



Advisory

The Council of Ontario Directors of Education (CODE) is an advisory and consultative organization composed of the CEOs of each of the 72 District School Boards in Ontario; Public, Catholic and French Language.

According to Ontario school board statistics, most students with special needs spend at least 50 per cent of their instructional day in a regular classroom, being taught by regular classroom teachers. These teachers serve many students with diverse abilities. It is imperative that inclusion means not only placing students with special needs in the regular classroom, but also ensuring that teachers assist every student to prepare for the greatest possible degree of independence.



Special Education

Why is it important to understand and implement special education legislation, programs and services?

Special education is an essential component of the Ontario education system. In 1980 the Minister of Education introduced an amendment to the *Education Act* which is commonly referred to as Bill 82. The central component of Bill 82 was the requirement that the publicly-funded school system in Ontario be responsible for the education of all Ontario students, including those with special needs. The legislation is based on the principle of “universal access” to public education, guaranteeing the right of all children to be enrolled in a publicly-funded school. School boards are responsible for providing suitable programming for all children, including special education programs and services for exceptional pupils in their language of instruction (Special Education Transformation Report, 2006). Given the complexity of student needs and the concerns of parents, district school boards face a range of challenges and opportunities in providing appropriate services, programs and supervision. If school boards are to provide effective education for exceptional students, the director of education, as the chief education officer and chief executive officer of the board, needs to be familiar with the legislation, the budget implications for the provision of special education programs and services, and the range of services provided by community partners. The director must be adept at collaboration, mediation and facilitation, and have empathy for both exceptional students and their parents.

What does the Ministry of Education say about special education?

The provision of special education programs and services in Ontario’s publicly-funded elementary and secondary schools is mandated by the *Education Act* and the related regulations. This legislation and various Ministry of Education directives and policies set out the terminology, documentation and process requirements that are used by school boards to deliver special education (*Overview of Special Education*, Shared Solutions, 2007). An extensive overview of all pertinent legislation and provincial resources can be found at: <http://www.edu.gov.on.ca/eng/parents/speced.html>.

What are effective practices in special education?

Effective programs and services in special education are based upon the concept of “essential for some, good for all.” Many effective instructional practices and organizational approaches are initially developed for students with special education needs, but will be found to benefit all students.

This organizing principle should inform the work of those at the system, school and classroom levels. The CODE Special Education Project has identified several key elements of successful special education programs found at all three levels. The following provides a brief overview of those elements:

• Collaboration

Effective collaboration at the school, system, and community levels is key to delivering special education programs and services. An essential component of this collaboration at all levels is the development and ongoing nurturing of relationships.

• Alignment

Special education programs, services and practices must be aligned with all system initiatives. Alignment requires ongoing dialogue and collaboration with all senior system colleagues.

• Communication

Effective communication with all system and community stakeholders is crucial. Communication with community agency partners is an integral component of special education program and service delivery. Intra- and inter-organizational communication protocols must be established at every level.

Excerpts from this website provide an overview of the legislation relating to the special education identification process in Ontario.

■ Education Act

- responsibility of school boards to provide [subsection 170(1), paragraph 7]
- definition of a special education program that meets the needs of the exceptional pupil [subsection 1(1)]
- responsibility of the Minister [subsection 8(3)]

■ Regulations

- Regulation 181/98: Identification and Placement of Exceptional Pupils
- Regulation 306: Special Education Programs and Services
- Regulation 464/97: Special Education Advisory Committees
- Individual Education Plans: Standards for Development, Program Planning and Implementation – 2000 [policy document in accordance with Regulation 181/98]
- Standards for School Boards' Special Education Plans – 2000 [policy document in accordance with Regulation 306]

■ Policy / Program Memoranda (P/PM)

- P/PM No. 81 Provision of Health Support Services in School Settings
- P/PM No. 140 Incorporating Methods of Applied Behaviour Analysis (ABA) into Programs for Students with Autism Spectrum Disorders (ASD)
- P/PM No. 149 Protocol for Partnerships with External Agencies for Provision of Services by Regulated Health Professionals, Regulated Social Service Professionals, and Paraprofessionals

Further to the legislation identified above, additional regulations, policies and resource guides relating to the provision of special education programs and services are available on the Ministry website.

Board Requirements:

There is a significant body of legislation regarding the development and delivery of special education programs and services. The *Education Act* requires school boards to provide appropriate special education programs and services for all their exceptional students, either directly, or by purchasing these services and programs from other school boards. Board personnel are expected to work collaboratively with parents to identify students with exceptional needs that cannot be fully met within regular education practices. The *Education Act* also requires school boards to implement procedures for early and ongoing identification of the learning abilities and needs of pupils, and to prescribe standards in accordance with these procedures. The *Act* requires boards to:

- implement procedures for early and ongoing identification of the learning abilities and needs of students;
- define exceptionalities of pupils and to prescribe classes, groups or categories of exceptional pupils and to require the use of these definitions by the board;
- provide an appeal process for parents concerning special education identification and/or placement decisions; and
- ensure that special education programs and services are provided to their exceptional pupils without payment of fees.

Supervisory officers are required to:

Supervisory officers have an important leadership role in ensuring that appropriate special education programs and services are available and delivered. It is incumbent on all supervisory officers to understand the legislative requirements governing special education as well as their district's response to these requirements. Supervisory officers and, in particular, directors have a responsibility to create a culture of collaboration in which boards and schools can promote a positive school climate and establish effective lines of communication among parents, students, educators and the community. This culture of collaboration helps to address concerns related to special education programs and services. Supervisory officers are also a conduit to community partnerships, organizations and resources. The connections made by supervisory officers are significant to furthering a broad range of services and opportunities for exceptional students.

What are the key elements of effective special education programs and services?

Special education programs and services are, and need to be seen as, integral to staff and student learning. Key elements of effective special education programs and services are:

System

- The corporate board and the Special Education Advisory Committee (SEAC) receive regular program briefings from staff. These briefings highlight effective practices at the school and system levels.
- The supervisory officer responsible for special education monitors the activities of the Minister's Advisory Council on Special Education (MACSE) and communicates with representatives from MACSE.
- All board program initiatives identify how the needs of students with special education requirements will be addressed within the initiative and provide the appropriate capacity-building activities for staff members.
- Regional and provincial collaboration is encouraged and supported.
- Multi-disciplinary expertise, e.g., speech language pathology, is available to, and used by all departments when planning system program initiatives.
- Outside agencies are consulted on an ongoing basis about the potential for collaborative community/school supports.
- Parent engagement strategies address the specific needs of parents of students with special education needs.
- Effective communication protocols are in place between plant and special education departments to plan for and address accessibility issues.
- Special education and finance departments work collaboratively to understand and meet the requirements of the special education component of the funding model.
- An effective and transparent process for deploying support staff is in place.
- A feedback process whereby service delivery is monitored on a continual basis is in place. Feedback is sought from staff, clients, and other organizational and community stakeholder groups. Evaluation data is used to monitor progress, determine strategic directions and support next steps.

- **Multi-disciplinary Teams**
Multi-disciplinary teams are involved in the development and delivery of special education programs and services at the system and school levels. These teams may also involve community agency partners.
- **Tiered Intervention**
Special education assessment and instructional practices are based upon a tiered intervention process.
 - Tier one consists of programs for all students.
 - Tier two includes targeted services to at-risk students.
 - Tier three provides intensive services to individual students.
- **Capacity-Building**
Ongoing, collaborative capacity-building activities must be available for all school and system special education staff. Boards have a key leadership role in creating the environment and providing the resources for that learning.

The Ministry of Education released *Education for All: The Report of the Expert Panel on Literacy and Numeracy Instruction for Students With Special Education Needs, Kindergarten to Grade 6 (2005)* which recommends research-based practices that allow Ontario's teachers to improve and reinforce effective instruction of reading, writing, oral communication, and mathematics for students from kindergarten to grade 6 with special education needs.

Web Resources

Special Education Overview
<http://www.edu.gov.on.ca/eng/parents/speced.html>

A Guide to Preventing and Resolving Conflicts Regarding Programs and Services for Students with Special Education Needs
<http://www.edu.gov.on.ca/eng/general/elemsec/speced/shared.html>

Special Education Funding Guidelines
<http://www.edu.gov.on.ca/eng/policyfunding/funding.html#SEA>

Special Education Transformation
<http://www.edu.gov.on.ca/eng/document/reports/speced/transformation>

Special Education: A Guide for Educators
<http://www.edu.gov.on.ca/eng/general/elemsec/speced/guide.html>

Minister's Advisory Council on Special Education
http://www.edu.gov.on.ca/eng/general/abcs/acse/acse_eng.html

Funding for Special Education
<http://www.edu.gov.on.ca/eng/general/elemsec/speced/funding.html>

CODE Special Education Project Resources
<http://www.ontariodirectors.ca>



School

- An effective, multi-disciplinary school team is in place.
- Special education staff members participate in school-based capacity-building activities to develop and deliver effective special education programs.
- All staff members engage in ongoing dialogue and reflection about the effectiveness of special education programs.
- Instructional practices are well-articulated and programs are evidence-based.
- The principal is actively involved in the development and monitoring of programs and services for students with special education needs.
- Classroom teachers work collaboratively with special education resource teachers to develop and deliver effective instruction for all students.
- Special education resource teachers are highly trained and skilled in working collaboratively with other staff members, community agencies, and parents.
- Parents and students, as appropriate, are actively involved in the Individual Education Plan (IEP) process.
- Effective transition planning is a recognized component of special education programs and services.
- Assessment data is used to inform classroom instruction, and is tracked and monitored regularly.
- Instructional interventions are based on assessment data and are designed and monitored collaboratively.

If as a supervisory officer, I require more information, what should I do?

Supervisory officers have several sources of expertise to assist in the delivery of effective special education programs and services.

At the System Level:

- Colleagues on the system leadership team
- System multi-disciplinary team members
- Community agency officials

At the Provincial Level:

- Ministry of Education Regional Office contacts
- Special Education Branch staff
- Regional Special Education Council colleagues
- Ontario Council of Special Education (OCASE) colleagues
- Council of Ontario Directors of Education (CODE)