

Resource Guide: Special Education Navigation Tool

Created by the Canadian Centre for Policy Alternatives for the
Canadian Union of Postal Workers



About This Resource Guide

The Canadian Union of Postal Workers commissioned the Canadian Centre for Policy Alternatives to produce this publication. Special thanks go to Erika Shaker, Director of the CCPA Education Project, for her project management and to Helena Towle for researching, developing, and writing the guide.

Founded in 1980, the Canadian Centre for Policy Alternatives is Canada's leading independent, progressive think tank, and produces research on the economy, environmental justice, and social policy issues.

A Note from CUPW and UPCE

Funding for this report was provided by the CUPW and Union of Postal Communications Employees (UPCE), a component of the Public Service Alliance of Canada under the terms of their collective agreements with Canada Post Corporation. The Fund, financed by Canada Post and administered by CUPW, funds research and resources to support postal workers, and helps the unions to better serve its members and the broader community.

CUPW and UPCE are committed to support parents with children with disabilities. Our hope is that this resource guide will support our members and provide the tools necessary to advocate for their children using the education system. Please feel free to find out more about our Special Needs Project website at <http://www.specialneedsproject.ca/>

A Note from the Author

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Introduction

This resource guide is meant to help parents and guardians of children with disabilities navigate the school system in their province or territory. Our aim is to help you better understand your legal rights and help you advocate for your children by asking the “right” questions of everyone involved in your child’s education.

We know how valuable your time and energy is, and that no two children with disabilities experience their disability in the same way. The material in this resource guide is designed for you to use in whatever way you see fit—there is no right or wrong way to advocate for your child with special needs. You know your child best.

Most of the information provided here comes from government websites. We have verified it whenever possible, but if there are any discrepancies or suggestions, we encourage you to contact us.

Language Used In This Guide

Each experience of disability is unique to that person and their family. This guide acknowledges disability individuality. Most of the information provided here has been found on provincial or territorial government websites, and the language used to describe disability and disability experience varies from one jurisdiction to another. This means that the terms “disability,” “special needs,” “intensive needs,” and “exceptionality” have been used interchangeably throughout the guide.

We have tried to avoid jargon terms and to simplify language wherever possible, but in some places specialized language was unavoidable. We have included a glossary for each province and territory listing some of the terms they use to describe special education.

Historically, people with disabilities have been marginalized and devalued through language that functioned to identify them as “less than.” To acknowledge that the person always comes before the disability, this guide uses people-first language (for example “a child with autism spectrum disorder” as opposed to “an autistic child”). This guide also uses gender-neutral pronouns: “them” and “they” have been used in place of the gendered singular pronouns “him/her” and “he/she.”

How To Use This Guide

This resource covers every province and territory in Canada. A section is devoted to each, moving through the provinces from west to east, then north to cover the territories. Simply navigate to your province or territory, where you will find information on the following categories:

- **Age:** Find out when your child can start school and how long they can stay in school.
- **Transportation:** Find out whether your child is entitled to transportation provided by the school board.
- **Definition of Inclusive Education:** Find out how your province or territory defines this key concept. Being familiar with this guiding philosophy can help you ensure that it's put into practice in your child's everyday learning.
- **Definition of Individual Education Plan:** Every province and territory has some form of individual education plan. Find out what it's called and how it's defined in your area.
- **Individual Education Plan Process:** Find out your province or territory's approach to creating an individual education plan, plus tips and solutions on what parents should look for and bring to meetings on their child's IEP. This section also describes the process of appeal if a parent is in disagreement with a child's education plan. Appendix B provides additional information about ideas what to do before, during, and after an IEP meeting.
- **Suspension and Expulsion Processes:** Students with behaviour challenges, learning disabilities, intellectual disabilities, and language impairments have much higher rates of suspension than their peers without special needs.¹ Find out how suspension and expulsion is handled and what your and your child's rights are.
- **Parent Rights:** Parents need to know their rights so they can ask the right questions in order to support their child with special needs.
- **Alternative to High School Diploma:** Some students can receive a certificate, often referred to as a "Certificate of Completion" if they do not qualify for a high school diploma. Find out what your province or territory offers in this section. All provinces and territories also provide an opportunity to receive the General Educational Development (GED). Get [links to GED in each province and territory](#).

¹ Toronto District School Board, (June 2003), 'Suspension Rates by Students' Demographic and Family Background Characteristics, Caring and Safe Schools, Issue 3, pp. 1-6.

- **Transition Planning:** People with disabilities face challenges in entering the workforce, being involved in future decisions, and access to further education or training.² Transition planning is a proactive way for parents to help their child over the long term, both in their year-to-year schooling transitions and the large transition between school and community life that comes at the end of secondary school.
- **Community Resources:** This section is an assortment of parent guides, government websites, and websites for community organizations that parents can connect with.

Many of you will be looking at this information at different stages of your experience with your child's education. You may be more or less interested in certain categories depending on what stage you're in. We have broken down the different phases of the education journey and what might be most helpful during each, as follows.

** 5 years of age and under

You and your child are just embarking on your education journey. If you've just received news about your child's diagnosis and your child is entering Kindergarten in the coming year, now is the time to get in touch with your school board to let it know that you're ready to work together. You may find these sections particularly helpful at this time:

- **Definition of Inclusive Education:** This section will help you understand what the province or territory's goal is when it comes to inclusive education. Being familiar with this guiding philosophy can help you ensure that it's put into practice in your child's everyday learning.
- **Transportation:** Find out your school board's policy on transporting students with special needs and what kind of transportation your child is entitled to.
- **Individual Education Plan ("IEP" or similar name depending on your province/territory) Definition and Process:** The IEP is an extremely important document because it supports your child throughout their school career by setting out clear goals and outlining how to help your child achieve them. Even if your child is still in the process of being assessed, start getting to know how the IEP process works now; learn your role, your rights, and how to communicate with your child's school team so that when the time comes to have those meetings you know what to expect.
- **Transition Planning:** Does your child find new environments challenging? This section can help you learn how to help make the transition from home to school a successful one.

- **Parents' Rights:** Learn your rights and responsibilities; knowing your role in your child's education journey will help you during all stages of this process.
- **Glossary:** Learning these terms as your child begins school will help you make decisions.
- **Community Resources:** You're not alone. Many other families are beginning to send their child with special needs to school as well. This section will point you to resources and people you can reach out to for support and ideas.

** 5 to 13 years old

Unless you have moved, you are likely in the middle of your relationship with your child's school. You may be having difficulty getting the appropriate support and programming for your child. Or you may want to modify your child's IEP. You may find the following sections particularly helpful at this time:

- **Definition of Inclusive Education:** Reviewing this guiding philosophy can help you ensure that it's put into practice in your child's everyday learning.
- **Transportation:** Have your child's transport needs changed since they started school? Review what type of transportation your province or territory provides for students with special needs.
- **Individual Education Plan (or similar name depending on your province/territory) Definition and Process:** Generally, IEPs are reviewed at least every year, if not more.
- **Suspension Process:** Are you concerned about what would happen if your child were to be suspended from school? This section outlines the suspension process and how to make sure that you, your child, and their school are accountable.
- **Expulsion Process:** If you are concerned about your child being expelled, this section will outline the expulsion process and what options you have.
- **Parents' Rights:** Stay familiar with your rights and responsibilities; knowing your role in your child's education journey will allow you some freedom of knowing what is expected of you during all stages of this process.

- **Transition Planning:** If your child faces challenges in their daily activities transitioning from class to class or school to home, or with grade-to-grade transitions each school year, this section has some tips to make this process smoother. Although the transition out of school and into the community is still quite a few years off, it's not too early to start thinking and planning about life after school for your child with a disability.
- **Community Resources:** Remember that you're not alone. Many other children and families are facing similar situations to yours at their child's school. This section will help you find resources and people to reach out to for support and ideas.

** 13 to 18+ years old

You and your child are beginning to come to the end of your school journey. If you haven't already, start building transition plans into your child's Individual Education Plan (or similar) to help them meet their goals after they finish high school. You may find the following sections particularly helpful at this time:

- **Definition of Inclusive Education:** Reviewing this guiding philosophy can help you ensure that it's put into practice in your child's everyday learning.
- **Transportation:** Is your child starting at a different school, or have they developed different transportation needs to get to and from school? Review what type of transportation your province or territory provides for students with disabilities.
- **Individual Education Plan (or similar name depending on your province/territory) Definition and Process:** In addition to changes that come from yearly (or more often) reviews of your child's IEP, now is a good time to start thinking about how to incorporate transition-planning goals into their IEP.
- **Age:** Knowing how long your child can stay in school can help you and your family prepare for their transition from school to community life.
- **Transition Planning:** This section is really important at this stage. Start transition planning early. Find out what services and options are available for your child after they complete school. Include these goals and build them into your child's IEP.

- **Transition Planning:** This section is really important at this stage. Start transition planning early. Find out what services and options are available for your child after they complete school. Include these goals and build them into your child's IEP.
- **Alternative to High School Diploma:** If they can't meet the requirements for the high school diploma, some students can receive a certificate, often called a "Certificate of Completion." Learn about what alternatives exist in your province or territory.
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- **Suspension Process:** Are you concerned about what would happen if your child were to be suspended from school? This section outlines the suspension process and how to make sure that you, your child, and their school are accountable.
- **Expulsion Process:** If you are concerned about your child being expelled, this section will outline the expulsion process and what options you have.
- **Parents' Rights:** At this stage, you are a professional in advocating for your child's needs. This section serves to remind you what your legal rights are.
- **Community Resources:** You're not alone. Many other children and families are facing similar situations to yours at their child's school, and planning transitions out of school and into the community. This section will help you find resources and people to reach out to for support and ideas.



British Columbia

** Age

A student is considered to be “school age” if they are between 5 and 19 years of age.³

** Transportation

Each school district is responsible for developing and implementing their own transportation policy, which also must address the transportation of students with special needs. Refer to your local school district to find out about its transportation policy.

The Ministry of Education instructs school districts to consider students with special needs in the following ways as they create transportation policies:⁴

- Regular transportation should always be considered first to include the student with special needs.
- The route and schedule of a transportation service should not interfere with students with special needs’ instructional time.
- Students with special needs who require supervision should not be left alone at drop-off or pick-up points on their route.
- Districts should consider assigning support staff (who have the correct training) to the bus if students with special health or behavioural concerns students ride on it.
- Transit routes should take into account the maximum amount of time that any students with special needs on the route can spend in transit.
- Mobility and orientation programs should be developed as part of the student’s individual education plan if possible. This includes use of public transportation.

³ British Columbia, (1996), *School Act. Province of British Columbia*. Victoria: Ministry of Education, Sections 1 and 3.

⁴ British Columbia, Special Education Services, (2013), *A Manual of Policies, Procedures and Guidelines*, Victoria: Ministry of Education, Appendix H.

**** Definition of Inclusive Education**

British Columbia promotes an inclusive education system in which students with special needs are fully participating members of a community of learners. Inclusion describes the principle that all students are entitled to equitable access to learning, achievement, and the pursuit of excellence in all aspects of their educational programs. The practice of inclusion is not necessarily synonymous with full integration in regular classrooms, and goes beyond placement to include meaningful participation and the promotion of interaction with others.⁵

*** Definition of Individual Education Plan (IEP)**

An Individual Education Plan (IEP) is a documented plan developed for a student with special needs that describes individualized goals, adaptations, modifications, the services to be provided, and includes measures for tracking achievement. It serves as a tool for collaborative planning among the school, the parents, the student (where appropriate), and school district personnel, other ministries and/or community agencies.⁶

**** Individual Education Plan Process**

An Individual Education Plan should be designed for a student with special needs as soon as possible after the school district (this includes teachers) determines that the student has special needs.⁷

An IEP should include the following:

- The student's current level of education;
- The classroom where education will be provided to the student;
- The names of the education staff that will be providing support for that specific school year;
- The review process specific to the student's IEP;
- How to evaluate and track the achievements and goals of their IEP; and
- Transition planning.

⁵ *Ibid*, pp.v.

⁶ *Ibid*, pp. v.

⁷ British Columbia, (November 2009), *Individual Education Planning for Students with Special Needs: A Resource Guide for Teachers*, Victoria: Ministry of Education.

Here is some additional information about the IEP:⁸

- IEPs are only required for students who are identified as having special needs.
- If a student transfers mid-school year, it is a good idea to contact the school district's administrator of special needs to ensure the IEP is transferred and implemented during the student's transfer.
- The school board must ensure that an IEP is reviewed at least once during the school year and revised or cancelled if necessary.
- A parent, or student if appropriate, must be consulted and may have access to the student's file, which includes the IEP.
- If a student requires specialized services to achieve the goals of their IEP, the school board will either provide them or arrange for another school district to provide them.
- An IEP does not need to be created for the following students:
 - Students who do not need any adaptations to be made to existing educational materials;
 - Students whose learning outcomes do not need to be modified; or
 - Students that require 25 hours or less of instruction by a person other than the classroom teacher.

**** Suspension Process**

The *School Act* does not outline a specific suspension process. However, some sections of it outline who has the authority to suspend or expel a student:

- The school board can create a code of conduct that students must follow, which is enforceable by the superintendent, principal, or vice principal.⁹
- Students must follow the school board's rules and code of conduct. If a student is over the age of 16, the school board may refuse to offer an education program if they are suspended.¹⁰
- A parent or the student (if the student has reached adult age) may, within a reasonable amount of time from the date of the decision, be able to appeal the decision to the school board if they feel that the school's decision may significantly affect the student's education, health, or safety.¹¹

⁸ *Ibid*, pp.4-5.

⁹ British Columbia, (1996), *School Act. Province of British Columbia*. Victoria: Ministry of Education, Section 85 (2)(c).

¹⁰ *Ibid*, Sections 6 and 26.

¹¹ *Ibid*, Section 11(2).

** Expulsion Process

The *School Act* does not outline a specific expulsion process. See the section above (Suspension Process) as guidelines for the expulsion process.

** Parents' Rights

The *School Act* states that parents have the following rights:¹²

- A parent should be informed about their child's attendance, behaviour, and progress at school (which includes access to their child's record).
- A parent should also be consulted about their child's IEP and student placement.¹³ A child must be integrated into a regular classroom unless it is determined to not be in the best interest of the child's opportunity to learn.
- A parent may request annual information on the effectiveness of their child's school district.
- Parents can join the parent advisory council in their district.

A parent can also expect a progress report for their child with special needs to be given to them at the same time as a report card. This document will outline how the student is meeting the goals of their IEP and any areas where the teacher feels that the student requires further attention or development.¹⁴

** Alternative to High School Diploma

The Ministry of Education offers the [School Completion Certificate Program](#) as an alternative to a diploma. Students who successfully meet the goals of their education program (as set out in their IEP) are awarded the Evergreen Certificate.

** Transition Planning

Transition planning is addressed in multiple documents outlining the Ministry of Education's position that this is a crucial time in the student's life.

Transition planning should be used at various points throughout a student's education (for example, day-care to kindergarten, grade-to-grade, school-to-school, and school-to-community transitions). Changes in location, staff, and services can greatly affect a student with special needs.

¹² *Ibid*, Section 7.

¹³ British Columbia, (2014), *Ministerial Order 150/89 Special Needs Student Order*, Vancouver: Ministry of Education, pp.1.

¹⁴ British Columbia School Superintendents' Association, (2002), *Parent's Guide to Individual Education Planning*, Vancouver: Ministry of Education, pp. 19.

The following can help ensure that careful planning takes place to facilitate successful transitions:¹⁵

- Transition planning should be part of the student's IEP.
- School teams, parents, principals, community partners and organizations, and students should share goals and work collaboratively. This group should be able to identify ways of empowering the student as well as the best place for the student to nurture the kind of social relationships that will prevent them from being isolated from the community.
- Transition planning should take place one year before school entry, one year before the transition between schools, and two or three years before the transition between school and community (ideally by grade 9). At this time, action plans and follow-up dates should be noted.

The Department of Education has developed a [*Cross Ministry Transition Planning Protocol for Youth with Special Needs*](#) with the following ministries and organizations who have committed to facilitating the transition to adulthood for youth with special needs and their families:¹⁶

- Ministry of Advanced Education and Labour Market Development
- Ministry of Children and Family Development
- Ministry of Education
- Ministry of Health Services
- Ministry of Housing and Social Development
- Ministry of Public Safety and Solicitor General
- BC Housing
- Community Living BC
- Public Guardian and Trustee

¹⁵ British Columbia, Special Programs Branch (2001), *Career/Life Transitions for Students with Diverse Needs: A Resource Guide for Schools*, Vancouver: Ministry of Education.

¹⁶ British Columbia, (2009), *Cross Ministry Transition Planning Protocol for Youth with Special Needs*, Vancouver: Government of British Columbia.

**** Glossary**

British Columbia's Ministry of Education defines a number of special education terms, as follows:¹⁷

Adaptations are teaching and assessment strategies especially designed to accommodate a student's needs so they can achieve the learning outcomes of the subject or course and demonstrate mastery of concepts. Essentially, adaptations are "best practice" in teaching. A student working on learning outcomes of any grade or course level may be supported through use of adaptations. Adaptations do not represent unfair advantages to students. In fact, the opposite could be true. If appropriate adaptations are not used, students could be unfairly penalized for having learning differences, creating serious negative impacts to their achievement and self-concept.

Assessment is a systematic process of gathering information in order to make appropriate educational decisions for a student. It is a collaborative and progressive process designed to identify the student's strengths and needs, set goals, and identify and implement educational strategies.

Collaborative consultation is a process in which people work together to solve a common problem or address a common concern. A successful collaborative process is characterized by the following features: it is voluntary; there is mutual trust and open communication among the people involved; identification/clarification of the problem to be addressed is a shared task; the goal is shared by all participants; each participant's contribution is valued equally; all participants' skills are employed in identifying and selecting problem-solving strategies; and there is shared responsibility for the program or strategy initiated.

A guardian of a person (in the wording of the *School Act*) "...when used in reference to a student or child, means guardian of the person of the student or child within the meaning of the *Family Relations Act*".

Integration is one of the major strategies used to achieve inclusion. With integration, students with special needs are included in educational settings with their peers who do not have special needs. Students with special needs are provided with the necessary accommodations (determined on an individual basis), to enable them to be successful in that setting. The principle of "placement in the most enabling learning environment" applies when decisions are being made about how much time an individual student will spend placed in regular classrooms versus an alternate placement.

Mainstreaming is a term which was in use during the early years of the movement toward integration of students with special needs, but which has been replaced by the term "integration" (see the definition for integration above).

Modifications are instruction- and assessment-related decisions made to accommodate a student's educational needs when the student has individualized learning goals and outcomes that are different than the standard learning outcomes for a course or subject. Modifications should only be considered for those students whose special needs are such that they are unable to access the curriculum (i.e., students with limited awareness of their surroundings; students with fragile mental/physical health; students who are both medically and cognitively challenged, or multiply challenged.)

¹⁷ British Columbia, Special Education Services, (2013), *A Manual of Policies, Procedures and Guidelines*, Victoria: Ministry of Education, pp. v-vi.

A neighborhood school is the school that students would normally attend if they did not have special needs.

A school-based team is a group of school-based personnel who work as a problem-solving unit in assisting classroom teachers to develop and implement instructional and/or management strategies; and co-ordinate support resources for students with special needs within the school.

Special educational needs are those characteristics that make it necessary to provide a student with resources different from those needed by most students. Special educational needs are identified through an assessment of the student. They form the basis for determining an appropriate educational program (including necessary resources) for that student.

Transition is the passage of a student from one environment to another at key points in their development from childhood to adulthood.

** Community Resources

[Cross Ministry Transition Planning Protocol for Youth with Special Needs \(2009\)](#)

Parents may find the suggested timeline of roles and timelines for transition planning particularly useful.

[A Manual of Policies, Procedures, and Guidelines, Ministry of Education: Special Education Services \(2013\)](#)

A legal and practical overview of special education guidelines in British Columbia. A number of resources for students with special needs are listed here.

[Parent's Guide to Individual Education Planning, Ministry of Education: Superintendents' Association \(2002\)](#)

A guide especially for parents that explains the different roles of special education personnel, such as a school-based team, principals, and teacher assistants.

[Your Future Now: A Transition Planning and Resource Guide for Youth with Special Needs and Their Families \(2004\)](#)

All about person-centered planning for students with special needs in transition. Includes practical tips and how to support a collaborative approach among the planning team.

[Services for People with Disabilities](#)

A full list of supports provided by the British Columbia government to people with disabilities. There are a vast array of programs and services, with total funding at more than \$5 billion a year.

[Disability Alliance British Columbia](#)

The Disability Alliance BC is a member of the Council of Canadians with Disabilities. Its mission is to support people with all disabilities to live with dignity, independence, and as equal and full participants in the community. It offers direct services, community partnerships, advocacy, research, and publications.



Alberta

** Age

A student may attend school if on September 1 they are 6 years of age or older, and younger than 21 years of age.¹⁸

** Transportation

- Each school board is responsible for creating and maintaining its own policy on student transportation; however, the Minister of Education can ask different school boards to co-operate with one another to transport students.
- Subject to school board regulations, a parent may be charged a fee for transportation. The amount of the fee is to be determined by the school board.
- If a school board enters into an agreement with a parent for the parent to take a student to and from school or the bus route, and if the parent receives payment for transporting the student, the school board is not liable to the student or the parent for any negligence that occurs during this transporting time.¹⁹

** Definition of Inclusive Education

An inclusive setting is one where a specially designed set of instructions and support for a student with disabilities is provided in regular classrooms and neighbourhood schools.²⁰

** Definition of Individualized Program Plan (IPP)

An Individualized Program Plan (IPP) is a concise plan of action created to address students with special needs. IPPs are based on diagnostic information and should include the following:²¹

- The student's assessment data, including their level of achievement and performance; this information will help determine learning goals and objectives for the student, as well how to evaluate their progress.
- The students' strengths and areas of need.

¹⁸ Alberta, (2012), *Education Act*, Edmonton: Alberta Learning, Section 3. Retrieved from: http://www.qp.alberta.ca/1266.cfm?page=e00p3.cfm&leg_type=Acts&isbncln=9780779782918

¹⁹ *Ibid*, Section 59.

²⁰ Alberta, Special Programs Branch, (2004), *Standards for Special Education*, Edmonton: Alberta Learning, pp.1.

²¹ *Ibid*, pp.4.

- Relevant medical information.
- The classroom accommodations required to support the student's learning.
- Transition plans, which will vary depending on the student's age/stage of life (see further details below under "Transition Planning").

**** Individualized Program Plan Process**

Individual school boards must do the following to ensure student success:²²

- If a child is identified as having special needs, the board must make sure there is an IPP in place for the student.
- School principals are to ensure that special education programs and services are being used (this implies that the principal appoints teachers who are responsible for monitoring, evaluating, and developing a student's IPP).
- Principals must provide teachers with professional development opportunities to support their students with special needs.
- Principals should ensure that teachers obtain written consent from parents for the IPP to be used, involve parents in the IPP process, and provide parents with feedback throughout the school year. If a parent refuses consent, the teacher and/or principal should document the reasons for this in writing and try to resolve the parent's concerns.
- Principals should ensure that IPPs are a part of a student's record and that access to the IPP is compliant with regulations on student records as well as freedom of information and privacy legislation.

**** Special Education Appeals**

Disagreements can happen around how a student's education plan should be delivered. The *Education Act* outlines how they can be resolved:²³

- School boards must have written procedures that show how to conduct conflict resolution available to parents and students (if age appropriate). These procedures must include how to resolve decisions of conflict for students with special needs.
- Attempts must be made to resolve conflicts with parents collaboratively, at the school level. The parent must be made aware of the school board's appeal procedures. This includes a parent's right to request that the Minister of Learning review the school board's decision if the parties still cannot come to an agreement.

²² *Ibid*, pp.11.

²³ *Education Act*, Section 33.

** Complex Education Needs Tribunal

A school board may determine that a student requires specialized supports and services that can't be met by a board-provided education program. When this happens, the board has to refer the matter to a Complex Education Needs Tribunal, who must confirm or deny the board's determination.

If the Tribunal determines that board is able to provide an education program that meets the student's needs, then the board must provide the student with that program.

If the Tribunal confirms that the board is not able to meet the student's needs, it must develop or approve a plan for the student that meets their needs. The Tribunal must also determine the relationship between the school board, the student and the government of Alberta to decide how the services will be given to the student under the special needs plan; and how the school board or government will share the cost of the services provided.

The school board and parent of the student must comply with the Tribunal's decisions. The Tribunal's decisions must be reviewed at least every 3 years, until the student is no longer entitled to an education under the *Education Act* (at age 21). A parent or school board may submit a written request to the Minister of Education to review a decision made by a Complex Education Needs Tribunal.²⁴

** Suspension Process

The *Education Act* outlines the following reasons that a student may be suspended and a suspension process:²⁵

- A student may be suspended if their behaviour does not meet the school board's code of conduct, they do not attend school, or they disrespect other students (physically and/or emotionally). This behaviour may occur on school property or as part of school activities off school property.
- A principal can suspend a student from school, from one or more class periods, from transportation, or from school activities.
- The principal must immediately inform the student's parent in writing about their suspension and the circumstances around it; and provide a time to meet with the student's parent (and the student if they are 16 years or older) to discuss the suspension.
- The suspension may not exceed five school days unless the principal is recommending that the student be expelled.

²⁴ *Ibid*, Section 40.

²⁵ *Ibid*, Section 36.

** Expulsion Process

The *Education Act* outlines the following reasons a student can be expelled and an expulsion process:²⁶

- A principal may recommend that a suspended student be expelled if they display an attitude of repeated refusal to follow the school's code of conduct and/or cause physical and emotional harm to their classmates on school property or off school property while participating in school activities.
- If a principal decides to expel a student, the principal must present a written recommendation to the school board outlining the circumstances of the expulsion; the student shall remain suspended until the school board reaches a decision.
- Both the student and their parent have the right to appear before the school board to comment on the principal's recommendation to expel them.
- The school board must decide within ten school days after the initial suspension if it will allow the student to return to the school or expel them. The board can only make this decision if the principal submits a recommendation to do so. Expulsion is immediate following a board's decision to expel.
- The school board may decide on conditions under which an expelled student may enroll in the same or a different education program. These conditions may apply to the student's schooling beyond the school year in which the student was expelled.
- Once the school board has made a decision, it will explain the decision and any rules or conditions of the expulsion in writing to both the parent and student (if the student is over 16 years old); it will also explain the right to a review of the decision.
- The school board will ensure that an expelled student has a supervised education program with the proper support and services the student might need.

** Parents' Rights

The *Education Act* states that parents have the right to choose the kind of education that shall be provided to their child, and as a partner in their child's education, parents have the following responsibilities:²⁷

²⁶ *Ibid*, Section 37.

²⁷ *Ibid*, Section 32.

- The parent shall be the primary guide and decision maker for their child's education.
- The parent shall make sure that their child attends school ready to learn.
- The parent shall present behaviour that is positive, respectful, and collaborative with school staff (teachers, principals, and other professionals) to help in the delivery of their child's specialized support and services.
- The parent shall engage in their child's school community.

** Alternative to High School Diploma

A student with a significant cognitive disability can be awarded a [Certificate of School Completion](#) in place of a diploma. Certificates will be automatically generated when a principal or assistant principal nominates the student by using the credentials tab in the Provincial Approach to Student Information (PASI) system.

** Transition Planning

Transition planning is a process that involves students, parents, school staff, and community agencies to prepare students and their families to make the successful transition between grades, schools, and community life.²⁸

The following are sample checklists for different stages of a student's education and life:²⁹

At the start of junior high school:

- Identify learning preferences and the necessary adaptations to be a successful learner.
- Begin to look at career interests and skills, complete interest and career inventories, and identify additional education or training requirements.
- Select/review high school courses.
- Participate in job-shadowing activities.
- Explore options for post-secondary education and admission criteria.
- Identify interests and options for future living arrangements, including support.
- Learn to effectively communicate interests, preferences and needs.

²⁸ *Standards for Special Education*, pp.5.

²⁹ Alberta, Learning and Teaching Resources Branch, (2006), *Individualized program planning (IPP): ECS to grade 12. Chapter 8: Planning for transitions*, Edmonton: Alberta Education, pp.14.

- Be able to explain special education need(s) and the accommodations needed.
- Learn and practice informed decision-making skills.
- Investigate assistive technology tools that can increase community involvement and employment opportunities.
- Broaden experiences with community activities and expand friendships.
- Pursue and use local transportation options outside of family.
- Acquire Social Insurance Number and the ability to communicate personal information.
- Identify and begin learning skills necessary for independent living.

At the start of senior high school:

- Identify community support services and programs.
- Invite adult service providers and other people who support the student through the IPP transition meeting.
- Gather more information on post-secondary programs and the support services offered, and make arrangements for accommodations to take any entrance tests.
- Determine the need for financial support.
- Enroll in driver training, if appropriate.
- Learn and practice appropriate interpersonal communication and social skills for different settings (employment, school, recreation with peers, etc.).
- Create a resume and update it as needed.
- Practice independent living skills such as budgeting.
- Identify any personal assistant services needed and, if appropriate, learn to direct and manage these services.
- Know special education need(s) and keep documentation.

Last year of senior high school:

- Identify a post-secondary school or program and make arrangements for accommodations.
- Practice effective communication by developing interview skills, asking for help, and identifying necessary accommodations in post-secondary work environments.
- Participate in community activities.
- Consider supported employment placements.
- Take responsibility for arriving on time to part-time job, appointments, and social activities.
- Assume responsibility for health care needs.
- If 18, register to vote.

** Glossary

Alberta's Ministry of Education defines a number of special education terms, as follows:³⁰

Adapted programming is programming that retains the learning outcomes of the program of study and where adjustments to the instructional process are provided to address the special education needs of the student.

Assessment is the ongoing process of collecting information about students using a number of formal and informal methods across a variety of domains relevant to performance (behavioural, communicational, intellectual, learning, or physical characteristics) to develop and implement appropriate programming to support student learning.

Consultation is a process that gives parents of students with special education needs and, where applicable, the students themselves, the opportunity to assist in making decisions about all aspects of programming and placement. Consultation includes conferencing and meeting with school staff.

Diagnostic information means the results of formal and informal assessments that identify students' areas of strengths and weaknesses and which are used to determine individualized programming for students.

Early identification is the process used to identify students with special education needs at the earliest possible time, before or after they enter school.

³⁰ *Standards for Special Education*, pp.3-5.

Informed consent means the following:

- The person has been provided with all information relevant to the activity for which consent is sought.
- The person understands and agrees, in writing, to the carrying out of the activity for which their consent is sought.
- The person understands that the granting of consent is voluntary and may be withdrawn at any time.

Learning team is a group of people who consult and share information relevant to the individual student's education, and who plan special education programming and services for the student as required. The team may consist of the classroom teacher, parents, students (where appropriate), and other school and jurisdiction staff who are aware of the students' needs. Others may also be involved, as required.

Level of performance means assessed skill development in academic and other areas such as adaptive functioning, behaviour, cognition, communication, and physical development.

Modified programming is programming in which the learning outcomes are significantly different from the provincial curriculum and are specifically selected to meet students' special education needs.

Neighborhood or local school is the school students would normally attend with siblings and neighbours.

Placement means the setting in which the special education programming or service is delivered to students.

Referral means arranging for students to receive specialized assessment and/or intervention.

Specialized assessment is individualized measurement across a variety of domains for the purpose of developing and providing individualized programming for students. Specialized assessment includes assessment of intellectual abilities, academic performance, emotional and behavioural development, and physical development relevant to students' educational performance.

**** Community Resources**

[Report of the Blue Ribbon Panel on Inclusive Education in Alberta Schools, \(2014\)](#)

This report provides an inside perspective on the principles and history of inclusive education and their implementation in Alberta. The Panel highlights key terms of reference for navigating the inclusive education system and makes recommendations on shared vision, leadership, research and evidence, resources, teacher professional growth, time, and community engagement.

[Standards for Special Education, Alberta Learning \(2004\)](#)

This document provides key information, definitions and procedures of Alberta's special education system, and outlines who has what role in a student's assessment, identification, and Individualized Program Plan (IPP) process.

[Family Support for Children with Disabilities](#)

The Family Support for Children with Disabilities (FSCD) Program provides a wide range of family-centered supports and services for parents who are raising their children at home and trying to fully participate in community life. FSCD is a support network that connects families with other families. It provides services meant to help strengthen families' ability to promote their child's healthy development and encourage their child's participation in activities at home and in the community. The website lists regional parent advisory committees that parents could consider joining.

[Voice of Albertans with Disabilities](#)

Since 1973, Voice of Albertans with Disabilities has been the only provincial, cross-disability organization of and for people with physical, mental, sensory, learning, developmental, and progressive disabilities. VAD is dedicated to improving the quality of life of people with disabilities.

[Inclusion Alberta](#)

Alberta Association for Community Living is a family based, non-profit federation that advocates on behalf of children and adults with developmental disabilities and their families. AACL is an advocacy organization supporting families and individuals in their desire to be fully included in community life. Members share a dream of meaningful family life and community inclusion for individuals with developmental disabilities.

[Accessible Housing](#)

Accessible Housing is a non-profit organization and registered charity with a mandate to open doors to homes that are accessible and affordable for people with limited mobility. Its outreach and residential programs provide housing and personal support so that everyone can have a home, belong and participate in the community.

[Ability4Good](#)

Ability for good offers all of the clinical services the Ability Society of Alberta formerly provided, including services for people of all ages who are vulnerable or have special needs in the areas of assistive technology, early childhood development, employment, housing, education, seniors' issues, community inclusion, community development, and independent living.



Saskatchewan

** Age

Each person who is more than 6 years old but younger than 22 years old has the right to an education.³¹

** Transportation

According to sections 142 and 143 of The *Education Act*, no fees related to attending school, including transportation, are to be charged to the student/their family if they reside in the school division. However, a board of education or conseil scolaire may require payment of the entire or parts of the cost for of transportation if it involves special projects or special equipment and supplies that are not used ordinarily.

Section 146 of the Act changes the application of Sections 142 and 143. It states that if services for students with special needs (see Section 178, Pupils with Intensive Needs) are approved by the board of education or conseil scolaire, and those services are a benefit to the student's general health and well-being, they should cost nothing to the student or parent.³²

** Definition of Inclusive Education

The Ministry of Education's Learning Special Education Unit defines inclusion as being about membership and belonging to a community. Inclusion implies a unified education system encompassing all members equitably. It is a value system that supports membership and belonging in regular education settings for all students. It acknowledges an often extreme variance of individual abilities, interests, and needs within the general student body. It also recognizes the need to support this diversity and for that support to be acceptable.³³

** Definition of Inclusion and Intervention Plan (IIP)

The Inclusion And Intervention Plan (IIP—but note that in some older Ministry of Education publications the IIP may be called by its former name, a "Personal Program Plan") should serve as a guide to make decisions about the types of strategies, materials, and resources that will be used in a variety of learning environments. The IIP should be developed collaboratively by everyone directly involved with the student in order to optimize learning in an inclusive school setting.³⁴

³¹ Saskatchewan, (1995), The *Education Act*, Regina: Ministry of Education, Section 142. Retrieved from: <http://www.qp.gov.sk.ca/documents/English/Statutes/Statutes/E0-2.pdf>

³² *Ibid*, Section 142-143, and Section 146.

³³ Saskatchewan, Supporting Student Diversity, (2001), *Creating Opportunities for Students with Intellectual or Multiple Disabilities*, Regina: Saskatchewan Learning Special Education Unit, pp.12.

³⁴ Saskatchewan, (2015), *Inclusion and Intervention Plans*, Regina: Ministry of Education. Retrieved from: <http://www.education.gov.sk.ca/iip>

** Inclusion and Intervention Plan Process

A student's IIP should include the following:

- Student identification and background information.
- A holistic summary of who the student is—their strengths, interests, and learning style.
- Relevant assessment information to identify the student's needs and guide planning.
- Prioritized areas of development for the school year—these may include independence; personal/social well-being; communication; health/medical need/personal care; academic achievement; safety; sensory; motor skills and transition.
- Specific, measurable outcomes for the prioritized areas of development;
- Documentation of strategies and resources to help the student achieve their individualized learning outcomes.
- Identification of the team members who will implement the strategies outlined in the IIP.
- Plans for assessment and review of progress on learning outcomes.
- Plans for both short-term and long-term transitions.
- Signatures of team members.

The IIP is developed electronically and can be reviewed by the school team (including parents) at anytime throughout the school year, and can easily be transferred to a new school or school division within the province. The IIP includes a student progress report to track how the student is doing throughout the school year.³⁵

** Appeal Process for Students with Intensive Needs

Section 178 of *The Education Act* covers how parents should handle disagreements around their child's special needs education program:³⁶

- A parent should ask the principal to review the issue if the parent disagrees with a decision of the board of education or conseil scolaire about the results of their child's assessment, or if no assessment was conducted to determine the student's needs/diagnosis, or about the services provided to their child.

³⁵ *Ibid.*

³⁶ *Education Act*, Section 178.

- The principal will review and attempt to resolve the issue with the parent.
- If the principal is unable to resolve the matter to the satisfaction of the parent, the parent may request the board of education or conseil scolaire to review the issue. The review must be completed within 30 days after receiving the request from the parent.
- A review by a board of education or conseil scolaire will be conducted by an impartial person acceptable to both the parent and the board of education/conseil scolaire. This person must not have made any decisions about the student's assessment or educational services. They must provide a written report within 30 days after the completion of the review to the parent and board of education or conseil scolaire.
- Each board of education or conseil scolaire will have written policies and procedures (in agreement with the Minister of Education) on dealing with reviews.

**** Suspension Process**

The Education Act outlines the reasons a student may be suspended and the suspension process:³⁷

- A principal can suspend a student for a period of not more than 10 school days for persistent opposition to authority, refusal to follow the school rules, missing school without reason, consistently neglecting their responsibilities as a student (for example, homework), intentional destruction of school property, or using inappropriate language.
- When a principal suspends a student, the principal must inform the director of the school board, parent, and the student in writing about the suspension. At this time the parent and student should also be informed of their right to request a hearing about the suspension.
- The director (or other authorized person) will either confirm, modify, or remove the suspension prior to the expiry of the 10-day period after they have consulted with the principal and granted a hearing to the student and their parent. Once the director has made their decision, they must submit a written report to the board of education or conseil scolaire explaining the reasons for the suspension.
- At this point, the board of education or conseil scolaire may investigate the circumstances of the suspension; it must conduct this investigation by the end of the 10-day suspension period. After investigating, the board of education or conseil scolaire may suspend the student from all the schools in the board or conseil scolaire for a period of not more than one year.

³⁷ *Ibid*, Section 154.

- The board of education or conseil scolaire may appoint a director, who may appoint a committee to assist in the decision-making process. The committee may include the principal and/or director of the student's school.
- If the appointed committee decides to suspend the student, the decision is considered to have the same power as a decision from the board of education or the conseil scolaire. The committee's decision will be reported to the board of education or conseil scolaire, but could be modified or removed at a meeting of the board of education or conseil scolaire.
- The parent or student (if appropriate) will be given notice at each point of the investigation, and will be given an opportunity to appear before the committee or representatives of the school board or conseil scolaire.
- At the decided end of a suspension the board of education may admit the student to a school on specific terms and conditions that the board of education or conseil scolaire believe to be appropriate.

**** Expulsion Process**

The Education Act outlines the grounds and process for expelling a student as follows:³⁸

- The board of education may exclude a student from attending any and all schools in the school division for a period of more than one year if the board has conducted an investigation (see Suspension Process), or if it is the unanimous decision of the appointed committee.
- A principal may ask for the intervention of a committee of staff members and consultants to create solutions for a student's education plan if the principal feels that the student is adversely influencing their development; nevertheless a board of education or conseil scolaire may still decide to exclude a student for more than one year if it thinks it is in everyone's best interest.
- After one year of expulsion, the parent of a student who has been expelled may request a review and reconsideration from the board of education or conseil scolaire. At its discretion, a board of education or conseil scolaire may change the expulsion decision and place the student in a school if the student follows agreed-upon conditions.

³⁸ *Ibid*, Section 153/5.

** Parents' Rights

Parents have the following rights:

- Parents are entitled and encouraged to participate in their child's education regardless of whether or not their child has been identified as having special needs.³⁹
- A parent may request a review of school board decisions regarding their child's identification, program, and placement. It is the school board's responsibility to have a process in place for reviewing these types of decisions.⁴⁰
- A parent may at any point in time request a review of their child's education program with the expectation that programming recommendations will follow.⁴¹
- School councils represent and opportunity for parents to have their voices heard about how special education programming is dealt with at their child's school. Every school has a community council, which is supposed to have between five and nine elected members who are parents or guardians of students who attend the school, or community members.⁴²

** Alternative to High School Diploma

The Ministry of Education does not issue a diploma or any other document except the Transcript of Secondary Level Achievement, which indicates the program under which the student was enrolled as well as the grade level completed. This transcript is issued by the Registrar, Ministry of Education.⁴³

Students with intensive needs may seek special provisions for writing departmental examinations. Special provisions cannot compromise the integrity of foundational and learning objectives or curricular outcomes. Requests for special provisions must be based on an assessment by qualified personnel. Decisions regarding special provisions or considerations are made by the Assessment Unit in consultation with the school and Ministry personnel. Parents or guardians and other involved agencies may also be consulted.⁴⁴

³⁹ Saskatchewan, Saskatchewan Special Education Review Committee, (2000), *Directions for Diversity: Enhancing Supports to Children and Youth with Diverse Needs Final Report*, Regina: Ministry of Education.

⁴⁰ *Ibid*, pp.29.

⁴¹ *Ibid*.

⁴² Saskatchewan, (1995), *The Education Act*, Regina: Ministry of Education, Retrieved from: <http://www.qp.gov.sk.ca/documents/English/Statutes/Statutes/E0-2.pdf> Section 140.2.

⁴³ Saskatchewan, (2015), K-12 Education in Saskatchewan, Regina: Ministry of Education. Retrieved from <http://www.education.gov.sk.ca/k12education>

⁴⁴ Saskatchewan, Office the Registrar. (August 2014), Registrar's Handbook for School Administrators 2014-2015, Regina: Ministry of Education. Section 1.3.12. Retrieved from: <http://www.education.gov.sk.ca/Registrar%27s-Handbook>

Special provisions may include the following:⁴⁵

- Extended writing time (beyond the 30 additional minutes provided to all students).
- Use of a separate room for writing.
- Specially printed examination paper (e.g., large print, Braille, coloured paper).
- Use of a reader and/or scribe, or an assistive device. (Interpretation or clarification of terms, questions, or content cannot be provided to the student. The scribe will write the answers verbatim with the student giving direction as to the form of the answer in the case of paragraphs and essays, and the spelling of significant words. An audio recording of the writing session will be kept on file at the school for six months.)
- Use of a word processor or braille (students are not permitted use of program utilities such as spell check, thesaurus, dictionary, or grammar check).

**** Transition Planning**

The Saskatchewan Association for Community Living recommends planning ahead for a student's transition from school to community life—starting as early as grade 9. The Association's handbook outlines five steps to successful transitions in detail:⁴⁶

1. Getting ready.
2. Deciding who should be on the transition-planning team.
3. Beginning the planning meetings.
4. Carrying out the plan.
5. Checking how the plan is working.

Ideally, person-centered planning is the philosophy behind transition plans, because it makes the student's dreams and goals the priority. Parents may find that talking to other parents of children with disabilities and sharing ideas and resources with one another is particularly helpful at this time.⁴⁷

⁴⁵ *Ibid.*

⁴⁶ Saskatchewan Association for Community Living, (2007), *Transition Handbook: 5 Steps to Successful Planning*, Saskatoon.

⁴⁷ *Ibid.*

** Glossary

Saskatchewan's Ministry of Education defines a number of special education terms, as follows:⁴⁸

ACCESS "Assistance, Collaboration, Consultation, & Evaluation Support Services" is a provincial team of specialists seconded from school divisions to provide intensive, individualized consultation for teachers on particular types of disabilities.

Accommodations are specialized support and services provided to enable students with diverse needs to achieve their learning expectations. This may include technological equipment, support staff and informal support.

Adaptations are adjustments to curriculum content, instructional practices, materials or technology, assessment strategies, and the learning environment. They are made in accordance with the strengths, needs, and interests of the learner.

Adaptive Dimension is the concept of adjusting approved educational programs to accommodate diverse student-learning needs. It includes those practices the teacher undertakes to make curriculum, instruction, and the learning environment meaningful and appropriate for each student. Adaptations are made to help students achieve the objectives of the course or program.

Alternate school is an environment created to provide learning appropriate to the needs of students who experience difficulty in regular school systems.

Alternate courses are courses that are changed beyond the limits of approved courses.

Associated Entities Fund and Prevention & Support Grants are funding components of Saskatchewan's Action Plan for Children. They are used to help community-based organizations enhance health and well-being of vulnerable children, youth, and families through prevention and early-intervention activities.

Community Schools are specially funded schools that incorporate a comprehensive, preventative, culturally affirming, community-based approach to meet the diverse learning needs of at-risk and First Nations and Métis students.

Congregated settings are learning environments made up of individuals with disabilities.

Continuum of placements model is a hierarchy of program delivery locations that goes from least restrictive to most restrictive.

Continuum of services model is a range of educational placements, programs, and support provided to students with diverse needs to maximize integration.

Integrated case management is the coordination of services for a child or family to facilitate effective and efficient inter-agency services.

⁴⁸ Saskatchewan, Saskatchewan Special Education Review Committee, (2000), *Directions for Diversity: Enhancing Supports to Children and Youth with Diverse Needs Final Report*, Regina: Ministry of Education, pp.145-150

Integrated School-Linked Services are partnerships among school divisions, schools, their communities, Aboriginal organizations, and provincial and community human service agencies to address the complex and diverse needs of students and families who are considered to be at-risk.

Integration is a major strategy used to achieve an inclusive philosophy. Integration involves the practice of including special needs students in regular classrooms for part or all of the day.

Least restrictive environment is a setting that is as similar as possible to that for students without exceptionalities, in which a student with an exceptionality can be educated (with the appropriate supports provided). For most students, the least restrictive environment is a regular classroom.

Mainstreaming is the practice of placing students with disabilities in regular education settings when they can meet traditional academic expectations with minimal assistance, or when those expectations are not relevant.

Modified course is an academic course that has been changed at the school or school division level and is approved by the Regional Director of Education.

Neighborhood school is the school that students with disabilities would attend if they did not have an exceptionality.

Progressive inclusion is the steady trend over time towards full inclusion in regular schools and classrooms.

Transition is the passage from one environment to another at key points from childhood to adulthood. This may include entering primary education, moving from grade to grade, moving from one school to another, and leaving school to move into environments that may include post-secondary education options or community-based programs and activities.

** Community Resources

[Teaching Students with Reading Difficulties and Disabilities: A Guide for Educators \(2004\)](#)

Reading and writing skills are important to a child's academic success, and success with them decreases the risk of behavioural, social and emotional challenges. This resource is for parents to use in helping their children with reading and writing homework.

[Actualizing a Needs-Based Model to Support Student Achievement: A Journey of Transformation \(2011\)](#)

This document outlines important information about a needs-based service delivery model, the Ministry of Education's inclusion philosophy, and how the province is looking to continuously improve its support for students with disabilities.

[Directions for Diversity: Enhancing Supports to Children and Youth with Diverse Needs. Final Report of the Saskatchewan Special Education Review Committee \(2000\)](#)

Although it is more than 15 years old, this report highlights the foundational and philosophical basis for the following: program and delivery, integrated services, funding, accountability, early screening and identification, professional preparation and development, knowledge and expertise, continuing dialogue and parental involvement.

[School to Life Transition Handbook: 5 Steps to Successful Planning \(2007\)](#)

Filled with real life stories, this handbook by Saskatchewan Association for Community Living is an excellent resource for planning your child's transition from school to community life. For example, it lists a step-by-step process of what to do five years before, two to three years before, and one year before your child's transition from school to community life. It also has a section on how to ensure that your child's transition plan is working.

[Services to People with Disabilities](#)

A government list of programs and services available to people with disabilities, including housing options, income programs, and community living services.

[Saskatchewan Abilities Council](#)

The Saskatchewan Abilities Council works with people of varying abilities to enhance their independence and participation in the community through vocational, rehabilitation and recreational services.

[Saskatchewan Association for Community Living](#)

The Saskatchewan Association for Community Living's mission is to ensure that citizens of Saskatchewan who have intellectual disabilities are valued, supported, and included members of



Manitoba

** Age

Children who are six years of age or older on December 31st in a given year have the right to attend school from the beginning of the fall term of that calendar year until they receive a graduation diploma, or until the last day of school of June in the calendar year in which they become 21 years of age.⁴⁹

** Transportation

Transportation for students with special needs is authorized by the Service Director of Special Education, and is noted when the student registers with their school. This may include arrangements for students with physical disabilities and their need to be transported to and from school by a specially equipped vehicle.⁵⁰

** Definition of Inclusive Education

Inclusive education means providing all students with the support and opportunities they need to become participating members of their school communities.⁵¹

** Definition of Individual Education Plan (IEP)

An Individual Education Plan is written documentation of specific plan to support a student's exceptional learning needs. The written IEP may range in length from one page documenting student-specific adaptations developed by a student's teacher(s) in consultation with the parent(s), to a much longer documentation of a student's programming outlining specific outcomes developed by a larger team that may also include resource, clinical and other student service supports. The term IEP encompasses other acronyms such as adapted education plan (AEP), behaviour intervention plan (BIP), and assisted learning plan (ALP).⁵²

⁴⁹ Manitoba, (2015), *Going to School in Manitoba*. Winnipeg: Manitoba Education, Citizenship and Youth. Retrieved from: <http://www.edu.gov.mb.ca/k12/schools/gts.html>.

⁵⁰ Manitoba (2014), *The Public Schools Act*, Winnipeg: Manitoba Education, Citizenship and Youth; and Manitoba, (2006) *Regulation no.465/88R*, Winnipeg: Manitoba Education, Citizenship and Youth.

⁵¹ Manitoba, School Programs Division, (2006), *Appropriate Educational Programming in Manitoba: Standards for Student Services*, Winnipeg: Manitoba Education, Citizenship and Youth, pp.26.

⁵² *Ibid*, pp.26.

** Individual Education Plan Process

The process for creating, implementing, and evaluating IEPs is outlined as follows:⁵³

- The school principal is responsible for ensuring that an IEP is created for a student who is determined to need one. The IEP must include:
 - The student's behavioural and health needs, if any;
 - Appropriate learning outcomes for the student; and
 - Transition planning (outlined further in the transition planning section).
- The principal is responsible for ensuring that the student's teacher and other school staff participate in the creation of the IEP.
- The principal is also responsible for including the parent in the IEP creation process and for informing the parent of their right to be accompanied by a community advocate throughout the IEP process.
- The IEP must be updated annually or sooner if needed.

** Suspension Process

Regulation 92/2013, *Appropriate Disciplinary Consequences in Schools*, outlines the reasons a student may be suspended and a suspension process:⁵⁴

- A teacher can suspend a student from the classroom, however the principal or superintendent may suspend a student from school if the student is engaging in disruptive behaviour and breaking the school's discipline and behaviour management policies and code of conduct (a parent should have these documents already).
- A school board has the right to limit how a teacher may suspend students.
- A teacher can suspend a student for no more than two days; a principal can suspend a student for no more than one week; a superintendent can suspend a student for no more than six weeks.
- If a principal suspends a student for more than five days, the principal must make sure that educational programming is available to the student.

⁵³ Manitoba, (2005), The Public Schools Act: Appropriate Educational Programming Regulation no.155/2005s, Winnipeg: Manitoba Education, Citizenship and Youth, pp.5. Retrieved from: http://web2.gov.mb.ca/laws/regs/current/_pdf-regs.php?reg=155/2005

⁵⁴ Manitoba, (2013), *Regulation no.92/2013 Appropriate Disciplinary Consequences in Schools*, Winnipeg: Manitoba Education, Citizenship, and Youth, pp.3-5.

- A teacher must notify the principal if they suspend a student; a principal or superintendent must inform the parents of the student and the school board the reason for the suspension, in writing.
- If a student is suspended for more than five days, the school board must permit the parent of the suspended student to meet with the school board regarding the suspension. The school board will confirm, modify, or cancel the suspension following this meeting.

** Expulsion Process

The Ministry of Education's document *Safe and Caring Schools: Provincial Code of Conduct, Appropriate Interventions and Disciplinary Consequences*, outlines the reason a student may be expelled and the expulsion process:⁵⁵

- A school board may expel from a school any student who, upon investigation by the school board, is found to be guilty of conduct injurious to the school environment.
- A student expulsion may be appealed to the school board. If a parent/guardian (or a student 18 years of age or older) wishes to appeal the board's decision, the school division's appeal process shall be followed.

** Dispute Resolution Process

If a dispute arises about the programming and placement of students with special learning needs, parties involved must first attempt to resolve the dispute at the school or division level:⁵⁶

- If a parent or student (over the age of 18) is still in a disagreement with the school about the student's IEP, they may appeal their concerns to the education review coordinator.
- The complaint and reasons for it must be outlined in writing.
- When the education review coordinator receives the complaint, they will attempt to resolve the matter with the superintendent and/or principal by following the appeal process established by the school board.
- The review coordinator may decline (in writing to the parent) to pursue the complaint further if they determine that it does not relate to the student's IEP; or if the school board has an established appeal process that has not been followed by the parent; or if more than 30 days have passed since the issue of complaint was finally determined by the school board; or if a review committee has already analyzed the student's case and the circumstances around it have not changed since; or if the complaint has been made in bad faith.

⁵⁵ Manitoba, Manitoba Education and Advanced Learning, (January 2014), *Safe and Caring Schools: Provincial Code of Conduct, Appropriate Interventions and Disciplinary Consequences*, Winnipeg: Manitoba Education, Citizenship and Youth, pp. 8.

⁵⁶ *Regulation no.155/2005s*, pp.7-12.

- The review coordinator may advise that the complaint be resolved in an alternative manner. In this case the school board must write the review coordinator informing them of the resolution, and then the review coordinator must confirm the resolution with the person who filed the complaint.
- A review committee will be assembled if the review coordinator believes this is the best option and other alternative methods have been tried with no resolution.
- The review committee will review and investigate (asking the school for any necessary documentation) the complaint and prepare a written report outlining their recommendations for meeting the student's requirements or for placement of the student.
- The review committee may hold a hearing but is not required to do so.
- The review committee will allow the opportunity for both the school board and parent to review and make suggestions to its draft report.
- Once final, the report will be filed with a copy given to both parties, and they will be informed of their right to appeal to the deputy minister.
- An appeal to the deputy minister must be made in writing and within 30 days of the review committee's decision, and a copy of the appeal must also be given to the other party. Additional submissions should be made in writing and shared within 14 days of the appeal being filed.
- The deputy minister will review the information and the decision they make will be final.

**** Parents' Rights**

Parents have the following rights and responsibilities:⁵⁷

- A parent should be informed regularly about their child's academic achievements, attendance, and behaviour.
- A parent should be informed of the discipline and behaviour management policies of the school and its district, and parents should be consulted before policies are established or revised.
- Parents should ensure that their child follows the school's code of conduct (including discipline policies).
- Parents should cooperate with teachers and other school staff when consulting on their child's education program and student records.

⁵⁷ Manitoba, (2014), *The Public Schools Act*, Winnipeg: Manitoba Education, Citizenship and Youth. Section 58.6-58.8.

- Parents should make sure their child attends school to the best of their abilities.
- Parents are encouraged to join the advisory council at their child's school.

** Alternative to High School Diploma

The [Certificate of Completion for an Individualized Senior Years Program](#) recognizes the achievement of students with significant cognitive disabilities who have benefited from a highly individualized and functionally appropriate learning experience. To be eligible for the certificate, students must meet the following criteria:

- The student must have completed at least four years in the senior years program or have reached the maximum eligibility of age 21 during the current calendar year.
- Eligibility for the certificate must be approved by the principal of the senior years program in which the student is enrolled.
- Only students who did not follow the provincial curriculum because of their cognitive disability and who would not acquire the credits required to graduate can receive the certificate. It will not be provided to students who do not have a cognitive disability, or to those students who receive credits with a Modified (M) course designation. Nor is the certificate intended for students who are leaving school without having acquired the necessary credits to receive a Manitoba diploma.
- The student must have been eligible to receive and have been identified as having an Individualized Programming designation (see *Towards Inclusion: A Handbook for Individualized Programming Designation, Senior Years* for more information).
- The parents, and students when appropriate, must have participated in a transition planning process, as outlined in the interdepartmental protocol guide [Bridging to Adulthood: A Protocol for Transitioning Students with Exceptional Needs from School to Community](#).

** Transition Planning

Children with special needs can find transitions challenging. These transitions could be both at home and in school. Extra planning can help address the anxiety that surrounds changes and transitions.

Transition planning should always be on the child's IEP, and whenever meetings take place to discuss the student's education plan, current and upcoming transitions should also be discussed.⁵⁸ Checklists to help facilitate your child's transition plan can be found in the Ministry of Education, Citizenship, and Youth's guide [Bridging to Adulthood: A Protocol for Transitioning Students with Exceptional Needs from School to Community](#).

⁵⁸ Manitoba Education, Citizenship and Youth, (March 2008), *Bridging to Adulthood: A Protocol for Transitioning Students with Exceptional Needs from School to Community*, Winnipeg: Health Child Manitoba.

** Glossary

Manitoba's Ministry of Education defines a number of special education terms, as follows:⁵⁹

Adaptation means changing the teaching process, the types of materials, and/or a student's assignments to achieve the expected learning outcomes.

Assessment is the systematic process of gathering information about what a student knows, is able to do, and is learning to do.

Behaviour intervention plan (BIP) is an intervention plan developed by a team to meet a student's social and behavioural needs

Daily plan is a plan for how a student's Individual Education Plan (IEP) will be carried out each day. It usually outlines the student's daily timetable and the outcomes or goals to be worked on that day.

Differentiated instruction is a way of teaching that acknowledges and responds to differences among students. Teachers use a wide range of teaching methods to support student learning and to help each student be as successful as possible.

Educational assistant is a person hired by the school/division to provide support for teachers or students. This person is supervised directly by a teacher or principal.

Individualized programming is programming designed to meet the needs of students with severe cognitive disabilities who need programming outside the regular curriculum in the areas of cognitive, social/behavioural, self-help, motor, and communication skills.

Life skills programming is programming based on the functional skills that all individuals need in order to live, work, and take care of themselves. It often focuses on skills needed for independent living.

Modification means changing the number or the content of provincial curriculum learning outcomes that a student is expected to meet. The student's teacher or school team makes these changes.

Placement is a school or a special learning environment chosen for a student. Placement may be determined by school/division policy or by a student's team.

Pupil file is a collection of written information about a student's education stored in a file in the school or school division office.

Student services/special education services are staff and services provided by the school/division to meet the needs of students who have exceptional learning, social, behavioural, or physical needs.

Student-specific outcome is another term currently used for "goal" in an Individual Education Plan (IEP) for a student. The outcome or goal states what the student will learn, how the goal will be met, and by when it should be accomplished.

⁵⁹ Manitoba, School Programs Division, (2004), *Working Together: A Handbook for Parents of Children with Special Needs in School*, Winnipeg: Manitoba Education, Citizenship and Youth, pp.5-7.

** Community Resources

[Appropriate Educational Programming in Manitoba: A Formal Dispute Resolution Process \(2006\)](#)

Informs parents, educators, and other community members about the co-operative, creative problem-solving process of informal dispute resolution. This document is intended support local school and school division dispute resolution policies and practices.

[Guidelines for Early Childhood Transition to School for Children with Special Needs \(2002\)](#)

A guide to facilitating the exchange of information between parents, the school system, and other partners (for example health care practitioners or early childhood educators that have worked with the child) one year prior to a child's enrollment in school. This protocol is intended to help the school to better prepare for the child's enrollment and to initiate any required professional development and training for its staff.

[Bridging to Adulthood: A Protocol for Transitioning Students with Exceptional Needs from School to Community \(2008\)](#)

Guidelines outlining an individual planning process, inter-agency roles, timelines, resources, and best practices to help with transition planning for students with special needs who will require supports as adults.

[Student Specific Planning: A Handbook for Developing and Implementing Individual Education Plans \(2010\)](#)

A handbook for school teams that outlines a process for developing, implementing, and reviewing Individual Education Plans (IEPs). It includes a rationale for the use of an IEP, suggestions to guide decision-making, and a summary of departmental and inter-jurisdictional initiatives in which IEPs play a central part.

[Working Together: A Handbook for Parents of Children with Special Needs in School \(2004\)](#)

A handbook intended to support parents and families of children with special needs who are entering, attending, or leaving school by describing some of the processes, terminology, services, and activities that might be used at school to meet the unique needs of students.

[Student Services/Special Education Documents](#)

A list of resources from the Manitoba Education website providing information about disability in general as well as specific needs. For example, the *Services for Students Who are Blind or Visually Impaired* is a disability-specific resource available.



Ontario

** Age

A child who is six years old on September 1 of that year is entitled to be a pupil of an English-language public district school board until the last day of school in June in the year that the student turns 21, so long as they reside in the school section and their parent or guardian resides in the section and is not a separate school supporter or a French-language district board supporter.

The age requirements are the same in French-language school districts, but the student must be French-speaking and reside in the school section, and their parent must reside in the school section and they must support the French-language public district school board and not another board.⁶⁰

** Transportation

Each school board must have a special education plan explaining how students can access transportation services. Parents should contact their school board for more information.

The following types of students are all entitled to transportation services:

- Students who receive special education programming (in regular classrooms);
- Students who receive education programming in care, treatment, or correctional facilities;
- Students who attend provincial demonstration schools; and
- Students who need transportation to attend summer programs.

A student's special education plan must consider whether the student will be transported on their own or with other students, and the safety criteria for each student (for example, wheelchair must be secured while in a moving vehicle).⁶¹

** Definition of Inclusive Education

Inclusive education is based on the principles of acceptance and inclusion of all students. Students see themselves reflected in their curriculum, their physical surroundings and the broader environment, in which diversity is honoured and all individuals are respected.⁶²

⁶⁰ Ontario, (1990), *The Education Act*, Toronto: Ministry of Education. Section 33.

⁶¹ Ontario, (2000), *Standards for School Boards' Special Education Plans*, Toronto: Ministry of Education.

⁶² Ontario, (2013), *Quick Facts: Ontario's Equity and Inclusive Education Strategy*, Toronto: Ministry of Education, pp.2.

** Definition of Individual Education Plan (IEP)

An IEP is a document developed for a student with exceptional needs. IEPs are developed with the student's parent, and must include the following:

- Education expectations.
- A detailed outline of special education programming and services that will be made available to the student.
- An explanation of how the student's progress will be reviewed.
- Transition planning (both school-to-school and school-to-community).

The IEP must be completed within 30 days of the student's placement in the program, and their parent(s) must receive a copy.⁶³

** IPRC/IEP Process

The information (also available online) below is from a document developed for parents by the Ministry of Education highlighting *Regulation 181/98*.⁶⁴

What is an IPRC?

All school boards are required to set up an Identification, Placement and Review Committee (IPRC)⁶⁵ composed of at least three people, one of whom must be a principal or supervisory officer of the board.

What is the role of the IPRC?

IRPCs do the following:

- Decide whether or not a student should be identified as exceptional.
- Identify the areas of the student's exceptionality, according to the categories and definitions of exceptionalities provided by the Ministry of Education.
- Decide on an appropriate placement for the student.
- Review the identification and placement at least once in each school year.

Who is identified as an exceptional pupil?

The *Education Act* defines an exceptional pupil as "a pupil whose behavioural, communicational, intellectual, physical or multiple exceptionalities are such that he or she is considered to need placement in a special education program...." Students are identified according to the categories and definitions of exceptionalities provided by the Ministry of Education.

⁶³ Ontario, (2005), *Regulation 181/98 Identification and Placement of Exceptional Pupils*, Toronto: Ministry of Education.

⁶⁴ Ontario, (2015), Highlights of Regulation 181/98, Toronto: Ministry of Education. Retrieved from: <http://edu.gov.on.ca/eng/general/elemsec/speced/hilites.html>

⁶⁵ *Regulation 181/98*, Sections 2-31.

What is a special education program?

A special education program is based on and modified by the results of continuous assessment and evaluation. It includes a plan (the Individual Education Plan, or IEP) with specific objectives and an outline of special education services to meet the needs of the exceptional pupil.

What are special education services?

Special education services are the facilities and resources, including support personnel and equipment, necessary for developing and implementing a special education program.

How is an IPRC meeting requested?

- The principal of the student's school must request an IPRC meeting for the student upon receiving a written request from the parent.
- The principal may, with written notice to the parent, refer the student to an IPRC when the principal and the student's teacher or teachers believe that the student may benefit from a special education program.
- Within 15 days of receiving a written request, or giving the parent notice, the principal must provide a copy of the board's Parents' Guide to Special Education to the parent, as well as an acknowledgement of the parent's request and a written statement of approximately when the IPRC will meet.

Can parents attend the IPRC meeting?

Yes. Parents and pupils 16 years of age or older are entitled to the following:

- To be present at and participate in all committee discussions about the student.
- To be present when the committee's identification and placement decision is made.

Who else can attend an IPRC meeting?

The following people may also attend an IPRC meeting:

- The principal of the student's school;
- Other resource people, such as the student's teacher, special education staff, board support staff, or the representative of an agency, who may provide further information or clarification;
- A representative of the parent or student (must be 16 years of age or older)—that is, a person who may provide support or speak on behalf of the parent or student; and
- An interpreter, if one is required (sign language, oral, or specific language).

Who may request that others attend?

Either the parent or the principal of the student's school may make a request for others to attend the IPRC meeting.

What information will parents receive about the IPRC meeting?

At least 10 days in advance of the meeting, the chair of the IPRC will write to the parent with a date, time, and place for the meeting, and ask them to indicate whether they will attend.

Before the IPRC meeting, the parent will receive a written copy of any information about their child that the chair of the IPRC has received. This may include the results of assessments or a summary of information.

What if parents are unable to make the scheduled meeting?

Parents who can't make it to the scheduled meeting have the following options:

- Contact the school principal to arrange an alternative date or time.
- Let the school principal know they will not be attending. As soon as possible after the meeting, the principal will forward to the parent the IPRC's written statement of decision, noting identification, placement, and any recommendations regarding special education programs and services.

What happens at an IPRC meeting?

- The chair will introduce everyone and explain the purpose of the meeting.
- The committee will review all the information it has about the student, and consider the following:
 - A educational assessment;
 - Subject to the provisions of the *Health Care Consent Act, 1996*, a health or psychological assessment conducted by a qualified practitioner, if it feels that such an assessment is required to make a correct identification or placement decision; and
 - Any information that the parent submits about their child or that the student submits (if they 16 years of age or older).
- If the committee feels it would be useful to do so, it may interview the student (with the parent's permission if the child is less than 16 years of age).
- The committee may discuss any proposal that has been made about a special education program or special education services for the student. Committee members will discuss any such proposal at the parent's request, or at the request of the student if the student is 16 years of age or older.

- Parents will be encouraged to ask questions and join in the discussion.
- Following the discussion, after all the information has been presented and considered, the committee will make its decision.

What will the IPRC consider in making its placement decision?

Before the IPRC can consider placing the student in a special education class, it must consider whether placement in a regular class with appropriate special education services will meet the student's needs and be consistent with parental preferences.

If, after considering all of the information presented to it, the committee is satisfied that placement in a regular class will meet the student's needs and that such a decision is consistent with parental preferences, the committee will decide in favour of placement in a regular class with appropriate special education services.

If the committee decides that the student should be placed in a special education class, it must outline its reasons in a written statement of decision.

What will the IPRC's written statement of decision include?

The IPRC's written statement of decision will include the following:

- Whether the committee has identified the student as exceptional;
- The categories and definitions of any exceptionalities identified, as they are defined by the Ministry of Education;
- A description of the student's strengths and needs;
- The committee's placement decision;
- Any recommendations on a special education program and special education services;
- If the committee has decided that the student should be placed in a special education class, the reasons for its decision.

What happens after the IPRC has made its decision?

- If the parent agrees with the committee's identification and placement decisions, they will be asked to indicate by signing their name. The statement of decision may be signed at the IPRC meeting or taken home and returned with a signature later.
- If the IPRC has identified the student as an exceptional pupil and the parent agrees with the committee's identification and placement decision, the board will promptly notify the principal of the school at which the special education program is to be provided of the need to develop an Individual Education Plan (IEP) for the student.

Once a child has been placed in a special education program, can the placement be reviewed?

- A review IPRC meeting will be held within the school year unless the principal of the school at which the special education program is being provided receives written notice from the parent stating that the annual review is not required.
- The parent may also request a review meeting any time after their child has been in a special education program for three months.

What does a review IPRC consider and decide?

- The review IPRC considers the same type of information that was originally considered.
- With the parent's written permission, the IPRC conducting the review will consider the progress the student has made in relation to their Individual Education Plan.
- The committee will review the original placement and identification decisions and decide whether they should hold or whether a different decision should be made.

What can parents do if they disagree with the IPRC decision?

If the parent does not agree with either the identification or placement decision made by the IPRC, they may do the following:

- Within 15 days of receipt of the decision, request that the committee hold a second meeting to discuss their concerns; or
- Within 30 days of receiving the committee's decision, file a notice of appeal with the secretary of the school board.
- If the parent still does not agree with the decision after the second meeting, he or she may file a notice of appeal within 15 days of receiving the decision.

If the parent does not consent to the IPRC's decision but does not appeal it, the board will instruct the principal to implement the decision.

How can parents appeal an IPRC decision?

If the parent disagrees with the IPRC's identification of their child as exceptional or with the committee's placement decision, they may, within 30 days of receipt of the original decision or within 15 days of receipt of the decision from the second meeting (described above), give written notification of their intention to appeal the decision to the secretary of the school board.

The notice of appeal must indicate the decision with which the parent disagrees and include a statement that sets out their reasons for disagreeing.

What happens in the appeal process?

The appeal process involves the following steps:

- The school board will establish a special education appeal board to hear the appeal. The appeal board will be composed of three people (one of whom is to be selected by the parent) who have no prior knowledge of the matter under appeal.
- The chair of the appeal board will arrange a meeting to take place at a convenient time and place, but no later than 30 days after they have been selected (unless parents and the board both provide written consent to a later date).
- The appeal board will receive the material reviewed by the IPRC and may interview anyone who may be able to contribute information about the matter under appeal.
- The parent, and student (if they are 16 years old or over), are entitled to be present at, and to participate in, all discussions.
- The appeal board must make its recommendation within three days of the meeting's close. It may:
 - Agree with the IPRC and recommend that the decision be implemented; or
 - Disagree with the IPRC and make a recommendation to the board about the student's identification, placement, or both.
- The appeal board will report its recommendations in writing to the parent and school board, and provide the reasons for its recommendations.
- Within 30 days of receiving the appeal board's written statement, the school board will decide what action it will take on the recommendations given (note that boards are not required to follow the appeal board's recommendations).
- The parent may accept the school board's decision, or they may make an appeal to a Special Education Tribunal by requesting one in writing to the secretary of the Tribunal. Further information on the process for appealing to the Special Education Tribunal will accompany the appeal board's decision.

** Suspension Process

The Education Act outlines the following reasons a student may be suspended and a suspension process.⁶⁶

A principal may suspend or expel a student for the following reasons:

- Uttering a threat to inflict serious bodily harm on another person.
- Possessing alcohol or illegal drugs.
- Being under the influence of alcohol.
- Swearing at a teacher or at another person in a position of authority.
- Committing an act of vandalism that causes extensive damage to school property at the pupil's school or to property located on the premises of the pupil's school.
- Bullying.
- Any other activity that is an activity for which a principal may suspend a pupil under a policy of the board.

The suspension process is outlined as follows:

- A principal may suspend a student for no less than one school day and no more than 20 school days.
- The principal will assign a student to a program for suspended students.
- When suspending a student, the principal will take the following steps:
 - Notify the student's teacher know about the suspension;
 - Notify the student's parent(s) of the suspension within 24 hours, in writing (unless the student is 18 years of age or older);
 - Notify the student in writing;
 - In writing up the suspension, include the reason and duration of the suspension, any programs the student will attend while suspended, and the right to appeal the suspension; and

⁶⁶ *The Education Act*, Sections 306-310.

- Include a copy of the school board's appeal policies and guidelines and the name and contact information of the supervisory person the notice of appeal would go to.
- An appeal must be submitted to the supervisory person at the school board within 10 days from the beginning of the suspension, at which point the board will contact all parties about the appeal of the suspension.
- The school board will hold an appeal within 15 school days after receiving the notice. The principal, parent, student (if 18 or older or withdrawn from parent control, even if the student is of a certain age they are still allowed to attend and speak at the appeal), and any other persons identified by the school board's policy may speak at the appeal.
- The school board will agree with the suspension, change the length and conditions of the suspension, or eliminate the suspension entirely, including removing the suspension from the student's record if the suspension has already been served. This decision is final.

**** Expulsion Process**

After suspending a student, the principal must conduct an investigation to determine whether to recommend to the board that the student be expelled. The expulsion process is as follows:

- If the principal decides to recommend an expulsion, they must prepare a report summarizing the findings of their investigation.
- The principal will indicate whether they are recommending that the student should be expelled from the all schools in the board or just their current school.
- If the student is expelled from their current school, the principal will recommend what type of school might benefit the student.
- If the student is expelled from all the schools in the board, the principal will recommend what type of programming for expelled students might benefit the student.
- The principal's report will be shared in writing with the parent, student, and school board. As well, at this time the principal will inform the student (or parent on their behalf) that they have the right to respond in writing to the recommendation for expulsion.

- If the school board decides to expel the student from their current school, it must assign the student to another school. If it decides to expel the student from all schools in the school board, it will assign the student to a program for expelled students. The board will also inform the student of their right to appeal the decision.
- An expulsion appeal is very similar to the suspension appeal outlined in the section above, with the same people attending (principal, parent, student if appropriate, and any other person identified in the school board's policy).
- At the hearing, the school board will review submissions from both parties (orally, in writing, or both), decide where the student would attend school or programming if they are to be expelled, and decide about the original suspension that led to the expulsion hearing.
- If the school board does not expel the student, the board will give written notice explaining its decision to all the involved parties.
- An appeal of a board's decision to expel the student goes through a designated tribunal.
- Each school board must have a program for expelled and suspended students that focuses on transitioning students back into regular classroom settings.
- School boards have the power to decide whether a student who has been expelled will switch schools and whether they will attend a regular classroom setting or a program for expelled students. A student who has been expelled may be readmitted to their school board if they successfully complete a program for expelled students. This decision will be made by the person providing the program for expelled students.
- A student may write to the school board that expelled them and ask to be readmitted to the school board. If the student has satisfied the requirements for readmission (see bullet above), the board will readmit the student to a school in the board, promptly informing the student of that decision in writing.⁶⁷

⁶⁷ *Ibid*, Section 310-314.

** Parents' Rights

Parents have the following rights and responsibilities:⁶⁸

- To review their local school board's policies and procedures on special education;
- To take an active role in their child's Identification Placement Review Committee (IPRC), parent-teacher conferences, Individual Education Plans (IEPs), and to get to know the different school staff who work with their child daily each year;
- To attend and participate in school council meetings;
- To request that their child to be assessed to determine if they have a disability;
- To appeal an IPRC decision (see appeal process above);
- To refuse suspension or expulsion of their child from school;
- To support the implementation of the IEP (for example, transition planning) at home;
- To collaborate and problem-solve with their child's principal and teachers; and
- To ensure the child attends school as consistently as possible.

Regulation 306: Special Education Programs and Services, states that a school board special education advisory committee can make recommendations on the creation and delivery of special education programs and services for students with special needs. Parents may join this committee.⁶⁹

⁶⁸ Ontario, (2007), *Shared solutions, a guide to preventing and resolving conflicts, regarding programs and services for students with special education needs*, Toronto: Ministry of Education.

⁶⁹ Ontario, (2005), *Regulation 306 Special Education Programs and Services*, Toronto: Ministry of Education.

** Alternatives to High School Diploma

The Ontario Secondary School Certificate

The Ontario Secondary School Certificate (OSSC) will be granted, on request, to students who are leaving secondary school upon reaching the age of eighteen without having met the requirements for the Ontario Secondary School Diploma. To be granted an OSSC, a student must have earned a minimum of 14 credits, distributed as follows.

- 7 required compulsory credits, broken down as follows:
 - 2 credits in English
 - 1 credit in mathematics
 - 1 credit in science
 - 1 credit in Canadian history or Canadian geography
 - 1 credit in health and physical education
 - 1 credit in the arts, computer studies, or technological education
- 7 required optional credits (selected by the student from available courses)⁷⁰

The Certificate of Accomplishment

Students who are leaving secondary school upon reaching the age of eighteen without having met the requirements for the Ontario Secondary School Diploma or the Ontario Secondary School Certificate may be granted a Certificate of Accomplishment. The Certificate of Accomplishment is a means of recognizing achievement for students who plan to take certain kinds of further training, or who plan to find employment directly after leaving school.

The Certificate of Accomplishment is accompanied by the student's Ontario Student Transcript. For students who have an Individual Education Plan (IEP), a copy of that may also be included.

Students who return to school to complete additional credit and non-credit courses (including courses with modified or alternative expectations in special education programs) will have their transcript updated accordingly but will not be issued a new Certificate of Accomplishment. The Ontario Secondary School Diploma or Ontario Secondary School Certificate will be granted when the returning student has fulfilled the appropriate requirements.⁷¹

⁷⁰ Ontario, (2011), *Ontario Schools, Kindergarten to Grade 12: Policy and Program Requirements*, Toronto: Ministry of Education, pp.62.

⁷¹ *Ibid.*

** Transition Planning

Transition planning must be a part of all students' Individual Education Plans, regardless of whether or not they have been identified as having a disability by the Identification, Placement and Review Committee (IPRC).

It is at the discretion of individual school boards to decide whether a transition plan should be created for students who receive special education programs and services but do not have an IEP, or who are gifted. The key partners in creating transition plans are parents, students (if age appropriate), current school staff, future school staff, and community partners.

Here are some items to consider when creating a transition plan, a complete sample checklist is provided on page 21 of the Transition Planning Resource Guide in the Community Resources section:

- Goals:
 - Ensure goals fit with the student's strengths and needs;
 - Consider goals around employment, supported employment, community living, further education, volunteering;
 - Ensure goals are challenging but achievable;
- Actions:
 - Ensure actions are consistent with IPRC objectives;
 - Ensure that the student is on all the necessary wait-lists (for example, to be assigned a case worker);
 - Create appropriate work placements and community service activities;
 - Become aware as a family of the service providers in your area;
 - Plan financially;
 - Create the student's transition portfolio—all notes, student records, IEPs, and appropriate documentation is shared with the transition planning team;
 - Develop IEP learning expectations that reflect both the student's goals and curriculum expectations (for example, self-advocacy skills);

- Search for employment or post-secondary programs;
- Decide how the transition plan will be monitored in the future;
- Responsibilities:
 - Assign actions to particular individuals;
- Timelines:
 - Schedule when each action will take place and in what order.⁷²

More detailed information on transition planning can be found at the Transition Planning Resource Guide in the Community Resources section.

Glossary

Ontario's Ministry of Education defines a number of special education terms, as follows:⁷³

Ableism is prejudice, stereotyping, or discrimination directed against people who have developmental, emotional, physical, sensory, or health-related disabilities. Ableism may be evident in organizational and institutional structures, policies, procedures, and programs, as well as in the attitudes and behaviours of individuals.

Accommodation is an adjustment made to policies, programs, guidelines, or practices, including adjustments to physical settings and various types of criteria, that enables individuals to benefit from and take part in the provision of services equally and to participate equally and perform to the best of their ability in the workplace or an educational setting. Accommodations are provided so that individuals are not disadvantaged or discriminated against.

Accommodations for students with special education needs are accommodations such as special teaching and assessment strategies, human supports, and/or individualized equipment to help the student learn and demonstrate learning.

Disability is a term that covers a broad range and degree of conditions, some visible and others not (for example, physical, mental, and learning disabilities; hearing or vision disabilities; epilepsy; environmental sensitivities). A disability may be present from birth, may be caused by an accident, or may develop over time.

⁷² Ontario, (2002), *Transition Planning: A Resource Guide*, Toronto: Ministry of Education, pp.21.

⁷³ Ontario, (2014), *Equity and Inclusive Education in Ontario Schools, Guidelines for Policy Development and Implementation*, Toronto: Ministry of Education, pp.82-91.

Discrimination is unfair or prejudicial treatment of individuals or groups on the basis of the grounds set out in the Ontario Human Rights Code (such as race, sexual orientation, or disability) or on the basis of other factors. Discrimination, whether intentional or unintentional, has the effect of preventing or limiting access to opportunities, benefits, or advantages that are available to other members of society. Discrimination may be evident in organizational and institutional structures, policies, procedures, and programs, as well as in the attitudes and behaviours of individuals.

The duty to accommodate is the legal obligation that school boards, employers, unions, and service providers have under the Ontario Human Rights Code to take measures that enable people to benefit from and take part in the provision of services equally, and to participate equally and perform to the best of their ability in the workplace or in an educational setting.

Invisible minorities are people who may experience social inequities on the basis of factors that may not be visible, such as a disability or sexual orientation. The term may refer to a group that is small in number or it may connote inferior social position.

Progressive discipline is a whole-school approach that uses a continuum of prevention programs, interventions, supports, and consequences to address inappropriate student behaviour, as well as a variety of strategies to promote and foster positive behaviour. Disciplinary measures are applied within a corrective and supportive framework as opposed to one that is solely punitive.

** Community Resources

[Guide for Accommodations, Special Provisions, Deferrals, and Exemptions \(2010\)](#)

A guide explaining how to navigate requests for special consideration and accommodations. Includes information on how to modify a child's presentation format and whether a child's response format for an exam can be modified. The goal is to ensure that each child is graded in an appropriate way that meets their needs.

[Quick Facts: Ontario's Equity and Inclusive Education Strategy](#)

This document outlines how the province of Ontario is moving towards a more equitable education system. Parent engagement is encouraged in this strategy to address discriminatory biases and systemic barriers so that all students are included.

[Transition Planning: A Resource Guide \(2002\)](#)

A resource guide that describes the roles of the school board, principal, and transition planning team in creating a successful plan for a student. Reading this guide may give a parent some insight into how to incorporate conversations on transitions into their child's IEP before they reach the end of high school (when it is sometimes too late to access some of the services that are available).

[Community Living Ontario](#)

Community Living Ontario is a non-profit association that advocates for people who have an intellectual disability to be fully included in all aspects of community life. It believes that inclusion must be promoted and supported as a first choice for all students who have an intellectual disability, and that Ontario's Ministry of Education must be accountable for the full and uniform implementation of these measures in all school boards throughout the province.

[Special Needs Roadmap](#)

Put together by two mothers of children with special needs to help parents navigate the system, this interactive “roadmap” explains a number of special education processes and what they mean for your child. It includes a step-by-step breakdown for navigating the IEP process and beyond. If you are on Twitter, follow [@ONTSpecialNeeds](#) for thoughts and ideas on advocating for your child.

[Ontario Disability Support Program](#)

See if your child with special needs is eligible for ODSP, how to apply, and how to prepare for the school-to-community transition.

[Policy/Program Memoranda Concerning Special Education](#)

Many of the Ministry of Education’s policy directives to school boards have been issued in the form of numbered policy/program memoranda (PPMs). The PPMs that relate to Special Education can be found here.



Quebec

** Age

Children who are five years old on the first day of the school year may enter preschool education; and children who are six years old on the first day of the school year may enter elementary education. Students can usually remain in secondary education only until age 18, but this is extended to age 21 for students with disabilities, to aid with social, school and workplace transitions.⁷⁴

** Transportation

Every school board providing transportation to their students shall have an advisory committee. If parents have specific concerns about the transportation of their child with special needs they should direct them to the advisory committee. Parents are encouraged to seek their local school board policy on Special Education and transportation needs.⁷⁵

** Definition of Inclusive Education

Inclusive education is a philosophy and vision based on the belief that each individual is accepted and belongs in the regular classroom. It involves students' membership in general education classrooms with classmates of similar age, having individualized and relevant learning goals, and being provided with the support necessary to learn. It involves combining special education services with regular education services and using innovative instructional strategies and professional, collaborative approaches.⁷⁶

Every school board must have a policy that outlines its approach and the services it provides for students with disabilities. This policy must include the following:

- How to evaluate the student's services and programming (IEP).
- How to include parents in planning.
- How to include students with special needs in regular classrooms.
- Terms and conditions for grouping students in specialized schools.⁷⁷

⁷⁴ Quebec, (2004), *The Education Act*, Quebec: Ministère de l'Éducation, du Loisir et du Sport. Section 1.

⁷⁵ *Ibid*, Section 188.

⁷⁶ English Montreal School Board, *Policy Governing the Organization of Educational Services for Students with Handicaps, Social Maladjustments or Learning Disabilities*, pp.25. Retrieved from: http://www.emsb.qc.ca/en/governance_en/pdf/BoardPolicies/StudentServices/SpecialEducation.pdf

⁷⁷ Quebec, (2004), *The Education Act*, Quebec: Ministère de l'Éducation, du Loisir et du Sport, Section 235.

** Definition of Individual Education Plan (IEP)

In the case of a handicapped student or a student with a social maladjustment or a learning disability, the principal, with the assistance of the student's parents, of the staff providing services to the student, and of the student himself (unless the student is unable to do so) shall establish an individualized education plan adapted to the needs of the student. The plan must be consistent with the school board's policy concerning the organization of services for handicapped students and students with social maladjustments or learning disabilities and in keeping with the ability and needs of the student as evaluated by the school board before the student's placement and enrollment at the school.⁷⁸

** Suspension Process

The *Education Act* outlines the following reasons a student may be suspended and a suspension process:⁷⁹

- A principal may suspend a student if they feel the student is harming others or breaking the school's rules of conduct.
- When a principal is considering the suspension, they will contemplate how severe the incidents were, the student's best interests, and any previous incidents.
- A principal will inform the parents of the student of the reasons for the suspension and what reintegration measures will be imposed on the student. At this time they will also inform the parent that if the behaviour continues, the student may be expelled or moved to another school.
- The principal will inform the director general of the school board of the student's suspension.

** Expulsion Process

The *Education Act* also outlines a process for expulsion:⁸⁰

- At the request of the principal, after exploring sufficient cause and giving the student and their parents an opportunity for a meeting, the school board will ask the student to attend another school or expel the student from all schools of the school board.
- If an expulsion occurs, the school board will inform the director of youth protection.

⁷⁸ *Ibid*, Section 96.14.

⁷⁹ *Ibid*, Section 96.27.

⁸⁰ *Ibid*, Section 242.

- The school board will act on the principal's request to expel the student within 10 days.
- The written decision to expel will be sent to the Student Ombudsman if a student has been expelled to prevent further bullying or violence towards others.

**** Reconsideration of a Decision**

The *Education Act* outlines a process for appealing a school board's decision:⁸¹

- A student or their parent may ask for the council of commissioners to reconsider a decision that was made by the council, executive committee, or an employee or officer of the school board.
- The request to reconsider the decision will be made in writing by the student or their parent, it will then be sent to the secretary general of the school board. The secretary general is required to assist all students or parents who require assistance in their request for their decision to be reconsidered.
- The council of commissioners will investigate the request promptly.
- The council or the delegated person or committee will write a report on their investigation, which is to include recommendations.
- During the investigation, all parties (parents, student, principal) will have an opportunity to present their opinion to the council or delegate.
- The council may overturn or modify the decision under reconsideration and make the decision that it feels should have been made in the first place.
- All parties will be informed of the decision and the reasoning behind it.

**** Parents' Rights**

Parents of children with special needs are entitled to ensure that their child attends the school that best reflects their child's needs among the schools of the school board that provides services that the student is entitled to.⁸²

Other parental rights and responsibilities include the following:

- To participate in their child's individualized education plan (IEP).
- To consult and review their child's school record.

⁸¹ *Ibid*, Sections 9 through 12.

⁸² *Ibid*, Section 4.

- To be consulted when school boards are collaborating about services to be provided to their child.
- To be consulted if the school board is considering having their child change schools to receive specialized services.
- To contact their child's school board about how to file a complaint if they are unhappy with a decision or service. The school board must share this information with parents in an accessible way.⁸³

Committees that parents may want to participate in include the following:

- Governing board: Every school has a governing board that is responsible for submitting the budget to the school board for approval.⁸⁴
- Advisory committee (CCSEHDAA): every school board must establish an advisory committee on services for students with disabilities.⁸⁵ This committee will advise on disability policy, money allocation, and implementations of IEPs.⁸⁶

** Alternative to High School Diploma

After six years at the elementary level, students begin secondary studies. These studies last five years for general education; length of study varies for students enrolled in vocational training programs. There is no certificate of completion as there is in many other provinces.

The **Secondary School Diploma (SSD)** marks the successful completion of five years of general studies. It also provides access to higher education.

The **Secondary School Vocational Diploma (SSVD)** is awarded for study programs lasting an average of 1,350 hours (a year and a half). Training leading towards a SSVD starts after the third, fourth or fifth year of secondary studies, depending on the particular requirements of the program of study.

The **Attestation of Vocational Specialization (AVS)** is issued after a training period of six or twelve months. Holders of a SSVD can choose from some 50 programs leading to this diploma.

The **Attestation of Vocational Education (AVE)** is issued after a training period that lasts a maximum of 900 hours. Undertaken after the second year of secondary studies by a student at least 15 years of age, this training program takes place in a company setting and prepares students for semi-skilled occupations.⁸⁷

⁸³ Quebec, Fédération des comités de parents du Québec, (2010), *Handbook for parents of children with special needs*, Quebec: Ministère de l'Éducation, du Loisir et du Sport, pp. 23.

⁸⁴ *Education Act*, Section 95.

⁸⁵ *Ibid*, Section 185.

⁸⁶ *Ibid*, Section 187.

⁸⁷ Quebec, (2015), The Quebec Education System, Quebec: Ministère de l'Éducation, du Loisir et du Sport. Retrieved from: <http://www.immigration-quebec.gouv.qc.ca/en/employment/comparative-evaluation/education-system.html>

** Transition Planning

The handbook for parents of children with special needs created by *Fédération des comités de parents du Québec*⁸⁸ is an excellent tool (see link in the Community Resources section). A checklist from the handbook to help parents plan a child's transition from school to school or school to community follows:

Planning

- When planning your child's transition to school, ask yourself the following questions:
 - What is your vision of your child's educational experience?
 - Is there information about your child that would be helpful for the school to know?
 - Does your child have specific needs? What are they?
 - Have you thought about the impact that regular or special schooling might have on your child?
 - Are you ready to get involved in your child's life at school? In what way?
- Taking into consideration your child's needs, explore resources and practices in your neighborhood or municipality.
- Check what services are available both at the school nearest you and in your school board.
- Find out about the school or school board's policies on inclusion, placement, transportation, and organization of student services.

Organizing Information

When your child starts school or moves to another class, we strongly recommend that you prepare a portfolio for them. This practice has many advantages: it helps school staff better understand your child, helps you find services that are better adapted to your child's situation, and improves home-school relations. Information in the portfolio might include the following (these are just suggestions):

- Your child's strengths, needs and limitations.
- Your child's interests, talents and desires.
- Your goals and aspirations for your child.
- Past assessment reports and diagnoses concerning your child.
- Relevant medical history and health-care needs.

⁸⁸ Quebec, Fédération des comités de parents du Québec, (2010), *Handbook for parents of children with special needs*, Quebec: Ministère de l'Éducation, du Loisir et du Sport, *Handbook for parents of children with special needs*, pp.18-22.

- Outside professionals with whom your child has worked or is working.
- Family or school experiences that could have impacted your child's learning situation.
- Report cards, past individualized education plans (IEP), or other documents concerning your child, if applicable.
- Assistance that your family can provide to practice or reinforce new skills.
- List of your child's friends or significant persons.
- Learning activities that you do with your child.

Notifying the School

- Before your child is registered in school, contact the school to let staff know when your child will be coming. Ask to have a meeting to begin planning.
- If you are not sure about where your child should attend school, contact your school board.
- If your child is currently receiving services from a program or a health care agency, ask that a preparatory, multidisciplinary meeting be organized between the agency and the school to support your child's entry to school.
- Once your child is registered in school, arrange a meeting with the school principal to discuss your child's integration and how their specific needs will be met.

Planning the transition from school to community life is intended to help students meet their post-secondary goals. It should begin around grade 9 and the following should be built into the student's IEP:

- Social and professional integration.
- Leisure activities.
- Level of community involvement.
- Interest in pursuing their education.
- Ability to live independently.

** Glossary

Quebec's Ministère de l'Éducation, du Loisir et du Sport defines a number of special education terms, as follows (this information is from a Quebec school board that has interpreted the provincial special education policy).⁸⁹

Adapted Curriculum is a program that retains the learning outcomes of the prescribed curriculum, but with adaptations provided so the student can participate. These adaptations may include alternate formats (for example, Braille, books on tape); instructional strategies (for example, use of interpreters, visual cues and aids); and assessment procedures (for example, oral exams, additional time). Students in adapted programs are assessed using the same evaluative tools as their peers.

Ad Hoc Committee Meetings are meetings to discuss the potential assessment of a student with special needs. They include a school administration representative, teachers who work with the student, and any other professional (for example, resource teacher) that the school requests. The parent/guardian of the student and the student, if possible, are invited to attend, but the meeting can still take place if they do not attend. The results of the meeting must be conveyed to the parent/guardian by the student's teacher or school administrator.

Anecdotal Reporting is a style of reporting the student's progress to the parent/guardian. This model is used when the student's IEP calls for a modified curriculum.

Assessment is systematic process of gathering information from the school team and any applicable external agencies to make appropriate educational decisions for a student. It is a collaborative and progressive process designed to identify the student's strengths and needs and implement suitable educational strategies.

Behaviour Modification is the application of conditioning techniques that teach new responses and attempt to reduce or eliminate maladaptive or problematic behaviours. Behaviour modification is more successful when it focuses on rewards for doing something right, rather than punishment for doing something wrong.

Case Conferences are meetings held to address the difficulties of a particular student from various perspectives, so that a comprehensive plan can be developed. The school team, external agencies (when applicable), the parent/guardian, and the student (if able to do so) attend.

Functional Assessment is the gathering of information on the student's present learning situation (curriculum, social skills, behaviour) to facilitate the creation of an IEP.

Integration is one of the major strategies used to achieve an inclusive philosophy. Integration sees students with special needs included in educational settings with their peers who do not have special needs, and provided with the necessary accommodations and adaptations, determined on an individual basis, to enable them to be successful there. The principle of "placement in the most enabling learning environment" applies when decisions are made about the extent to which an individual student is placed in regular classrooms or assigned an alternate placement.

⁸⁹ Sir Wilfred Laurier School Board, (2005-2006), *Special Education Policy and Handbook Procedures: For the Organization of Services for Students with Handicaps, Social Maladjustments or Learning Difficulties*, Montreal, pp. 70-74.

Modified Curriculum is a program where the learning outcomes are substantially different from the prescribed curriculum, and have been specifically selected to meet the student's special needs. For example, a Grade 9 student in a modified math program could be focusing on functional computational skills in the context of handling money and personal budgeting. Or a Grade 5 student in language arts could be working on recognizing common signs and using the phone. In these examples, the learning outcomes are substantially different from those of the curriculum for most other students. A student's program may include some courses that are modified and others that are adapted.

Needs Assessment is systematic process for determining goals, identifying discrepancies between optimal and actual performance, and establishing priorities for action. The needs assessment facilitates the creation of the IEP.

** Community Resources

[Handbook for Parents of Children with Special Needs \(2010\)](#)

This handbook breaks down the different roles and education services available for students with disabilities. It provides concrete action items (transition and IEP planning) and tips on how to be the best advocate for your child with special needs.

[Carte routière vers le préscolaire \(Roadmap to Preschool\)—available in French only](#)

A website developed by the Université du Québec en Outaouais that contains information to help parents of children with special needs ease the transition into preschool.

[Association québécoise des parents d'enfants handicapés visuels \(Québec association for parents of the visually impaired\)](#)

AQPEHV is a support network for parents of children with visual impairments in Québec. It offers parents services that complement those offered by the public sector, promotes the interests of families of children with visual impairments, and advocates individually and collectively for their rights.

[Association québécoise des troubles d'apprentissage \(Learning disabilities association of Québec\)](#)

AQETA promotes and advocate for the rights of children and adults with learning difficulties, and supports parents of children with learning disabilities.

[Association du Québec pour enfants avec problèmes auditifs \(Québec association for children with a hearing loss\)](#)

AQEPA promotes and develops services for the inclusion of children with a hearing loss.

[Association du Québec pour l'intégration sociale et Institut du Québec pour la déficience intellectuelle \(Québec association for community living and Québec institute for intellectual disability\)](#)

Promote the interests and defends the rights of people with intellectual disabilities and their families. Encourages initiatives promoting services and support to families or helping people with mental disabilities become independent.

[Commission des droits de la personne \(Human rights commission\)](#)

Promotes and uphold the principles set out in the Charter of Human Rights and Freedoms.

[Adaptation scolaire \(Special Education\) — available in French only](#)

Information from the Ministry of Education on the development and implementation of educational services adapted to the needs of students with handicaps, social maladjustments, or learning difficulties in preschool, elementary, and secondary school.

[La Fédération des comités de parents du Québec \(Québec Federation of Parents' Committees\)](#)

QFPC defends and promotes the rights and interests parents of students in public elementary and secondary schools in order to ensure the quality of education provided to students.

[La Fondation Papillon](#)

La Fondation Papillon's mission is to protect the rights of and help children living with a disability make their dreams come true, while helping their parents to provide all the care, attention, and



New Brunswick

** Age

Students may attend school beginning on the first school day the school year if, on or before December 31 of that school year, they will reach the age of five. They may attend until they graduate from high school or reach the age of 21.⁹⁰

** Transportation

Transportation is seen as part of a child with special needs' participation in school and wider community. School principals must ensure that all students have access to co-curricular and school-sponsored activities, including access to transportation in school vehicles.⁹¹

The implementation of Personalized Learning Plans (PLPs) is also the school principal's responsibility. A student's PLP sets out the number of instructional hours, based on their grade level. Student transportation arrangements and any other arrangements that affect regular instructional hours must be indicated and justified in the PLP.⁹²

** Definition of Inclusive Education

The pairing of philosophy and pedagogical practices that allows each student to feel respected, confident, and safe so they can participate with their peers in the common learning environment, and learn and develop to their full potential. Inclusive education is based on a system of values and beliefs centered on the best interest of the student, which promotes social cohesion, belonging, active participation in learning, a complete school experience, and positive interactions with peers and others in the school community. These values and beliefs will be shared by schools and communities. Inclusive education is put into practice within school communities that value diversity and nurture the well-being and quality of learning of each of their members. Inclusive education is carried out through a range of public and community programs and services available to all students. Inclusive education is the foundation for ensuring an inclusive New Brunswick society.⁹³

** Definition of Personalized Learning Plan (PLP)

A learning plan that identifies individualized practical strategies, goals, outcomes, targets and educational supports. The PLP is designed to create successful, meaningful, and appropriate learning that considers the pupil's individual needs.⁹⁴

⁹⁰ New Brunswick, (1997), *Education Act*, Fredericton: Department of Education and Childhood Development, Section 1.

⁹¹ New Brunswick, (2013), *Policy 322 Inclusive Education*, Fredericton: Department of Education and Early Childhood Development, pp. 6.

⁹² *Ibid*, pp.7.

⁹³ *Ibid*, pp.2.

⁹⁴ *Ibid*, pp. 3.

** Personalized Learning Plan Process

A Personalized Learning Plan should be considered when a student is experiencing difficulties over an extended period of time and not making progress even with additional support that a teacher would typically provide in the classroom. When the classroom teacher or parent suspects that a PLP may be necessary for a student, they should approach the resource teacher for consultation.

A referral for a PLP should be made to the school-based team if the student's teacher(s) believe the extent of the difficulty warrants such intervention. It should be noted that planning and interventions for the student can be done by both classroom and resource teachers even when an exceptionality has not been identified (or "diagnosed") through formal assessment. However, informal and/or formal assessment information should be provided with a pupil's referral to the resource teacher and/or school-based student services team for consideration.

It should be noted that a PLP is an indication of exceptionality and applies to those students who may have an underlying behavioural, intellectual, communicational, perceptual/sensory, or physical condition that has resulted in a delay in educational functioning.⁹⁵

** Suspension Process

The *Education Act* outlines the process for suspending a student:⁹⁶

- A principal can suspend a student from attending school for a time period not exceeding five consecutive school days. The suspension may last longer if a review of the matter and a decision from the superintendent is pending.
- A principal can suspend a student from any other school privilege for a period of time decided by the principal.
- The principal must immediately report the suspension in writing to the school's superintendent.
- A parent or student may appeal the most recent suspension if the suspension is scheduled to last longer than five school days in a school year.
- If the appeal by parent or student is denied, then the student's school privileges shall not be reinstated despite the expiry of the period of time of the suspension; unless the pupil can provide assurance of their reform.
- A vice-principal may act on behalf of the principal.
- A superintendent may review the suspension of a student and modify,

⁹⁵*Ibid*, pp.6-7.

⁹⁶New Brunswick, (1997), *Education Act*, Fredericton: Department of Education and Childhood Development, Section 24.

The Department of Education and Early Childhood Development created *Policy 322 Inclusive Education* under section 6.6.1 of the *Education Act*, which states that a principal must follow the suspension procedure outlined in the Act (see above) and Section 6.6.2 of Policy 322 states that strategies and interventions must be created to minimize the suspension of students by using the skills of the school-based Education Support Services (ESS) team and the district ESS team.⁹⁷

** Expulsion Process

The *Education Act* outlines does not outline an expulsion process.

** Parents' Rights

Parents have the following rights and responsibilities:⁹⁸

- Ensure the basic needs of care are provided to their child.
- Communicate their child's needs to the school.
- Ensure the child's attendance at school, and encourage the completion of assigned homework.
- A parent also has the right to consult with their child's teacher and principal about their child's education program.
- A parent's responsibility is to act respectfully when communicating about their concerns or aspirations of their child.

** Alternative to High School Diploma

A single version of the New Brunswick High School Diploma must be granted to students who successfully complete a program of studies prescribed by the Minister. This includes completion of an individually prescribed PLP.⁹⁹

Graduation requirements for a New Brunswick High School Diploma, effective June 2012, state that one version of the High School Diploma will be issued; there is no Alternative Diploma. Students whose Special Education Plan (SEP) requires Modifications (the level of difficulty of the course curriculum has been simplified to address learning needs) or Individualization (course content substantially differs from the regular curriculum) will have these adjustments indicated on their transcripts. Students' successful completion of or exemption from the English Language Proficiency Assessment or Reassessment (ELPA/R) will be noted on the transcript. No such indication will appear on the diploma.

⁹⁷ New Brunswick, (2013), *Policy 322 Inclusive Education*, Fredericton: Department of Education and Early Childhood Development pp. 5-6.

⁹⁸ New Brunswick, (1997), *Education Act*, Fredericton: Department of Education and Childhood Development. Section 13.

⁹⁹ *Policy 322 Inclusive Education*, pp.10.

Schools may apply to have a student exempted from provincial assessments if the student is following a modified or individualized Special Education Plan in the English language arts area. See [“Protocols for Accommodations and Exemptions.”](#)

Schools should indicate the required accommodations on the reading or writing components for students whose SEP is for accommodations only; these students are expected to participate in the assessment. See [“Protocols for Accommodations and Exemptions.”](#)

English Language Learners are usually successful in acquiring the credential by their graduating year and are not exempted. ELL students who enter the country in their grade 11 or 12 year may require an exemption. See [“Protocols for Accommodations and Exemptions.”](#)¹⁰⁰

[Adult High School Diploma](#)

The Adult High School Diploma (AHSD) is intended as an alternative to the General Educational Development (GED) Diploma and a regular high school diploma. This is best suited for those individuals who are only a few credits short of receiving a high school diploma. (NOTE: This service is only available in the Anglophone sector.) To be eligible, the student must meet the following requirements:

- have not graduated from high school;
- be at least nineteen years of age;
- have successfully completed the required course or credit requirements;
- present a transcript of all your high school marks to AHSD administrator; and
- submit the registration form.

**** Transition Planning**

The following should be considered in creating a successful transition plan and should begin by spring of grade 8:

- Current school program
- Post-Secondary
- Co/extracurricular Activities
- Employment
- Personal Management
- Leisure and Recreation

¹⁰⁰ New Brunswick, (2018), *Graduation Requirements for a New Brunswick High School Diploma*, Fredericton: Department of Education and Early Childhood Development Anglophone sector, pp.2-3. Retrieved from: <http://www2.gnb.ca/content/dam/gnb/Departments/ed/pdf/K12/policies-politiques/e/316AA.pdf> *note the Francophone sector has a policy about graduation requirements but there is no information about accommodations or supports for students with disabilities.

- Health/Safety
- Transportation
- Community Resources
- Funding/Support
- Links and Services between Community Agencies¹⁰¹

**** Glossary**

New Brunswick's Ministry of Education defines a number of special education terms, as follows:¹⁰²

Accommodations are strategies, technologies or adjustments made to enable the student to reach prescribed outcomes, whether they are for regular, modified, or individualized programming. Planning with accommodations only applies to the students in the regular classroom for whom the grade level curriculum outcomes of the subject area have not been changed, but for whom accommodations are required because of processing, physical, and/or emotional difficulties that have been observed and documented over an extended period of time, and without which the student would not be able to access the regular curriculum.

Exceptional Student means a student who has shown, over an extended period of time, behavioural, communicational, intellectual, sensory/perceptual, or physical conditions that have contributed to delayed educational functioning.

Formative Evaluations are intended as a basis for improving processes and services. The school-based Student Services Teams and the district Student Services Teams will review and evaluate the process of special education planning, identifying positive aspects as well as problematic aspects of the process in order to make revisions to set goals, professional development, assessment or other aspects of the process.

Goal means the end point of an intervention. It specifies in general terms an outcome that the student is expected to achieve over a specified period of time. For example, "John will improve in his identification of sight words."

Individualization occurs in a minority of cases, where the pervasive and significant nature of the disabling condition that a student displays requires planning that deviates from the regular curriculum. The student will not be expected to achieve many, if any, of the outcomes of the grade level curriculum, although he or she will be expected to be included in classroom themes and activities as much as possible. The student's program will be individualized.

In the majority of cases, individualization will be pervasive and will involve planning in areas other than educational outcomes, for example speech/language or occupational therapy outcomes, as well

¹⁰¹ New Brunswick, Educational Programs and Services Branch, (2001), *Resource for the Transition of Students with Exceptionalities From School to Work or Secondary Education and Adult Life*, Fredericton: Department of Education and Childhood Development, pp. 30.

¹⁰² New Brunswick, Educational Programs and Services Branch, (2002), *Guidelines and Standards: Educational Planning for Students with Exceptionalities*, Fredericton: Department of Education and Childhood Development, pp.10-12.

as documenting other types of support needed such as a tutor or teacher assistant. Planning of this nature generally follows a person-centered planning process such as the McGill Action Planning System (MAPS) or Planning Alternative Tomorrows with Hope (PATH), and will identify long-term goals as well as short-term measurable outcomes. There may be cases, few in number, where only one subject area will need to be individualized. For example, a student with a significant physical disability will be able to achieve very few of the grade level outcomes of a physical education program, and therefore would need their program individualized only in that area.

Decisions for individualization must involve the classroom teacher(s), the resource teacher, the parent(s), the school-based Student Services Team, and one member or more of the district Student Services Team. The district Student Services Administrator or designate for the district office is mainly responsible for approving these plans. Planning of this type needs to be reviewed at reporting time, and adjusted accordingly. Summative evaluation of the efficacy of the plan should occur at the end of the year. Transition planning is particularly critical for this planning process.

Modification is a type of planning in which the grade-level curriculum outcomes of a subject area have been changed to address the specific needs of the student. With modification, the majority (50% or more) of the outcomes of the grade level curriculum have been altered. These changes could involve simplified tests, exams or assignments; material presented at a lower reading level; or simplified texts and projects. Students' achievement will be assessed on a different basis from that of their peers. Decisions for modification must involve the classroom teacher(s), the resource teacher, and the parent(s). Such decisions must be discussed at the regular meetings of the school-based Student Services Team.

** Community Resources

[Guidelines and Standards: Educational Planning for Students with Diverse Learning Needs \(2015\)](#)

This guide highlights the importance of including parents in the sharing and creation of information for their child's education. Parents are the key insiders into background history and day-to-day living, and both of these have an influence on a student's daily learning. This guide is an important resource because it describes each role in the education system, from resource teachers to directors of education, and how each role relates to your child's education program. As well, there is a section that describes how and when parents should sign forms during the IPP process.

[Disability Support Program](#)

A provincial program providing support for people with disabilities in the community. Support is individualized, and considered using person-centered approaches. Ideally this resource would be used for transition planning and life after school.

[Resource for the Transition of Students with Exceptionalities from School to Work or Post Secondary Education and Adult Life \(2001\)](#)

This resource provides parents with the necessary tools they need to create a successful transition from school to community. For example, instructions on how to create a career and/or education portfolio for a child; and setting out the child's and parents' goals. This document also discusses who should be considered when creating a transition plan and provides templates.

[Policy 322: Inclusive Education \(2013\)](#)

This policy sets out the requirements and standards of the education system with respect to inclusive education and outlines the expected supports for children with disabilities.

[New Brunswick Association of Community Living \(also available in French\)](#)

The NBACL is a provincial non-profit organization that works on behalf of children and adults with an intellectual disability and their families to ensure that they have the option to choose the supports they need to live meaningful lives and participate in their communities as valued and contributing members.

[Learning Disabilities Association of New Brunswick \(also available in French\)](#)

LDANB's mission is to promote the understanding and acceptance of the ability of persons with learning disabilities to lead meaningful and successful lives. It aims to do this by establishing accurate information regarding learning disabilities; helping families, adults with learning disabilities, and professionals who work with them; and speaking as a provincial authority on learning disabilities.



Nova Scotia

** Age

Every person over the age of 5 and under the age of 21 has the right to attend a public school.¹⁰³

** Transportation

The Department of Education's *Handbook for the Transportation of Students with Special Needs*¹⁰⁴ outlines the following points on transporting students with special needs:

- Each school board has a policy that calls for any special transportation needs identified as part of the student's program-planning process to be explained to the bus driver.
- Each school board should have guidelines in place to advise parents, transportation staff, and school staff about who is responsible for carrying out transportation procedures.
- The school principal must send the parent the Special Student Transportation Needs Form by the beginning of the school year. This form should be provided for both new and returning students with special transportation needs. The form will include information from both parents and physicians for ongoing care as well as what to do in case of an emergency. It should be updated annually or as the student's needs change.
- The transportation needs of individual students should be considered during program planning team meetings.

** Definition of Inclusive Education

Inclusive education embodies beliefs, attitudes, and values that promote the basic right of all students to receive appropriate educational programming and services in the company of their peers. The goal of inclusive schooling is to facilitate the membership, participation, and learning of all students in school programs and activities. The support services that are designed to meet student's diverse educational needs should be coordinated within the neighborhood school and, to the extent possible, within grade level/ subject area classrooms.¹⁰⁵

¹⁰³ Nova Scotia, (1995/6), *Education Act*, Halifax: Department of Education. Section 5.

¹⁰⁴ Nova Scotia, Student Services, (2011), *Handbook for the Transportation of Students with Special Needs*, Halifax: Department of Education.

¹⁰⁵ Nova Scotia, Inclusion Supporting All Students, Halifax: Department of Education. Retrieved from: <http://studentservices.ednet.ns.ca/sites/default/files/inclusion.pdf>

** Definition of Individual Program Plan (IPP)

The Individual Program Plan is written documentation of annual individualized outcomes and specific individualized outcomes that have been developed to meet a student's strengths and needs. IPPs are implemented for every student for whom Nova Scotia's public school program curriculum outcomes are not attainable.¹⁰⁶

** Individual Program Plan Process

The *Program Planning Process, a Guide for Parents* outlines the following steps for creating an Individual Program Plan (IPP):¹⁰⁷

- Screening and identification: gathering information on development and skills.
- Exploration of instructional strategies by the classroom teacher: adaptations such as environmental strategies will be explored.
- Referral to a program planning team meeting: occurs after an assessment or when a student transfers from another school; a parent can also request this meeting.
- The program planning team meeting will determine if adaptations or an IPP will be created for the student.
- An IPP will be developed, depending on the student's needs.
- Implementation of the IPP: instruction and assessment of the outcomes.
- Monitoring of the IPP: measuring outcomes and strategies, adjusting the IPP if necessary.
- Reviewing the IPP: it should be reviewed at least twice per school year.

** Suspension Process

The *Education Act* outlines the following reasons a student may be suspended and a suspension process:¹⁰⁸

- A suspension will take place if a student engages in a disruptive behaviour on school or associated property or activity, or a disruptive behaviour that occurs off school or associate property or activity, if the behaviour significantly disrupts the learning climate of the school.

¹⁰⁶ Nova Scotia, Student Services, (2006), *The Program Planning Process: A Guide for Parents Supporting Student Success*, Halifax: Department of Education, pp.35.

¹⁰⁷ *Ibid*, pp.7.

¹⁰⁸ Nova Scotia, (1995/6), *Education Act*, Halifax: Department of Education. Section 122.

- The principal or person in charge of the school may act according to the provincial school code of conduct.
- The student may not be suspended for more than five days. However, a principal can recommend an extended suspension under certain circumstances.
- When a principal suspends a student, whether for a period, field trip, day, or other, the principal shall contact the student's parent about the suspension in writing. The principal shall also contact the student's teachers and the school board and inform them of the reasons for the suspension.
- The student or the student's parents may request a review of the suspension by the school board within three school days of receiving the written notice from the principal.
- The school board may decide to confirm or cancel the suspension. If the school board cancels the suspension, it may also remove the suspension from the student's record.
- If a student is suspended ("extended suspension," see the next section for more information on this process) for more than five school days, the school board shall consult with the student's parent to provide an alternative schooling arrangement.

**** Expulsion Process**

There is no specific mention of expulsion in the *Education Act*. (Instead, a process for Extended Suspension is outlined, as follows:¹⁰⁹

- The principal may recommend to the school board that a student be suspended for more than 5 school days.
- Upon receiving the principal's written recommendation, the school board must immediately contact the parents of the student to let them know that extended suspension has been recommended.
- Within seven days, the school board shall either dismiss the principal's recommendation or extend the student's suspension to more than five days.
- If the suspension begins within two months of the end of the school year, the school board may include a portion of the new school year beginning in September in the suspension.

¹⁰⁹ *Ibid*, Section 124.

- The school board shall notify the student, their parent, their teacher and the school principal within three days of their meeting to discuss their decision to extend the suspension or not. If it has decided to extend the suspension, school will inform the parties of the reason for the longer suspension and the period of time it will be. The school board will also inform the student and their parents that they have the right to appeal this decision.
- The student and their parent have seven days* to appeal the suspension to the school board.
- If the parent or student decides to appeal the decision to the school board, they can expect the school board to contact them immediately with a time and place for an appeal hearing, at which they are to appear in person with or without counsel.
- Within ten days of the notification of appeal from the parents or student, the school board must hold the hearing and decide whether to stand by its decision, change the decision, or cancel it completely.
- Finally, the school board must contact the student, the parents, any counsel, the student's teachers, and the school principal of their decision which, is final within 3 days*

*Note: the Act does not specify whether these are business/school days or not.

**** Parents' Rights**

Parents have the following rights and responsibilities:¹¹⁰

- Help achieve in their child's learning success by communicating regularly with their child's school, ensuring the basic needs of their children are met (food, sleep).
- Support their child's teacher in creating an educational program for their child.
- Participate in the creation of their child's individualized program.
- If a parent is unhappy with their child's individualized program plan, they may appeal this concern to the school board.

Further, each school is responsible for involving and informing parents at all stages of their child's assessment. Each school board has procedures in place to ensure parental involvement in the assessment process. The principal of the school is responsible to ensure that parents are involved

¹¹⁰ *Ibid*, Section 25.

and to share the school board's policies, procedures and guidelines for identification, assessment, and referral. Parents have the right to discuss the results of the referral and assessment and request a copy of the assessment at any time.¹¹¹

** Alternative to High School Diploma

Personal Development Credits

A credit is awarded when a person achieves all of the requirements in an area of training or learning. The Department of Education and Early Childhood Development's Personal Development Credit was designed to recognize the achievements of students who successfully complete courses or meet all of the assessment standards of organizations that are external to the high school system.

High school students who have met the requirements for personal development credits from providers approved by the Department of Education and Early Childhood Education can have these credits recognized on their high school transcripts. One of the student's five elective credits required for graduation can be a personal development credit, but the student can also have additional personal development credits recorded on their transcript as extra credits beyond the thirteen compulsory and five elective credits required for graduation.

** Transition Planning

Transition planning for students with special needs considers all major aspects of a student's life and their needs and strengths to create the appropriate educational programming and resources.

Policy 2.7 of the *Special Education Policy Manual* requires that transition planning be a part of the IPP process for each student with special needs.¹¹²

Transition planning should be considered even if the student is not identified as having a disability/or does not have an IPP.

It is the responsibility of the IPP team to find appropriate opportunities for the student with a disability to transition from school to community. The transition planning for "after school" should begin when a student enters junior high school. Transition planning should be noted in the student's cumulative record—an important document to keep track of. The following factors should be considered in the transition planning process:¹¹³

- Employment options
- Post-secondary training/education options
- Income support opportunities
- Residential options

¹¹¹ *The Program Planning Process: A Guide for Parents Supporting Student Success*, pp.17.

¹¹² Nova Scotia, Student Services (2008), *Special Education Policy*, Halifax: Department of Education, Section 2.7. Retrieved from: <https://studentservices.ednet.ns.ca/sites/default/files/speceng.pdf>

¹¹³ Nova Scotia, Student Support Services, (2003) *Programming for Individual Needs: Teaching Students with Autism Spectrum Disorders*. Halifax: Department of Education, Section 7.

- Transportation needs
- Medical needs
- Community recreation and leisure options
- Maintenance of family/friend relationships
- Advocacy/guardianship

** Glossary

Nova Scotia's Ministry of Education defines a number of special education terms, as follows:¹¹⁴

Adaptations are strategies and/or resources to accommodate the learning needs of an individual student. They are planned, implemented, and evaluated to enable the student to achieve Nova Scotia's public school program.

General curriculum outcomes are statements identifying what students are expected to know, be able to do, and value upon completion of study in a curriculum area.

Key-stage curriculum outcomes are statements identifying what students are expected to know and be able to do by the end of grades 3,6,9, and 12 as a result of their cumulative learning experiences in a curriculum area.

Learning outcomes are statements describing what knowledge, skills, and attitudes students are expected to demonstrate as a result of their cumulative learning experiences in the primary-graduation continuum.

Learning styles are different approaches or ways of learning.

Psycho-educational assessment is a comprehensive assessment/profile conducted by a psychologist to identify the strengths and needs of a student in such areas as learning, behaviour, and social-emotional development.

Specific curriculum outcomes are statements identifying what students are expected to know and be able to do at the end of a particular grade-level or a particular course.

Specific individualized outcomes on an IPP are statements outlining specific steps leading to the attainment of the broader outcomes (annual individualized outcomes).

¹¹⁴ *The Program Planning Process: A Guide for Parents Supporting Student Success*, pp.35-36.

**** Community Resources**

[Autism Nova Scotia: Parent Education Guide](#)

This guide outlines the role that parents can take for their child who is on the Autism Spectrum. It includes a hierarchy of steps to address parents' concerns about their child's program.

[Handbook for the Transportation of Students with Special Needs \(2011\)](#)

Information on special transportation needs of students, assisting with wheelchairs/mobility aids, and standards for transportation of students with special needs. The Student Special Transportation Needs Form can be found in Appendix A.

[Adaptations: Strategies and Resources](#)

This document provides information about adaptations—what they mean and how they may impact a child's education program.

[The Program Planning Process: A Guide for Parents and Guardians \(2016\)](#)

A valuable resource that outlines the process of assessment and creating an IPP; the roles and responsibilities of the team (including parents and teachers) in how to successfully collaborate and create an IPP; suggestions on transition planning; advice on how to minimize and resolve conflicts; and commonly used special education terms.

[The Atlantic Provinces Special Education Authority](#)

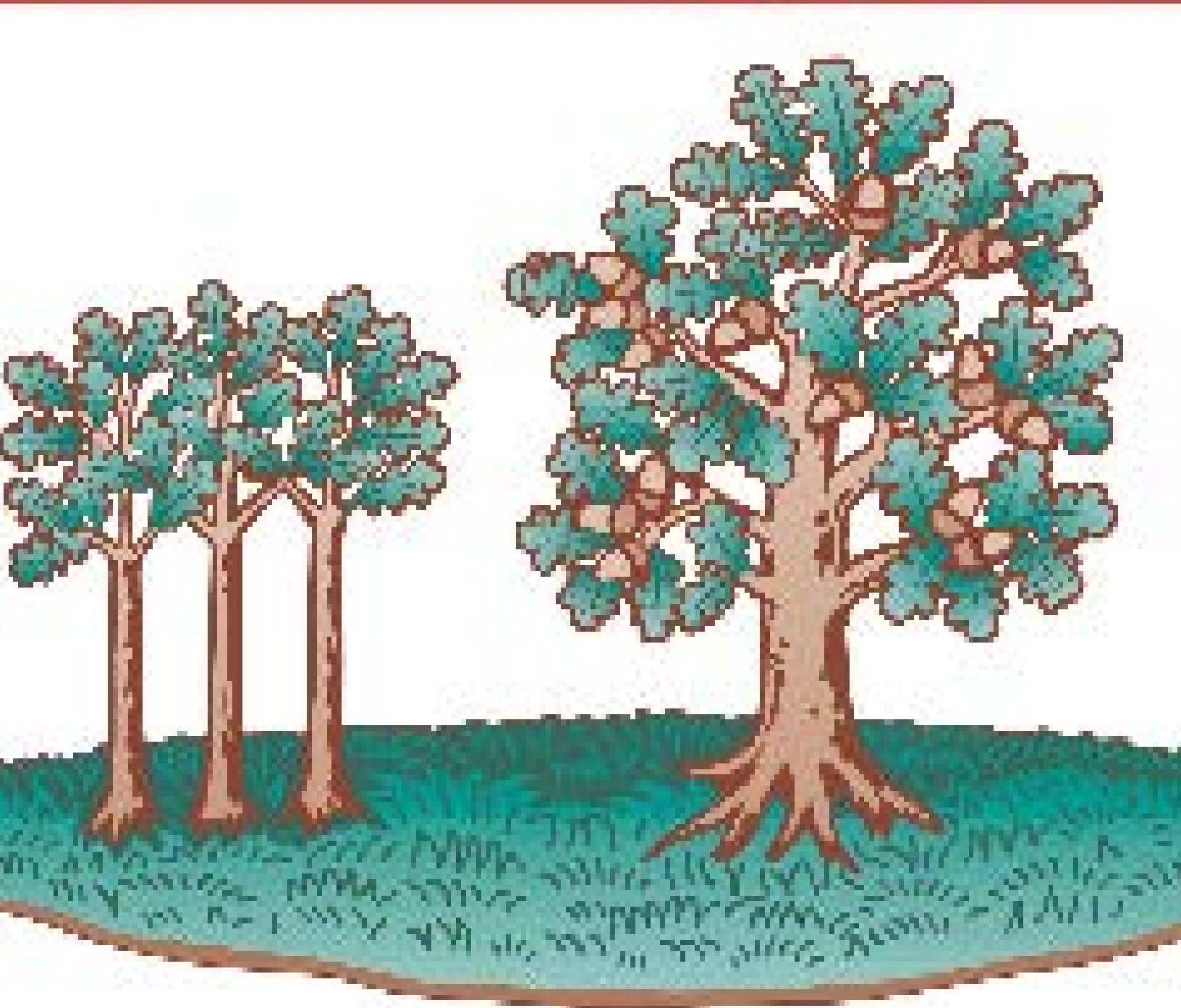
APSEA is a cooperative agency between the provincial departments of education of New Brunswick, Nova Scotia, Newfoundland and Labrador, and Prince Edward Island. APSEA provides services to students who are deaf, hard of hearing, deafblind, blind, or visually impaired.

[Disability Support Program](#)

A range of programs for people with all types of disabilities in the community, including residential and vocational/day programs.

[Transition Planning for Students with Special Needs: The Early Years through Adult Life \(2005\)](#)

This document explores transition planning for students with special needs. It provides practical information and guidelines to support systemic transition planning for students entering, moving through, or leaving the school system.



Prince Edward Island

** Age

Students between the ages of 5 and 20 years and living with a parent/guardian who resides in the province of Prince Edward Island are eligible for free school privileges. A child who reaches the age of six years on or before December 31 in a school year shall be enrolled in a school in September of that school year.¹¹⁵

** Transportation

Attendance and education in a public school includes necessary transportation.¹¹⁶ Each school board shall provide transportation for its students subject to regulations, Minister's orders, and Minister's directives.¹¹⁷

** Definition of Special Education

Special Education means programming and/or services designed to accommodate students whose educational needs require interventions different from, or in addition to, those needed by most students. Assessments are the basis for determining what special education programs and services are appropriate for a student. Special education programs and services may involve adapting or modifying the curriculum, learning materials and facilities; and/or alternative methodologies; and/or additional assistance from student support staff within school settings.¹¹⁸

** Definition of Individual Education Plan (IEP)

An Individualized Education Plan (IEP) is a written record that documents the collaborative process used for the development of an individualized plan for a student with special educational needs. This planning is a continuous and integrated process of instruction, assessment, evaluation, decision-making, and reporting. The IEP outlines support services and educational program adaptations and/or modifications.¹¹⁹

** Individual Education Plan Process

The following are common questions and answers about the IEP process:¹²⁰

Who needs an IEP?

Many students with special needs require changes to the curriculum content or the way it is taught to accommodate their learning. When students require support programs beyond classroom adaptations, the school will initiate more individualized planning by developing an IEP. The unique educational needs of the student will dictate whether the IEP is brief or more detailed and complex.

¹¹⁵ Prince Edward Island, (2010), *Students and Parents Regulations*, Charlottetown: Department of Education and Early Childhood Development, Sections 1 and 2.

¹¹⁶ *Ibid*, Section 3.

¹¹⁷ Prince Edward Island, (1998), *School Act*, Charlottetown: Department of Education and Early Childhood Development, Section 49.

¹¹⁸ Prince Edward Island, (2001), *Minister's Directive No.MD 2001-08 Special Education*, Charlottetown: Department of Education and Early Childhood Development, Section 1(a).

¹¹⁹ *Ibid*, Section 1(f).

¹²⁰ Timmons, V. et al, (2006), *A Resource Guide for Parents of Children with Autism: Supporting Inclusive Practice*, Prince Edward Island, pp 21-24.

What is the purpose of an IEP?

Individualized educational planning is a process by which educators, support personnel, and parents collaborate to ensure that students' needs are addressed in a systematic manner. The overall purpose of the individualized plan is to help students progress in their skill development and attainment of knowledge, both in academic and non-academic areas. The content of the individual plan will address the areas most relevant to the needs of the particular student. For some students, the IEP will be focused primarily on academic goals and objectives. For others, it may concentrate on life skills, personal care training, and/or social skills. Some students will also require goals and objectives to address challenging behaviours.

Who creates the IEP?

The IEP is created collaboratively. Core members of the IEP team include a school administrator, resource/special education teacher, classroom/subject teacher(s), parent(s), and student (when appropriate).

How are parents involved in the IEP process?

Parents play a vital role in the education of their children and are invited to attend IEP meetings to participate in the planning process. The IEP planning process is strengthened by the continued involvement of parent(s) at all stages of planning, development, and implementation.

Parents are encouraged to do the following:

- Assist in the development of the IEP by sharing information about their child's learning styles, interests, reactions to situations, and ways to avoid potential problems.
- Inform the school of any special factors that may have an impact on their children's education or that may put them at risk.
- Help prioritize goals and objectives based on their child's needs in the family, school, and community.
- Work with school personnel to reinforce and extend the teacher's educational efforts.
- Provide feedback on the transfer of skills to home and community environments.
- Maintain an open line of communication with the school.
- Act as advocates for their child's best interest.

What will be included in the IEP?

The IEP should describe the following:

- What the student knows and can do.
- What and how the student should learn next (goals and objectives specific to your child).

- Where instruction will take place and for how long.
- What the child will do to demonstrate learning (how progress will be measured).
- Which programs and services the student will receive.
- What you and school personnel have agreed to do to help the student.
- Dates for when the IEP will begin and when it will be reviewed.

How often is the IEP reviewed?

The IEP is considered a working document and should be reviewed regularly. A process for monitoring the child's progress is outlined below:

- The teacher or teachers who work directly with the child will be frequently updating the "working copy" of the IEP as they note the child's day-to-day progress.
- A formal review date will be determined at the time the IEP is developed. The formal review involves a full meeting of the IEP team and may result in a decision to continue with the current plan, to change goals or update objectives, or, in some cases, to seek additional or alternate interventions and strategies.
- The school or parent(s) may request additional meetings to review or revise the plan at any time during the school year.

**** Suspension Process**

The School Act and Students and Parents Regulations outline the following reasons a student may be suspended and a suspension process.¹²¹

A teacher may suspend a student for a period not exceeding one half day, depending on the individual school board's policy. A principal or unit superintendent can suspend a student for longer. Students may be suspended for the following reasons:

- Behaviour that breaks school or school board rules.
- Behaviour that is disruptive or threatening to others.
- Continued use of foul, obscene, or insulting language and/or gestures.
- Behaviour that has significantly adversely affected the conduct of a class or a school.

¹²¹ Prince Edward Island, (1998), *School Act*, Charlottetown: Department of Education and Early Childhood Development. Section 74–76 and Prince Edward Island, (2010), *Students and Parents Regulations*, Charlottetown: Department of Education and Early Childhood Development, Section 6-15.

The suspension process is outlined as follows:

- A principal or unit superintendent can suspend a student from one or more courses or school programs; riding on a school bus; participating in an activity approved or sponsored by the school or the school board; or from school and/or all school activities.
- If possible, the principal of the student or the unit superintendent will call the student's parent to notify them of the decision and reasons for the suspension. They will also send written notice of the suspension to the parent, which will include the reason for and the length of the suspension as well as the parent and student's right to a hearing with the school board about the suspension.
- If the suspension is scheduled to last for more than five consecutive instructional days, the person ordering the suspension (for example the principal) shall request a meeting with the student's parent(s) to discuss the reasons for the suspension.
- If a parent requests a hearing with the school board about their child's suspension of more than five consecutive instructional days, the school board shall hold a hearing within ten working days of the parent's request, while respecting the allotted suspension.
- A parent's request for a hearing to the school board needs to be made within five working days of their receiving written notice of the suspension.
- A school board may suspend or expel a student upon the recommendation of a unit superintendent or as its own motion.

**** Expulsion Process**

The same sections of the Act and regulations¹²² also cover expulsion. The general process is as follows:

- When a school board is considering an expulsion or suspension it must do so while following their regulations for that process and hold a hearing.
- The student and parent have the right to be represent themselves at the hearing of the school board that will discuss their suspension or expulsion.
- Students who are suspended or expelled lose their right to free school privileges.

¹²² *Ibid.*

** Parents' Rights

Parents have the right to be informed about their child's attendance, behaviour, and progress at the school. Parents are responsible for encouraging their child to learn.¹²³

** Alternative to High School Diploma

Although PEI has many supports in place to help students with disabilities succeed, it does not award a "Certificate of Completion" as an alternative to a high school diploma like some other provinces do.

Full credit will be granted for adapted courses (the type of adaptations used will be documented and kept on file).¹²⁴ Modified courses will not be granted full credit; details of the modifications used must be included in the student's file and the transcript must indicate that the provincially authorized curriculum has been modified.¹²⁵ See the glossary section for the difference between adaptations and modifications.

Students who successfully complete a senior high school program are awarded a high school graduation certificate from the Prince Edward Island Department of Education and Early Childhood Development.¹²⁶

- High schools are required to award their basic diploma to all students who meet provincial graduation requirements; however, schools may award specific diplomas or certificates to students who achieve beyond the provincial requirements.
- No modification may be made to the credit value of provincial courses without prior approval.
- Students are advised to enroll in more than the minimum number of courses required for graduation.
- Students are advised to take courses that will capitalize on their abilities, interests, and educational and career goals.

** Transition Planning

Guidelines developed by the Department of Education and Early Childhood Development, define student transitions broadly. Transitions may include the following:¹²⁷

¹²³ Prince Edward Island, (1998), *School Act*, Charlottetown: Department of Education and Early Childhood Development. Section 80.

¹²⁴ Prince Edward Island, Student Services, (2005), *Individualized Educational Planning: Standards and Guidelines, A Handbook for Educators*, Charlottetown: Department of Education and Early Childhood Development, pp. 9-10.

¹²⁵ *Ibid*, pp.10-11.

¹²⁶ Prince Edward Island, (2014), *The Education Handbook for School Administrators*, Charlottetown: Department of Education and Early Childhood Development, pp.52-53.

¹²⁷ Prince Edward Island, Student Services, (2005), *Individualized Educational Planning: Standards and Guidelines, A Handbook for Educators*, Charlottetown: Department of Education and Early Childhood Development, pp.45-47

- Coming from home and/or kindergarten into school.
- Moving throughout the day while at school.
- Moving from grade to grade.
- Moving from one level of schooling to another.
- Changing schools or programs.
- Leaving school to attend post-secondary educational institutions, to go to work, or to attend community-based programs or activities.

Some students with disabilities require individualized support and accommodation to ensure that some or all of these transitions are smooth. These supports and accommodations should be built into the student's IEP. Longer-term and further-off transition goals, i.e., school to community, should also be reflected in the IEP, from grade 9.

Transition planning for students moving from school to the community should include the following:

- The student's strengths, interests, and needs.
- Up-to-date assessments.
- The student's specific transition goals.
- The family's goals.
- The actions required to achieve the goals—identifying current information about postsecondary education options (e.g., colleges and universities for students who are deaf or hard of hearing; support services for learning and physical needs), work options, or community living options, as appropriate.
- Arranging visits to or placements at the preferred options.
- Identifying any specialized supports or services required.
- Identifying how the student will be assisted with any necessary applications, and with transferring to the option selected.
- Identifying the supports and services the student will need in the new (post-school) setting.
- Identifying the transition partners and what the responsibilities of each are.

** Glossary

Prince Edward Island's Ministry of Education defines a number of special education terms, as follows:¹²⁸

Adaptation is a documented process that allows a student with special educational needs to participate in the prescribed provincial curriculum with changes in format, instructional strategies, and/or assessment procedures that retain the learning outcomes of the curriculum. This adaptation may include alternate formats, instructional strategies, and/or assessment procedures. Full credit will be granted for such courses, but the adaptations used will be documented and kept on file.

Modification is a process that involves changing the prescribed curriculum to meet a student's special educational needs. Modified courses do not provide the same credit as a prescribed course. Details of the modified course must be included in the student's file and the transcript should indicate that the course has been modified.

** Community Resources

[A Resource Guide for Parents of Children with Autism: Supporting Inclusive Practice](#)

A guide that considers autism from both an education and community perspective. For example, it describes the process of getting a diagnosis, and the impact autism can have on siblings, family, and community members.

[PEI Council of People with Disabilities](#)

A list of community partners that provide services to people with disabilities. Some of the services covered include vocational and employment training, transportation, recreation, and residential services.

[Educational Services for Students with Autism Spectrum Disorders](#)

A Minister's Directive identifying the different definitions used to describe Autism Spectrum Disorder and the varying needs of students who are on the spectrum. This document may help parents of children with autism identify the types of programming available. The different roles and responsibilities of the school board, autism spectrum disorder consultants, and school staff are all outlined.

[Education Services for Blind and Visually Impaired Students](#)

An outline of the service provided through the inter-provincial agency APSEA (Atlantic Provinces Special Education Authority), who provide staff who offer direct support to students in inclusive settings. This service includes a preschool specialist, a mobility instructor, and a transition facilitator who assists students and families with the transition from school to community.

[Services for Students who are Deaf or Hard of Hearing](#)

HEAR (Hear Education Auditory Resources) services assists teachers in providing any adaptations required to meet a student's individual needs. HEAR supports inclusionary practices: school-age children who are hard of hearing or deaf are with their hearing peers in regular classrooms.

¹²⁸ Prince Edward Island, Student Services, (2005), *Individualized Educational Planning: Standards and Guidelines, A Handbook for Educators*, Charlottetown: Department of Education and Early Childhood Development, pp.9-10.

[Elementary Transition Planning Resource](#)

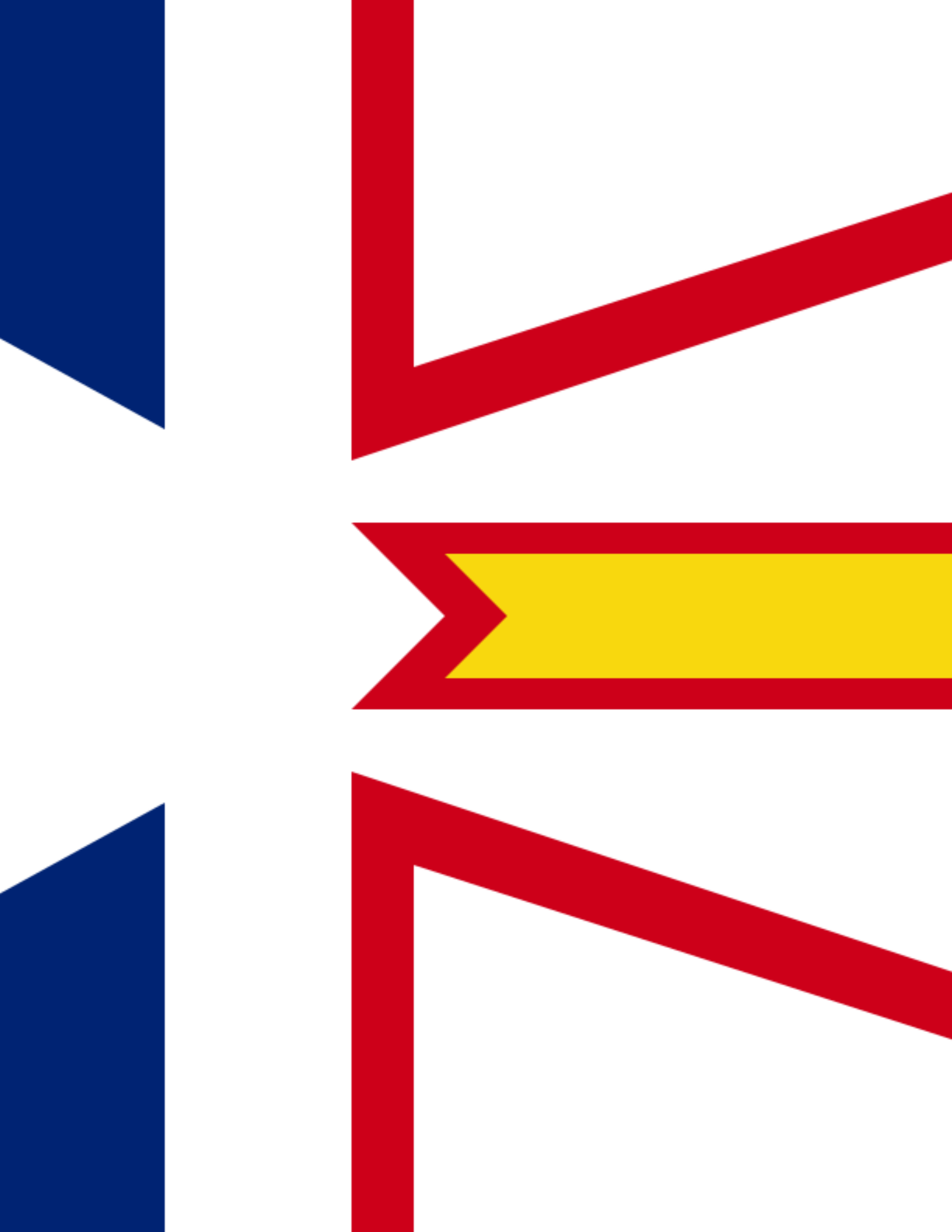
A resource guide that outlines how to achieve a successful transition from one grade to another. Sample “Introduction from the Student” letters are included, which the parent and child can fill out to explain to their new teacher about likes and dislikes, etc.

[Secondary Transition Planning Resource](#)

This resource guide explores collaboration, planning, assessment, goals, supports, and connections for students who are making the transition from secondary school into the adult community. It includes instructions on how to create a transition portfolio, questions to ask to help guide connections with community partners and organizations, information on assessment tools that are used to facilitate transition plan actions, and the key steps and information that will take place during the transition process.

[The Atlantic Provinces Special Education Authority](#)

APSEA is a cooperative agency between the provincial departments of education of New Brunswick, Nova Scotia, Newfoundland and Labrador, and Prince Edward Island. APSEA provides services to students who are deaf, hard of hearing, deafblind, blind, or visually impaired.



Newfoundland & Labrador

** Age

A student who is 5 years of age or older and younger than 21 years of age on December 31 in a school year may attend school.¹²⁹

** Transportation

The Department of Education has a specific policy that outlines transportation needs of children with disabilities, which is outlined as follows.¹³⁰

Alternate transportation, i.e. a more customized plan, should be considered in the following scenarios:

- The student's condition is permanent and interventions/supports will not allow the student to avail of regular busing;
- Further education or skill development is required before the student can avail of regular busing;
- A student is injurious to self and/or others;
- A student requires short-term intervention(s) because he/she cannot travel with adaptations/support on regular busing;
- A student is unable to attend their zoned school due to medical/ extenuating circumstances and has been placed in an approved alternate setting; or
- The parent(s)/guardian(s) has a physical disability which prevents them from accompanying their child (in kindergarten to grade six) to school.

To ensure access to this service, an application should be submitted to the Department of Education by June 1 for the upcoming school year. An application involving a request for transportation to an alternate setting (not the zoned school) must provide documentation explaining the medical or extenuating circumstances that justify using an alternate site should. All alternate sites must be approved by the Student Support Services Division of the Department of Education.

After being approved for alternate transportation for a child with exceptional needs, the parents are responsible for the following:

- Properly clothing the child, according to weather conditions.

¹²⁹ Newfoundland and Labrador, (1997), *Schools Act*, St. John's: Department of Education and Early Childhood Development. Section 3.

¹³⁰ Newfoundland and Labrador, (April 2012), *Alternate Transportation Policy and Application Package*, St. John's: Department of Education and Early Childhood Development, pp.1-4.

- Providing appropriate occupant restraints and to see that any special equipment (example, wheelchair, etc.) is ready and in good working condition.
- Making certain that all bodily needs have been performed.
- Having the child at the designated location on time, assisting the child with boarding, and being available to assist when the child returns home.
- Providing the driver with any instructions or necessary information should there be a change that would affect the child's normal routine.
- Notifying the school, driver and/or school district, in advance, if the child will not be attending school (failure to do so could result in the parent/guardian being charged for the service).
- Reinforcing with the child the importance of wearing a seat belt and other safety devices.
- Completing all the necessary documentation supplied by the district and ensuring that a proper medical forms and consent for release of information forms are provided.

The school district's responsibilities are outlined as follows:

- Arranging for alternate transportation in accordance with Department of Education Policies.
- Making certain that the vehicle used is in good mechanical condition.
- Making certain that there is adequate insurance coverage.
- Ensuring that all driver documentation, as per the contract, has been received by the district.
- Planning routes and stops.
- Ensuring contractor, student, and parents/guardians work collaboratively.
- Ensuring, if necessary, that proper facilities are available at school to handle specialized equipment (for example, ramps, wheelchairs).
- Ensuring the parent/guardian is provided with the following information:
 - The time the driver will pick up their child.
 - The exact location where their child will be picked up and returned

- The time the driver will pick up their child.
- Arrangements made for bad weather.
- Working out a plan with the parent/guardian and the driver for dealing with emergencies.
- Ensuring that the driver has an “in-bus” list of telephone numbers of parents/guardians and doctors in case of emergencies such as fire, respiratory or heart failure, or in case of mechanical breakdown;
- Maintaining an inventory of all district equipment.
- Adhering to the pick-up and drop-off points as agreed in the tender, and ensuring that parents/guardians make alternate arrangements if these points vary.
- Assigning personnel to assist students to and from the designated vehicle once they arrive at school, if required.

**** Definition of Inclusive Education**

Inclusive education is the right of all students to attend school with their peers, and to receive appropriate and quality programming, a continuum of supports and services in the most appropriate setting (large group, small group, individualized) respecting the dignity of the child. A welcoming school culture is one where all members of the school community feel they belong, can realize their potential, and can contribute to the life of the school in a school community that celebrates diversity and a safe and caring school environment.¹³¹

**** Definition of Individual Education Plan (IEP)**

An Individual Education Plan (IEP) is a document that records and tracks the educational supports and services provided to a student. An IEP is required for students with identified exceptionalities who are receiving modified prescribed courses and/or alternate programs, courses, and curriculum.¹³²

**** Individual Education Plan Process**

The program planning team works together to create an IEP for a student. The composition of the program planning team varies. For students who require accommodations only, the team may be made up of only the parents/guardians and classroom/subject teacher(s). For students who require modified prescribed courses or alternate programs/courses/curriculum, the team will be more substantial.

¹³¹ Newfoundland and Labrador, (Fall 2011), *Service Delivery Model for Students with Exceptionalities: Professional Learning Package*, St. John's: Department of Education and Early Childhood Development, pp.5.

¹³² *Ibid*, pp.11.

The role of the program planning team is to do the following:

- Identify the student's strengths and needs;
- Make decisions regarding programming—including accommodations and modifications.
- Design alternate programs/courses/curriculum and/or instructional strategies, based on up-to-date formal and informal assessment data for the student.
- Assign roles and responsibilities for program development and/or referrals to other professionals.
- Discuss program delivery, i.e. setting(s) and personnel involved.
- Plan for periods of transition.
- Designate a contact teacher responsible for getting in touch with team members to arrange meetings and to act as the first point of contact regarding programming. The contact teacher will also ensure that copies of necessary documentation are collated, reviewed with the parent/guardian, signed, distributed, and the original document placed in the cumulative file.

The program planning team will meet at least once a year, with additional meetings as required. In preparation for a meeting, appropriate personnel will:

- Review student file(s).
- Ensure parents have access to the Department of Education's Parent Handbook.
- Gather relevant information.

Once the IEP is developed, the contact teacher reviews it and any attachments to it with the parent/guardian, and the IEP is signed.¹³³

**** Suspension Process**

The *Schools Act* outlines the following suspension process:¹³⁴

- A teacher may suspend a student for one class period, a school principal for a longer period, in accordance with school board by-laws.

¹³³ *Ibid*, pp.11-12.

¹³⁴ Newfoundland and Labrador, (1997), *Schools Act*, St. John's: Department of Education and Early Childhood Development. Section 36.

- A teacher is required to inform the principal of the incident before the end of the school day.
- A principal may reinstate a student suspended by the principal or a teacher.
- A period of suspension shall be no longer than 30 school days in total in a school year.
- When a principal suspends a student, either for a period, from a school activity, for the day, or longer, the principal will contact the student's parent of the suspension in writing; the principal will report to the director the circumstances of the suspension in writing.
- The director has three school days from receiving the principal's report to either uphold, alter, or cancel the suspension.
- If the director cancels the suspension they may also remove the suspension from the student's record.

**** Expulsion Process**

The *Schools Act* outlines the following expulsion process:¹³⁵

- Expulsion will be considered for students who are persistently disobedient or defiant, or who behave in a way that is harmful to others.
- The principal must warn the student and explain the reason for the warning.
- The principal must notify the student's parent in writing and discuss the context of the warning.
- The principal shall share the written notice to the parents with the director.
- If there is no reform, the principal shall write to the director and recommend an expulsion.
- If the student is 19 years old or older, they may appeal to the director before the decision whether to expel has been made.
- The director has three school days from receiving the written notice from the principal to expel the student (or decide not to).
- A school board may re-admit a student who has been expelled.
- If a student is expelled, the director shall notify the parent, unless they are 19 or older, of their right to have the expulsion reviewed.

¹³⁵ *Ibid*, Section 37.

** Appeal Process

The *Schools Act* outlines the following appeals process:¹³⁶

- When a decision affects a student or their parent, the parent and/or student (if the student is 19 years or older) may appeal the decision as follows:
 - to the principal, if the decision was made by a board employee who is employed in the school (for example, a teacher);
 - to the school board, if the decision was made by the principal;
 - to the school board, if the decision was made by a board employee who is not employed in the school;
- School board decisions on appeals are final.
- Appeals must be commenced within 15 days from the date that the parent or student was informed of the decision they wish to appeal.
- This process does not apply to expulsion decisions. See the section above and/or Section 37 of the *Schools Act* for more on appealing expulsion decisions.

** Parents' Rights

Parents have the following rights and responsibilities:¹³⁷

- Parents should be kept informed of their child's attendance, behaviour and progress.
- Parents should have access to information/reports on education programs at their child's school (and of the school district).
- A parent may request that the teacher or director consult them about their child's education program; the teacher or director must comply with this request unless it is unreasonable (in terms of frequency).
- A teacher or the director may request to consult a student's parent about the student's education program, and the parent shall comply with that request.

¹³⁶ *Ibid*, Section 22.

¹³⁷ *Ibid*, Section 20.

** Alternative to High School Diploma

School Achievement Certificate

A student who does not meet minimum graduation requirements, but who does meet the goals and objectives outlined in their Individual Education Plan (IEP) is eligible for a School Achievement Certificate. The manager of the support team and/or the principal should contact the high school certification office and request a School Achievement Certificate. The achievement certificate will be prepared at the Department of Education and sent to the school. Schools are required to provide a summary of the student's strengths and achievements to accompany the certificate as a record of accomplishment.¹³⁸

Additionally, from the [Service Delivery Model for Students with Exceptionalities](#).¹³⁹

Credits for modified high school courses

- For senior high school students to be awarded credit for a modified prescribed course, the following must apply:
 - The modified prescribed course is reviewed by the principal.
 - The modified prescribed course is approved by the District's Assistant Director of Programs.
 - The principal registers the student in the modified prescribed course with High School Certification, Department of Education, by December 15 of that school year.
- High School Certification applies the digit 6 as the third digit of the course designation for courses that have been modified downward, and the digit 8 to courses where outcomes have been added or extended in depth of treatment.
- Receiving high school credit for one or more modified prescribed course does not prohibit a student from achieving Graduation with General Status. However, post-secondary institutions in this province determine the applicability of specific modified prescribed courses to specific post-secondary programs. Although a student may achieve Graduation with General Status with one or more modified prescribed courses, this may not satisfy entrance requirements to some post-secondary programs/institutions.

¹³⁸ Newfoundland and Labrador, (2015), *High School Certification Handbook*, St. John's: Department of Education and Early Childhood Development, Section 7.5. Retrieved from: http://www.ed.gov.nl.ca/edu/k12/high_school_cert.html

¹³⁹ Newfoundland and Labrador, (Fall 2011), *Service Delivery Model for Students with Exceptionalities: Professional Learning Package*, St. John's: Department of Education and Early Childhood Development, pp.17.

** Transition Planning

If a child is entering kindergarten it is recommended to begin the transition process in February of the year before. Pre-school children who have been receiving services should have an Individual Support Services Plan (ISSP) established before their first day of school in September. The ISSP team meeting will identify individual goals for a child and help the school and district plan resources for the next school year. The ISSP team is a combination of parents and representatives from relevant service providers, such as the Department of Health and Community Services.

Planning the transition from high school to adult life should begin as early as possible. Parents, teachers, principals, and representatives of local community agencies and support services should consider the student's future goals and how they might begin to put these into practice during their high school programming. The following should be considered in the transition process:

- Employment options.
- Post-secondary training/education options.
- Income support opportunities.
- Residential options.
- Transportation needs.
- Medical needs.
- Community recreation and leisure options.
- Maintenance of family/friend relationships.
- Advocacy/guardianship.¹⁴⁰

** Glossary

Newfoundland and Labrador's Department of Education defines a number of special education terms, as follows:¹⁴¹

Accommodations are adaptations to the learning environment that address particular student strengths and needs. These may include physical arrangements, assistive technology, particular instructional strategies, and others. Such accommodations are available for students with exceptionalities in all areas of study whether prescribed, modified-prescribed, or alternate.

Differentiated instruction means responsive teaching that attends to the learning profiles of all students.

¹⁴⁰ Newfoundland and Labrador, Division on Student Support Services, (2003), *Programming for Individual Needs: Teaching Students with Autism Spectrum Disorders*. St. John's: Department of Education and Early Childhood Development, Chapter 7.

¹⁴¹ *Service Delivery Model for Students with Exceptionalities: Professional Learning Package*, pp.6-11.

Service Delivery Team is a group of people that every school is required to have who meet at least every two weeks to review and direct special education services in the school. The team should not be so large that it is ineffective as a problem-solving group.

Program Planning Team is a group that may be initiated for a student with one or more exceptionalities. Parent/guardian involvement is a critical component of the program planning process. As such, parents/guardians are part of the program planning team along with classroom/subject teachers. If the student is developmentally and emotionally ready, he or she should also be invited to participate as a member of the team.

** Community Resources

[Coalition of Persons with Disabilities](#)

COD-NL works with individual and representatives organizations to address policy and program issues around education, training, employment, labour market strategies, social and economic development, human rights, accessibility, accommodations, income support, and home support services.

[Newfoundland and Labrador Association for Community Living](#)

The Newfoundland and Labrador Association for Community Living works with and on behalf of individuals with an intellectual disability and their families.

[Programs funded through the Department of Health and Community Services](#)

A list of programs and funding options for people with disabilities in Newfoundland and Labrador.

[Department of Education and Early Childhood Development Exceptionalities](#)

In Newfoundland and Labrador a student can only access special education service if he or she has an exceptionality. Students with an exceptionality may access a range of school-based services depending on the degree of severity of the exceptionality. The link provides a list of the recognized exceptionalities, their criteria, and eligibility for services.

[Service Delivery Model for Students with Exceptionalities Professional Learning Package \(Fall 2011\)](#)

A professional learning package for teachers outlining various aspects of special education. It is valuable for parents to read too, because it shows how teachers are informed about special education.

[Teaching Students with Autism Spectrum Disorders](#)

This document discusses what Autism Spectrum Disorder is, and the common characteristics associated with it. It offers recommendations on teaching students with Autism Spectrum Disorder and how to plan for their education program to be as successful as possible. It is an ideal resource for all members of the collaborative education team for a student with Autism Spectrum Disorder. For example, it is helpful for parents to know how their child's education program could be modified and how to help transition their child between home and school.

[Division of Student Support Services, Teaching Students who are Blind or Visually Impaired \(February 2001\)](#)

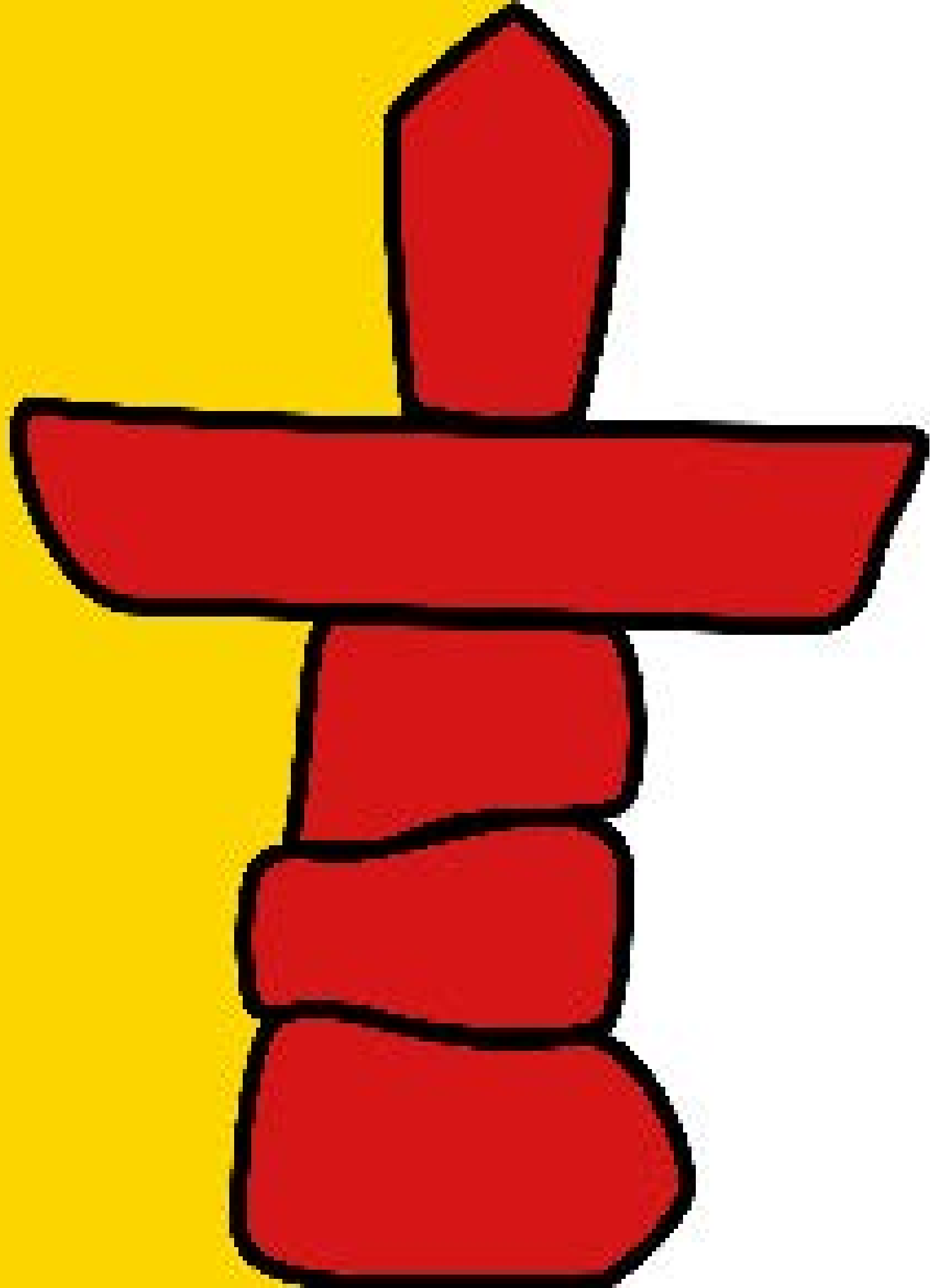
This document outlines support services planning, what the expanded curriculum is for a student who is blind or visually impaired, and the various roles of education personnel and their interaction with a student who is blind or visually impaired.

[Assistive Technology Guidelines](#)

This document outlines the eligibility, definitions, and different options available to students with disabilities who may benefit from the use of technology in their classroom.

[The Atlantic Provinces Special Education Authority](#)

APSEA is a cooperative agency between the provincial departments of education of New Brunswick, Nova Scotia, Newfoundland and Labrador, and Prince Edward Island. APSEA provides services to students who are deaf, hard of hearing, deafblind, blind, or visually impaired.



Nunavut

** Age

A student who is at least 5 years of age or less than 21 years of age on December 31st of that school year is entitled to attend school.¹⁴²

** Transportation

In making a policy on the transportation of students, an education body must consider the distance that a student must travel to attend school, any student safety concerns, the climate in the district, and the age and health of the student.¹⁴³

** Definition of Inclusive Education

The Inclusion and the *Inuit Qaujimaqatugangit* Education Framework for Nunavut Curriculum states the following as principles of inclusion.¹⁴⁴

- Welcoming all students into the school.
- Including all students in regular classroom settings.
- Helping students to set their own learning goals and assess progress toward achieving them.
- Recognizing and accepting the different rates and stages that characterize each student's learning.
- Expecting and supporting each student to learn to their full potential; and involving parents meaningfully in developing their children's learning path and learning goals and assessing success in achieving them

** Definition of Individual Student Support Plan (ISSP)

The *Education Act* states that a student who requires changes (or adjustments) or supports to meet the goals of their education program is entitled to those adjustments and supports. These adjustments and supports are allowed to a student if they are reasonable and practical. To determine what is reasonable and practical, comparisons will be made to the educational needs of other students, including others who require support and adjustments. Support and adjustments will be

¹⁴² Nunavut, (2008), *Education Act*. Iqaluit: Department of Education, Section 1. Retrieved from: <http://www.justice.gov.nu.ca/apps/authoring/dspPage.aspx?page=CURRENT+CONSOLIDATIONS+OF+ACTS+AND+REGULATIONS&letter=E>.

¹⁴³ Nunavut, (2008), *Education Act: Transportation of Students Regulations*. Iqaluit: Department of Education, Section 1.

¹⁴⁴ Nunavut, Curriculum and School Services Division, (2008), *Foundation for Inclusive Education Inuglugijaittuq in Nunavut Schools*, Iqaluit: Department of Education, pp.23.

given to students who are not challenged enough by the education program and students who face challenges in pursuing the education program.¹⁴⁵

**** Individual Student Support Plan Process**

Students, parents and teachers can expect the following of the ISSP process:

- Teachers and/or parents can make a request for adjustments and supports to be put into place in a student's education program.
- The adjustments and supports are determined through an assessment, and implemented through the ISSP.
- Parents are responsible for participating in the development and implementation of their child's ISSP.
- An ISSP should include the following:
 - The student's intellectual, communication, linguistic, social, emotional, physical, and behavioural learning needs and strengths.
 - A review of any previous work the school team has done with the student.
 - A consideration of the student's history.
 - A review of any assessments.
 - A plan for how to build on the student's strengths.
- Parents are also entitled to accept or reject an ISSP.
- If a parent decides to reject an ISSP, they must write this to the principal within 15 days after being advised by the school team about the plan; if a parent does not act within 15 days, the ISSP will be considered to have been accepted.
- The school team, teacher, and student can only use an ISSP after the student's parent has accepted it.
- If the principal thinks it is necessary while the rejected individual student support plan is being reviewed, they will advise that a plan be used during the resolution process.

¹⁴⁵ *Education Act*, Section 41.

- A student who is not an adult may be involved in the creation of their ISSP if the principal, school team, and parent decide that this is appropriate.
- If a principal believes that an alternative placement in the school (outside of the regular classroom) is the best fit for the student, the school team is then required to create an ISSO that includes the alternative placement.
- If a principal believes that an alternative placement in the community is necessary, the principal will refer the student's case to the Minister of Education, who will consider the principal's recommendation. If the school team and Minister of Education agree that specialized services or assessments are required, then the Minister will ensure these requirements are met.
- The District Education Authority is responsible for ensuring that the school team is implementing the ISSP and making recommendations and adjusting it if needed.
- The school team must notify in writing a parent or student (if old enough) in the following scenarios:
 - Creating an ISSP.
 - A decision not to develop an ISSP after one has been requested by a parent.
 - If the student will not be instructed in regular instructional settings.
 - If the school team decides that specialized services or assessments are required to meet the student's adjustments or supports needs.
 - If a request of services or assessments made by a parent or student (if they are an adult) is denied because the school team has decided that specialized services or assessments are not required to meet the student's needs.¹⁴⁶

**** Suspension Process**

The *Education Act* outlines the following reasons a student may be suspended and a suspension process:¹⁴⁷

¹⁴⁶ *Ibid*, Sections 43 through 49.

¹⁴⁷ *Ibid*, Sections 62 and 63.

- The principal or District Education Authority may suspend a student if the student is harmful physically or emotionally towards other students or school staff, if they create a situation that is deemed harmful to other students or school staff, or if the student's conduct under the Inuuqatigiitsiarniq policy is a reason for suspension by the principal.
- The principal's suspension of the student will not exceed five school days and will follow the Inuuqatigiitsiarniq policy. The student may return early if they meet the conditions that the principal sets.
- When a student is suspended, the principal inform both the parent and student in writing about the suspension.
- The District Education Authority may decide to suspend a student for a longer period of time than the principal for the same act. This may be decided with or without the recommendation of the principal, however, the suspension shall not exceed 20 school days in combination with the suspension given by the principal. Again, the student may return to school before the full time of the suspension if they meet certain conditions.
- Prior to deciding on the suspension, the District Education Authority will consult with the principal, the parent of the student, and the student (if the student is an adult). The District Education Authority will inform both the parent and student in writing about the suspension.
- A principal will ask the school team create a plan to help the student learn to change the behaviour that led to their being suspended. The principal will teach the student to reintegrate into the school community, make counselling services available, and create learning activities to prevent the student from falling behind in their academic development during their suspension.

Inuuqatigiitsiarniq Policy and Discipline Regulations¹⁴⁸ set out a progressive form of discipline that school staff are encouraged to use before suspending or expelling a student. Under an Inuuqatigiitsiarniq policy, the principal or District Education Authority would consider the following before making a decision about a student's suspension or expulsion:

- The student's past and current and behaviour.
- Previous ways the student has been disciplined (including suspensions) and any alternatives to suspension or expulsion that have been used before with the student.
- The strengths and needs of the student.
- The student's home life.

¹⁴⁸ *Ibid*, Sections 59 through 61.

- The student's individual student support plan, if one is in use.
- Input from the school team.

An Inuuqatigiitsiarniq policy requires that before a principal can reinstate a student from having a shorter suspension, they must consult with the parent, the student (if the student is an adult), and the chairperson of the District Education Authority. If an appeal is being made to the District Education Authority, the appeal committee must consider the Inuuqatigiitsiarniq policy.

**** Expulsion Process**

The *Education Act* outlines the following reasons for expulsion and an expulsion process:¹⁴⁹

- The District Education Authority can expel a student for the following reasons:
 - If their behaviour injures other students or school staff, both physically or emotionally;
 - If the student creates a situation that could be harmful to other students or school staff; or
 - If their behaviour under the Inuuqatigiitsiarniq policy are reasons for expulsion.
- Before it decides to expel a student, the District Education Authority will consult with the principal, parent, and the student, if appropriate.
- If a student is expelled, written notice will be given to both the student and the parent.
- A student cannot register with a new school during a period of expulsion unless the District Education Authority of the new school approves the registration after consulting with the District Education Authority for the student's previous school.
- A principal will ask the school team create a plan to help the student learn to change the behaviour that led to their being expelled. The principal will teach the student to reintegrate into the school community, make counselling services available, and create learning activities to prevent the student from falling behind in their academic development during the expulsion.
- The District Education Authority, the principal and the school team must act under the principles of Inuit Qaujimajatuqangit, particularly the principles of Inuuqatigiitsiarniq, Tunnganarniq and Piliriqatigiinni.

¹⁴⁹ *Ibid*, Section 65.

**** Parents' Rights**

Parents have the following rights and responsibilities:¹⁵⁰

- A parent of a student has the right to be consulted on decisions that affect their child's education, health, or safety in the school, encourage their child to learn, make sure their child goes to school ready to learn, communicate and support the teacher and school staff with respect to their child, follow the Inuuqatigiitsiarniq policy of the District Education Authority, and support their child in their learning about Inuit Qaujimajatuqangit;
- Parents also have the right and responsibility to observe their child during their class time if the principal determines it is in the best interest of the student, teacher, principal, parent, and other students.

**** Alternative to High School Diploma**

Nunavut does not award a "Certificate of Completion" as an alternative to a high school diploma like some other jurisdictions do. The only alternate to the Nunavut Secondary School Diploma (commonly known as the Grade 12 Diploma) is the Pathway to Adult Secondary School (PASS) program. PASS is specially designed for adult students over the age of 19 who only need a few credits to complete their high school program requirements.

The Inuit Qaujimajatuqangit Education Framework¹⁵¹ recognizes that many students are not currently benefiting from secondary school programs. For more graduates, greater entry into post-secondary institutions, and more employment alternatives open to graduates, the school system must restructure secondary schools to offer a number of graduation paths that build upon the strengths, needs, and interests of students and their communities. These paths will provide links and supports for continuous learning with post-secondary opportunities.

**** Transition Planning**

Transition planning for students with special needs considers all major aspects of the individual student's life and supports the plan with appropriate educational programming and resources. Students who are classified as "Tumit 5" are likely to require assistance with daily living skills into and throughout adulthood. They are identified in Nunavut's Special Education policy as requiring transition planning and collaborative support from outside agencies and support systems.¹⁵²

¹⁵⁰ *Ibid*, Section 55.

¹⁵¹ Nunavut, Curriculum and School Services Division, (2007), *Inuit Qaujimajatuqangit Education Framework*, Iqaluit: Department of Education, pp.58.

¹⁵² Nunavut, Curriculum and School Services Division, (2008), *Foundation for Inclusive Education Inuglugijaittuq in Nunavut Schools*, Iqaluit: Department of Education, pp.40.

** Glossary

Nunavut's Department of Education defines a number of special education terms, as follows:¹⁵³

Accommodations are part the regular education program. Teachers are responsible for making the appropriate accommodations to programs in order to meet the individual needs of the students in their classroom. In some cases, these accommodations relate to differing learning styles and multiple intelligences. In some cases, a student may require accommodations that omit, change, or add learning objectives, which are beyond what is expected, but which do not change the overall intent of the curriculum. In other cases, the student will require delivery of curriculum materials or student materials in an alternate format, such as Braille, computer-assisted, large print, tape-recorded, or sign language.

Inuit Qaujimajatuqangit is a philosophy that encompasses all aspects of traditional Inuit culture, including values, world-view, language, social organization, knowledge, life skills, perceptions and expectations. Inuit Qaujimajatuqangit is the foundation for the restructuring of the Nunavut education system.

Inuuqatigiitsiarniq means respecting others, relationships, and caring for people.

Modifications are changes to the curriculum, instructional strategies, and/or evaluation procedures designed to suit a particular child. Modifications must not change the overall intent and the objectives of the course. Notes on modifications made should outline what outcomes have been retained, and what outcomes have been changed, deleted, or added.

School Community Counsellor is a position staffed by community members who receive training through a certified Nunavut Arctic College program. These counsellors liaise between school and the community, meeting with parents to explain the importance of school. They also provide support to students who require interventions related to behaviour, grief, trauma, or anger management.

** Community Resources

[On Thin Ice](#)

A project whose objective is to protect lives and improve the security, well-being, and inclusion of persons with disabilities (physical, cognitive, and sensory) and other vulnerable populations in the Arctic.

[Nunavummi Disabilities Makinnasauqtiit Society](#)

An organization whose vision is for all people with disabilities living in Nunavut to achieve independence, self-determination, and full-citizenship in their communities

[Foundation for Inclusive Education Inuglugijaittuq in Nunavut Schools](#)

This document is designed for teachers, but would be helpful for parents to read to better understand teachers' expectations in the classroom. It includes traditional Inuit laws, principles and values and how these affect inclusion philosophy. It also includes a glossary section of terms in Inuktitut.

¹⁵³ *Ibid*, pp. 51-52.



Northwest Territories

** Age

A person is entitled access to the education program person if they are older than 5 years of age and younger than 21 years of age on December 31 of the academic year.¹⁵⁴

** Transportation

The Minister's Directive on Inclusive Education Section 2.7 (Physical Access) states that all students should have physical access to the school and education program, and that the education system is required to provide specialized transportation (if necessary) and apply to the Department of Education, Culture and Employment for funding to modify existing facilities in order to make them accessible to all students.¹⁵⁵

** Definition of Inclusive Schooling

Every student is entitled to have access to the education program in a regular instructional setting in a public school or public denominational school in the community in which they reside.¹⁵⁶

** Definition of Individual Education Plan (IEP)

The IEP is a comprehensive, written individual education plan determined through a collaborative process. The plan is driven by the strengths and needs of the student and includes annual student outcomes. It may or may not include learning outcomes articulated in NWT curricula.¹⁵⁷

** Individual Education Plan Process

The *Education Act* outlines the following, which students, parents, and teachers can expect of the IEP process:¹⁵⁸

- Parents shall be involved in the creation, modification, and evaluation of the IEP.
- Parents must always approve the IEP before it is implemented.

¹⁵⁴ Northwest Territories, (1996), *Education Act*, Yellowknife: Department of Education, Culture and Employment, Section 5.

¹⁵⁵ Northwest Territories, (March 2006), *Ministerial Directive on Inclusive Schooling*, Yellowknife: Department of Education, Culture and Employment, pp.16.

¹⁵⁶ *Ibid*, pp.7.

¹⁵⁷ Northwest Territories, (2006), *Individual Education Plans: Guidelines for Development*, Yellowknife: Department of Education, Culture and Employment, pp.5.

¹⁵⁸ Northwest Territories, (1996), *Education Act*, Yellowknife: Department of Education, Culture and Employment, Section 9.

- The parent, with the principal, will decide when and if the student shall participate in the creation of their IEP.
- To the best of their ability, parents will advocate on their child's likes, dislikes, interests, skills, and what their goals are in order for these key pieces of information to be included in the IEP.
- If a parent does not agree with the principal about the IEP, they may submit a written disagreement under Section 39 of the *Education Act*, at which point the principal will attempt to resolve the disagreement. If they are unable to do so, the principal shall notify the parent (or student if they are old enough) of their right to proceed under Section 40 to have the disagreement resolved by the District Education Authority and Appeal.

**** Suspension Process**

The *Education Act* outlines the following reasons a student may be suspended and a suspension process:¹⁵⁹

- A student may be suspended for the following reasons:
 - Regular disregard of fulfilling their student responsibilities.
 - Regular opposition to authority.
 - Damage to school property.
 - Drug and alcohol use on school property.
 - If the student acts in a way that interferes with the work of school staff or other students, physically and/or psychologically harms another student or school staff, and creates a situation in which serious harm can affect other students or school staff.
- A principal shall not suspend a student for more than 20 consecutive school days.
- If a principal suspends a student for more than five consecutive days, the principal must impose conditions on the suspension. If the student fulfills these conditions prior to the five-day mark, the principal may allow the student to return to the school early. The principal will also assign a member of staff to contact and assist the student in meeting their conditional goals to return to school.

¹⁵⁹ *Ibid*, Section 35.

- When a principal suspends a student they must notify in writing the student, the student's parent, the student's teachers, the District Education Authority, the school counsellor, and the superintendent the reasons for the suspension.
- The principal must also notify the student and their parent in writing of their right to file a written disagreement to appeal the suspension.
- If a student is suspended more than once during the academic year, the District Education Authority shall ensure that the student and their parent are supported and informed of services available in the community to assist the student.

The *Education Act* outlines the resolution and appeal process of decisions affecting students:¹⁶⁰

- A student or parent may, within a reasonable time from the date of the notice of the principal, notify the District Education Authority in writing that they disagree with the decision.
- The District Education Authority will attempt to resolve the disagreement with the parent and student. If it is unable to do so then they will be informed in writing that they can appeal the decision to the appeal committee.
- The chair of the appeal committee may deny the appeal (when it relates to expulsion) if the chair feels that there are insufficient grounds. If the chair denies the appeal, they must notify the parent and student in writing of the decision, which is final.
- If the chair of the appeal committee decides to hear the appeal, they will make a decision as soon as possible, and make this decision available to the parent and student in writing. The decision is final.
- In the case of an expulsion, the parent or student may appeal to the Minister of Education. The Minister will investigate, review, and make a decision that is final, and submit in writing to the parent, student, and District Education Authority this decision.

**** Expulsion Process**

The District Education Authority may expel a student for the reasons outlined in the suspension process under the following circumstances:¹⁶¹

- The principal and superintendent recommend that the student be expelled.

¹⁶⁰ *Ibid*, Sections 40 through 42.

¹⁶¹ *Ibid*, Section 36.

- If the District Education Authority notifies the parent in writing about the following:
 - The principal's and superintendent's recommendation of the expulsion;
 - The parent and student's right to appear at a hearing of the District Education Authority; and
 - The right of the student and parent to appeal the expulsion to the District Education Authority (under Section 41 of the *Education Act*) and to the Minister of Education (under Section 43 of the *Education Act*).
- The student's teacher(s) have been informed of the decision.
- A hearing has taken place with the District Education Authority; this hearing may result in a re-admittance of the child to their school.

** Parents' Rights

Parents have the following rights and responsibilities:¹⁶²

- Parents have the right to be informed of their child's progress, behaviour, and attendance, and should be consulted on decisions that affect their child's health, safety, and education.
- Parents may ask to meet with the teacher or principal of their child at any time to discuss their child's education program—this includes in class observation (unless the principal determines that observing the class would not be in the best interests of the parent, teacher or student).
- Parents are responsible for sending their child to school ready to learn and participate in a positive way and to co-operate with education staff.

** Alternative to High School Diploma

According to the [Northwest Territories Student Handbook](#), a senior secondary student with an IEP may be described by one of three possible scenarios:¹⁶³

1. The student is working towards an NWT Graduation Diploma by taking regular courses and earning regular credits. (For example, a student who is blind or who has a physical disability.)

¹⁶² *Ibid*, Sections 25 through 27.

¹⁶³ Northwest Territories, (June 2013), *Northwest Territories School Handbook*, Yellowknife: Department of Education, Culture, and Employment, Section 3.

2. The student is working towards learning outcomes (identified in the template as annual student outcomes) that are unique to them and not reflective of any NWT courses. Credits earned by meeting these outcomes count towards a school leaving certificate. (For example, a student with multiple handicaps, including a significant cognitive delay.)
3. Some combination of 1 and 2—the student is taking some regular courses and earning “regular credits” but is also working on some individualized annual student outcomes and earning “IEP credits.”

IEP credits can be earned in any subject area. The IEP team will determine the credits to be granted for the achievement of IEP learning outcomes and will record these credits.¹⁶⁴

**** Transition Planning**

The Individual Education Plan Guidelines for Elementary Students state that transition planning should be incorporated into a student’s IEP.¹⁶⁵ Transition plans should be placed at the beginning of an activity as part of the student’s growing “tool box.” The plan should include the following:¹⁶⁶

- Meetings between current and new teachers and support staff.
- Student and parent visits to new class/school.
- Recommending effective strategies and supports for the student’s new environment.

Planning for the transition from school to community life should begin in Grade 9. The following should be considered:¹⁶⁷

- The student’s goals and needs.
- Various options available (determine preferences of the student).
- In-person visits to see the available options.
- Completing various applications if required.
- Establishing goals for the student in their new environment.
- Understanding supports and services required in the new environment.

¹⁶⁴ *Ibid.*

¹⁶⁵ Northwest Territories, (2006), *Individual Education Plans: Guidelines for Development*, Yellowknife: Department of Education, Culture and Employment.

¹⁶⁶ *Ibid*, pp.54.

¹⁶⁷ *Ibid*, pp.127.

** Glossary

Northwest Territories Department of Education defines a number of special education terms, as follows:¹⁶⁸

Accommodations/Adaptations are changes made to the teaching process, learning environment, materials, time demands, assistance, evaluation, or products to help students achieve the expected learning outcomes.

Annual Student Outcome is a concise description of the knowledge and skills that students with IEPs are expected to learn by the end of the school year (or semester). Annual student outcomes are written to address a student's individual challenges across a potentially wide range of areas of development and target skills. Once the IEP team agrees on priorities for areas of development and target skills, an annual student outcome is developed for each target skill.

Assessment is a systematic process of gathering and interpreting information about what a student knows, is able to do, and is learning to do.

Career and Program Plan (CPP) is a working document that helps students focus on and articulate their career goals and in turn choose secondary school courses that will enable them to meet those goals. The CPP carries one mandatory credit towards senior secondary graduation and is revisited/ revised annually. All students must develop a CPP before Grade 10.

Current Level of Performance (CLP) describes what the student knows or can do in relation to a specific target skill. This description should be such that the student's performance can easily be visualized by the reader. The CLP forms the baseline against which progress towards the annual student outcome is measured.

Differentiated Instruction is an approach to teaching that proactively acknowledges student differences and diversity in the classroom. The teacher uses student readiness, interests, and learning style to differentiate the content, the process by which students will acquire the content, and the products by which students will demonstrate what they know/are able to do.

Evaluation is the process of making judgments and decisions based on the interpretation of evidence gathered through assessment for the purposes of setting goals and reporting.

Functional Behaviour Assessment is a systematic process for understanding severe, chronic, and/or complex problem behaviours by identifying the function that the behaviour serves from the student's point of view. Typical functions are to escape something (e.g. work, peer attention, adult attention) or to get something (e.g. peer attention, adult attention.) An FBA always takes place through observation in the natural context/setting where the problem behaviours occur. By understanding the function of the behaviour, a Behaviour Support Plan (BSP) can be developed.

Learning Outcomes are descriptions of the knowledge and skills that students are expected to have at the completion of a grade or of a course. For students following regular and modified education programs, the learning outcomes are stated in NWT curricula. For students on an individual education program, the learning outcomes are the annual student outcomes described in their IEPs.

¹⁶⁸ *Ibid*, pp.233-241.

Modified Education Programs retain the learning outcomes articulated in NWT curricula at a level other than the assigned grade level. A collaborative process based on student strengths, needs, and interests is used to determine and record any necessary program changes in a Student Support Plan.

Person-centered Plan/Planning encompasses a variety of approaches used to create a vision of the future for an individual. The plan is developed with all the people who are actively involved in a person's life. Typically a broad focus that includes the personal preferences and strengths of the person, and not just the problems and difficulties, is used. Person-centered planning offers a broad context for and the cornerstone on which to build behaviour support plans or individual education plans.

Planning Alternative Tomorrows with Hope (PATH) is an example of a person-centered planning process based on a commitment by a group of individuals to form a network of support to assist an individual in identifying and working towards a desired future.

Supports are services or devices provided in or to the school for individual or small groups of students. Supports are services above and beyond those provided to all students as part of the regular school program. The purpose of providing one or more supports to a student is to enhance development or assist that student to overcome barriers to learning. A variety of supports may be considered/tried to help students overcome difficulties, such as personal assistance, extra assistance with classwork or homework, counselling, behaviour interventions, specialized rehabilitation and medical services, and special equipment.

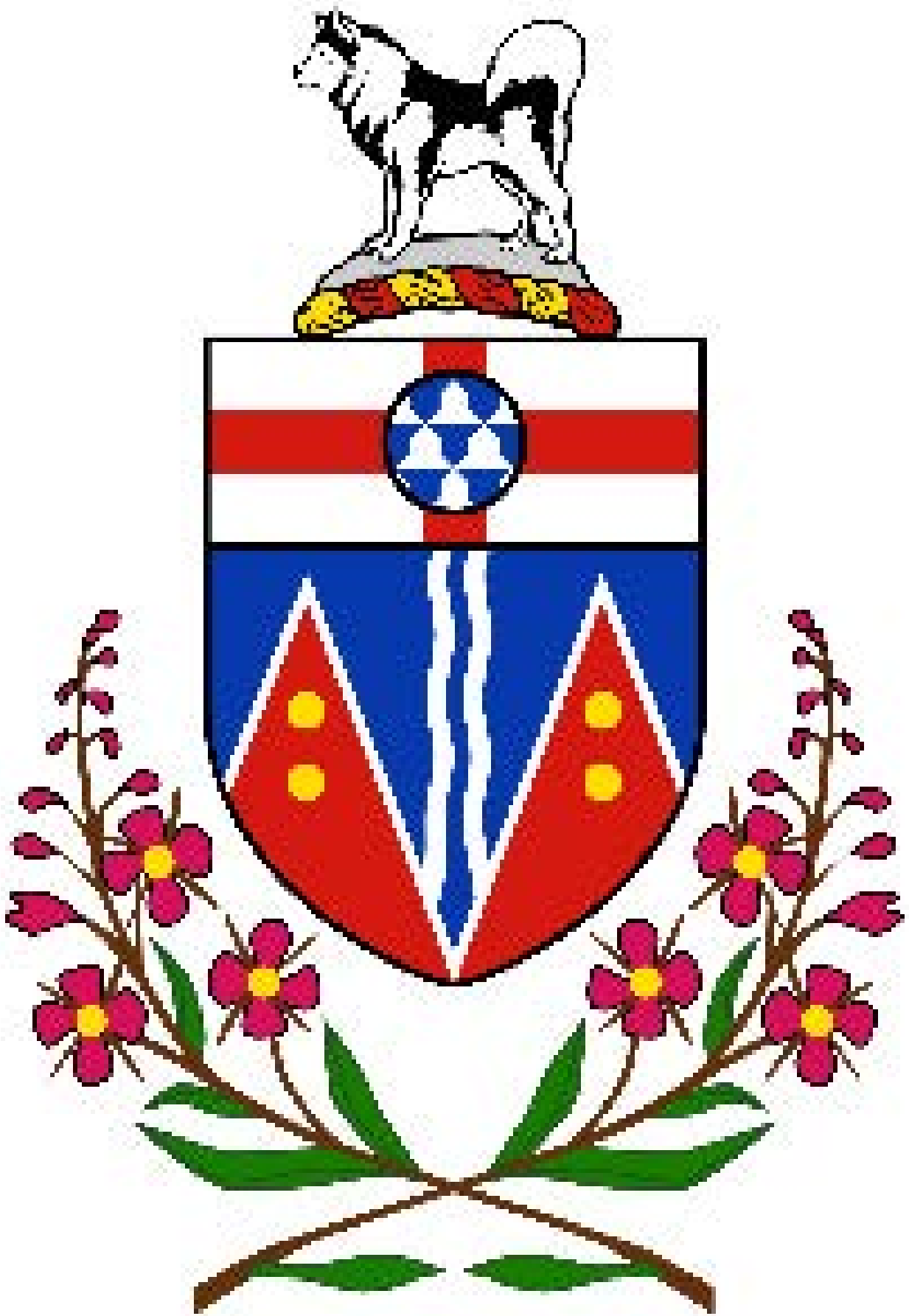
** Community Resources

[Yellowknife Association for Community Living](#)

A list of contacts at organizations and government departments related to disability. For example the Northwest Territories Human Rights Commission is listed here.

[Parent and School Partnerships Marking it Work: A Resource for Parents of Children with Developmental Disabilities \(2008\)](#)

This aim of this handbook is to help parents work within the school system and support their child's opportunities to learn and to be included as a valued member of the school community.



Yukon

** Age

A student can attend school if on September 1 they are 5 years and 8 months of age or older, and younger than 21 years of age.¹⁶⁹

** Transportation

Section 47 of the *Education Act* states the following.¹⁷⁰

- If the student's home is less than 3.2 kilometers from the nearest passable road then the Minister will provide transportation from the student's home to and from the school (only if the student's circumstances meet the requirements).
- Parents may apply for a subsidy to offset the cost of driving to school environment.¹⁷¹

** Definition of Inclusive Education

Inclusive education provides the student with the least restrictive and most enabling environment for meeting their learning needs while enabling meaningful participation with other students. Inclusion of all students in regular classrooms is the goal of Yukon Education. All students are entitled to equitable access to learning. Inclusion requires collaborative planning by an educational team with parents as active participants. This means that the student's strengths and challenges are central to all decisions. To succeed, some students may require adaptations in methodology, materials, or assessment techniques; modifications or enhancements to programs; or interventions to assist skill development. This is a student-centered approach to teaching and learning.

Core values and beliefs as practiced in Yukon schools include the following:

- All students can learn.
- Students learn in different ways, at different rates and in different places.
- Students come from diverse backgrounds and want their differences to be respected.
- Students have the right to appropriate educational programming and required supports.
- Parental involvement is essential.

¹⁶⁹ Yukon, (2002), *Education Act*, Whitehorse: Department of Education, Section 10. Retrieved from: http://www.gov.yk.ca/legislation/acts/education_c.pdf

¹⁷⁰ *Ibid*, Section 47.

¹⁷¹ Yukon, (2015), *Transportation to School*, Department of Education. Retrieved from: http://www.education.gov.yk.ca/employers/school_transportation.html

Inclusive schools encourage independence by providing opportunities that promote personal empowerment and self-determination.¹⁷²

**** Definition of Individual Education Plan (IEP)**

The Individualized Education Plan (IEP) is a document that outlines the educational program for a student as determined by a school-based team. The IEP contains a description of the student's present level of functioning; long-term or annual goals; short-term goals or specific behavioural objectives; special resources required; suggested instructional materials, methods, and strategies; IEP review dates; persons responsible for the implementation of the IEP, including parents; and parents' written, informed consent for implementation of the IEP.¹⁷³

**** Individual Education Plan Process**

The *Education Act* outlines the following as the Individual Education Plan Process:¹⁷⁴

- The student will be referred by the Department of Education to determine the assessment of the student's needs.
- The parent of the student will receive written information about the IEP process.
- Written informed consent will be obtained by the student's parent for the psychological or other specialized tests.
- If necessary, the assessment will be multidisciplinary.
- The results of the assessment will be explained to the parents and they will also receive a copy of the assessment report.
- The parent, and if appropriate the student, will be consulted at all stages of the development of the Individual Education Plan.
- Parents will also be provided with information about the right to appeal to the Education Appeal Tribunal.

*** Suspension Process**

The *Education Act* outlines the following reasons a student may be dismissed or suspended and a suspension process:¹⁷⁵

- School rules call for students to respect the rights of others, attend school, arrive on time, participate in learning activities assigned by the teacher, return school books on loan back to the teacher, and not damage school property. A principal may dismiss a student for a period not exceeding two days for failing to follow school rules.

¹⁷² Yukon, Student Support Services, (June 2013), *Parent Handbook*, Whitehorse: Department of Education, pp.9.

¹⁷³ *Education Act*, Section 1.

¹⁷⁴ *Ibid*, Section 16.2.

¹⁷⁵ *Ibid*, Sections 40 through 41.

- The principal must contact the student's parents to review the circumstances around the dismissal, and determine appropriate consequences. If there is no resolution within two school days of the initial dismissal, the principal must decide to either suspend the student or allow the student to return.
- The principal may not suspend a student for a period greater than 10 days for the reasons outlined above. The principal may recommend to the school board, council, or superintendent that a student be suspended for more than 10 school days. At this time the principal must submit this recommendation in writing to the student's parents and the school board, council, or superintendent.
- The student and their parent have the right to appear in front of the school board, council, or superintendent if the suspension is recommended to last for more than 10 school days.
- The school board, council, or superintendent can either welcome back the student or modify the suspension. Until the school board, council, or superintendent reach a decision, the student will remain suspended.
- Parents have the right to appeal a decision of the school board, council, or superintendent to the Education Appeal Tribunal (see below) within 14 days of receiving the decision. The school board, council or superintendent must inform the parent and student of their right to appeal the decision.

**** Expulsion Process**

There is no section on expulsion in the *Education Act*.

**** Appeals Process**

Special needs appeals are possible when there are differences of opinion regarding the following:¹⁷⁶

- Identification of the student.
- The established Individual Education Plan (IEP) for a student.
- If the IEP implies that a student would be in an environment that is not a regular classroom.
- If the IEP will not be implemented at the school where the student would regularly attend.
- If costs have been assigned, including non-educational costs, to meet the requirements of the IEP.

¹⁷⁶ *Ibid*, Section 17.

The parent, student (if appropriate), school board, council, or deputy minister may appeal a decision to the Education Appeal Tribunal within 14 days of a decision. The Education Appeal Tribunal is a statutory that functions as a board independently of the government. It can deal with appeals arising from departmental, school or school council decisions. This includes decisions such as those affecting special needs students, suspensions, student records and locally developed courses of study.

Powers of the tribunal include the following:¹⁷⁷

- Agree with or change a decision that is being appealed.
- Identify that a student requires special education programs.
- Ask a school board or deputy minister to begin the creation of an Individual Education Plan in an environment that might be a “regular class.”
- Ask a school board or deputy minister to begin enrollment of a student in a different school (which the Education Appeal Tribunal will recommend).
- Divide and allocate money for services to fulfill the needs outlined in a student’s Individual Education Plan to a school board, the Department of Education, or another government Department of Yukon.
- Make a decision considering Section 16 (Special education).
- Define a student record when Section 20 (Student records) is being appealed.
- Welcome back a student who was on an open-ended suspension by a school board, council, or superintendent.
- Approve a proposal for a course to delivered locally if the appeal is consistent with subsection 43 (Locally developed course of study).

**** Parents’ Rights**

Parents have the following rights and responsibilities:¹⁷⁸

- Advocate and appeal on their child’s behalf, be informed of their child’s progress, attendance, and behaviour, observe their child’s instruction (with notice to the principal), to consult in the creation of their child’s specialized education programs;
- Parents may choose home schooling, private or public schooling for their child;

¹⁷⁷ *Ibid*, Section 161; and Yukon, (2009), Policy 1009: *Education Appeal Tribunal Procedures and Operations*, Whitehorse: Department of Education.

¹⁷⁸ *Education Act*, Section 18 through 20.

- Parents may examine their child's student record;

Additionally Section 15 of the *Education Act* outlines Special Education. Some of the highlights from this section include:

- Students who have intellectual, communication, behaviour, physical or multiple exceptionalities are entitled to a program outlined by an IEP;
- The following procedures shall be followed to determine if a child has a disability and therefore requires an IEP;
- Parents shall receive written information about the assessment process of their child;
- Parents must provide written informed consent for their child to receive specialized testing;
- The results of the assessments will be provided and explained to the parent;
- The parent and if appropriate the student shall be included in the creation of the IEP;
- Parents shall also be provided the information on the possibility of an appeal to the Education Appeal Tribunal and how this is conducted.

**** Alternative to High School Diploma**

[Student Learning Plans and Individual Education Plans at the Secondary Level](#)

When students with special educational needs move from elementary to secondary school, additional factors must be considered and the Student Learning Plan and the Individual Education Plan processes adjusted. There are three possible school-leaving scenarios for a secondary student:

1. A student is taking regular courses towards Grade 12 graduation.
2. A School Leaving Certificate with unique learning outcomes.
3. A student is taking some regular courses and also working on some individualized outcomes to receive a School Leaving Certificate. The student may continue to work on Graduation requirements beyond Grade 12.

At the secondary level, there is flexibility in the range of courses available to meet students' diverse needs. Close examination of all the course offerings should be the first step when scheduling courses consistent with the program plan for a student.

Secondary school students are the primary contributor to the Student Learning Plan or Individual Education Plan process. The student may, where possible, do the following:¹⁷⁹

- Identify their values, preferences, and strengths through self-evaluation.
- Help to set goals and outcomes.
- Be informed of course offerings at their school.
- Participate in a discussion of strategies and behaviours that enhance their learning.
- Strive with assistance to achieve identified objectives.
- Ongoing and progressive involvement is also essential in creating the groundwork for self-advocacy skills. Students with well-developed self-advocacy skills have increased confidence, independence and a greater sense of control over their education.

** Transition Planning

Transitions require careful planning. An IEP meeting is the best place to discuss ways to ease and plan for transitions with the student and school staff. If the transition is from one school to another, staff from both schools should be involved.

When planning for what happens when school is done, it's important to identify what specific skills will help the student succeed in their transition from school to community life. Successful transitions depend on:

- Early and systematic planning.
- Identifying hopes and dreams.
- Using appropriate strategies to help a child move from one stage to the next.
- Accessing resources in the community.¹⁸⁰

** Glossary

Yukon's Department of Education defines a number of special education terms, as follows:¹⁸¹

Adaptation means changing the teaching process, the types of materials, and/or the assignments or products a student may produce. The student is still required to meet the prescribed learning outcomes of the curriculum. When a student is capable of meeting the learning goals or outcomes

¹⁷⁹ Yukon, Student Support Services, (January 2015), *Student Support Services Manual*, Whitehorse: Department of Education, pp. 30.

¹⁸⁰ Yukon, Student Support Services, (January 2015), *Parent Handbook*, Whitehorse: Department of Education, pp.36-37.

¹⁸¹ *Ibid*, pp.24, and 40-41.

of the Yukon curriculum but needs a different type of instruction or assessment or physical accommodation, adaptations may be used.

Differentiated Instruction is a way of teaching that acknowledges and responds to the differences among students. Teachers use a wide range of teaching methods to support student learning and to help each student be as successful as possible.

Exceptional or Special Educational Needs are identified during assessment. These needs are the basis for an appropriate educational program that is documented and outlined in an Individual Educational Plan (IEP), as determined by school administration in consultation with professional staff (School Based Team and Student Support Services consultants), parents, and students (if appropriate).

Identification of students who may have special educational needs is a continuous process that determines the educational programming, services, and related supports for that student to be successful.

Integration is one of the major strategies used to achieve inclusion. Integration means students learn with their peers and are provided with the necessary accommodations and adaptations and/or modifications to be successful. The adaptations and/or modifications are determined on an individual basis. The principle of “placement in the most enabling learning environment” applies to the extent to which an individual student is placed in a regular classroom or assigned to an alternate placement.

Modification means that the content of the curriculum outcomes are changed to meet a student’s learning needs. Students who have significant learning difficulties such that they cannot meet curriculum prescribed learning outcomes may need modifications. It is important that a student’s team discuss why and how the modifications are being made. Parents need to be informed and involved in the discussion.

** Community Resources

[Education Appeal Tribunal Procedures and Operations](#)

The Education Appeal Tribunal is a quasi-judicial body established by the \neq to hear appeals on issues related to decisions made by the department, school councils or schools.

[Student Transfer Process](#)

Applications are dealt with on a case-by-case basis where space and program supports are available to meet the student’s needs. Applications must be submitted by April 1st for a transfer to accommodate in the upcoming school year.

[Family Supports for Children with Disabilities](#)

A coordinated access point for services, supports (financial) and interventions for families who have children with disabilities. Located in Whitehorse.

[Student Support Services, Parent Handbook \(2015\)](#)

An excellent source of information to help parents navigate the school system.

Appendix A: Your Child and the Education System

Ensuring that your child receives the best education possible is one of the greatest challenges you face as a parent. The Learning Disabilities Association of Canada has created a series of articles to help individuals with disabilities, or someone acting on their behalf, to understand their legal rights and have the means necessary to gain access to those rights. These articles are an excellent resource for anyone working with the education system to accommodate their child's special needs. We have taken excerpts from a number of them to highlight some of the key points and give an overview of the information available.

Right to Reasonable Accommodation for a Disability

Schools and other educational authorities have a legal obligation to provide "reasonable accommodation" for a student's disability, as required by the personal circumstances of each student who has a learning disability.

"Accommodation" is the adjustment of a rule, practice, condition or requirement to take into account the specific needs of an individual or group. To some degree it involves treating individuals differently. Different treatment to adjust for a disability is legally required if the accommodation is needed to ensure that the person has the opportunity to participate fully and equally.

In the employment, educational and other fields, accommodations help to give capable people who do not fit a particular "norm" a fair chance to succeed personally and professionally, and contribute within their peer group and to society. Accommodations are intended to prevent a disability from becoming a determining factor in the assessment of a person's knowledge and skills. Although educators and employers need to offer accommodations based on systematic application of policies and good practices, each person who has a disability usually requires individualized accommodation. The severity of a disability varies among individuals and each person responds to and succeeds differently with a disability. Every situation is unique and must be assessed individually.

The duty to accommodate is written into, for example, the Canadian Human Rights Act and is commonly included in the human rights statutes of provinces and territories. This legal duty applies to work, education and access to public services and other areas and activities.

Reasonable Accommodations in an Education Setting

Efforts to accommodate are required up to the point where the person or organization attempting to provide accommodation would suffer "undue hardship" by doing so. The person needing accommodation (and/or a family or advocate assisting that person) also bears some responsibility. The individual's disability and need for accommodation should be brought to the attention of appropriate personnel in a manner and time span that permits the accommodator (e.g. teacher, school, school board) a reasonable opportunity in terms of knowledge and timeliness to comply with its obligation to provide accommodations.

Accommodation is not merely a courtesy—it is required by law. A student who has been denied accommodation can file a complaint under a human rights statute. The commission or agency handling the complaint may determine that the failure of, for example, the educational institution to provide accommodation appears to be discrimination on the basis of disability.

General Tips on Parent Advocacy

When we use the term “advocacy,” we are referring both to the ability to persuade other people to accept your point of view, and to the skills and approaches you need when you do research and preparation to support the argument you are presenting or “advocating.”

Parents can and should:

- lobby for adequate resources and staff qualifications
- support sympathetic staff
- be a team leader
- notice what’s being done right
- be firm but optimistic
- recognize professional knowledge
- maintain a provincial/territorial presence
- ask for recognition of, and information on, the big picture/context
- resist quick fixes
- do not overburden your child
- expect change, but not miracles
- demand a few focused goals rather than a dispersed “overhaul”
- don’t wait, but don’t panic
- ensure everyone’s role is clear, and that someone acts as case manager/team leader
- ask for regular evaluation of growth in retrospect to the year’s goal
- be realistic and reasonable in your quest for growth.

A. Get to Know the Legal and Situational Territory

Be knowledgeable about your provincial/territorial special education criteria, policies, funding formula and local district/board regulations.

B. Keep Accurate Records

Maintain good records of relevant events, conversations, correspondence and other communications. Such documentation should include letters, faxes, memos, e-mail messages, any notes taken during or after phone calls, and any other related information you have acquired. It is essential that parents keep detailed and accurate records of everything relevant that is related to their child and to the efforts undertaken to overcome hurdles.

B1. Opening and Preserving a “Paper Trail”

Letters

Printed, faxed and electronic letters (e-mail messages and attachments) serve several purposes.

They are useful to:

- contact people who are “not available” in person or by phone
- record and confirm important information received orally, in meetings or through phone calls
- record and confirm important “understandings” and promises
- record and confirm timelines and deadlines

Keep a Contact Log or Journal

Get in the habit of developing a written record of relevant phone calls, meetings or other oral conversations. After any phone call, make a short note. In your more detailed notes written afterwards, be sure to include the time and date of the conversation, the names (and titles) of participating persons, and a short outline of the discussion.

Your log is a memory aid and will help you remember what happened and why. Again, your contact log should try to provide answers to “Who, What, Why, When, Where, How” and “Explain” notes.

Taking notes at meetings gives an accurate account of the issues discussed. Take notes whenever there is a discussion of your child. This includes meetings with teachers, doctors and other professionals. The note should include the date and place of the meeting as well as the names of everyone present and the main issues discussed.

When appropriate, use the written information as the basis for follow-up letters to confirm meetings, calls, decisions, key facts, promises made, and so on.

Always ask for and note the name and contact data of anyone you may need to communicate with later on. This advice applies especially to anyone who promises (or refuses) to take a step on your behalf or on behalf of someone you are helping.

If you have a dispute with the school, your contact log is independent evidence that supports your memory. It is a diary. You may have to tell your child’s story to another person in order to get help. Assume that school personnel and their attorney will read your contact log.

Making Copies Is Simple and Essential

Always make and keep copies of letters, other documents and electronic messages that you send, receive or share with others.

B2. Keeping Records

Here is a list of the different documents that you'll see over the course of your child's special education. You should keep them all.

1. Individualized Education Plan and other official services plan
2. Evaluations by the school system and by independent evaluators
3. Medical Records
4. Progress reports and report cards
5. Standardized tests results
6. Notes on your child's behaviour or progress
7. Correspondence
8. Notes from meetings; conversations with school personnel, evaluators, and teachers.
9. Documents relating to discipline or behaviour concerns
10. Formal notices of meetings scheduled to discuss the child
11. Samples of school work
12. Calendar

C. Making Your Way Through The System

C1. Pursuing Appropriate Paths of Communication for Advocacy

Usually, the most diplomatic way to achieve results is to go through established lines of communication, up the ladder of an organizational hierarchy. In the school system, if you decide to step beyond the teacher toward the principal and the superintendent, it is important not to miss any level in the hierarchy, as people in higher positions expect that the established pecking order will be followed. They are likely to feel angry if they are not given the opportunity for input. It is also important to remember that those involved at each level have a stake in the matter. By acknowledging each person's genuine interest and concern, you can help prevent the possibility of hostility from someone feeling devalued or unappreciated.

C2. Maintaining Communication

Once you have mastered the form and direction of communications, concentrate on maintaining a

favourable communication environment. When dealing with other people, it is important to keep an open mind and to listen to their comments and views.

The way any message is communicated can have a direct impact on the results achieved. Saying: "We seem to have a problem; what do you think we can do about it?" gets the other person involved by asking for their input and suggestions, and encourages that person to help find solutions to the problem.

All too often we let professionals give us their opinions without questioning them or asking for further evidence or alternative suggestions. Advocates should not be shy about posing specific initial questions and follow-up questions.

Some Questions That a Parent or Advocate Could Ask

Although the questions will differ with each situation, the following are some common questions that parents should ask concerning their child.

- What is the nature of my child's difficulty and what evidence exists?
- What strengths were identified? What is being recommended and why?
- Has an Individual Education Plan been developed or will one be developed?
- Who will be involved as the helping team? What are their qualifications?
- Who will be in charge overall and will that person have the authority to see to it that the plan is carried out?
- What will be done to build on my child's strengths?
- What sort of help is available?
 - *regular classroom teacher only*
 - *aide in regular class*
 - *part-time resource room*
 - *full-time resource room or other special class*
- How will this help be integrated?
- What are the long-term plans or expectations?
- Will there be a process of regular evaluation? Who will see that it is done?
- To what extent will the independent diagnosis and prescription I have provided to you be implemented? If it isn't, or parts of it won't be, why not?

*This information was taken from the [CUPW/UPCE-PSAC Special Needs website](#). We would like to thank the **Learning Disabilities Association of Canada** for allowing us to adapt their information and present it in this format. Please visit their site at <http://www.ldac-acta.ca/> to read the complete articles. Excerpts here are taken from Tips for Parents, Advocacy Checklist for Parents, Education and Human Rights for Children with Learning Disabilities from LDAC's Perspective, and The Right to Reasonable Accommodation for a Disability.*

Appendix B: Individual Education Plan Meeting Tips

Although each lived experience of disability is different, certain experiences such as the Individual Education Plan development process, are common shared experiences of parents of children with disabilities. Below are tips for parents on approaching the IEP meeting, taken from a particularly helpful resource on this topic, the *Student Support Services Parent Handbook* published by the Yukon's Department of Education.¹⁸²

Before the meeting:

- Make sure you understand the purpose of the meeting. If you ask for the meeting, tell others who you will be meeting with and why you want to speak with them. If the meeting has been organized by someone else, ask for an agenda and ask if any decisions are to be made. If so, ask what kind of decisions.
- Think about what questions you might have and consider writing these down to take with you. This may help you to stay focused and can be a good reminder.
- Find out who will be attending the meeting and what role they will play.
- Consider inviting a person along who can support you, be another listener and perhaps take notes if you don't want to do so, especially if you are concerned about serious issues that could be difficult to discuss.
- When possible and desired, both parents and others they may wish to invite should attend the meeting. This may mean the meeting time will have to be adjusted to be workable for all involved.

At the meeting:

- If you do not understand any of the information presented by school staff or others in the meeting, ask them to go over it again. Ask questions to make sure you understand what is being said. Ask them to speak simply and not use language and expressions that are difficult to follow.
- Be patient but also assertive and clear about what your child needs, and also about what you need.
- Always aim to find solutions to challenges.

¹⁸² Yukon, Student Support Services, (2013), *Student Support Services Parent Handbook*. Whitehorse: Department of Education, pp.30-31.

- Before you leave, review any decisions that were made during the meeting.
- Take extra time if you need it. Agree to meet again if needed. Do not feel rushed.
- Ask for minutes of the meeting to be recorded. It is also a good practice to take your own notes.
- Make sure you understand what will happen next. Make sure you know who is responsible for any actions to be taken.
- Make sure that everyone agrees to respect confidentiality.
- Set another time to review and monitor progress.

After the meeting:

- Think about whether you are satisfied with the information you were given at the meeting and about any decisions made.
- Go over the notes you have. If you do not understand something, contact someone who was at the meeting and ask for an explanation again.
- Make sure you are clear about what happens next. If you are unsure about this, call and ask for the information again.
- It may be advisable for you to write a letter to those who were at the meeting to outline your understanding of any decisions that were made, to state whether you agree with them or not and what your understanding is of what will happen next. Keep a copy of the letter.

Appendix C:

One Stop for Rights

If you're looking for quick information about your rights as a parent or guardian of a child with special needs, below you can find the link to the Human Rights Commission in your province or territory, and to either the Ministry of Education or an advocacy group in your area.

British Columbia

[Inclusion British Columbia: Parent Rights and Responsibilities](#)

[British Columbia Human Rights Tribunal](#)

Alberta

[Alberta Education: A Parent Resource](#)

[Alberta Human Rights Commission: Education](#)

Saskatchewan

[Saskatchewan Advocate: Public Education](#)

[Saskatchewan Human Rights Commission: Special Education Committee](#)

Manitoba

[Going to School in Manitoba](#)

[Manitoba Human Rights Commission](#)

Ontario

[Community Living Ontario: Resources](#)

[Ontario Human Rights Commission: Guidelines on Accessible Education](#)

[Ontario Human Rights Commission: Elementary and Secondary Education](#)

Quebec

[Handbook for Parents of Children with Special Needs](#)

[Commission des droits de la personne et des droits de la jeunesse](#)

New Brunswick

[New Brunswick Public Education: A Shared Responsibility](#)

[New Brunswick Human Rights Commission](#)

Nova Scotia

[Nova Scotia Government: Resources for Families](#)

[Nova Scotia Human Rights Commission](#)

Prince Edward Island

[PEI Council of People with Disabilities Department of Community Services and Seniors: Community Partners](#)

[Prince Edward Island Human Rights Commission: Education](#)

Newfoundland and Labrador

[Department of Education and Early Childhood Development: Information for Parents](#)

[Newfoundland and Labrador Human Rights Commission](#)

Nunavut

[Department of Education](#)

[Nunavut Human Rights Tribunal](#)

Northwest Territories

[Early Childhood Development](#)

[Northwest Territories Human Rights Commission](#)

Yukon

[Yukon Student Support Services Department of Education](#)

[Yukon Human Rights Commission](#)

