

*Requirements for Special Education in
Accredited-Funded Private Schools*

April, 2006



ALBERTA EDUCATION CATALOGUING IN PUBLICATION DATA

Alberta. Alberta Education.

Requirements for special education in accredited-funded private schools.

ISBN 0-7785-4782-5

1. Special education - Alberta. 2. Private schools - Alberta.
3. School choice - Alberta. 4. Educational accountability - Alberta.
5. Educational equalization - Alberta. I. Title.

LB3984.2.A3. A333 2006

371.9

For more information contact:

Governance and Program Delivery Branch
Alberta Education
8th Floor, 44 Capital Boulevard
10044 – 108 Street N.W.
Edmonton, Alberta
T5J 5E6

Telephone: (780) 427-7235 - To be connected toll-free call 310-0000.

Fax: (780) 427-5930

A PDF version of this document is available on the Alberta Education Web site at <http://www.education.gov.ab.ca/k%5F12/privateschools/>.

This document is intended for:

<i>Students</i>	
<i>Teachers</i>	√
<i>Administrators</i>	√
<i>Parents</i>	√
<i>General Public</i>	√
<i>Other</i>	

Copyright ©2006, the Crown in Right of Alberta, as represented by the Minister of Education, Alberta Education, Governance and Program Delivery Branch, 44 Capital Boulevard, 10044 – 108 Street N.W., Edmonton Alberta, Canada, T5J 5E6

Every effort has been made to provide proper acknowledgement of original sources. If cases are identified where this has not been done, please notify Alberta Education so appropriate corrective action can be taken.

Permission is given by the copyright owner to reproduce this document, or any part thereof, for educational purposes and on a non-profit basis, with the exception of materials cited for which Alberta Education does not own copyright.

Table of Contents

Foreword	1
Definitions	2
Access to Special Education Programming	4
1. Identification	4
2. Assessment	4
3. Informed Consent	5
4. Specialized Assessment	5
5. Right of Access to Records	5
6. Coordinated Services	6
Appropriateness of Special Education Programming	6
7. Professional Standards	6
8. Parent Involvement in Decision-making	6
9. Placement	7
10. Individualized Program Planning, Implementation and Evaluation	7
Accountability for Special Education Programming	8
11. Reporting – Policy and Procedures	8
12. Reporting to Parents	8
13. Program Monitoring and Evaluation	8
14. Participation in Provincial Assessments	9
Appeals	9
15. Special Education Appeals	9
References	9

Foreword

Special education refers to the education of students with mild, moderate, or severe disabilities/delays and those who are gifted and talented.

Requirements for Special Education in Accredited-Funded Private Schools, is grounded in the belief that all children can achieve their full educational potential, given opportunity, effective teaching and appropriate resources. This document supports Goal One in Alberta Education's Business Plan to have high quality learning opportunities for all. It is intended to assist accredited-funded private schools to deliver programming for students with special education needs, while acknowledging the importance of local autonomy, flexibility and choice.

The requirements described in this document apply to special education in a specific category of private school, namely, accredited-funded private schools. The requirements do not apply to Designated Special Education Private Schools (DSEPS), which are required, according to the *Private Schools Regulation*, to follow the *Standards for Special Education, Amended June 2004*.

Private school operators are not obligated to admit every student who seeks admission. A private school operator may accept or deny access to any applicant and the Minister of Education does not review that decision.

Once a private school operator enrolls a student with special education needs, Alberta Education requires that operator to provide appropriate programming to that student for the school year in which the student is enrolled. It is incumbent on the private school operator to gather the information necessary to make an informed decision before accepting a student with special education needs. In addition, private school operators must advise parents of the level of service that they will be able to provide. Parents and students must also be informed that decisions by the Board of Directors related to special education matters are not subject to Review by the Minister of Education.

This document is organized into the following four areas:

- 1) **Access** — the provision of adapted or modified programming that enables and improves the learning of students.
- 2) **Appropriateness** — the design of educational programming and services, provided by certificated staff, around the assessed needs of the student.
- 3) **Accountability** — the obligation to answer for the execution of one's assigned responsibilities.
- 4) **Appeals** — the use of timely, fair and open processes that protect the rights of students and parents and which address differences of opinion about the education of those students.

Definitions

In this document:

Adapted programming means programming that supports the learning outcomes of the Alberta Programs of Study, with adjustments to instructional processes to address the special education needs of the student.

Assessment means the ongoing process of collecting information about students, using a number of formal and informal methods across a variety of domains (academic, behavioural, communicational, intellectual or physical), to develop and implement appropriate programming.

Consultation means the processes that give parents of students with special education needs and, where applicable, students themselves, the opportunity to assist in making decisions about all aspects of programming and placement.

Designated Special Education Private School (DSEPS) means a funded private school that serves only students with special education needs, according to the *Standards for Special Education, Amended June 2004* and the *Private Schools Regulation*.

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

Early Identification means the process used to identify students with special education needs at the earliest possible time, either before or after their entry into school.

Individualized Program Plan (IPP) means a plan of action designed to address students' special education needs, based on diagnostic information. The IPP includes the following essential information:

- assessment data
- current level of performance and achievement
- identification of strengths and areas of need
- measurable goals and objectives
- procedures for evaluating student progress
- identification of coordinated support services (including health-related), if required
- relevant medical information
- required classroom accommodations (e.g., any changes to instructional strategies, assessment procedures, materials, resources, facilities or equipment)
- transition plans
- year-end summary.

Informed consent means that the individual:

- has been provided with all information relevant to the activity for which consent is sought
- agrees, in writing, to the execution of the activity for which his or her consent is sought
- has been informed that his/her consent is voluntary and may be withdrawn at any time.

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

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

Parent means the biological or adoptive parent, or the individual who has legal custody or guardianship of the student.

Private School or Private School Operator means an accredited-funded private school offering programs that meet the requirements as set out in Section 28 of the *School Act*. Designated Special Education Private Schools (DSEPS) are exempt from the requirements set out in this document.

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

Specialized assessment means 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.

Student with special education needs means a student who has been assessed as having a mild, moderate, or severe disability/delay or who is gifted and talented, and for whom the private school operator is providing educational programming to meet their exceptional needs. An Individualized Program Plan (IPP) provides documentation of the special education programming and must be provided for any student with special education needs.

Transition planning means a consultative process that involves students, parents, other professionals, receiving school staff, and community agencies, as appropriate, to enable students to prepare for and successfully make changes (e.g. school entry, between grades/levels of schooling, transferring back to a public school setting and/or upon school completion).

Access to Special Education Programming

Private schools must provide each enrolled student with special education needs access to adapted or modified programming that enables and improves their learning.

1. Identification

Private School Operators shall:

- a. develop and implement written procedures for early identification, referral and assessment of students with special education needs in one or more of the following areas:
 - academic
 - behavioural, social/adaptive
 - communication
 - cognitive/intellectual
 - physical
- b. develop or utilize formal and informal checklists, screening tools and/or standardized assessments that will assist in the identification of students
- c. involve parents and, when appropriate, students in the screening, identification and referral process
- d. request information from parents that is relevant to a student's education when a student is enrolled
- e. provide training opportunities for staff that will enhance the private school's ability to identify and program for students with special education needs.

2. Assessment

Private School Operators shall:

- a. use a variety of assessment strategies and data to determine eligibility for special education programming and services
- b. report results of assessments to parents, teachers and others involved with students' programming
- c. use results of assessments to make decisions, develop Individualized Program Plans (IPPs), assign support services and/or determine adapted or modified programming for students
- d. use assessment data to develop, implement and evaluate the effectiveness of programming and services provided to students with special education needs.

3. Informed Consent

Private School Operators shall:

- a. obtain parents' informed written consent for all specialized assessments and/or interventions
- b. document actions undertaken to obtain consent. In cases when parents refuse consent, their reasons for refusal must be placed in the student record
- c. allow parents to withdraw their consent at any time on submission of written notification to the principal. This written notification must be placed in the student record.

4. Specialized Assessment

Private School Operators shall:

- a. have written procedures for referring students for specialized assessment
- b. base referrals on a variety of indicators such as:
 - screening procedures
 - teacher assessment and observation
 - parent information
 - previous assessments
- c. use qualified professionals to conduct specialized assessments and/or interventions, interpret results, and provide program recommendations to parents, teachers and others involved with students' programming
- d. work collaboratively with other service providers and/or appropriate professionals to complete the specialized assessments and/or interventions
- e. complete, when required, specialized assessments and/or consultations within a reasonable time (recommended guideline is within eight weeks, unless there are extenuating circumstances, from the date of the completed written referral to the completion of a written report)
- f. follow the guidelines and standards outlined by Alberta Education and by professional organizations for their members.

5. Right of Access to Records

Private School Operators shall:

- a. provide parents with access to information contained in the student record, including results of specialized assessments and student progress reports, in accordance with the *Student Record Regulation*, the *Private Schools Regulation* and the *Personal Information Protection Act (PIPA)*.

6. Coordinated Services

Private School Operators shall:

- a. work collaboratively with community agencies, organizations and associations, other education authorities, regional health and children's services authorities, and families and students, when appropriate, to meet the special education needs of students
- b. develop, keep current and implement written school policy and procedures for working with agencies, organizations, associations and authorities to design and deliver services for students with special education needs; local policies and procedures must be consistent with provincial legislation, regulations and policies
- c. obtain parents' informed, written consent to provide coordinated services identified in student Individualized Program Plans (IPPs)
- d. have written procedures for accessing, recording, and sharing medical information and for storing and/or administering medications
- e. provide staff with training by qualified professionals or other individuals with expertise, including parents, when required to administer health-related support services to students in private schools.

Appropriateness of Special Education Programming

Special education programming and services must be designed around the assessed needs of students and be provided by certificated staff.

7. Professional Standards

Private School Operators shall:

- a. ensure teacher practice is in accordance with the *Teaching Quality Standard*
- b. ensure teachers know and apply the knowledge, skills and attributes to accommodate individual differences for students with special education needs
- c. support teachers' ability to monitor the effectiveness of their practices and adjust practices as necessary.

8. Parent Involvement in Decision-making

In accordance with the Preamble to the *School Act*, parents have a right and responsibility to make decisions respecting the education of their children. Parents are expected to work with private school operators to ensure their children's special education needs are met, subject to limitations based on reasonableness, in accordance with Section 2 of the *School Act*.

Private School Operators shall:

- a. ensure parents have the opportunity to participate in decisions that affect their children's education
- b. ensure parents have information needed to make informed decisions
- c. invite meaningful involvement of parents in planning, problem-solving and decision-making related to students' special education programming.

9. Placement

Private School Operators shall

- a. determine the student's educational placement in a manner consistent with provincial requirements, in consultation with parents, and based on current assessment data.

10. Individualized Program Planning, Implementation and Evaluation

Private School Operators shall:

- a. ensure that Individualized Program Plans (IPPs) are developed, implemented, monitored and evaluated for all students identified with special education needs
- b. identify principals as accountable for the delivery and implementation of school-based special education programming and services
- c. provide teachers of students with special education needs with relevant resources and access to related professional development opportunities
- d. ensure principals identify teachers whose responsibility it is to coordinate, develop, implement, monitor and evaluate student IPPs
- e. ensure the school has a process to provide consultation, planning and problem-solving relating to programming for students with special education needs
- f. ensure teachers:
 - involve parents and, when appropriate, students and other professionals in the development, implementation, monitoring and evaluation of students' IPPs
 - document, in the IPP, the formal review of students' progress, at regularly scheduled reporting periods
 - provide feedback during informal reviews to parents and, when appropriate, students, throughout the year
 - make changes to the IPP, as required
 - obtain the parents' signature on IPPs to indicate agreement with the IPP
 - document actions undertaken by the private school to obtain consent and/or resolve concerns in cases when parents indicate their disagreement with the IPP

- ensure Individualized Program Plans (IPPs) are placed in student cumulative record and that access to the IPP complies with the *Student Record Regulation*, the *Private Schools Regulation* and the *Personal Information Protection Act (PIPA)*
- g. ensure teacher assistants work under the direction of a certificated teacher to realize students' goals, as outlined in their IPPs.

Accountability for Special Education Programming

Private schools must be accountable for the provision of educational services to students with special education needs.

11. Reporting – Policy and Procedures

Private School Operators shall:

- a. ensure their written policies and procedures are consistent with provincial legislation and policies, and with this document
- b. ensure that written policies and procedures provide for access, appropriateness, accountability and appeals
- c. have written descriptions of the responsibilities of staff, programming, and services available for students with special education needs.

12. Reporting to Parents

Private School Operators shall:

- a. ensure that students' IPPs include information about students' current level of performance and academic achievement in relation to the appropriate learner outcomes in the provincial curriculum
- b. inform parents of their children's progress throughout the year at regularly scheduled reporting periods.

13. Program Monitoring and Evaluation

Private School Operators shall:

- a. use a 3-Year Education Plan and an Annual Education Results Report to monitor and report on the quality of education provided to students with special education needs
- b. monitor and evaluate the effectiveness of special education programming and services
- c. report expenditures related to special education programming and services as part of their Audited Financial Statement.

14. Participation in Provincial Assessments

Private School Operators shall:

- a. ensure that special provisions for testing*, including school-based and provincial tests, are available to students with special education needs throughout the year, as required
- b. delegate to the principal, the responsibility for determining whether individual students can be excused from writing a provincial achievement test based on the conditions outlined in the *General Information Bulletin – Achievement Tests*.

*for further details about special provisions for provincial tests see the *General Information Bulletin – Achievement Tests* and *General Information Bulletin – Diploma Exams*

Appeals

Private schools must use timely, fair and open processes.

15. Special Education Appeals

Parents and students have the right to have their concerns about educational decisions affecting students addressed by timely, fair and open processes. However, Section 124 of the *School Act*, Review by the Minister, does not apply to Private Schools.

Private School Operators shall:

- a. establish written procedures to hear appeals from parents or, where applicable, students regarding decisions that significantly affect the education of students with special education needs
- b. advise parents of their right to make a formal appeal to the board of directors of decisions regarding the special education programming of their children, and inform them of the appeal procedures of the board of directors
- c. inform parents that decisions by the board of directors are final.

References

The current versions of the following documents will guide implementation reviews of the requirements in this document:

Educational Placement of Students with Special Needs (Policy 1.6.1)

Funding Manual for School Authorities

Personal Information Protection Act

Private Schools Reference Manual

Private Schools Regulation

School Act

Services for Students and Children (Policy 1.8.1)

Standards for Psycho-educational Assessment

Student Record Regulation

Teaching Quality Standard