

***Office for Exceptional Children
Talking Points: Service Provider Caseloads***

Ohio law mandates a two-prong approach to determining caseload ratios for service providers:

1. The school district, county board of mental retardation and developmental disabilities (county board of MR/DD), and other educational agencies shall determine ratios for an individual service provider by considering scheduling and time demands of pre-school or school-age service providers, including but not limited to the following:

a. All areas of service provided to children with and without disabilities including

- Screening, assessment, consultation, counseling, training and related duties in the school setting; intervention design, and educational interventions.

b. The severity of each eligible child's need

- The level and frequency of services necessary for children to attain IEP goals and objectives.

c. Time needed for planning in accordance with paragraph (A)(9) of Ohio Admin. Code 3301-35-05:

- Planning includes: designing work, evaluating student progress, conferencing and team planning, collaborative planning for the development of lesson plans, professional development and shared learning.
- The schedule of a full-time equivalent service provider or intervention specialist with a teacher day of six hours or longer, excluding the lunch period, shall include two hundred minutes per week for the purposes of planning.

Source: Ohio Admin. Code 3301-35-05(A)(9)

d. Additional time for:

- Diagnostic testing and classroom observation; coordination of the program; parent, staff and agency conferences concerning individual children; staff development activities and follow up; the demands of an itinerant schedule, including the number of buildings, the distance between buildings and travel.

Source: Ohio Adm. Code 3301-51-09(I)(1)(a-d)

2a. Related Service Providers shall provide direct services¹ in accordance with the following ratios:²

Services	School Age	OR	Preschool
Adapted Physical Education	100	OR	100
Audiologist	100	OR	75
Occupational Therapist	50	OR	40
Orientation & Mobility	50	OR	40
Physical Therapist	50	OR	40
Speech-Language Pathologist	80 50 MD,HI, OH,OHI	OR	50
School Psychologist	125	AND ³	75
Work Study Coordinator	75	OR	N/A
Vocational Special Education Coordinator	50	OR	N/A

Source: Ohio Admin. Code 3301-51-09(I)(3-4)

Occupational Therapy Assistants

An occupational therapy assistant must be supervised as required by rule 4755-7-01 of the Administrative Code.

Source: Ohio Admin. Code 3301-51-09(I)(5)(d)

Physical Therapy Assistants

A physical therapy assistant must be supervised as required by Chapter 4755-27 of the Administrative Code.

Source: Ohio Admin. Code 3301-51-09(I)(5)(e)

¹ Direct Services are defined as hands-on, face-to-face interactions between the service provider and the student.

² Service providers shall serve no more than the numbers represented in this chart. However, service providers may need to serve less based on the factors in number 1. (See **Ohio Admin. Code 3301-51-08(I)(1)(a-d)** that directs school districts, county boards of MR/DD and other educational agencies to consider scheduling and time demands of individual service providers and the severity of each eligible child's need.)

³ Please refer to **Ohio Admin. Code 3301-51-09(I)(1)(a-d)** that directs school districts, county boards of MR/DD and other educational agencies to consider scheduling and time demands of individual service providers and the severity of each eligible child's need.

2b. School-age Service Providers (Intervention Specialists) shall provide direct services in accordance with the following ratios:

Caseload Ratios for Intervention Specialists ⁴					
Disability Category	By School Level		Per Instruction Period		Age Range Per Instruction Period
	Elementary Middle/Jr. High	High School	Elementary Middle/Jr. High	High School	
Cognitive Disabilities	16	24	12	16	60 Months
SLD	16	24	12	12	60 Months
HI, VI, OH, OHI	10	10	8	8	48 Months
ED ⁵	12	12	10	10	48 Months
MD ⁶	8	8	8	8	60 Months
Autistic, Deaf-Blind, TBI ⁶	6	6	6	6	60 Months
Multiple Categories ⁷	16	24	16	24	60 Months

Source: Ohio Admin. Code 3301-51-09 (I-2)

Determining Caseloads for Service Providers Who Have Mixed/Shared Caseloads

Ohio law does not bar a Service Provider from servicing a caseload that has both school age and preschool children, or in the case of a speech-language pathologist, a caseload of school age children in which some, but not all, of the children are identified as MD, HI, OH or OHI. The Office for Exceptional Children recommends using the shared caseload formula in the document, *Determining Caseloads for Service Providers Who Serve Both Preschool and School Age Children*.

The question that we at the Ohio Department of Education, Office for Exceptional Children ask is this:

Can the Service Provider or Intervention Specialist reasonably provide services to a given number of students, accounting for all the factors in Part 1 that, by Ohio law, must be considered?

⁴ Service providers shall serve no more than the numbers represented in this chart. However, service providers may need to serve less based on the factors in number 1. (See **Ohio Admin. Code 3301-51-08(I)(1)(a-d)** that directs school districts, county boards of MR/DD and other educational agencies to consider scheduling and time demands of individual service providers and the severity of each eligible child’s need.)

⁵ Requires plan for classroom management and crisis intervention support or at least one full-time paraprofessional

⁶ At least one full-time paraprofessional is required in each class

⁷ Instructional period ratio requirements for specific disability categories cannot be exceeded. E.g., a high school intervention specialist could serve no more than 12 students with emotional disturbance (ED) as part of the 24 students served during an instructional period.

Waiver Requests:

- (1) If a school district, county board of MR/DD or other educational agency exceeds the ratio requirements as stated in the **Ohio Administrative Code 3301-51-09 (I)(1-4)**, a waiver request must be filed with the Ohio Department of Education, office for exceptional children.
- (2) Requests must be submitted in writing to the Ohio department of education, office for exceptional children. The written request shall include, but not be limited to, the following:
 - (a) Identification of the specific rule for which a waiver is being requested;
 - (b) Specific period of time for which the waiver is requested; and
 - (c) Rationale for the request.

Source: Ohio Admin. Code 3301-51-09 (K)

For guidance on filing a waiver, please refer to:

<http://www.ode.state.oh.us/GD/Templates/Pages/ODE/ODEDetail.aspx?page=3&TopicRelationID=968&ContentID=52251&Content=108644>

Waiver Database

The waiver database is made available to the public to provide information regarding waiver requests related to school-age instruction of students with disabilities. The database contains waiver applications from school districts, county boards of MR/DD and educational agencies requesting waivers to exceed individual service provider ratios (also known as class size, student-to-teacher ratio or caseload) or age-range per instruction period waivers. The Ohio Department of Education's decisions on the waiver requests since March 1, 2010 are included.

For more information:

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