

**LCB File No. R027-00**  
**PROPOSED REGULATION OF THE**  
**STATE BOARD OF EDUCATION**

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

**Section 1.** NAC 388.150 is hereby amended to read as follows:

388.150 1. ~~Except as otherwise provided in this section, the~~ *The* maximum number of

cases per teacher in a unit for:

- ~~(a) The hearing impaired, moderately mentally retarded or orthopedically impaired is 20.~~
- ~~—(b) The gifted and talented is 65.~~
- ~~—(c) The deaf and blind is 4.~~
- ~~—(d) Pupils with specific learning disabilities is 24.~~
- ~~—(e) The mildly mentally retarded is 24.~~
- ~~—(f) The severely or profoundly mentally retarded is 12.~~
- ~~—(g) Pupils with speech and language impairments is 60.~~
- ~~—(h) Pupils with speech and language impairments who are in a self-contained language program is 12.~~
- ~~—(i) Pupils with multiple impairments, serious emotional disturbances or traumatic brain injuries is 15.~~
- ~~—(j) Pupils with visual impairments is 16.~~
- ~~—(k) Pupils with orthopedic impairments or a health impairment described in subsection 1 of NAC 388.402 who are confined at home or in a hospital is 10 per week, or 14 per week if a teacher's aide is used in the unit.~~
- ~~—(l) Pupils in an early childhood program that is an integrated or self-contained center-based program is 24.~~

~~—(m) Pupils who are autistic is 12.~~

~~—(n) Pupils with a health impairment described in subsection 1 of NAC 388.402 is 20.~~

~~—2. The maximum number of cases per teacher in a unit for itinerant home-based early childhood education or related services must be determined in the course of developing the individualized educational program for each pupil in the unit, on the basis of geographic considerations and according to the needs of each pupil and his parents.~~

~~—3. In a departmentalized program, the maximum number of cases per teacher is to be determined according to the number of individualized educational programs for which each teacher is responsible.~~

~~—4. Except as otherwise provided in this section, the] *School-age pupils who are placed in programs for mild to moderate disabilities, who receive instruction from a generalist and who receive special education services through a consultative method, resources method or any combination of methods of instruction, is:*~~

~~(1) *Twenty-two for pupils with specific learning disabilities.*~~

~~(2) *Twenty-two for pupils with serious emotional disturbance.*~~

~~(3) *Twenty-two for pupils with mild mental retardation.*~~

~~(b) *School-age pupils who are placed in programs for moderate to severe disabilities, who receive instruction from a specialist and who receive special education services primarily in a self-contained classroom, is:*~~

~~(1) *Twenty for pupils with specific learning disabilities.*~~

~~(2) *Fifteen for pupils with serious emotional disturbance.*~~

~~(3) *Twenty for pupils with moderate mental retardation.*~~

~~(4) *Twelve for pupils with severe to profound mental retardation.*~~

*(c) All other school-age pupils who are placed in specialized programs who receive instruction from a specialist, is:*

- (1) Twenty for pupils with hearing impairments.*
  - (2) Fifteen for pupils with multiple impairments.*
  - (3) Four for pupils with deaf-blindness.*
  - (4) Twenty for pupils with orthopedic impairments and health impairments.*
  - (5) Ten for pupils with orthopedic impairments and health impairments receiving special education services in a home or hospital.*
  - (6) Fifteen for pupils with orthopedic impairments and health impairments receiving special education services through the tele-teaching method of instruction.*
  - (7) Fifty for pupils with speech and language impairments receiving speech and language therapy services.*
  - (8) Twelve for pupils with speech and language impairments receiving special education services in a self-contained classroom.*
  - (9) Sixteen for pupils with visual impairments.*
  - (10) Fifteen for pupils with traumatic brain injury.*
  - (11) Twelve for pupils with autism.*
  - (12) Sixty-five for pupils who are gifted and talented.*
- (d) Pupils under the age of 6 years who are placed in early childhood nonspecialized programs and who receive special education services in a center-based classroom, integrated setting or through a consultative method of instruction, is 22.*

2. *The* maximum size of a class per instructional period for:

~~(a) [The hearing impaired, orthopedically impaired, severely or profoundly mentally retarded, visually impaired, seriously emotionally disturbed or pupils with multiple impairments, autism or a health impairment described in subsection 1 of NAC 388.402 is 6.~~

~~—(b) The gifted and talented is 20.~~

~~—(c) Pupils who are deaf and blind is 4.~~

~~—(d) The mildly mentally retarded, pupils with specific learning disabilities or pupils who are developmentally delayed and in center-based programs is 12.~~

~~—(e) The moderately mentally retarded or pupils with traumatic brain injuries is 10.~~

~~—(f) The orthopedically impaired or pupils with a health impairment described in subsection 1 of NAC 388.402 who receive homebound instruction by television is 15.~~

~~—(g) Pupils with speech and language impairments who are in a program for the language impaired is 8.~~

~~—(h) Pupils in early childhood programs for pupils with:~~

~~——(1) Hearing impairments, visual impairments, moderate mental retardation, serious emotional disturbances, orthopedic impairments, a health impairment described in subsection 1 of NAC 388.402 and multiple impairments is 6.~~

~~——(2) Speech and language impairments, mild mental retardation and specific learning disabilities is 8.~~

~~——(3) Severe mental retardation is 5.~~

~~—5.] *School-age pupils placed in programs for mild to moderate disabilities, who receive instruction from a generalist and who receive special education services through a consultative method, a resources method or any combination of methods of instruction, is:*~~

~~(1) *Twelve for pupils with specific learning disabilities.*~~

*(2) Twelve for pupils with serious emotional disturbance.*

*(3) Twelve for pupils with mild mental retardation.*

*(b) School-age pupils who are placed in programs for moderate to severe disabilities, who receive instruction from a specialist and who receive special education services primarily in a self-contained classroom, is:*

*(1) Twelve for pupils with specific learning disabilities.*

*(2) Six for pupils with serious emotional disturbance.*

*(3) Ten for pupils with moderate mental retardation.*

*(4) Six for pupils with severe to profound mental retardation.*

*(c) All other school-age pupils who are placed in specialized programs and who receive instruction from a specialist, is:*

*(1) Six for pupils with hearing impairments.*

*(2) Six for pupils with multiple impairments.*

*(3) Four for pupils with deaf-blindness.*

*(4) Six for pupils with orthopedic impairments and health impairments.*

*(5) Fifteen for pupils with orthopedic impairments and health impairments receiving special education services through a tele-teaching method of instruction.*

*(6) Eight for pupils with speech and language impairments receiving special education services in a self-contained classroom.*

*(7) Six for pupils with visual impairments.*

*(8) Eight for pupils with traumatic brain injury.*

*(9) Six for pupils with autism.*

*(10) Twenty for pupils who are gifted and talented.*

*(d) Pupils under the age of 6 years who are placed in early childhood nonspecialized programs, who receive special education services in a center-based classroom, integrated setting or through a consultative method of instruction is 12.*

*(e) Pupils under the age of 6 years placed in early childhood specialized programs is 6.*

3. In the case of a heterogeneous program, the maximum number of cases per teacher and the maximum size of the class is to be determined according to the area of disability represented by the majority of the pupils in the program.

~~[6.]~~ 4. The maximum enrollment in a unit may be increased by 10 percent, or at least one pupil, without prior approval of the department.

~~[7.]~~ 5. If a teacher's aide is used in a unit, the maximum size of a class in the unit ~~may be increased by not more than:~~

~~—(a) Four pupils in a unit for pupils who have multiple impairments or a health impairment described in subsection 1 of NAC 388.402 or are gifted and talented, hearing impaired, learning disabled, mildly or moderately mentally retarded, orthopedically impaired, seriously emotionally disturbed, speech and language impaired or visually impaired.~~

~~—(b) Two pupils in a unit for pupils who are severely or profoundly mentally retarded, have traumatic brain injuries or autism.~~

~~—(c) Two pupils in an early childhood program for pupils who have multiple impairments or a health impairment described in subsection 1 of NAC 388.402 or are hearing impaired, learning disabled, mildly or moderately mentally retarded, orthopedically impaired, seriously emotionally disturbed, speech and language impaired or visually impaired.~~

~~—(d) One pupil in a unit for pupils who are deaf and blind.~~

~~—8.]~~ *for:*

*(a) School-age pupils who are placed in programs for mild to moderate disabilities, who receive instruction from a generalist and who receive special education services through a consultative method, resources method or any combination of methods of instruction, is:*

*(1) Sixteen for pupils with specific learning disabilities.*

*(2) Sixteen for pupils with serious emotional disturbance.*

*(3) Sixteen for pupils with mild mental retardation.*

*(b) School-age pupils placed in programs for moderate to severe disabilities, who receive instruction from a specialist and who receive special education services primarily in a self-contained classroom, is:*

*(1) Sixteen for pupils with specific learning disabilities.*

*(2) Ten for pupils with serious emotional disturbance.*

*(3) Fourteen for pupils with moderate mental retardation.*

*(4) Eight for pupils with severe to profound mental retardation.*

*(c) All other school-age pupils who are placed in specialized programs and who receive instruction from a specialist, is:*

*(1) Ten for pupils with hearing impairments.*

*(2) Ten for pupils with multiple impairments.*

*(3) Five for pupils with deaf-blindness.*

*(4) Ten for pupils with orthopedic impairments and health impairments.*

*(5) Nineteen for pupils with orthopedic impairments and health impairments receiving special education services in the home or at a hospital.*

*(6) Twelve for pupils with speech and language impairments receiving special education services in a self-contained classroom.*

*(7) Ten for pupils with visual impairments.*

*(8) Ten for pupils with traumatic brain injury.*

*(9) Eight for pupils with autism.*

*(10) Twenty-four for pupils who are gifted and talented.*

*(d) Pupils under the age of 6 years placed in early childhood nonspecialized programs who receive special education services in a center-based classroom, integrated setting or through a consultative method of instruction, is 14.*

*(e) Pupils under the age of 6 years placed in early childhood specialized programs is 8.*

6. The maximum number of cases per teacher in each unit for a specific disability must not exceed the number prescribed pursuant to this section for the disability represented by the majority of pupils in the unit even if some or all of the pupils in the unit attend classes in a regular educational environment and the special education teacher only provides collaborative or consulting services regarding such pupils.

~~9.1~~ 7. Exceptions to the maximum enrollments prescribed in this section may be made with the written approval of the department.