

**LOU NO. 17 – MEMORANDUM OF AGREEMENT – SCHEDULE A**

**All parties agree: All students are entitled to equitable access to learning, achievement and the pursuit of excellence in all aspects of their education. The Provincial Parties are committed to providing all student with special needs with an inclusive learning environment which provides an opportunity for meaningful participation and the promotion of interaction with others. The implementation of this memorandum of Agreement shall not result in any student being denied access to a school, educational program, course, or inclusive learning environment unless this decision is based on an assessment of the students’ individual needs and abilities.**

**ARTICLE 535 - INCLUSION OF SPECIAL NEEDS STUDENTS**

**535.1 Recognition**

The Board and the Association agree that the provision of a positive educational experience is desirable for all students, including students with special needs, and that conditions should exist which will support that experience.

Article Language:

Our shared understanding:

<p><b>535.2 Definition</b></p> <p>Students with special education needs are those identified by District Special Services as eligible to be included in one or more of the following Ministry of Education categories:</p> <p><b>535.2.1</b> Low Incidence/High Cost</p> <ul style="list-style-type: none"> <li>i. Dependent handicapped</li> <li>ii Moderately mentally handicapped</li> <li>iii Severely handicapped</li> <li>iv Physically handicapped</li> <li>v Visually impaired</li> <li>vi Hearing impaired</li> <li>vi Autistic</li> </ul> <p><b>535.2.2</b> High Incidence/Low Cost</p> <ul style="list-style-type: none"> <li>I Severe learning disabled</li> <li>li Mildly mentally handicapped</li> <li>lii Severe behaviour</li> <li>Iv Rehabilitation</li> </ul>	<p><b>Article 535 is specific to students with designations and those being referred.</b></p> <p><b>535.2.1</b> Low Incidence/High Cost</p> <ul style="list-style-type: none"> <li><b>A</b> Dependent handicapped</li> <li><b>C</b> Moderately mentally handicapped</li> <li><b>B</b> Severely handicapped</li> <li><b>D</b> Physically handicapped</li> <li><b>E</b> Visually impaired</li> <li><b>F</b> Hearing impaired</li> <li><b>G</b> Autistic</li> </ul> <p><b>535.2.2</b> High Incidence/Low Cost</p> <ul style="list-style-type: none"> <li><b>Q</b> Severe learning disabled</li> <li><b>K</b> Mildly mentally handicapped</li> <li><b>H</b> Severe behaviour</li> <li><b>R</b> Rehabilitation</li> </ul>
<p><b>535.3 School Based Team</b></p> <p>The School Based Team represents the broad range of professionals available within the school and the District to serve the needs of special needs students. It consists of the principal or vice-principal from the school, the teacher who has made the referral, the teacher(s) who will be teaching the child, the teacher responsible for the student's educational program, a learning assistance teacher and/or counselor from the school and District staff where appropriate. The School Based Team may be augmented by the child, the child's parents or guardians, and representatives from community agencies</p>	<ul style="list-style-type: none"> <li>• The function of the SBT is to serve the needs of students with special needs (students that have a designation or who are being referred to the school based team for discussion).</li> <li>• It is child specific and the team is child specific.</li> <li>• Who sits at the table is dependent on the student needs.</li> <li>• Where appropriate who sits at the table is the whole list, but at a minimum 3 educators – PVP, Classroom teacher, LA/Resource.</li> <li>• School based team will have co-chairs (PVP and LA/Resource)</li> </ul>

<p><b>535.3.1 Purpose</b></p> <p>The School Based Team will screen referrals, monitor students' progress, recommend program adjustments, make placement recommendations, and refer, where necessary, to District Special Services or outside agencies.</p>	
<p><b>535.4 Placement</b></p> <p><b>The School Based Team shall meet in the Spring to plan for inclusion of students with special needs for the following September. Identified students with special needs shall not be placed into regular classrooms until after the School Based Team has met.</b> Exceptions to this may be made for students whose enrolment was not anticipated prior to the beginning of the school year or who are subsequently identified as special needs students.</p>	<ul style="list-style-type: none"> <li>• The term 'Spring' refers to April, May and June.</li> <li>• The School Based Team shall meet in the Spring to <u>plan for inclusion</u> of students with special needs for the following September.</li> <li>• This can happen as part of the final IEP/Transition mtg. that happens in May/June.</li> <li>• Plan for inclusion refers to discussing learning needs specific to the student <u>not</u> who the teacher should be as staffing may not be confirmed.</li> </ul>
<p><b>535.4 - Placement</b></p> <p>The School Based Team shall meet in the Spring to plan for inclusion of students with special needs for the following September. Identified students with special needs shall not be placed into regular classrooms until after the School Based Team has met. <b>Exceptions to this may be made for students whose enrolment was not anticipated prior to the beginning of the school year or who are subsequently identified as special needs students.</b></p>	<ul style="list-style-type: none"> <li>• If a child with a designation arrives during the year (September, onwards), best practice would be to hold a transition and or school based team mtg. prior to the child entering to ensure a smooth transition. If this is not possible the child will be placed by the school principal in consultation with the LA/Resource teacher(s). using best efforts and this will be communicated to the teacher. At the request of the teacher a SBT mtg. will be held asap (preferably within 5 working days).</li> <li>• For those students who have not yet been identified and are already placed in classrooms who receive a designation partway through the school year, the date of the official notification becomes the official date for the designation. At the request of the teacher a SBT mtg. will be held asap (preferably within 5 working days).</li> <li>• For those students who come into the school with a designation, the designation is not confirmed until screening has been completed. However, the official date of designation will be retroactive to the date the child started in the district. A SBT mtg. needs to occur while waiting for confirmation of designation.</li> </ul>
<p><b>535.4.2</b></p> <p>The placement of a special needs student shall be determined by the student's educational, physical, social and medical needs.</p>	<ul style="list-style-type: none"> <li>• Final placement to happen in September based on the plan developed by the SBT in the Spring with a review of educational, physical, social and medical needs.</li> </ul>
<p><b>535.4.3</b></p> <p>Prior to the placement of a special needs student into regular classroom, the requirements for ongoing support will be identified by the School Based Team and appropriate District Special Services personnel. It shall be the responsibility of the District to ensure that the necessary resources are</p>	<ul style="list-style-type: none"> <li>• After placement/IEP review meetings, the School Based Team and appropriate District Support Services personnel will meet to identify requirements for ongoing support prior to the placement of a student with special needs into regular classroom.</li> </ul>

<p>available, prior to placement, or as soon thereafter as is practicable. A determination of the necessary resources may include but shall not be limited to the following factors:</p> <p>535.4.3.1 Teacher assistant support;</p> <p>535.4.3.2 Individual Educational Plan development;</p> <p>535.4.3.3 Appropriate facilities, equipment and curriculum/materials modification;</p> <p>535.4.3.4 The degree of inclusion;</p> <p>535.4.3.5 Class size and composition; and</p> <p>535.4.3.6 In-service needs of the receiving teacher(s) and other school based personnel including teacher assistants and teachers on call.</p>	<ul style="list-style-type: none"> <li>• Identified needs for supports/resources for the whole school should come from School Based Team as a prioritized summary (i.e. common themes, strengths, gaps, etc.) thru the principal to the District. <i>A form will be created.</i></li> <li>• Focus is on the student needs, however teachers should indirectly benefit as result of supports in place for the student.</li> <li>• In-service needs of teachers shall be based on the needs of the student(s).</li> <li>• We recognize that class lists may change in September so a SBT meeting(s) regarding identified support may also need to happen in the fall.</li> </ul> <p><i>*Note: the above processes may vary slightly between Elementary and Secondary</i></p>
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*Please note: This is our shared understanding up to Article 535.4.3.6. We will continue to develop understandings for the rest of this article (535.4.4, 535.5 and 535.6) and will provide this to you as soon as possible.*