



Division of Legislative Services

ISSUE BRIEF

Exploring Special Education Teacher Caseloads

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Overview

The [Individuals with Disabilities Education Act \(IDEA\)](#) ensures that students with disabilities receive a free and appropriate education (FAPE) to meet their individual needs. Under IDEA, Individualized Education Programs (IEPs) are created based on the specific needs of each student. [IEPs](#) are unique to each student, and must be developed, reviewed, and revised by special education teachers (SETs) as well as special education service providers on a regular basis. As such, SETs are responsible for effectively implementing and abiding by the [IDEA](#) in its entirety. In practice, however, this responsibility consists of case management, academic and nonacademic instructional support for multiple content areas and disabilities, adapting or creating curricula for students with disabilities, and collaborating across grade levels with teachers and other service providers. This non-exhaustive list of responsibilities is attached to each student with an IEP on a SET's caseload.

In the [1990-1991 school year](#), approximately 4.7 million students received special education services under IDEA. This number has increased relatively consistently over the years due to several factors: more efficient and earlier identification of students with disabilities, studies on effectively serving students with disabilities, and enhancements to the IDEA. Accordingly, as of the 2022-2023 school year, roughly 7.5 million students receive special education services. However, from 1998 to 2018, [80%](#) of states reported a shortage of SETs. For the 2024-2025 school year, [36 states](#) (including Delaware) and Washington, D.C. reported statewide shortages of SETs.

The SET shortage is a multifaceted issue with a variety of intertwined contributing factors, but a focus on [improving the retention rates](#) of existing SETs can play a crucial role in lessening the supply vs. demand imbalance. As mentioned above, SETs often carry the responsibility of IEP management in addition to instructor duties, and, as such, high caseloads directly translate to disproportionately high workloads with nearly identical compensation to general education teachers. Accordingly, many SETs face both [high caseloads](#) and a lack of support that contribute to dissatisfaction in their current position or the special education field overall. SET caseload laws, regulations, and policies vary significantly by state. However, 25 states either explicitly prescribe maximum caseload limits, provide broad criteria for determining caseloads, or require state boards of education or local school districts to determine appropriate caseloads. Some states have specifically explored using a [workload analysis](#) formula to determine reasonable caseloads for SETs in combination with the approaches mentioned above. Delaware is 1 of 25 states that does not have any laws, regulations, or overall guidance on caseload determinations for SETs statewide.

Advantages of Statewide SET Caseload Limits and Workload Determination Guidance

- **Uniform SET Expectations**
Statewide caseload maximums and workload determination guidelines provide consistency and fixed standards for each school district to follow. In turn, all SET's responsibilities are transparent with a breakdown of how their time will be spent, regardless of what part of the state they work in.
- **SET Retention**
[SET burnout](#) is often attributed to the high workloads associated with each student on a caseload. Although there is not a "one size fits all" solution to retain special educators, caseload limits that take into consideration a SET's workload can be a beneficial tool.
- **Effective IEP Implementation**
In theory, caseload limits based on a workload analysis accurately account for a SET's responsibilities in relation to each student. Therefore, deriving caseload limits from a SET's workload ensures that each child's needs are met dynamically without placing further strains on SETs.

Challenges of Statewide SET Caseload Limits and Workload Determination Guidance

- **Balancing SET Capabilities and Student Needs Effectively**
Many states determine statewide caseload limits based on the type of disability, services provided, or grade level. While these factors are important to consider, fair caseload limits also reflect administrative responsibilities of SETs (i.e. instructional planning time, data collection and reporting, IEP planning

and case management), while still ensuring that every student with an IEP is assigned to the appropriate teacher.

- **Funding**
By creating statewide caseload limits based on feasible workloads, schools must reevaluate and verify that each SET has an appropriate caseload. Accordingly, schools may have to hire additional staff to meet caseload requirements.

State Overview: SET Caseload Limits and Workload Determination Guidance

- **Connecticut**
In 2024, [Section 14 of P.A. 24-93](#) established a task force to study special education services and funding in Connecticut to address severe staff shortages, lack of resources and equity, and achievement gaps. The Task Force released its [final report](#) in January 2025, recommending that Connecticut's Department of Education research the feasibility of setting statewide caseload standards for SETs.
- **Missouri**
In 2023, the Missouri Department of Elementary and Secondary Education introduced [Regulation IX](#) that outlines a variety of workload factors to consider when determining SET caseloads.
- **Wisconsin**
The Wisconsin Department of Public Instruction [website](#) includes guidance for school districts to reference when determining appropriate SET caseloads.

Considerations for Delaware Legislators

- **Directing the Department of Education to Research and Publish Statewide Caseload Determination Standards**

Although Delaware Code outlines unit counts and ratios for state appropriations in [Title 14](#), it does not address the workload of SETs. Accordingly, school districts in Delaware do not have a uniform formula for determining caseloads for SETs. Without uniform and centralized guidance, caseloads and expectations of SETs can vary significantly across Delaware school districts.

- **Creating a Task Force to Study Special Educator Caseloads**

Similar to Connecticut and [Minnesota's](#) approach, a task force can encourage the collaboration of stakeholders within the special education sphere to address the needs of SET and special education students in Delaware. Specifically, a task force could gather information on SET caseloads across school districts and how it relates to SET working conditions or retention overall. Additionally, the task force could study the feasibility of caseload maximums and a uniform workload determination for caseloads across Delaware schools, providing next step recommendations for legislators.

Additional Resources

- **Delaware Example IEP Forms**

Annotated [preschool age IEP forms](#), [K-7 IEP forms](#), and [Transition IEP forms](#) (starting in 8th grade) for Delaware.

- **Special Education Teacher Caseload Policies by State**

This [table](#) from the National Conference of State Legislatures identifies states that have regulations or policies on SET caseloads, and provides an in-depth overview of these policies.

- **Caseload vs. Workload Analysis**

Various [publications](#) on caseload analyses versus workload analyses.