

**157.220 Functions of Department of Education in special education programs --
Maximum class size and caseload.**

- (1) The Department of Education is hereby designated as the agency for cooperation with the state and federal government agencies, the nonpublic school programs and local schools of Kentucky in carrying out the provisions of KRS 157.200 to 157.290.
- (2) The Kentucky Board of Education shall promulgate necessary administrative regulations in accordance with KRS 157.200 to 157.290, including but not limited to establishment of classes, eligibility and admission of pupils, curriculum, class size and caseload limitations in accordance with subsection (3) of this section, housing, special equipment, and instructional supplies.
- (3) In providing special education services for the exceptional children and youth specified in KRS 157.200(3)(a) to (m):
 - (a) The maximum class size for special classes for students with the following conditions shall be limited to:
 1. Eight (8) students with autism;
 2. Ten (10) students with a developmental delay;
 3. Eight (8) students with an emotional-behavioral disability;
 4. Ten (10) students with a functional mental disability;
 5. Six (6) students with a hearing impairment;
 6. Fifteen (15) students with a mild mental disability;
 7. Ten (10) students with multiple disabilities;
 8. Sixteen (16) students with an orthopedic impairment;
 9. Sixteen (16) students with an other health impairment;
 10. Ten (10) students in kindergarten to grade five (5) and fifteen (15) students in grades six (6) to twelve (12) with a specific learning disability; and
 11. Ten (10) students with a visual disability;
 - (b) The maximum caseloads for teachers of special classes shall be as follows:
 1. Fifteen (15) students with autism;
 2. Fifteen (15) students with a developmental delay;
 3. Fifteen (15) students with an emotional-behavioral disability;
 4. Ten (10) students with a functional mental disability;
 5. Eight (8) students with a hearing impairment;
 6. Fifteen (15) students in kindergarten to grade five (5) and twenty (20) students in grades six (6) to twelve (12) with a mild mental disability;
 7. Ten (10) students with multiple disabilities;
 8. Twenty (20) students with an orthopedic impairment;
 9. Twenty (20) students with an other health impairment;
 10. Fifteen (15) students in kindergarten to grade five (5) and twenty (20) students in grades six (6) to twelve (12) with a specific learning

disability; and

11. Ten (10) students with a visual disability;
 - (c) For speech-language pathologists the caseload limitations in KRS 334A.190 shall apply;
 - (d) Special classes containing more than one (1) disability category shall use the category of the majority of students in the class to determine the maximum class size established in paragraph (a) of this subsection;
 - (e) Two (2) students above the maximum class size established in paragraph (a) of this subsection may be added to a class if a paraprofessional is present;
 - (f) If a teacher of exceptional children and youth provides services through the collaborative model, the maximum caseload shall not exceed twenty (20) students in grades six (6) to twelve (12) and fifteen (15) students in kindergarten to grade five (5);
 - (g) If a teacher of exceptional children and youth provides services through a combination of collaboration and special classes, the maximum caseload shall not exceed those established in paragraph (b) of this subsection;
 - (h) Teachers of special classes who are assigned student records of more than one (1) disability category shall use the category of the majority of students on the caseload to determine the maximum caseload established in paragraph (b) of this subsection; and
 - (i) State preschool caseload and class size maximums shall be maintained pursuant to KRS 157.3175.
- (4) The Department of Education is authorized to receive contributions and donations that may be made to carry out KRS 157.200 to 157.290.
 - (5) Local supervision of special educational facilities for exceptional children and youth shall be approved by the Department of Education according to administrative regulations promulgated by the Kentucky Board of Education.

Effective: July 15, 2026

History: Amended 2026 Ky. Acts ch. 196, sec. 4, effective July 15, 2026. -- Amended 1996 Ky. Acts ch. 362, sec. 6, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 376, sec. 5, effective July 15, 1994. -- Amended 1990 Ky. Acts ch. 476, Pt. IV, sec. 181, effective July 13, 1990. -- Amended 1984 Ky. Acts ch. 128, sec. 2, effective July 13, 1984. -- Amended 1980 Ky. Acts ch. 286, sec. 2, effective July 15, 1980. -- Amended 1978 Ky. Acts ch. 155, sec. 82, effective June 17, 1978. -- Amended 1962 Ky. Acts ch. 169, sec. 2. -- Created 1948 Ky. Acts ch. 4, sec. 3.