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## **1. GENERAL**

1.1 The model of service delivery for students with exceptional learning needs in the Winnipeg School Division shall be based on meeting the identified needs of students in the most enabling environment possible through a philosophy of inclusion and the provision of a continuum of supports.

1.2 The Winnipeg School Division shall provide a variety of supports and/or special programs for resident students with exceptional learning needs in order that they may participate as members of their school communities including any one, or a combination, of the following:

- individualized/adapted/modified programs/curriculum both within regular classrooms and special placements;
- differentiated instruction both within regular classrooms and special placements;
- special low enrolment placement options

These supports/special programs may include one or a combination of:

- trained specialists in education;
- individualized materials, equipment and/or physical facilities;
- specialized services (eg. clinical, therapy).

1.3 In accordance with Section 259 of the Public Schools Act, the Winnipeg School Division will attempt to provide, where possible, a range of services for students aged 4 – 21 years with exceptional learning needs, who, based on a comprehensive educational/clinical assessment, require extensive changes to the curriculum.

## **2. DEFINITIONS**

### **2.1 Exceptional Learning Needs**

Exceptional learning needs include social/emotional, behavioural, sensory, physical, cognitive/intellectual, communication, academic or special health-care needs that affect a student's ability to meet learning outcomes.

### **2.2 Inclusion**

Inclusion is a philosophy that reflects the provision of appropriate educational programming for all students that supports student participation in both the academic and social life of the school during the instructional day.

### **2.3. Integration**

"Integration" is a process by which students with exceptional learning needs are provided with the opportunities to receive some or all of their educational programming in a regular classroom setting.

Integration may include various forms of programming as appropriate to address the intensity of the child's needs such as placement in:

- low enrolment special education classes participating in whole school activities;
- low enrolment special education classes spending a portion of the school day in regular classes;
- regular classroom setting withdrawn for additional support services;
- regular classroom setting receiving additional supports within the classroom setting.



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2.4. Treatment Programs, both day and residential care, are those programs located in settings other than in a public school. The education component shall be under the direction of the school division in which the program is located.

2.5. Resident Student

A resident student is defined under the Manitoba Public Schools Act (also see Policy JEC School Admissions) as a student in a particular school division or school district:

- (a) whose parent or legal guardian, with whom the student resides, is a resident therein, or
- (b) who has attained the age of 18 years and is a Canadian citizen or landed immigrant resident therein, or
- (c) who, by reason of being dealt with under any provision of the Child and Family Services Act or the Youth Criminal Justice Act (Canada) becomes a resident therein, or
- (d) who is designated in writing by the Minister of Education, Citizenship and Youth as a resident therein.

2.6. Adaptation

"Adaptation" is a change in instructional strategies, content and/or assessment strategies, materials, assignments to assist the student in achieving the expected learning outcomes for a specific grade level/subject.

2.7. Modification

"Modification" is a significant change to the learning outcomes (more than 50%) that a student is expected to meet as outlined in the mandated Department of Education curriculum.

2.8. Individualized Programming

"Individualized Programming" is the development of a program of studies designed to meet the needs of students with severe cognitive disabilities who need programming outside the regular curriculum in the areas of social/emotional, behavioural, sensory, physical, cognitive/intellectual, communication, academic or special health-care needs.

2.9. Differentiated Instruction

"Differentiated instruction" is 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 pupils.

2.10. School Based Support Team

A school-based student services support team may include the principal/vice-principal, resource teacher(s), counsellor(s), classroom teacher(s) and others who have responsibility for students with exceptional learning needs. The team is responsible for the planning, development and monitoring of Individual Education Plan for students.



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### 2.11 Specialized Assessment

A specialized assessment is an individualized assessment conducted by a qualified resource teacher, clinician and/or health care professional to identify the specific needs of students to facilitate decision making with regard to the supports required.

### 3. **IDENTIFICATION OF STUDENTS WITH EXCEPTIONAL LEARNING NEEDS**

A student may be identified as requiring special education supports/services through;

- a) The detection of the exceptionality soon after birth or during the first few years of life, or the child has become permanently disabled due to sensory, physical or specific health care needs. These students typically are diagnosed by physicians.
- b) By qualified school/clinical personnel when the child has failed to meet expected learning outcomes for his/her grade level and has been assessed as having exceptional learning, social/emotional, behavioural, sensory, physical, cognitive/intellectual, communication, academic needs.

### 4. **ASSESSMENT OF EXCEPTIONAL LEARNING NEEDS**

The principal is responsible for ensuring that students who are having difficulty meeting the expected learning outcomes are assessed by appropriate staff as soon as reasonably practical. The information gathered by the classroom teacher shall be used as the first source of information to guide student learning and programming decisions.

#### 4.1 School-Based Student Support Teams

Following the preliminary identification at the classroom level, the school based student support team shall develop and implement interventions which may include the modification of learning outcomes, the adaptation of materials, assignments, and/or assessment strategies, differentiated instructional strategies and/or the development of a behaviour plan.

#### 4.2 Specialized Assessments

4.2.1 The principal will ensure that a student is referred for a specialized assessment if the student's teacher and/or the school based student support team are unable to determine the basis for the difficulty meeting the learning outcomes or have determined that differentiated instruction and adaptations are insufficient to assist the student in meeting these outcomes.

4.2.2 Parental consent is required prior to any referral for a specialized assessment.

4.2.3 Specialized assessments shall be coordinated by the Director of Child Guidance Clinic or by the principal depending upon the type of specialized assessment required; and conducted by one or more qualified practitioners, who may, if relevant in the circumstances, take into account reports and other information obtained from the student's pupil file, or from or with the consent of the student's parent.

4.2.4 The report on the results of the specialized assessment shall include, as applicable:

- (a) other methods of differentiated instruction and adaptations that can be used to assist the student in meeting the expected learning outcomes;



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- (b) what additional supports the student requires to meet or approximate the expected learning outcomes, or the learning outcomes the student can reasonably be expected to achieve, if it is determined that differentiated instruction and adaptations will be insufficient to assist the student in meeting the expected learning outcomes.

4.2.5 A student may not be denied educational programming

- a) for more than 14 days after seeking to be enrolled in a school within the Division regardless of whether that school has received the student's pupil file;
- b) pending the results of any specialized assessment unless reasonable steps to address any significant risks to safety which a student may present to himself or herself, or to others is required.

**5. REFERRAL TO THE SPECIAL EDUCATION DEPARTMENT**

5.1 Request for Intensive Support Services

Should the school-based support services not be successful in addressing the identified need(s) of the exceptional student or if the identified need(s) are beyond the scope of the school personnel, a referral should be made to the Special Education Department for additional services/programming.

5.2 Referral to the Special Education Department for additional supports for school-age children is the responsibility of the school principal, in consultation with the school-based student support team and the parent/guardian.

5.3 The preliminary identification of the need for referral for special programming beyond school-based support services shall be based on identification of intervention implemented at the school level and an individual specialized assessment which recommends the most appropriate programming option and/or differentiation/adaptations/modifications required. Information shall be obtained from one or more of the following sources, as applicable:

- (a) teacher;
- (b) resource teacher;
- (c) guidance counsellor;
- (d) principal;
- (e) parent/guardian;
- (f) appropriate health and social service agency personnel;
- (g) relevant discipline at the Child Guidance Clinic.

5.4 Prior to referral for supports by designated school personnel, discussions shall be held with the parent/guardian(s) and information to assist them in participating in the decision-making process.

5.5 Referrals may be made by parents/guardians or community agencies according to the appropriate transition to school protocols for students who are beginning entry to school.

5.6 Referral Process

5.6.1 The referral form (see Exhibit 1) shall be completed by the school based student support services team and submitted to the Special Education Department. The referral form shall include the teacher report, resource teacher report, and any clinical reports if the Child Guidance Clinic was involved in the assessment, medical/behaviour reports as appropriate, interventions at the school level and parent signature.



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- 5.6.2 The referral shall be reviewed by Special Education Department personnel to determine eligibility.
- 5.6.3 The referring principal shall be informed as to the status of the referral by the Special Education Department.
- 5.6.4 The Early Childhood Transition protocol shall be completed for students transitioning from the preschool system. The Children in Care protocol is to be completed for all students in care of Child and Family Services agencies.
- 5.6.5 Decisions with regard to the need for additional special education supports shall be based on:
- (a) written documentation from school personnel familiar with the student's abilities, achievements, learning and behavioural needs including student assessment results;
  - (b) previous school records;
  - (c) interventions implemented at the school level;
  - (d) clinical/medical assessment results, as required.
- 5.6.6 In general only resident students shall be eligible for special education supports/programs.

## **6. DETERMINATION OF SUPPORTS/PROGRAM**

In accordance with established procedures, appropriate supports/programs shall be determined by the Special Education Department in consultation with those making the referral (as outlined in Section 5).

A student may be considered for placement in a catchment area and/or low enrolment special education program when the school's efforts to program for the student in an integrated setting have not been successful, and when he/she requires:

- intensive, multiple resources including specialized personnel;
- a high amount of structure and individual supervision;
- frequent adult feedback;
- frequent reinforcement;
- a learning environment with reduced stimulation;
- a learning environment with specific materials, equipment, or access.

### **6.1 Determination of Eligibility for Supports/Programs**

To ensure appropriateness of supports the following factors are considered:

- (i) The educational/emotional needs of the student in three areas: curriculum, instructional setting, and support services in terms of abilities and learning/physical and/or behavioural needs.
- (ii) A placement consistent with the student's chronological age.
- (iii) The best match of the student's abilities and developmental and learning needs and the program and its resources.
- (iv) Placement in the most enabling environments.
- (v) Placement as close to the student's home as possible.
- (vi) Access to an appropriate peer group.



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## 6.2 Placement in Special Education Low Enrolment Setting

- 6.2.1 In general the decision as to the placement of a student in a special education low enrolment setting shall be made by the Director of Student Support Services. Prior to the final decision on the placement and the intake (entry) meeting, the parent/guardians will be advised as to the reasons for placement and identify the specific supports required to assist the student in achieving defined learning outcomes.
- 6.2.2 The placement of a student in a low enrolment program will be reviewed on an annual basis by the school-based support team.
- 6.2.3 Any decision to transfer a student in a special education low enrolment program to another school in the same program shall be discussed with the home and the host school principals and the parent/guardians prior to the transfer.
- 6.3 Any refusal of special education supports/programs by the parent/guardian shall be requested of the parent in writing by the referring principal and documented in the student's pupil file.

## 7. **PROGRAM REQUIREMENTS**

### 7.1 Instructional Setting

The type of instructional setting shall be appropriate to the assessed needs of each student and in the most enabling environment. Special Education programs may be provided through a variety of settings which may range from the provision of supports in regular classrooms to treatment programs in non-school settings.

As much as is reasonably practicable, appropriate educational programming will be available to a student in a regular class of his or her peers at;

- (a) The catchment area which includes his or her residence; or
- (b) another school that provides the appropriate program if the catchment area school does not provide the program.

### 7.2 Curricula

The learning outcomes for students with exceptional needs shall be based on the grade-appropriate mandated Manitoba Education curricula with differentiated instruction, modifications and/or adaptations as required.

### 7.3 Individual Education Plan (IEP)

The principal shall ensure that an Individual Education Plan (IEP) is prepared for each student who has been identified as having exceptional learning needs.

A written Individual Education Plan is required for each student who is deemed eligible for special education supports/programs. The development of the IEP is the responsibility of the school team, including the parent/guardian and, if deemed appropriate by the parent and staff, the child. The principal shall identify a teacher to act as case manager with the school team to be responsible for the coordination, development, implementation, monitoring and evaluation of students' IEPs.



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7.3.1 The Individual Education Plan shall:

- (a) outline student specific educational and social goals for the student and program implementation plans;
- (b) assist the school team in monitoring and assessing progress toward goal attainment;
- (c) monitor the appropriateness of ongoing placement in a specific program;
- (d) ensure continuity in programming through the provision of essential information when the student transfers from one program to another or returns to the home school.

7.3.2 The principal shall ensure that a student's Individual Education Plan (IEP):

- (a) is prepared by the student's teacher with the assistance of other in-school personnel, as identified by the principal.
- (b) takes into account a student's behavioural or health care needs, if any;
- (c) is consistent with the provincial protocols respecting a student's transition to and from school;
- (d) is developed by the first reporting period, and its implementation shall be monitored and evaluated on a regular basis (minimum twice annually or sooner if required by a change in a student's behaviour or needs) by the appropriate school staff members;
- (e) is monitored and evaluated at least twice annually by designated staff.

7.3.3 The principal shall ensure that the parent, and the student, if appropriate, are given opportunity to participate in preparing and updating the IEP and having a person of their choosing accompany and assist them if they so wish.

7.3.4 A student shall not be denied educational programming pending the preparation of an Individual Educational Plan.

7.3.5 The Individual Education Plan format (see Exhibit 2) shall include:

- (a) a statement of the prime program needs and recommended resources;
- (b) a list of student specific outcomes;
- (c) a description of performance objectives, strategies, and target dates for achievement of objectives and criteria for evaluation.
- (d) current level of performance achievement relative to identified learning outcomes in the provincial curriculum and/or student specific outcomes.
- (e) written informed parental confirmation to indicate involvement in the IEP process.
- (f) documentation of any refusal and/or actions undertaken by the school to obtain consent and/or resolve concerns in cases where parents refuse to participate in the IEP process.
- (g) a written behavioural intervention plan when indicated.
- (h) a written transition plan for students who have reached the age of 16, where required by interdepartmental protocol agreements.
- (i) documentation of any reductions or alterations in the school day.

7.4 Student Progress

In accordance with Policy IK – Student Assessment, individual student progress shall be assessed on a continuous basis in relation to the individual learning outcomes as outlined in the student's Individual Education Plan.

The number of reporting periods to parents/guardians shall be consistent with the reporting periods for all students in the school. The Individual Education Plan shall serve as the framework for ongoing assessment and the parent-teacher conferences.



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The written report format for students with exceptional needs shall be the regular report format and/or an individualized performance profile outlining the specific outcomes for their identified exceptional need(s) (see Exhibit 3) and it shall be provided at the regular reporting times throughout the year.

#### 7.5 Program Evaluation

A program description, expected student outcomes and recommended student assessment procedures shall be established for all special education programs. These programs shall be reviewed on a regular basis according to Division practices.

### 8. ROLES AND RESPONSIBILITIES

#### 8.1 Chief Superintendent

The Chief Superintendent shall be responsible for the implementation of the policy and procedures within the resources available.

#### 8.2 Superintendents of Schools

The Superintendents of Schools shall be responsible within their districts for the allocation of human and financial resources and the use of facilities for special education supports/programs and ensuring that these supports/programs are implemented according to Division expectations.

#### 8.3 Director of Student Support Services

The Director of Student Support Services shall be responsible for the coordination and evaluation of special education programming including the identification of general system needs related to staffing, program, and space requirements; decisions regarding the special education supports and/or placement in a low enrolment setting for individual students and assisting in the resolution of disputes that cannot be resolved at the school level.

#### 8.4 Principal

The principal of the school in which there are exceptional needs students shall be responsible for:

- the administration and supervision of all programs/supports in the school, including any special education programs/supports;
- developing a clear vision and mission for services for the students with exceptional learning needs in consultation with staff, parents and students (as appropriate);
- ensuring that a student's Individual Education Plan is developed in accordance with Section 7.3 of this policy;
- identifying and advocating for the necessary physical changes in the school facility which will allow all children to participate as fully as possible in the school;
- ensuring that all plans for school activities involve students with exceptional needs;
- the submission of all requests for funding;
- the implementation of appropriate student assessment procedures;
- providing parents/guardians with all data concerning their child in accordance with the Student Records Policy and Procedures (JO);
- advising the home school principal and the parent/guardian of any changes in the following year's placement;
- attempting to resolve any disputes at the school level.





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#### 8.5 Classroom Teacher

The classroom teacher shall be responsible for the:

- the development/monitoring and revision of the Individualized Education Plan with the assistance of other school personnel;
- the delivery of the Individualized Education Program with support from appropriate staff;
- reporting to parents on student progress as outlined in the Policy and Procedures (IK)-Student Assessment.

#### 8.6 Parents/Guardians

Parents/guardians are responsible for:

- participating collaboratively in the development of a comprehensive Individual Education Plan (IEP), including Individual Health Care Plan, Individual Behaviour Plan, Individual Transition Plan, Personal Transportation Plan, as required;
- keeping informed about any aspect of service or programming for their child;
- participating in parent-teacher interviews;
- notifying the school re health care needs.

### 9. **STAFF QUALIFICATIONS**

9.1 Insofar as possible the Division shall provide personnel who have teaching certificates in special education and/or specialized training to assist classroom teachers and to provide direct service to students with exceptional needs.

9.2 Insofar as possible the Division shall employ, in low enrolment programs, teachers who have certificates in special education and/or specialized training in specific areas of exceptional need.

9.3 Professional development opportunities shall be made available to all staff with regard to programming for students with exceptional needs.

### 10. **APPEAL PROCESS**

#### 10.1 At the School Level

When a dispute occurs as to the learning outcomes for, or the placement of, a student, efforts will be made to resolve the dispute at the school level. The principal shall be responsible for arranging a meeting with the parent, teacher, student (as appropriate) and other relevant personnel to discuss the concerns and arrive at an agreed upon solution.

#### 10.2 At the School Division Level

10.2.1 If the dispute cannot be resolved at the school level the principal will refer the matter to the Director of Student Support Services, who will attempt to address/resolve the concerns.



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10.2.2 Where a dispute continues to exist between a parent/guardian of a student with exceptional needs and school personnel, the parent/guardian or student over the age of 18 may request in writing that the Chief Superintendent review the matter. Where a written request is received under the above process, the Chief Superintendent shall:

- (a) acknowledge receipt of the request in writing;
- (b) advise the school principal of the request for review;
- (c) establish a date which shall be within fifteen (15) working days of the date of filing the request for review by which the person filing the request will be requested to meet with representatives of the particular school and of the Division to review the request.

10.3 If the matter is not resolved, the parent/guardian may request in writing that the Board of Trustees review the matter. All reasonable efforts shall be initiated by the Board to resolve the dispute through informal dispute resolution processes or a formal mediation process.

10.4 Formal Dispute Resolution Process

In those instances where the appeal process is not successful in resolving a dispute at the local level and all parties have made reasonable efforts to resolve the matter in accordance with Manitoba Education, Citizenship and Youth's Formal Dispute Resolution Process, the disagreement may be referred by either party (the parent/guardian or student over the age of 18 or a representative of the Division) to the Minister of Education, Citizenship and Youth.

10.5 The student whose educational program is in dispute shall remain in his/her present placement until the dispute has been resolved.