each “D or maximum” level student $1/8$ or .125 FTE

Calculating FTE

- Identify number of students for each service level
- Calculate FTE using ratios
- The FTE generated by the students cannot exceed the FTE for their caseload teacher unless a waiver is granted. These caseload waivers are granted by the Secretary of Education on a case-by-case basis.

Adjusted Contract FTE

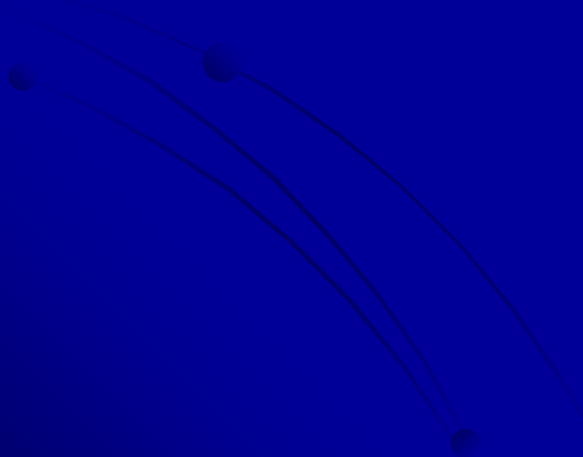
- Employee Name:
- Adjusted Contract:
- Position:
- Is this teacher rated as highly qualified?
Yes No

RATIONALE/JUSTIFICATION FOR REQUEST:

- *explain what you want to do and*
- *how a waiver will help you. Include*
- *how the waiver's overall intent fits into school and district policy*
- *identify any supporting documentation*

Meeting Compliance

- **What steps will the district take to properly staff the district and insure compliance with requirements in NMAC 6.30.2.10 (G)(2)**



FAPE IS AN ISSUE

- **What steps will the district take to insure FAPE is provided as defined in NMAC 6.31.2.7 (b)(6) if this waiver is approved?**
- **A “free appropriate public education (FAPE)” means special education and related services which meet all requirements of 34 CFR Sec. 300.17 and which, pursuant to Sec. 300.17(b), meet all applicable department rules and standards, including but not limited to these rules (6.31.2 NMAC), the Standards for Excellence (6.30.2 NMAC) and department rules governing school personnel preparation, licensure and performance (6.60 NMAC through 6.64 NMAC), student rights and responsibilities (6.11.2 NMAC) and student transportation (6.41.3 and 6.41.4 NMAC).**