**Inclusion Class Size Information**

# **Virginia Requirements**

Information about class size is described in two different Virginia regulatory documents listed below.

1. The Code of Virginia Standards of Quality (SOQ)at this web site, [Virginia Standards of Quality](http://www.doe.virginia.gov/boe/quality/index.shtml), specifically, [Code of Virginia § 22.1-253.13:2. Standard 2. Instructional, administrative, and support personnel](https://law.lis.virginia.gov/vacode/title22.1/chapter13.2/section22.1-253.13:2/), includes teaching loads and class size for general education teachers.
2. The Regulations Governing Special Education Programs for Children with Disabilities in Virginia at this web site, [State Regulations, Laws, and Policies](http://www.doe.virginia.gov/special_ed/regulations/index.shtml) provides staffing standards for special education teachers. The special education teachers' caseload requirements are in Section 8VAC20-81-40.  The maximum number of students on a special education teacher's caseload is provided in the Appendix. The factors that are needed to determine caseload are whether there is a paraprofessional assigned to the teacher and the level of services on each child's Individualized Education Program (IEP). Level One and Level Two services are defined in the definitions Section 8VAC20-81-10.

These two documents are silent (there is no mandate) on the proportionate amount or limits to the number of students with disabilities in a general education class as long as the teacher load and special education teacher caseload are within the parameters of the requirements specified above.

# **Guidance for Best Practice**

Educators may use the inclusion literature as guidance to plan and schedule for inclusive classes. According to some of the inclusion literature, where this topic has been studied and published, it is suggested to use “natural proportions” as a guide limiting the general education class proportion of student with disabilities, whose Individualized Education Program (IEP) or 504 Plan warrants a need for specialized services in that class. The American Community Survey estimates the overall rate of people with disabilities in the U.S. population in 2016 was 12.8%, although the percent of people with disabilities varies by state. Although natural proportion data should be considered, the education research suggests that no more than 25 percent of a general education class should be students with disabilities, depending on grade level; however, “this is not a rule of thumb for a remedial course, where there would be more homogeneous grouping of students with needs for intervention, and preferably a smaller class size than a regular class.” (Refer to Marilyn Friend. Co-Teach! A Handbook for Creating and Sustaining Effective Classroom Partnerships in Inclusive Schools.) The Virginia Department of Education has resources for implementing effective inclusive practices available at the web site, [Inclusive Practices](http://www.doe.virginia.gov/special_ed/iep_instruct_svcs/inclusive/index.shtml).