



**COMMISSION SCOLAIRE EASTERN SHORES
EASTERN SHORES SCHOOL BOARD**

**POLICY GOVERNING THE ORGANIZATION OF EDUCATIONAL SERVICES
FOR STUDENTS WITH HANDICAPS, SOCIAL MALADJUSTMENTS
OR LEARNING DISABILITIES**

ES-151

Approved by the Council of Commissioners
December 14, 2011
C11-12-773

TABLE OF CONTENTS

INTRODUCTION

1. OBJECTIVE OF THE POLICY

2. GENERAL PROVISIONS

- 2.1 Terminology
- 2.2 Legal Framework

3. PROCEDURES FOR EVALUATING HANDICAPPED STUDENTS WITH SOCIAL MALADJUSTMENTS OR LEARNING DISABILITIES

- 3.1 Participation and Responsibilities of the parents
- 3.2 Participation and Responsibilities of the teacher
- 3.3 Participation and Responsibilities of the school principal
- 3.4 Participation and Responsibilities of the student
- 3.5 Participation and Responsibilities of the school board
- 3.6 Identification and evaluation of student at risk
- 3.7 Identification of students as handicapped students with social maladjustments or learning disabilities
- 3.8 The Referral process to outside resources

4. PROCEDURES FOR INTEGRATING HANDICAPPED STUDENTS WITH SOCIAL MALADJUSTMENTS OR LEARNING DISABILITIES

- 4.1 Conditions for integrating handicapped students with social maladjustments or learning disabilities
- 4.2 Support services for students and teachers
- 4.3 Weighting provisions for students

5. PROCEDURES FOR GROUPING STUDENTS WITH HANDICAPS, SOCIAL MALADJUSTMENTS OR LEARNING DISABILITIES

6. PROCEDURES FOR PREPARING AND EVALUATING THE INDIVIDUAL EDUCATION PLAN (IEP)

7. CONFIDENTIALITY

- 7.1 Updating and Conservation of Files
- 7.2 Mechanism for solving the problem raised by the Application of the Policy
- 7.3 Final Provision

8. APPENDIX G-151: GUIDELINE AND REFERRAL FORMS

PREAMBLE

The Eastern Shores School Board has adopted, as part of its mission statement, the goal of supporting schools in their efforts to educate students within a caring, safe and inclusive learning community. The *Policy Governing the Organization of Educational Services for Students with Handicaps, Social Maladjustments or Learning Disabilities* has been developed to enable the Board's personnel to provide the highest quality service to students with special needs so that each student may maximize his or her potential in a path of continuous learning that nurtures a lifestyle of responsible citizenship in the 21st century.

INTRODUCTION

The Eastern Shores School Board (ESSB) believes that all students are unique, all students are to be valued and all students can learn. Based on this belief, all students should have equitable access to learning, opportunities for achievement and the pursuit of excellence in all aspects of their education. ESSB is committed to providing such an education for all students. ESSB recognizes the importance of prevention and early intervention and the adaptation of teaching and services as the first line of response, prior to the formal identification of special needs and is committed to devote additional efforts to this area. The Board believes that students with special needs should be included as members of the classroom. To achieve this ESSB will make the adaptation of educational services a priority to all those working with these students. The classroom teachers will modify and/or adapt their instruction, intervention and evaluation methods as required to meet the needs of students with special needs, including At-Risk students.

1. OBJECTIVE OF THE POLICY

This policy is adopted by Eastern Shores School Board in accordance with Article 235 of the Education Act:

“Every school board shall adopt, after consultation with the advisory committee (SNAC) on services for handicapped students and students with social maladjustments or learning disabilities, a policy concerning the organization of educational services for such students to ensure the harmonious integration of each such student into a regular class or group and into school activities if it has been established on the basis of the evaluation of the student’s abilities and needs that such integration would facilitate the student’s learning and social integration and would not impose an excessive constraint or significantly undermine the rights of the other students.”

It also addresses the educational success of At-Risk students. It is complemented by an organizational guideline called; “Guideline And Referral Forms” that outlines specific administrative procedures to support the application of the policy. The goal of the policy is to set optimal conditions for individual success while accommodating individual differences and identified special needs.

2. GENERAL PROVISIONS

2.1 Terminology

This document, entitled “*Policy Concerning the Organization of Educational Services for Students with Handicaps and Students with Social Maladjustments or Learning Disabilities*”, will hereafter be referred to as this Policy or The Policy for Students with Special Needs.

The Board is defined as Eastern Shores School Board (ESSB) and all of the schools within its jurisdiction.

Ad-Hoc Committee: refers to the committee formed within a school to address individual student’s difficulties. It is composed of the principal, child’s teacher(s), professional(s), parent(s) and child (when feasible).

Collective agreement: The teachers’ collective agreement.

Complementary Services: refers to the school-board level department of non-teaching professionals and specialized services, overseen by the Assistant Director General.

E.A.: The Education Act.

G- 151: refers to Appendix document containing the “Guideline and Referral Forms” that accompany this policy.

IEP: refers to an “Individualized Education Plan” a formal document required as per The Education Act.

Integration/Inclusion: refers to the educational practice of including a student with identified special needs as a member of a regular class group or school activity.

IP: refers to an “Intervention Plan” an intervention planning tool described in G-151

MELS: refers to the Minister of Education, Leisure, and Sports.

Parent: the person having parental authority or, unless that person objects, the person having custody de facto of the student. (E.A., s. 13 (2)).

Parity Committee: refers to the board level committee of teacher union representatives and school board representatives, as described in the teachers’ collective agreement, dealing with provisions for students with special needs.

Professional: refers to Student Services personnel having specialized training, for example: Speech and Language Consultant, Guidance Counselor, Psychologist, Psycho-educator, Spiritual Life Animator, Consultant etc.

QEP: refers to the Quebec Education Program.

School Administrator: refers to the school principal or his/her representative, vice-principal, staff assistant etc.

School Level Committee: refers to the school level committee composed of teachers and an administrator, as described in the teachers' collective agreement dealing with the provisions for the allocation of resources for special needs.

Special Needs Advisory Committee (SNAC): refers to the advisory committee on services for handicapped students and students with social maladjustments or learning disabilities as defined in section 185 of the Education Act.

Students At- Risk: refers to those students as defined by the criteria set by MELS and who have been informally identified at the school level.

Students with Special Needs: covers the term "Students with Handicaps, Social Maladjustments, or Learning Disabilities".

Services to Students with Special Needs: will be used as the encompassing term for "Organization of Educational Services for Students with Handicaps, Social Maladjustments, or Learning Disabilities".

Teacher: Every person employed by the board whose occupation is to teach students in accordance with the provisions of the Education Act (R.S.Q., c. I-13-3)

2.2 Legal Framework

This Policy respects the following official documents:

- The Canadian Charter of Rights
- The Charter of Human Rights and Freedoms of Quebec
- The Education Act (E.A), R.S.Q., c. I-13.3;
- The Quebec Education Program
- The Act Respecting Access to Documents held by Public Bodies & Protection of Personal Information
- The Basic School Regulations
- The Youth Protection Act
- The Teachers' Collective Agreement in force;
- The Civil Code of Quebec
- Ministère de l'Éducation, "Adapting Our Schools to the Needs of All Students," Policy on Special Education, December 1999
- Ministère de l'Éducation, "Students with Handicaps, Social Maladjustments or Learning Difficulties" : Définitions, Direction de l'adaptation scolaire et des services complémentaires, 2000
- Adapting Our Schools to the Needs of All Students, Policy Development Guide, Ministère de l'Éducation, 2001

3. PROCEDURES FOR EVALUATING HANDICAPPED STUDENTS AND STUDENTS WITH SOCIAL MALADJUSTMENTS OR LEARNING DISABILITIES

Evaluating students with special needs is a responsibility shared by parents, teachers, administrators, professionals and when possible, students themselves. While each entity has specific responsibilities, all must work together in the best interests of the student.

3.1 Participation and Responsibilities of Parents:

Parents have primary responsibility for their children (E.A., s. 17).

Parents /guardians registering a new student are required to indicate on the registration form whether their child has previously been identified or diagnosed with special needs. Parents are responsible to submit evaluation reports and providing consent for the Board to obtain this information from outside agencies or previous schools.

They should notify the school principal of any problem, handicap, disability or event that could affect their child's progress in school and that could require it to adapt its Plan or intervention.

The parents of a child who has received special services from a partner organization (in the area of daycare, early childhood, health, social services or public security services, etc.) should inform the school administration. A multi-intervention team approach better assists delivery of services to the student.

Parents are consulted concerning the evaluation of the abilities and needs of their child, and their child's placement.

Parents are requested to participate in the Ad-Hoc Committee for their child (8-9.06 of the collective agreement).

3.2 Participation and Responsibilities of Teachers:

Teachers have primary responsibility for the children in their care. Teachers are entitled to select methods of instruction they will use with students under their care. Teachers have the primary responsibility for evaluating students' academic work and are entitled to select the means of evaluating the progress of students

When a student begins to experience difficulty, the teacher must review the student's file. Contact should be made with the student's parents to discuss the situation. The discussion must involve the parents in determining the steps to be taken to provide the student with assistance in learning and achieving educational success. Teachers are encouraged to work with students in a preventative way, to adapt their teaching methods accordingly and to recommend to the school principal any relevant way of assisting the student with an emphasis on early intervention whenever possible.

When concerns persist in spite of teacher interventions, a request may be made by the teacher or parent to the school principal (or delegate) to convene an Ad-Hoc Committee meeting to address the difficulty through additional intervention planning, referral or an evaluation of the student by a non-teaching professional or other follow-up actions. Parents must be invited to the meeting and their schedule should be taken into account.

A teacher's request for an Ad-Hoc Committee meeting is submitted in writing as per "APPENDIX G-151" The school principal convenes an Ad-Hoc Committee within fifteen working days. The make-up of the Ad-Hoc Committee is composed of teachers and professionals working with the child, the administration and the parents and others who may be involved. Teachers must participate in the work of the Ad-Hoc Committee and in the ensuing actions. (8-9.4 & 8-9.6, Teachers' Agreement)

Teachers may also request extra support through the School Level Special Needs Committee. The school principal shall inform the teacher of its decision within ten working days of the request. Reasons in writing for the decision will be provided by the principal upon request by the teacher.

3.3 Participation and Responsibilities of School Principal:

The school principal (or his delegate) has a pivotal role in the special needs process.

New Registrants:

- The principal is responsible for gathering all the relevant information concerning the abilities and needs of a student, including information concerning interventions inside and outside the school (E.A., s. 96.14). It is important that this be done to ensure minimum delay in accommodating the student at school.

Students with Special Needs:

- In accordance with the Teachers' Collective Agreement, the principal must provide teachers with information on students with special needs who are integrated into his/her class, provided that the information is available and relevant, and that it is in the student's interest.

Other Related Responsibilities:

- The school principal convenes Ad-Hoc meetings (see ESSB Appendix G-151) within fifteen working days of accepting a request with all concerned parties and makes informed and appropriate decisions concerning the evaluation or identification of a student.
- Reasons for the decisions must be provided if requested as per the teachers' collective agreement.
- The principal encourages the participation of the parents and of the child himself/herself if feasible.
- The principal is responsible to insure that confidentiality is respected by all personnel in the school.
- All personnel share this responsibility.

- The principal is responsible for ensuring parental awareness of the confidential file and the rights and procedures concerned with this file.
- The principal also has to set up the “school-level committee” of which he/she is a member (clause 8-9.03). This committee’s mandate is as per the aforementioned clause. Generally, it oversees the allocation of special needs resources and services. It also informs and reports to the board level Special Needs Parity Committee. Teachers may make requests for support to this Committee

3.4 Participation and Responsibilities of the Student:

Since students are the main authors of their own success, they must collaborate with various partners (parents, teachers, principal, professionals, etc.) in the evaluation of their needs and abilities. Students should play an active role, if feasible, in all meetings, in particular with professionals.

3.5 Identification and Evaluation of students “At- Risk”

A student is recognized as At-Risk when the classroom teacher observes difficulties or lack of progress towards goals in learning, social development and qualification, based upon systematic observation and evaluation. This requires immediate intervention that targets preventative measures. Based on a comprehensive assessment of the learning needs, the teacher introduces variations in instructional approaches and teaching materials, always monitoring the success of such adaptations. This form of early intervention may become the basis of an Individual Education Plan (IEP) for the student, depending upon the recommendations of the Ad Hoc Committee and the decision of the principal.

3.6 Participation and Responsibilities of the School Board

3.6.a. Participation and Responsibilities of the School Board:

The school board is responsible to provide assistance and support to schools and school personnel in their efforts to provide the best possible service to students with their special needs. It will review the application of this policy annually.

It is the responsibility of the school board to identify a student with a handicap, social maladjustment or learning disability. It is also responsible to designate a person responsible for Special Education services and to initiate and participate on all committees designated for Special Education by law or by collective agreement.

The school board is responsible for the allocation of Special Education resources to the schools. It ensures that the policy is implemented along with clear guidelines to allocate the funds designated for special education on an annual basis.

The School Board Parity Committee (8-9.01-8-9.02) and the SNAC committee will be informed of resources available in the schools and the board for services offered to students with special needs and will be consulted as per the Collective Agreement and the Education Act.

Based on an evaluation of the needs of the students in the whole system, and finances made available to the Board by MELS, available human and financial resources are allocated in a fair and equitable manner. This allocation is directly related to the identified and implemented I.E.P.s in the school but funds may be allocated for preventative measures prior to an IEP being established.

3.6.b Identification of Students as Handicapped Students or Students with Social Maladjustments or Learning Disabilities

As stated above, it is the responsibility of the school board to identify a student with a handicap, social maladjustment or learning disability

The definitions of students with handicaps, social maladjustments or learning disabilities, are found in the MELS document 19-7065-A which serves as a reference for the school board and its personnel.

A student identified as being a student with a handicap, social maladjustment or learning disability remains so identified unless the ad- hoc committee responsible for studying and monitoring each case has made a reversal of the decision following a review of the case

Each case must be reviewed periodically by the principal and the Ad-Hoc Committee when updating the IEP. Recommendations for new identification, change of identification, or withdrawal of identification, must first be submitted to the Ad-Hoc Committee (at the school) responsible for studying and monitoring each case. The School Board must be informed of such a recommendation.

3.7 The Referral Process to Outside Resources

The school may arrange for itinerant services that are available to students, who otherwise, would be required to attend special facilities. i.e. school for the blind or for the deaf.

4. PROCEDURES FOR INTEGRATING STUDENTS AS HANDICAPPED STUDENTS OR STUDENTS WITH SOCIAL MALADJUSTMENTS OR LEARNING DISABILITIES

Eastern Shores School Board emphasizes the need for inclusive education to promote the social and academic development of students with special needs. For successful integration the teacher will choose appropriate methods of instruction corresponding to the goals for each group or each student the teacher has. ESSB will strive to promote and inform teachers of "best practices".

4.1 Conditions for Integrating a Special Needs Student into Regular Class or Group

After reviewing the student's evaluation, the principal, in consultation with the Ad-Hoc Committee, will decide if a student should be fully integrated. A full harmonious integration takes place if it facilitates the student's learning and socialization without infringing on the rights of other students.

If a full integration is not possible or it imposes excessive constraints or significantly undermines the rights of other students, the Board will provide partial integration or other types of services. Before proceeding with integration of a student with special needs, the school principal, in collaboration with others involved with the student, shall ensure, as much as possible, that:

- An IEP has been developed in accordance with the policies and procedures of the Board;
- All parties concerned (teachers, professionals, parents and student) have been invited to consult the plan and are informed about their various roles and responsibilities;
- An in-service plan has been developed for the staff concerned and appropriate training has begun and is in progress;
- The group into which the student is to be included has been sensitized and prepared;
- Support services and other resources from the Board are available;
- Resources of the « Ministère de la santé et des services sociaux » have been requested, as needed;
- Physical adaptations, or any other modifications, are effected in order to make the school accessible to the student with handicaps and permit him/her to participate in a full range of regular school activities;
- Specialized equipment or materials necessary are available in the school;
- The number of students with special needs integrated into a particular class takes into account:
 - The severity of the student's handicap or difficulty;
 - The composition of the class;
 - The needs of the other students;
 - The support or special services available;
 - The provisions of the Teachers' Collective Agreement.
 - A student with handicaps assigned to a class, the nature and composition of, which are different from the students' handicap, be provided with support and educational services as determined by his needs;
 - In schools, a procedure shall be put into place to ensure that the terms and conditions of integration are coordinated within the school.

4.2 Support Services for Students and Teachers

The support services which may be provided to a student or teacher are distributed by the school principal, in accordance with the assessment of the student's needs, and in conformity with the Collective Agreement and the Basic School Regulations in force. The School-Level Committee, of which the principal is a member, determines how to distribute the services available to the school while the principal assigns the specific staff to these services.

Support services for students and support services for teachers are interrelated. Those services are not mutually exclusive and certain student support services also constitute teacher support services, and vice versa.

4.3 Weighting Provisions for Students

Weighting provisions will be applied in accordance with the Teachers' Collective Agreement.

5. PROCEDURES FOR GROUPING STUDENTS AS HANDICAPPED STUDENTS OR STUDENTS WITH SOCIAL MALADJUSTMENTS OR LEARNING DISABILITIES

While Eastern Shores School Board endorses the right of every student to be integrated into a regular class or group if based on that student's evaluation such integration would facilitate the student's learning and social integration, ESSB may provide a student with special needs with educational services in another type of group if their integration would impose an excessive constraint or would undermine the rights of other students in a regular class as outlined in 4.1.

Type of Group

Each year, ESSB will define the types of groups and determine the organization of special services based on the anticipated numbers and needs of the students.

Agreements for the Provision of Instructional Services

In situations where ESSB cannot meet the special needs of a student, the Board will enter into an agreement with other organizations or persons according to Articles 209 and 213 of Education Act.

6. PROCEDURES FOR PREPARING AND EVALUATING THE INDIVIDUAL EDUCATION PLAN (IEP)

An Individualized Education Plan (IEP) is a legal document which provides teachers, parents, and students with a record of the educational program for an individual student with special needs, and serves as the basis for reporting the student's progress. An IEP must be developed for all students with handicaps or learning disabilities and social maladjustments, but may be used for students at-risk.

The IEP describes the strategies, adaptations and modifications for the student and the services that are to be provided. It serves as a pedagogical tool for collaborative planning among the school personnel, the parents, and the student.

To paraphrase Section 96.14 of the Education Act, the IEP is a collaborative plan designed by school personnel, parents, and the student if possible, that meets the specific academic and social requirements of the special needs student. It is in keeping with the Policy of ESSB concerning Special Needs. It is overseen and reviewed by the school principal. Parents are informed and participate regularly in planning.

An IEP must contain:

- The student's identification (Cycle, DOB, school, etc.);
- The student's abilities and needs;
- The names of all personnel who will be providing the educational program and the support services;
- The objectives pursued and the competencies to be developed;
- The strategies with the responsibilities of the different parties;

- The process for evaluating the results achieved;
- The date of the evaluation;
- The signatures of administration, teacher, parents, and when possible, the student.

The evaluation and monitoring of the IEP

The principal (or his delegate) shall see to the implementation and periodical evaluation of the individual education plan and inform the students' parents on a regular basis (E.A., s.96.14)

- The principal shall ensure that the members of the Ad-Hoc Committee collaborate in the application of the measures specified in the plan.
- During a periodical evaluation of the IEP, the principal shall take into account any change in the student's situation and the need to maintain the plan, or to change the support services planned for the student.
- The evaluation of the IEP must contain:
 - The identification of the student's progress in terms of the objectives chosen;
 - Re-evaluation of the needs, and adjustment of the means and objectives where necessary;
 - The maintenance , adaptation or modification of the resources identified in the IEP;
 - The maintenance or the modification of the classification;
 - The new timeline.
 - The objectives and strategies set in the IEP should be specific, limited and measurable, and must be reviewed frequently.

7. CONFIDENTIALITY

The Board and its employees shall respect the confidentiality and ethical considerations that are concomitant with access to student files. With regards to the special needs student, it is important that information be shared judiciously with the staff members concerned with each student. Both the Charter of Human Rights and Freedoms of Québec and the Québec Civil Code oblige all citizens to respect the confidential nature of information. ESSB expects all persons involved with students in our school system to be aware of and apply all rules and practices concerning confidentiality.

7.1 Updating and Conservation of Files

The student files are updated according to the Board's policies. For students with special needs, information kept in the Special Assistance File should be updated at the end of each school year. The files are conserved according to the Board's retention schedule as established in the Archives Act. The Special Assistance File for a student is destroyed once it has been inactive for five years.

7.2 Mechanisms for solving the problems raised by the application of the policy

The problems raised by the application of the policy must first be sent to the principal of the school concerned, who must attempt to find appropriate solutions with the assistance, when necessary, of a resource person from the school board. If the issue (s) cannot be resolved at the level of the school, the principal shall refer the case to the Assistant Director General or his/her delegate.

A student or the parents of a student affected by a decision of the Council of Commissioners, the Executive Committee, and the Governing Board or of an officer or employee under the authority of the School Board may ask the Council of Commissioners to reconsider such decision (E.A., s. 9).

7.3 Final Provision

The present Policy shall come into force on the date of its adoption by the Council of Commissioners of Eastern Shores School Board.

8. APPENDIX G-151: GUIDELINE AND REFERRAL FORMS

These are not part of the policy but are the suggested guidelines and forms to enable the policy.