



Standards for **Appropriate  
Educational Programming**  
in Manitoba



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Nothing in this document releases school divisions and schools of the obligation to be in compliance with the above, as well as other requirements that may be imposed by law.

This document is also available on the Manitoba Education and Early Childhood Learning website at

[www.edu.gov.mb.ca/k12/specedu/documents.html](http://www.edu.gov.mb.ca/k12/specedu/documents.html).

Websites referenced in this resource are subject to change without notice.

*Disponible en français.*

Available in alternate formats on request.

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## Acknowledgements

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# Philosophy of Inclusive Education

## Manitoba Philosophy of Inclusion

Manitoba Education and Early Childhood Learning is committed to fostering inclusion for all people.

Inclusion is a way of thinking and acting that allows every individual to feel accepted, valued, and safe. An inclusive community consciously evolves to meet the changing needs of its members. Through recognition and support, an inclusive community provides meaningful involvement and equal access to the benefits of citizenship.

In Manitoba, we embrace inclusion as a means of enhancing the well-being of every member of the community. By working together, we strengthen our capacity to provide the foundation for a richer future for all of us.

*The Public Schools Amendment Act (Appropriate Educational Programming), S.M. 2004, c.9, proclaimed on October 28, 2005, reinforces Manitoba's Philosophy of Inclusion and commitment to supporting student participation in both the academic and social life of schools, as set out in legislation and regulation. Regulations and standards provide direction to school divisions and educators, and clarify for parents the obligation to implement appropriate educational programming for each student.*



## Introduction

In Manitoba, the standards for appropriate educational programming (AEP) and Manitoba's Philosophy of Inclusion sustain equal access to educational opportunity and support efforts to remove barriers to learning. The standards are themselves sustained and supported through all individuals who become part of a school or school division team that plan for any student attending school in Manitoba who is in need of care and support for a short time, a longer time, or throughout their entire school career.

### Foundations for Appropriate Educational Programming

A publicly funded education system, accessible to all, is recognized as a core constitutional responsibility of provincial governments.

In Manitoba, publicly funded schools are governed by *The Public Schools Act* and *The Education Administration Act*. The *Canadian Charter of Rights and Freedoms*, as part of the Canadian Constitution, is the supreme law of Canada. The *Charter of Rights and Freedoms* applies to all aspects of laws, programs, policies and services, including *The Public Schools Act* and *The Education Administration Act*, and all bodies carrying out government intentions such as public school boards.

Section 15 of the Charter guarantees to all Canadians equality before and under the law, the right to equal protection and benefit before and under the law, and the right to equal protection and benefit of the law without discrimination, in particular, "without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability".

Policy and practice must comply with the *Canadian Charter of Rights and Freedoms* and *The Human Rights Code of Manitoba*, which specify that there must be reasonable accommodation of students' special needs unless they demonstrably give rise to undue hardship due to cost, risk to safety, impact on others, or other factors.

Rights and responsibilities related to education in Manitoba are defined in *The Public Schools Act* and in *The Education Administration Act* and their related regulations.

The *Appropriate Educational Programming Regulation 155/05* under *The Public Schools Act* established the regulatory framework upon which *Standards for Appropriate Educational Programming in Manitoba* is based. (See [http://web2.gov.mb.ca/laws/regs/current/\\_pdf-regs.php?reg=155/2005](http://web2.gov.mb.ca/laws/regs/current/_pdf-regs.php?reg=155/2005).)

School boards are required to provide each resident and enrolled student with adequate school accommodation, and they are required to provide access to AEP for all students within their schools. AEP for most students is the provincial curriculum. Some students may require additional supports to access the curriculum, and a smaller number of students may require highly individualized learning outcomes in addition to or instead of the provincial curriculum.

This document has been developed to promote consistent and enhanced quality of educational practice within the province so that, irrespective of location, students can access AEP and services. School divisions and schools will apply the standards as minimum requirements to set direction. Educators will use the standards to guide practice and advance the work.

As educational leaders of schools, principals are responsible for the AEP of all students in their schools and for division staff under their supervision, subject to the direction of their school boards.

The standards contained in this document apply to all grades, from school entry to school leaving, and to all educational programming for students who are eligible to attend public and funded independent schools. This document supports Manitoba's mission for all students to develop the knowledge, skills, and attributes they need to reach their full potential (and live *The Good Life*).

Parents\* have a right and a responsibility to be involved in their children's education. It is the obligation of school teams and parents to act in the best interest of students.

Parents are valued partners in education. To ensure the ongoing participation and support of parents in the education of all students, it is important that they are involved in meaningful ways. For some parents, this could mean being provided with an interpreter or, for others, having a supporting person accompany them to school meetings.\*\*

The participation of students in conversations and decisions about their own education is also valued. It is important that students are involved in meaningful ways, based on their individual abilities.

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\* The term *parents* refers to both parents and guardians and is used with the recognition that in some cases only one parent may be involved in a child's education or that the significant adult in the life of many students may not be their parent. This term may also apply to a student who has reached the age of majority.

\*\* In any meeting that occurs, there is an expectation of civility, and, should the process be undermined by a person's behaviour, the meeting could be suspended.

## Inclusive Schools

Inclusive schools provide a learning environment that is accessible to all students as a place to learn, grow, fully participate in their school community, and enjoy all the benefits of citizenship.

Inclusive school divisions select from a variety of service delivery models that support Manitoba's Philosophy of Inclusion through the universal design lens. The concept of universal design means that school communities, including teachers, develop plans for the full diversity of their student population. Universally designed schools, classrooms, curricula, instruction, and materials provide all students with access to the resources they require, regardless of their diverse learning needs.

Collaboration among home, school, and community is imperative.

## School-Based Student Support Teams

Student services teams in Manitoba schools support students in a variety of ways. Any student may require student-specific planning, programming, and documentation, including those who have identified special learning needs and abilities.

Students with special learning needs and abilities are

- those who require specialized services or programming when deemed necessary by the in-school team because of cognitive/intellectual, social/emotional, behavioural, sensory, physical, communication, academic, or special health-care needs that affect their ability to meet curricular learning expectations

or

- those who are working well beyond subject- or course-specific provincial curricular learning expectations in one or more subjects/courses or specific skill areas

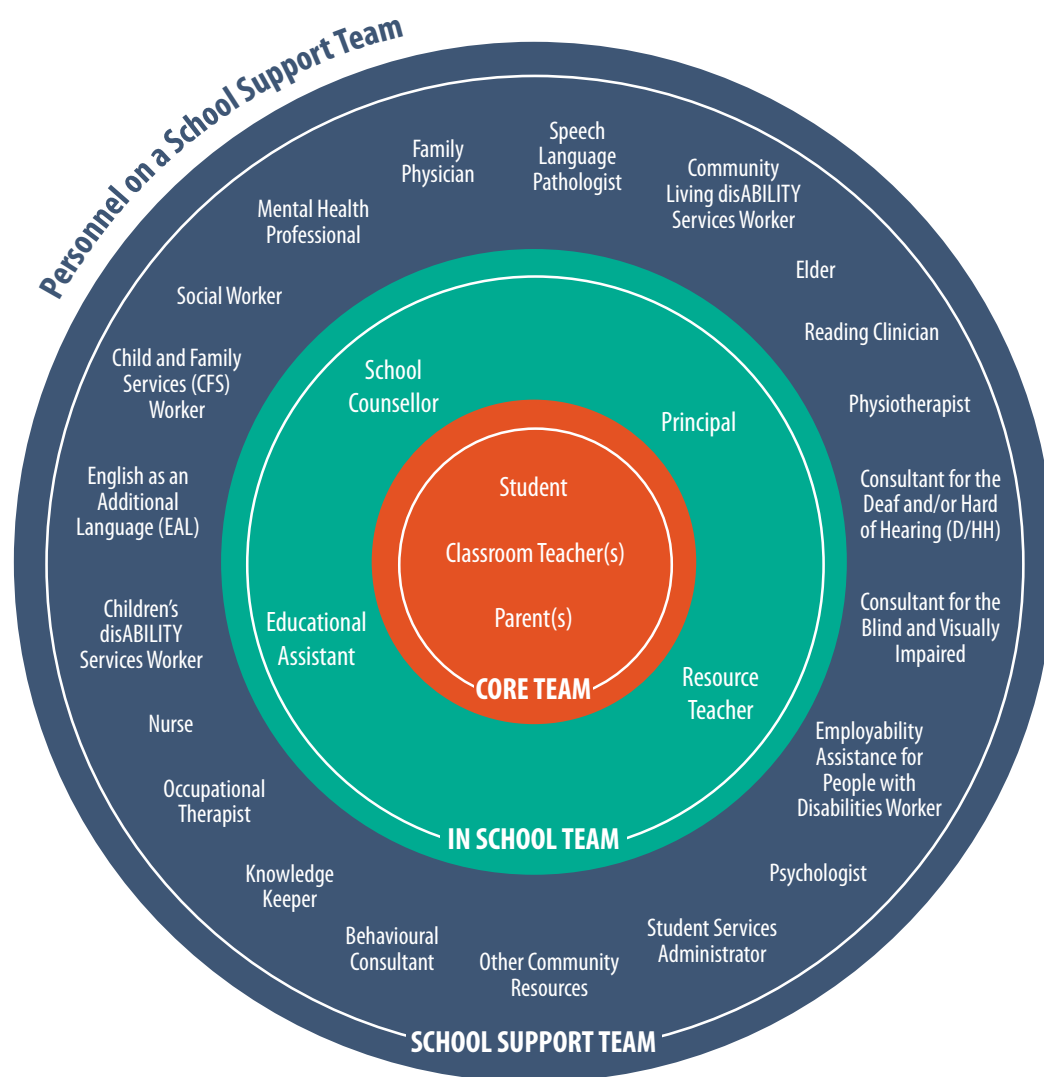
The in-school team includes the student, parent(s), classroom teacher(s), school principal, resource teacher(s), counsellor(s), and may include educational assistants and others who support students with special learning needs and abilities. The team has an important role in planning, developing, and monitoring student-specific plans (SSPs) for students. For students who require an SSP, a member of the in-school team is designated as case manager.

## School Division Student Services Supports

In-school teams have access to school division-level supports such as school clinicians and consultants (see the “School Support Team” section of the following graphic, **Personnel on a School Support Team**).

School clinicians provide consultative-collaborative services with school personnel and parents, and may become active members of a student’s support team through the school division referral process.

The student services administrator\* (SSA) plays a key role in supporting the efforts of school teams. The SSA is responsible for coordinating supports and services across the school division. In some cases, the SSA may participate directly in planning for students with special learning needs and abilities in schools.



\* Student services administrators may have different titles in different school divisions. Examples include student services coordinator, student services consultant, director of student services, principal of student services, and assistant superintendent of student services.

# Standards for Appropriate Educational Programming

These standards are developed in accordance with Manitoba Education and Early Childhood Learning's regulations, policies, and Philosophy of Inclusion. They reflect the base or minimum practices and services that must be available to all students in Manitoba.

These standards set direction and will assist school divisions and funded independent schools in implementing appropriate educational programming in the following areas:

- policy
- access
- early identification
- assessment
- planning in education
- student discipline
- dispute resolution
- coordinated services
- professional support

## Policy

Manitoba school divisions review local policy regularly. It is important that changes in legislation, regulation, and government policy or guidelines are reflected in revisions to existing policy and the development of new policy.

### A. School divisions must

1. ensure that local written policies and procedures are developed, kept current, implemented, made available to the public, and in compliance with constitutional and provincial human rights legislation, provincial legislation, regulation, standards, policy, and guidelines
2. make available to the public written descriptions of supports and services and local educational placement and programming options for students with special learning needs and abilities
3. ensure that Manitoba's Philosophy of Inclusion and appropriate educational programming principles are explicit when revising or creating new policy, so that the policy
  - is inclusive of all persons
  - respects the rights and needs of all persons
  - avoids unintended negative outcomes
  - reflects the goals of equity and fairness for all

## Access

All students in Manitoba are entitled to have access to education under *The Public Schools Act*. Some students will require accommodation such as adaptations, curricular modifications, or individualized programming to meet their learning needs.

Placement policies must comply with the *Canadian Charter of Rights and Freedoms* and *The Human Rights Code*, which state that one cannot discriminate on the basis of physical or mental disability or any other protected characteristic.

The first and foremost consideration in the placement of all students is the right to attend the designated catchment school for their residence in a regular classroom with their peers or in a program designated by the school board if the school does not provide it. This includes the four provincially recognized programs: English, French Immersion, Français, and Senior Years Technology Education.

## Universal Design

Access to learning is maximized by using universal design principles in all planning processes. Universally designed schools, classrooms, curricula, and materials provide all students with access to the resources they need, regardless of their diverse learning needs. This may include the design of

- flexible curricular materials and experiences that make curricular learning expectations achievable by students with diverse abilities
- technologies that support inclusive teaching practices and allow the greatest number of learners to participate in the curriculum
- open, adaptable classroom spaces and recreational facilities
- schools with elevators and ramps
- visual schedules, floor-to-ceiling bulletin boards and whiteboards
- blended or remote learning situations

Research on universally designed instruction continues to inform effective practice in meeting student needs.

School divisions must provide reasonable accommodation for all students based on identified needs. Students requiring such accommodation shall be assessed and reasonably accommodated on an individual basis. *The Human Rights Code* specifies that there must be reasonable accommodation of students' special needs unless they demonstrably cause undue hardship due to cost, risk to safety, impact on others, or other factors.



A. School divisions must

1. provide all students with the same minimum number of hours of instruction, and document in the SSP any reduction or alterations in the school day, including a plan to return to full-time instruction
2. make reasonable efforts to alter structures, remove barriers, or arrange appropriate transportation to an accessible educational setting if a placement cannot be made because of physical barriers (*The Human Rights Code*)
3. provide parents with the division transportation policy for students who are attending school outside the catchment area
4. reasonably consider barrier-free access and universal design principles in planning for all new construction and significant renovation (MR 164/98)
5. provide parents who are new to the school division with the accessibility information they request on each school in the division (MR 468/88)
6. transfer pupil record information according to existing *Manitoba Pupil File Guidelines*
7. transfer the cumulative file and pupil support file components of the pupil file within one school week of receiving such a request from the receiving school (MR 468/88)\*
8. implement a transition-to-school plan in a timely manner according to the interdepartmental transition protocols and provincial transition protocols
9. develop a personalized transportation plan (PTP) for students with special needs who require transportation according to the *Policy Guidelines for Transportation of Students with Special Needs*
10. ensure that school-related activities such as assemblies, sports days, and field trips reasonably accommodate the needs of all students
11. provide educational programming that is responsive to the social, emotional, and learning needs of the student within 14 calendar days after the student's completed registration has been received by the school, regardless of whether that school has received the student's pupil file\*\*

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\* The cumulative file and pupil support file components of the pupil file must be forwarded within one school week. If the time limit expires on a day when the school is not open for any reason during its regular hours of business or because it is a holiday, the time limit is extended to the next day the school is open or to the day following a holiday.

\*\* Educational programming must begin within 14 calendar days. If the time limit expires on a day when the school is not open for any reason during its regular hours of business or because it is a holiday, the time limit is extended to the next day the school is open or to the day following a holiday.

B. School division policy regarding **access** must

1. clearly outline for parents and school staff how placement decisions are made
2. include direction to schools with respect to placement if the catchment school for a student's residence is not able to meet the student's individual needs, as determined in consultation with the parents and the school team
3. state that the placement of students in locations other than the catchment school for their residence shall be reviewed annually or when students' needs and abilities warrant such a review
4. state that no student shall be unreasonably denied admittance to school due to transfer-of-information issues
5. state that students shall not be denied educational programming for more than 14 calendar days, pending the transfer of the cumulative file and pupil support file components of the pupil file\*
6. state that school-related activities such as field trips, assemblies, and sports days shall be accessible and planned to manage risk and reasonably accommodate the needs of all students\*\*
7. provide direction for staff and parents on how to reasonably accommodate the needs of all students, including direction on
  - access to information
  - procedures
  - roles and responsibilities
  - the continuum of programming available in the school division
  - transportation
  - a process for local dispute resolution

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\* Educational programming must begin within 14 calendar days. If the time limit expires on a day when the school is not open for any reason during its regular hours of business or because it is a holiday, the time limit is extended to the next day the school is open or to the day following a holiday.

\*\* This policy is not intended to restrict the activities of the classroom but to ensure inclusion of all students in the planning process.

## Early Identification

Manitoba school divisions regularly assess the learning of all students. Assessment and reporting are integral to all school programs: English, French Immersion, Français, and Senior Years Technology Education. Through ongoing assessment, some students may be identified as having special learning needs and abilities.

Early identification refers to the process used to identify students with special learning needs and abilities in preschool, Kindergarten, the Early Years, or as early as possible before or after their entry into school. Classroom-based assessment is critical to the early identification of special learning needs and abilities.

### A. School divisions must

1. ensure that a student is not denied educational programming pending
  - the conduct of any assessment, or
  - the preparation of a student-specific plan (SSP)
2. make division policy on early identification available to parents, other community agencies, and government departments
3. determine the screening tools and assessment procedures to be used by qualified members of the in-school team in early identification
4. make reasonable efforts to involve parents, other community agencies, and government departments in early identification and intervention processes
5. request information from parents that is relevant to planning and implementing their children's educational programming upon school entry

### B. School division policy on **early identification** must

1. outline a process for identification of early learning needs that includes screening for early identification from Kindergarten to Grade 4
2. outline what information is required for planning and implementing a student's educational programming upon school entry
3. outline a process to be followed when students are not meeting the curricular learning expectations, as identified in provincial curricula

## Assessment

In accordance with *The Public Schools Act*, Manitoba school divisions have an obligation to conduct regular assessments of all students' learning and to report this to parents at the regular reporting periods set out for all students in the province.

Teachers use assessment to determine how students are progressing and to guide and improve instruction for all students. Assessment methods must be appropriate for and compatible with the purpose and context of the assessment.

Specialized assessments are conducted by qualified practitioners on an individual basis to determine what factors are affecting the student's learning and what approaches would assist the student to meet the learning expectations in the classroom.

### A. School divisions must

1. use the information gathered by the classroom teacher as the first source of information regarding student learning
2. use assessment results to guide programming decisions for the student
3. ensure that qualified practitioners who are designated by the school board or the principal conduct specialized assessments, interpret results, follow principles of fair assessment practices, and provide parents and classroom teachers with programming recommendations
4. use qualified practitioners and other service providers and involve parents to complete specialized assessments when appropriate
5. ensure that school teams, including parents and the student when possible, are responsible for developing student-specific outcomes where indicated by the assessment process

### B. School division policy on specialized **assessment** must

1. include written procedures for referral of students who require specialized assessments, including parent and student input, teacher observation, formal and informal assessment measures, and assessments by school team members and other members of support services
2. outline the process for informed consent for a service (e.g., specialized assessment, intervention)
3. outline the process for consent for information sharing, including the circumstances under which information can be shared without parental consent
4. direct staff to prioritize referrals for specialized assessments based on needs or requirements
5. provide timelines on specialized assessments, including timelines for follow-up meetings, reporting of results, and written reports

6. direct staff to ensure that assessment results are written and interpreted for parents in a way that is clear and concise, and respectful of the parents' language and literacy needs
7. comply with the expectations outlined in the standards and guidelines set by professional organizations for their members
8. provide direction on using assessment results to make programming decisions, develop SSPs, and assign support services
9. identify a process for using assessment data to evaluate individual progress and programming decisions for students with special learning needs and abilities

Principals are responsible for ensuring that

1. a student is assessed as soon as reasonably practicable
2. a student is referred for a specialized assessment if the in-school team cannot determine why a student is having difficulty meeting the curricular learning expectations
3. a student is referred for a specialized assessment if the in-school team determines that differentiated instruction and adaptations are insufficient to assist the student in meeting the curricular learning expectations
4. the student's parent (or the student, if 18+ years old) is informed before the student is referred for a specialized assessment, and no interviewing or testing as part of the assessment may occur without informed consent
5. the informed consent policy of the school division is followed

## Planning in Education

Manitoba school divisions and schools are required to engage in a process of planning in education and of reporting progress toward meeting identified outcomes annually. It is important to involve the community, parents, and students in planning. Planning in education includes the school division, school, classroom, and student-specific planning.

Planning in school divisions and schools to meet the needs of all students is a priority. The student services administrator has responsibility for coordinating supports and services across the school division and plays a key role in supporting the planning efforts of school teams.

Teachers plan and use instructional practices to meet the diverse needs of all students in their classes. For some students who have special learning needs or abilities, student-specific planning is necessary. Principals, teachers, parents, and students (the in-school team) all have a role to play in student-specific planning. School clinicians provide consultative-collaborative services for school personnel and parents and may become active members of a student's support team through the school division referral process. Other school support team members, including but not limited to Elders, mental health professionals, and/or community resources personnel, may be called upon to participate in the planning process.

### A. School divisions must

1. annually engage in planning, assessment, monitoring, and reporting progress in relation to divisionally identified targets and provincial priorities, including
  - supports and services available to students
  - information on how to access the supports and services
  - information on expenditures related to student services

### Student-Specific Planning

**Student-specific planning** is the process through which members of student support teams, including educators and parents, collaborate to meet the unique needs of individual students. The purpose of student-specific planning is to help students attain the skills and knowledge that are the next logical step beyond their current levels of performance. Through the student-specific planning process, the student support team works to identify a student's learning needs and to develop, implement, and evaluate appropriate educational interventions. These interventions may range from short-term strategies applied in the classroom to comprehensive, individualized programming. The student-specific planning process is sufficiently broad-based to address, in a systematic way, a wide range of learning needs.

The term *student-specific plan* in these standards reflects terminology currently used in the field to represent the global term *individual education plan* (IEP), as referenced in section 5 of *The Appropriate Educational Programming Regulation 155/05*.

*Student-specific plan* (SSP) is a global term referring to a written document developed and implemented by a team, outlining a plan to address the unique learning needs of a student. An SSP is a document that functions as a planning, record-keeping, and communication tool. A wide range of students with different strengths and needs can be served through student-specific planning, and each resulting plan is specific to the student for whom it is designed. The format, length, and content of the SSP will reflect the needs of the student, and they range from one or two pages to longer, more detailed and comprehensive SSPs.

It is expected that students who are learning English as an additional language (EAL) have an EAL learning plan, which is a specific type of SSP. (Please see the *EAL Curriculum Framework* at [www.edu.gov.mb.ca/k12/cur/eal/framework/index.html](http://www.edu.gov.mb.ca/k12/cur/eal/framework/index.html).) Students in the Français program who are learning Français as an additional language (Littérature française) may have a Plan éducatif de littérature française (PELF), which is also a specific type of SSP.

An SSP is required when

- it is determined that a student requires student-specific outcomes in addition to the provincial curriculum
- in K to Grade 8, it is determined that a student is eligible for the EAL or Littérature française designation in a subject, modification of curricular learning expectations in a subject, or individualized programming
- in Grades 9 to 12, it is determined that a student is eligible for the English as an Additional Language (E) designation, Littérature française (L) designation, the Modified (M) course designation, or the Individualized Programming (I) designation
- it is determined that a student has an identified need and requires adaptations consistently in order to meet or approximate the learning expectations of the provincial curriculum
- a student has been suspended out of school more than two times during a school year
- it is determined that a student has special learning needs and abilities that require student-specific planning and documentation

School divisions use a variety of terms specific to the purpose of the plan to identify the written document for the student-specific planning process.

A. School divisions must

1. provide parents with the information needed to make informed decisions
2. provide parents with the opportunity to participate in planning, problem solving, and decision making that affect students' education
3. require principals to designate a case manager and ensure that SSPs are developed with the assistance of the teacher and other in-school personnel
4. provide the opportunity for parents and students to participate with teachers and other professionals in the development, implementation, monitoring, and evaluation of students' SSPs
5. include in each SSP information about the student's current level of performance and adaptations and/or student-specific outcomes that the student can reasonably be expected to meet
6. ensure that written SSPs are developed, revised, implemented, monitored, and evaluated at least annually for all students identified as having special learning needs and abilities
7. inform parents of students' progress at the regularly scheduled reporting periods throughout the year, or more frequently if programming changes are deemed appropriate (MR 468/88)
8. ensure that students have a transition plan where required, according to interdepartmental protocol agreements respecting students' transition to and from school
9. ensure that the student support team meet (or be formed) to engage in the student-specific planning process as part of a post-event debriefing process
10. identify school principals as being accountable for the delivery and implementation of educational programming and services for students with special learning needs and abilities (MR 468/88)
11. ensure that access to SSPs and student records complies with the *Manitoba Pupil File Guidelines*, *The Freedom of Information and Protection of Privacy Act*, *The Personal Health Information Act*, and *The Protecting and Supporting Children (Information Sharing) Act*



B. School division policy on **planning in education** must

1. provide educators with access to professional learning opportunities that assist them in supporting students with a full range of strengths and needs
2. ensure that schools have access to the necessary supports to provide consultation, planning, and problem solving related to appropriate educational programming for all students
3. obtain written informed parental confirmation on SSPs to indicate involvement in the SSP development process
4. document the reasons for refusal and/or actions undertaken by schools to obtain consent and/or resolve concerns in cases when parents refuse to participate in the student-specific planning process

Principals are responsible for

1. ensuring that an SSP is prepared for a student when
  - it is determined that a student requires student-specific outcomes in addition to the provincial curriculum
  - in K to Grade 8, it is determined that a student is eligible for the EAL programming designation in a subject, modification of curricular learning expectations in a subject, or individualized programming
  - in Grades 9 to 12, it is determined that a student is eligible for the English as an Additional Language (E) designation, the Modified (M) course designation, or the Individualized Programming (I) designation
  - it is determined that a student has an identified need and requires adaptations consistently in order to meet or approximate the learning expectations of the provincial curriculum
  - a student has been suspended out of school more than two times during a school year
  - it is determined that a student has special learning needs or abilities that require student-specific planning and documentation
2. ensuring that the SSP
  - is prepared and updated collaboratively with parents, the student, teacher(s), other school and/or division personnel, and outside agency support personnel
  - is consistent with provincial protocols respecting a student's transition to and from school
  - is updated annually, or sooner if required by a change in the student's needs
3. ensuring that a student's parents and the student have the opportunity to be accompanied and assisted by a person of their choosing during the student-specific planning process

## Student Discipline

All school division policy on discipline must be consistent with the *Canadian Charter of Rights and Freedoms* and *The Human Rights Code*, as well as legislation and regulations in *The Education Administration Act* and *The Public Schools Act*.

*The Provincial Code of Conduct* (2013) sets out a range of appropriate disciplinary consequences for all schools to follow consistently. The *Appropriate Disciplinary Consequences in Schools Regulation 92/2013* under *The Education Administration Act* confirms and restates the authority of principals, schools, and school divisions and requires principals of Manitoba schools to ensure that appropriate interventions and disciplinary consequences are included in their school codes of conduct.

Manitoba school divisions are responsible for developing policy on student discipline and for ensuring that parents and students know and understand the policy. For some students, the approach to discipline will need to consider the student's special learning needs and abilities, including whether

- the student is able to access the information
- the student understands the policy or rules
- the disciplinary actions used for the majority of students are appropriate for the student

### A. School divisions must

1. provide reasonable accommodation when disciplining a student, and must take into consideration the student's state of development, ability to comply, and the amount of support required (MR 468/88)
2. communicate the policy on discipline to school division staff, parents, and students at the beginning of each school year or upon the registration or enrollment of new students during the year (MR 77/05)
3. require schools to keep records on the nature and duration of all suspensions, both in school and out of school
4. provide all students with the same minimum number of hours of instruction, and notify in writing and involve the parent/guardian if there is a change in school hours that is intended to be disciplinary (Written notification can be a formal letter, email, or minutes of the meeting where the decision was made, and it should include the plan and timeframe for return to full-time hours.)
5. offer and arrange alternative programming for students who are suspended for more than five days\*
6. offer and arrange alternative programming for students under the age of 18 who are expelled\*

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\* Alternative programming may range from work at home to alternative courses at a different location or remote learning, depending on the student's needs, length of suspension, or age at the time of expulsion.

B. School division policy on **student discipline** must

1. include direction to schools on discipline of students whose needs affect their behaviour, and the expectation that reasonable accommodation must take into consideration the student's state of development, ability to comply, and the amount of support required (MR 468/88)
2. identify a mandatory process to inform parents and ensure safety any time a student is sent home for disciplinary reasons
3. incorporate a continuum of supports, including positive and preventive approaches and strategies, as well as consequences corresponding to the nature, severity, and frequency of the behaviour or infraction
4. identify a re-entry process for students who are suspended (The process should involve students, parents, and appropriate school team members, include timelines, and ensure re-entry occurs on the day following completion of the suspension.)
5. identify a re-entry process for students whose school hours have been reduced or their educational program has been altered for disciplinary reasons (The process should involve students, parents, and appropriate school/division team members and include timelines.)
6. direct staff to develop a student-specific plan for students who have been suspended out of school more than two times during a school year

## Dispute Resolution

School divisions and parents sometimes disagree about the education of students, and it is necessary that a timely, fair, and open dispute resolution process be available at the local school and school division levels.

Manitoba school divisions must have a process that protects the rights of students and parents, and that addresses differences of opinion about the education of students. It is always important that the partnership between schools and parents is strong and that issues are resolved at the local level whenever possible. The education of students with special learning needs and abilities involves an even closer working relationship, as parents are integral members of the student-specific planning team.

A parent of a student, or a student who is over the age of 18, may make a complaint to the review coordinator of Manitoba Education and Early Childhood Learning about the appropriateness of educational programming or placement, as identified in the student's SSP.

A. School divisions must

1. develop and make accessible to parents local policy on communication and dispute resolution at the school and school division levels
2. make all reasonable attempts to resolve disputes informally, including using dispute resolution processes such as mediation
3. advise parents of their right to make a formal appeal (within 14 days) of decisions about their children's educational programming and of their right to be accompanied by a supporting person
4. inform parents of the appeal procedures of the school board
5. advise parents of their right to request formal dispute resolution from Manitoba Education and Early Childhood Learning within 30 days from the time a complaint has been determined by the school board and efforts to resolve the issues locally at the school and school division levels have failed
6. participate in an alternative dispute resolution process regarding complaints made to the review coordinator of Manitoba Education and Early Childhood Learning
7. advise the review coordinator of Manitoba Education and Early Childhood Learning that a complaint has been resolved through alternative dispute resolution
8. comply with a review committee request to answer any questions and to produce any documents, papers, notes, records, and other material relevant to a complaint or to appropriate educational programming within the division or district
9. direct any appeals of final decisions of a review committee to the deputy minister

B. School division policy on **dispute resolution** must

1. have written procedures for timely, fair, and open dispute resolution and appeals at the local school and school division levels
2. identify alternative dispute resolution processes that are culturally appropriate and adhere to legal and fair dispute resolution principles
3. establish written procedures to hear appeals from parents or students (where applicable) about decisions that significantly affect the educational programming and placement of students with SSPs

## Coordinated Services

Manitoba school divisions work collaboratively with governmental and non-governmental agencies to provide a range of supports and services for students. It is not unusual for health or law-enforcement authorities, for example, to work in partnership with school divisions or schools.

For students who have special learning needs and abilities, it is often essential that there be an interagency or coordinated plan that involves appropriate parties. Interdepartmental agreements or protocols are in place directing departments to participate in a collaborative process for students who

- have special learning needs and abilities
- are in the care of child welfare
- have involvement with youth criminal justice
- require student-specific planning due to severe to profound emotional and behavioural needs
- require student-specific planning due to medical needs

### A. School divisions must

1. invite community agencies, organizations and associations, other education authorities, and regional health and children's services authorities to plan collaboratively in support of appropriate educational programming for students
2. provide staff with direction on informed consent for information sharing from parents in compliance with the *Manitoba Pupil File Guidelines*, *The Freedom of Information and Protection of Privacy Act*, *The Personal Health Information Act*, and *The Protecting and Supporting Children (Information Sharing) Act*

## Professional Support

*The Public Schools Act* requires school divisions to employ certified teachers. Staff in Manitoba school divisions must meet the diverse needs of all students. Teachers and other professionals have a responsibility to engage in ongoing professional development (*Education Administration Act*, M.R. 468/88). As the employing authority, school divisions are responsible for ensuring that staff have or can develop the skills needed to implement inclusive practices using universal design principles in order to address the needs and abilities of all students.

- A. As part of their school planning process, school divisions must
  - 1. identify the needs and abilities of the student population and provide the necessary professional learning opportunities for staff
  - 2. support staff in gaining the knowledge and skills to meet the individual needs of all students
  - 3. assess, monitor, and report their progress in relation to divisionally identified targets and provincial priorities

## Glossary

### **accessibility**

Removing physical or other barriers or obstacles to ensure access to buildings, facilities, media, materials, electronic systems, and environments conducive to full participation in provincial curriculum/learning, and to ensure equality for all individuals.

### **accommodation**

Identifying, preventing, and removing barriers that impede students from participating fully in an educational environment that is responsive to their unique circumstances. Accommodations include adaptations to instructional and assessment practices to support student learning (Manitoba Human Rights Commission).

### **adaptation**

A change made in the teaching process, materials, assignments, or student products to assist a student in achieving the curricular learning expectations (MR 155/05).

### **appropriate educational programming (AEP)**

A collaborative school-family-community process focused on creating learning environments and providing responsive resources and services that address the lifelong learning and social and emotional needs of all students.

### **assessment**

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

### **case manager**

A member of the school-based student support team designated by the principal to coordinate the team's collaborative work to meet individual student needs through the student-specific planning process and student-specific plan (SSP) development and monitoring.

### **clinician**

An individual educated in the provision of support services within the school setting who provides services for students and consultative services for school personnel and parents; certified under the Teaching Certificates and Qualifications (MR 115/2015) as an audiologist and speech-language pathologist, school psychologist, school social worker, occupational therapist, physiotherapist, or reading clinician.

### **consent**

See *informed consent*.

### **core team**

A team that consists of the student, the student's parent(s)/guardian(s), and the student's teacher(s).

### **current level of performance**

A student's current abilities and skills, with attention to strengths and areas of need in a particular subject/course/domain.

### **curriculum**

An intentional design for learning developed within a discipline. It is based on the competencies, processes, practices, skills and/or knowledge, and ways of thinking that meet the developmental needs and societal expectations for students related to that discipline. The provincial curriculum describes expectations for learning at different points (grades, grade bands, stages, etc.). Public and funded independent schools in Manitoba are expected to follow the provincial curriculum.

### **curricular learning expectations**

The learning that students are expected to demonstrate at specific points (grades, grade bands, stages, etc.) within a discipline ("subject").

**daily plan**

A plan that outlines how a student's SSP will be implemented daily, the student's daily timetable, and the learning expectations, outcomes, or goals.

**differentiated instruction**

A method of instruction or assessment that alters the presentation of the curriculum for the purpose of responding to the learning diversity, interests, and strengths of students.

**dispute resolution**

A variety of informal and formal procedures used to identify issues and find meaningful solutions to the issues in dispute (e.g., problem solving, negotiation, conciliation, mediation, and arbitration).

**diversity**

The variety of characteristics that all persons possess, that distinguish them as individuals, and that identify them as belonging to a group or groups. The dimensions of diversity include, but are not limited to, ancestry, culture, ethnicity, gender, gender identity, language, physical and intellectual ability, race, religion, sex, sexual orientation, socioeconomic status, type of area (urban/rural), age, faith, and/or beliefs.

**early identification**

The process used to identify students with special learning needs and abilities in preschool, Kindergarten, Early Years, or as early as possible in the student's education, before or after their entry into school.

**educational assistant (EA)**

An individual employed by the school board to work with teachers and students as part of the teaching-learning process.

**expected learning outcomes**

The learning outcomes consistent with the curriculum.

**inclusion**

A way of thinking and acting that allows every individual to feel accepted, valued, and safe. An inclusive community constantly evolves to meet the changing needs of its members.

**individual education plan (IEP)**

A type of student-specific plan that documents student-specific outcomes (SSOs) that are in domains outside of the provincial curriculum.

**individualized programming**

Programming intended for students whose diagnosed intellectual disability is so severe or profound that they do not benefit from participating in curricula developed or approved by Manitoba Education and Early Childhood Learning. Appropriate educational programming would involve identifying highly individualized functional learning experiences related to building independence in domains outside of the provincial curriculum and documenting these in an individual education plan.

**informed consent**

An individual's or legal guardian's (substitute decision maker's) voluntary consent, when properly and fully advised of the procedures, risks, and benefits, to participate or not participate in an activity of assessment, intervention/treatment, or programming (or change in such). Consent may be withdrawn at any time.

**in-school suspension**

"An instance in which a student is temporarily removed from their regular classroom(s) for at least half a school day for disciplinary purposes but



remains under the direct supervision of school personnel. Direct supervision means school personnel are physically in the same location as students under their supervision.”

**Source:** Civil Right Data Collection (CRDC). Available at <https://ocrdata.ed.gov/assets/downloads/CRDC-Definitions-2015-16.pdf>.

### **in-school team**

The core team and other school staff as required who have the knowledge and skills to identify student needs and to develop and implement a plan to meet those needs.

### **modification**

Changes made by the school support team to the number, essence, or content of grade-level provincial curricular learning expectations in a subject/course to meet the learning needs of a student who, through a specialized assessment, has been identified as having an intellectual deficit. The changes to the grade-level curricular learning expectations are documented in a student-specific plan.

### **out-of-school suspension**

An instance in which a student is dismissed from school for disciplinary purposes for a finite period of time when their peers are expected to be in attendance.

### **parent**

This term refers to both parents and guardians and is used with the recognition that in some cases only one parent may be involved in a child’s education or that the significant adult in the life of many students may not be their parent. The term may also apply to a student who has reached the age of majority.

### **personalized transportation plan (PTP)**

A written document recording an individual student’s specific needs and the requirements for transportation services as part of the student’s SSP.

### **placement**

A school or an alternative learning environment chosen for a student; determined by school and school division policy and in consultation with the school team, including parents.

### **resource teacher**

A teacher whose primary role is to support teachers and students in the implementation of appropriate educational programming within an inclusive learning environment; secondary roles may include leadership, management, and other resource duties. Resource teachers may include, but are not exclusive to, student services teachers, learning support teachers, and others.

### **school division**

As defined in subsection 1(1) of *The Public Schools Act*, “means a school division having the responsibility of providing for elementary and secondary public school education and includes a remote school district as designated in subsection 3 (4) but does not include a school district.” (School division roles typically include trustees, superintendent/CEO, assistant superintendent(s), student services administrator(s), and school-based student services support team).

### **school-based student support team**

People who have the knowledge and skills to identify a student’s needs and abilities and to develop and implement a plan to meet those needs; typically includes a school principal, resource teacher(s), school counsellor(s), classroom teacher(s), and others who have responsibility for students with

special learning needs; the team has an important role in supporting the planning, development, and monitoring of SSPs for students in all aspects of their school life.

#### **school guidance and counselling services**

A comprehensive and developmental approach focused on student learning (K to Grade 12) through a team-based student services delivery model. Four components of these services include counselling, prevention, education, and coordination in the areas of personal/social, educational, and career development of students.

#### **specialized assessment**

Individualized assessment conducted by qualified practitioners across a variety of domains and specific learning contexts to provide additional information on the special learning needs and abilities of students. This can include assessment of learning, social/emotional, behavioural, sensory, physical, cognitive/intellectual, adaptive, communication, academic or special health-care needs relevant to students' learning and performance.

#### **student services**

Staff and services provided by the school division to meet the needs of students who have special learning, social/emotional, behavioural, sensory, physical, cognitive/intellectual, communication, academic, or special healthcare needs.

#### **student services administrator**

An educator employed by a school division to coordinate the delivery of services and supports for students with special learning needs and abilities and the student services needs in schools.

#### **student-specific outcome (SSO)**

A concise description of what a student will know and be able to do by the end of the school year; SSOs are outcomes other than the learning expectations of the provincial curriculum.

#### **student-specific plan (SSP)**

A global term referring to a written document developed and implemented by a student support team, outlining a plan to address the unique learning needs of a student. An SSP is not a legal document; it functions as a planning, record-keeping, and communication tool. The format, length, and content of the SSP will reflect the needs of the student. School divisions use a variety of terms to identify the written document for the SSP process.

#### **transition**

Moving a student from one environment to another at key points in their development from childhood to adulthood (e.g., entry into Kindergarten, transition from one grade to the next, transition from the Early Years to Middle Years, or transition from school to post-school life).

#### **universal design**

The process of creating systems, environments, materials, and devices that are directly and repeatedly usable by people with the widest range of abilities operating within the largest variety of situations.

#### **wrap-around**

An integrated team-based process for many systems to come together with children and youth and their caregiver(s) to create a highly individualized plan that includes the coordination of existing services and the development of new/non-traditional supports to address complex emotional and behavioural challenges (Manitoba 2013a).

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