

Education Programs and Services

Special Education

BACKGROUND

Under the terms of the *School Act (RSA 2000)*, Alberta Learning has made special provision for the education of students with special needs. Through the years, special education programs have been developed to address the special needs of such students. The **Act** holds boards responsible for providing special education programs for students identified as having special needs which includes students with educational disabilities and for gifted and talented students. Alberta Learning supports school boards in the provision of special education programs. Private schools also may meet eligibility requirements to access special education funding from Alberta Learning.

POLICY

School authorities are required to provide special education programs based on Individualized Program Plans (IPPs) designed to meet the educational needs of identified exceptional students.

STATUTE

School Act

Limitations

- 2 The exercise of any right or the receipt of any benefit under this Act is subject to those limitations that are reasonable in each circumstance under which the right is being exercised or the benefit is being received.

Special education program

47(1) A board may determine that a student is, by virtue of the student's behavioural, communicational, intellectual, learning or physical characteristics, or a combination of those characteristics, a student in need of a special education program.

(2) Subject to section 48, a student who is determined by a board to be in need of a special education program is entitled to have access to a special education program provided in accordance with this Act.

(3) Before a board places a student in a special education program it shall

- (a) consult with the parent of that student, and
- (b) where appropriate, consult with the student.

Appeal to Board

123(2) Where a decision of an employee of a board significantly affects the education of a student,

- (a) the parent of the student, and
- (b) in the case of a student who is 16 years of age or older, the student,

or either of them may within a reasonable time from the date that the parent or student was informed of the decision appeal that decision to the board.

Review by the Minister

124(1) If a board makes a decision on an appeal to it or otherwise with respect to

- (a) the placement of a student in a special education program...

the parent of a student affected by the decision or the student if the student is 16 years of age or older may request in writing that the Minister review the decision of the board.

Other sections:

- s.8 Right of access to education
- s.23 Student records
- s.45 Responsibility to students
- s.48 Special Needs Tribunal
- s.123 Appeal to board
- s.125 Powers on review

ADDITIONAL DEFINITIONS

In this policy,

- 1 "school authorities" includes any school board or funded accredited private school;
- 2 "students with special needs" mean:
 - (1) students described in section 47(1) of the **Act** as being in need of special education programs because of their behavioral, communicational, intellectual, learning or physical characteristics; or
 - (2) students who may require specialized health care services; or
 - (3) students who are gifted and talented.
- 3 "Individualized Program Plan" (IPP) means a concise plan of action designed to address the student's special needs, and is based on diagnostic information which provides the basis for intervention strategies. All students with special needs, from severely disabled to the gifted and talented, require an IPP.

PROCEDURES

- 1 School authorities are responsible for the:
 - (1) identification, assessment and placement of exceptional students;
 - (2) development and implementation of Individual Program Plans (IPP); and
 - (3) evaluation of the individual progress of exceptional students.
- 2 The IPPs of students with special needs will identify:
 - (1) special education and related services to be provided;
 - (2) long-term goals and short-term objectives;
 - (3) assessment procedures and diagnostic information on which the plan is based;
 - (4) review dates, results and recommendations;
 - (5) placement plans for students who are served outside the regular classroom; and
 - (6) placement plans to reintroduce students to the regular classroom who have previously been withdrawn.
- 3 School authorities shall develop, keep current and implement written policies and procedures regarding education programs for students with special needs, consistent with provincial policies and procedures.

- 4 Alberta Learning provides information and advice related to the development, implementation and evaluation of education programs for students with special needs.
- 5 Alberta Learning provides direction to school boards for determining the educational placement of students under a specific policy found in *Educational Placement of Students with Special Needs* (Policy 1.6.1).
- 6 Alberta Learning provides direction to boards regarding the consultation of parents in placement decisions and in the development, implementation and evaluation of Individualized Program Plans through its policy found in *Educational Placement of Students with Special Needs* (Policy 1.6.1).
- 7 School authorities shall establish a procedure to hear appeals regarding decisions which significantly affect the education of students, including those with special needs.

REFERENCES

Please refer to the current editions of the following for additional information:

Guide to Education: ECS to Grade 12

Learning Resources Centre (LRC) Buyers Guide

Programming for Students with Special Needs Series

Review by the Minister (Policy 3.5.1)

Special Needs Tribunal (Policy 3.5.2)

Standards for Special Education (formerly *Guide to Education for Students with Special Needs*)

See Section 7 of the *Policy, Regulations and Forms Manual* for information on where the above document(s) may be obtained, and for Department / Branch addresses, phone and fax numbers.