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**Follow-up to the Manitoba  
Special Education Review:**

**Proposals for a Policy,  
Accountability and  
Funding Framework**

**September 2001**



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## S U M M A R Y

The Manitoba Government is planning important changes to Special Education for September 2002. These changes reflect the government's commitment to making sure that the education system meets the needs of all Manitoba children. The planned changes include:

- a clear statement of the services that the government is committed to providing to all Manitoba students
- a requirement that parents of students with special needs be involved in planning the student's education and assessing the school's success in meeting the student's needs
- changes in the way special needs programs are funded

These proposals move the Manitoba education system further down a road that it has been travelling for two decades. Today, students with special needs are rarely isolated in special schools or special classrooms. However, the level of support that these students receive varies across the province. And while students are not excluded from the classroom, many of them are still labelled and treated in a manner that unnecessarily stresses the ways in which they differ from other students.

These proposed changes build on the recommendations of the 1999 Manitoba *Special Education Review*. That review spent two years studying special education in Manitoba. It heard from parents, teachers, administrators, government officials, and professionals in the field. The *Review* concluded that the best special education policy was one that was inclusive and provided a range of supports for students. Under an inclusive policy the first choice is to educate students in regular classrooms in neighbourhood schools with students of the same age. This approach recognizes that all students require supports at some point during their education.

The changes described in this document are proposals. They are not final answers. All Manitobans, especially parents, teachers, school administrators, and professionals in special education, are encouraged to comment on these proposed changes.

## B A C K G R O U N D I N F O R M A T I O N

### Education in Manitoba

The Manitoba Government is responsible for public education in the province of Manitoba. In Manitoba *The Public Schools Act* and its regulations outline the legal requirements of the education system.

The Manitoba Government has also created a Department of Education, known as Manitoba Education, Training and Youth. The Department sets guidelines as to how schools are to obey *The Public Schools Act*.

Manitoba public schools are run by local school divisions and school districts. They are responsible to locally elected school boards. The boards must live up to *The Public*

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*Schools Act* and its regulations. The Manitoba Government provides grants and policy direction to the schools divisions and districts. When this system is working well, Manitoba Education, Training and Youth sets overall goals and provides funding, while the school boards and divisions have the flexibility to make sure that the schools are meeting local needs.

## Special Education

Special education refers to the educational and support services provided to students whose need has been identified by special tests and assessments. These services include such supports as special equipment, resource teachers, modified or enriched course content, and individualized programming.

## Funding Special Education

There are three levels of special needs support available to schools from the Manitoba Government. Known as Level I, Level II and Level III Special Needs, these programs provide assistance for students with mental and physical disabilities, learning disabilities, emotional/behavioural disorders, hearing loss, visual impairment, psychosis, and autism.

In addition to these categories, the government also funds programs that support early behaviour intervention, early literacy, students at risk, school counsellors, administrators, clinicians, and students who require complex medical procedures.

The Manitoba government has adopted two main approaches to funding special education: (1) student-specific funding and (2) block funding.

**Student-specific funding** is funding that is provided on a student-by-student basis. The school division applies for funding by demonstrating to the Manitoba Government that a student fits into a specific funding category. After this identification process is completed, the division receives a fixed amount of money. The expectation is that the money is to be spent on the student for expenses such as personnel, special materials and equipment, and therapy. In Manitoba, most schools have used this money to hire teacher assistants to work with the student. School divisions receive student-specific funding for students who are identified at Level II, Level III, or who require complex medical procedures.

**Block funding** works on the principle that each division is likely to have a certain number of students who have special needs. Instead of insisting that divisions go through the time-consuming process of applying for individual grants the Manitoba Government provides divisions with a combined (or block) grant. This grant is to be spent on meeting certain special needs. The size of the grant is based on such factors as the number of students in the division. Block funding is provided for students who are assessed at Level I, and to support early behaviour intervention and programs for students at risk.

## Accountability

An accountability process helps make it clear that the special education system is providing the supports that students have a right to receive. Accountability is provided in

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the current system through Annual Division Action Plans (ADAP) for Special Education and Individual Education Plans (IEP).

The ADAP describes the special needs students in a division, the services provided, and anticipated changes.

The IEPs are developed for students who are funded at Levels II and III, and for students whose programs are significantly different from the typical curriculum.

## MANITOBA SPECIAL EDUCATION REVIEW

The *Special Education Review* identified a number of areas for improvement in this system. Students may not always receive the services they need, parents are not always properly involved in the planning of their child's education, and the level of support across the province is not consistent. Three areas where the report recommended improvements:

- ◀ The right to appropriate services
- ◀ Accountability
- ◀ Funding and programming

### The right to appropriate services

Special Education services are not discussed in *The Public Schools Act*. Manitoba is the only province that has not clearly spelled out the educational rights of children with special needs. The *Review* stated that it was important that the Manitoba Government develop minimum standards for special education.

### Funding and programming

The *Special Education Review* recognized that the current student-specific funding model labels students in a way that could be hurtful. It recommended that the Level I, II, and III, categories be redefined to focus on the student's needs, rather than focussing on student disabilities.

According to the *Review* funding criteria and identification practices were not always consistent or appropriate. The need to do better in meeting the needs of students with emotional and behaviour disorders was stressed.

### Accountability

The *Special Education Review* found that it was not possible to assess how effective current programming was because there are no clear special education goals or targets. Nor is there a process to determine if schools are meeting their goals. It also identified a number of problems with the Annual Division Action Plan and the Individual Education Plan.

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- ◀ Annual Division Action Plans do not always provide a clear picture of programs and services nor do they always set goals or measure progress to those goals.
  - ◀ Outcomes were not always monitored. Although the Manitoba Government recommends that IEPs be developed for all students with special needs and that parents be involved in the development of these plans, at present IEPs are not mandatory, nor do divisions have to involve parents in developing them. Furthermore, IEPs currently do not always set measurable goals or measure success in meeting those goals.

## IMPLEMENTING THE SPECIAL EDUCATION REVIEW

Based on the *Special Education Review*, additional research, and consultation with educators and parents in all areas of the province, Manitoba Education, Training and Youth has developed the following proposed changes.

### The right to appropriate services

The Department proposes changing *The Public Schools Act* to make it clear that all students have a right to an appropriate education. The *Act* will also spell out measures that will help parents make sure that their child's needs are being met.

It is proposed that the Manitoba Government:

- ◀ Amend *The Public Schools Act* to give all students the right to an appropriate education.
- ◀ Define "appropriate education" in regulations and policy to include:
  - the right to participate in either the provincial curriculum or, when necessary, in a personalized curriculum which is described in an Individual Education Plan (IEP);
  - the right to student and parent participation in IEP decisions; and
  - the right to a process to resolve disagreements about student services.

These changes would make the IEP into an effective tool in planning, delivering, and monitoring services.

- ◀ Describe student services and minimum service standards in regulations and policy so that schools, students and parents know what supports are expected.

### Accountability

Along with the proposed changes to the IEP described above, accountability will be improved by replacing the ADAP with improved School and Division Plans. The IEPs and the School and Division Plans would all focus on expected results. They would include a description of needs, goals, planned actions and planned evaluation methods.

School or division staff would be responsible for seeing that the plans are developed and evaluated. Each plan would have meaningful involvement from students and parents. Students, parents and the larger community would be involved in developing the School

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and Division Plans. The people involved in creating each type of plan would also evaluate that plan's success at least once a year.

## School planning

Schools and divisions currently develop school and division plans. However, these plans do not necessarily discuss services for special needs students. The ADAP focusses on special needs, but it does not set goals and it is not used in a consistent manner across the province. This split in the planning process does not encourage an inclusive approach to education.

The Manitoba Government is proposing that all schools and school divisions be required to include planning for student services and special needs students in their School Plans. This planning process will consider all student special needs, including those of gifted and talented children, and involve annual evaluation of outcomes.

The Department will provide information and training to educational partners so that they can implement these policies. This process will replace the ADAPs.

After a phase-in period, schools and divisions would be required to integrate plans for student services within their general plans. During the transition period, schools and divisions would be allowed to develop separate plans for student services. However, the student services plans must focus on expected results and include a description of needs, goals, planned actions and planned evaluation methods. Students, parents, and the larger community must be involved in creating these plans.

## Funding and programming

The Manitoba Government favours an inclusive approach to funding. The most inclusive approach to funding would be to recognize that all students require programming to meet special needs at some point in their educational career and simply provide school divisions with a student services grant. The division would then use that funding to meet the needs of all students. There would be no division of students into those with and without special needs.

For this reason the Manitoba Government is proposing that a number of currently existing block grants be combined into a single Student Services Grant. This grant will be based on both the number of students and an assessment of social and economic factors in each division.

The *Special Education Review* also recognized that schools are experiencing difficulty in providing programming for students with emotional and behavioural disorders. This is particularly the case for those students who have been classified at Level II very severely emotionally/behaviourally disordered (Level II EBD). Unlike other special needs categories, this classification does not correspond with existing medical or psychological categories. The research in this area suggests that the most effective way in which to address these behavioural issues is as part of overall school programming, rather than by programming that focusses on individual students. The Manitoba Government is proposing that funding for students who are currently being assessed at Level II EBD be included as part of the Student Services Grant.

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This is an important change. If this change goes ahead, it means that:

**Students will no longer be identified as Level II: very severely emotionally/behaviourally disordered (Level II EBD).** This is the area where assessment across the province has been the least consistent – behaviour that in one division is identified as severely disordered is often assessed in a very different way in a different division. Parents often find that in order for their child to receive supports, they must participate in a process that describes the child's behaviour in a very negative manner.

**Schools will be able to choose how best to support students.** The new Student Services Grant will still include money to support Level II EBD students. The amount will be at least equal to the current system. But schools will no longer have to make applications before supports can be provided. There is nothing in this policy change that prevents schools from providing the same sorts of services to Level II EBD students that they have in the past if the school believes those services are the best way to meet the student's needs. However, schools will also be able to use the money to provide services in ways that they think are better.

## The future of student-specific funding

It is proposed that consideration be given to further simplifying special needs funding. The Government recognizes that student-specific grants assure parents that specific resources are being targeted to meeting their child's special needs. It is their clearest way of holding the system accountable. It would not be responsible to change this system until it is clear that the new accountability provisions discussed above have increased parental involvement and improved accountability.

If these accountability measures are successful, it is proposed that more student-specific grants would be funded out of an expanded Students Services Grant. At the very earliest, this change would not take place until the 2005-2006 school year. It should not happen at all if it is concluded that the new accountability measures do not provide sufficient protection to children with special needs.

## A TIMETABLE FOR CHANGE

The proposed changes would take place in three stages.

### Stage 1: 2002-2003 School Year

- ◀ Several school divisions/districts would test the new Student Services Grant which replaces Level I, Level II (EBD) Special Needs, and funding for students at risk and early behaviour intervention programs.
- ◀ The remaining grants that support special needs would remain in place
- ◀ The mandated IEP and School and Division Plans would begin.

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## Stage 2: 2003-2005 School Years

- ◄ All schools and districts would receive the Student Services Grant.
- ◄ The remaining grants that support special needs would remain in place.
- ◄ IEPs would be fully mandated. Planning for special needs would be included within School and Division Plans.

## Stage 3: 2005-2006 School Year and Beyond

- ◄ The mandated IEP and School and Division Plans would be evaluated. If they proved successful in improving accountability, other grants for special needs would be phased out in favour of an expanded Student Services Grant.

## CONCLUSION

Manitoba must ensure that students with special needs have equal access to the benefits of publicly funded education. The proposed changes are aimed at providing a range of supports that will allow all students to receive an appropriate education.

Your feedback and opinions are very important. Please take the time to review the document and provide feedback if at all possible by October 31, 2001. There is a longer version of these proposals if you want more detail. For more information or to provide feedback please contact:

Special Education Review Initiative  
7-1577 Dublin Avenue  
Winnipeg, MB R3E 3J5

Fax: 204-948-2291  
Phone: 204-945-2392

Or email John VanWalleghe at: [jovanwalle@gov.mb.ca](mailto:jovanwalle@gov.mb.ca)