

SPECIAL NEEDS HANDBOOK

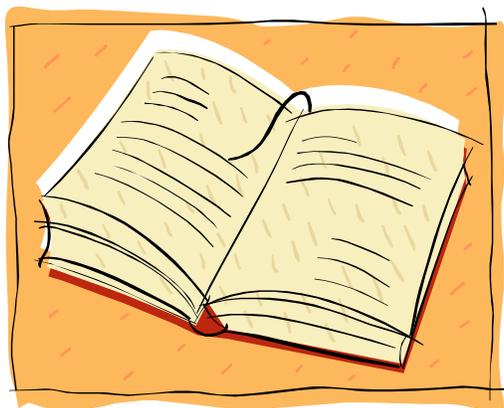


Appalachian Teachers' Association

Revised 2014

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INTRODUCTION

Participation on the Site Based Special Needs Committee is a contractual opportunity to be involved in the formation, modification and implementation of educational policies as well as develop a venue for dialogue with the school administration.

It is hoped that teachers will use this guide and find it of assistance in promoting effective use of their Site Based Special Needs Committee.

According to the Entente, the Board and the union shall set up a parity committee concerning students with special needs (8-9.02).

- ❖ Special Education Board Parity Committee
- ❖ Special Education Teacher Parity Committee

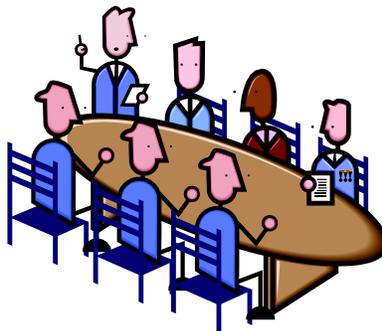
In addition, a committee composed of teachers and of the school administration shall be set up in each school (9-9.03).

- ❖ Site Based Special Needs Committee

When a teacher detects, in his or her class, a student who, in his or her opinion, demonstrates particular problems, he or she shall report it to the school administration indicating the problem or problems encountered by the student or submit the case to the committee (8-9.04).

Further, there exists a board level advisory committee.

- ❖ Special Education Advisory Committee



SPECIAL EDUCATION BOARD PARITY COMMITTEE

Mandate

- To advise the school board concerning its special education policy.
- To make recommendations about the services provided at the board level.
- To verify all the resources available for the services provided to students with special needs.
- To establish the criteria and date for allocating the resources to the schools in keeping with the special education policy.
- To analyse the requests from the schools based on the allocation criteria.
- To recommend, taking into account the total resources available:
 - Allocation of human resources among schools
 - Amount of financial resources to be set aside to pay compensation as a result of weighting certain students
 - Reserve to be maintained in order to provide additional services during coming school year
- To receive and study the reports from the local committees and to make recommendations as deemed necessary
- Receive recommendations from the Special Education Teacher Parity Committee

Composition

- Ten members
- Equal representation of teachers and administrators
 - The Board shall appoint five members
 - Director of Complementary Services
 - Director of Human Resources
 - Principals (at least one each elementary and secondary)
 - The Association shall appoint five members
 - President
 - Teachers

A quorum shall consist of three members from each party.

The committee may call upon representatives of other categories of employment to take part in the discussions.

Operation

- Shall be formed on or before September 15th
- First meeting shall be called by September 30th
- The chairperson and secretary of the committee shall be appointed annually
- The committee will adopt all other rules of internal procedure
- The committee shall meet a minimum of 3 times a year

SPECIAL EDUCATION TEACHER PARITY COMMITTEE

Mandate

- To give its view on the drawing up of a policy on the organization of educational services for students with special needs;
- To suggest the terms and conditions for integrating students into regular groups and the support services to be provided to the students;
- To make recommendations concerning the implementation of the policy.

Composition

- Consist of 10 members
- Equal representation
 - ETSB shall appoint 5 members
 - ATA shall appoint 5 members.

Operation

- Shall be formed by September 15th
- First meeting prior to September 30th
- Meet a minimum of five times a year

SPECIAL EDUCATION ADVISORY COMMITTEE

The SEAC is a board level advisory committee composed of parents of students with special needs (in majority), professionals, teachers, support staff, administrators and external agencies.

SITE BASED SPECIAL NEEDS COMMITTEE

Mandate

- To identify resources needed, taking into account the criteria of the Special Education Board Parity Committee
- To inform the Special Education Board Parity Committee about resources required
- To distribute the resources allocated to the school as well as the additional services to be determined during the year
- To define the conditions of access to services including the possibility of setting up provisional support services
- To periodically assess the effectiveness of the conditions facilitating access to the services in place
- To report to the Special Education Board Parity Committee on the allocation of resources agreed to

In carrying out its mandate the committee shall take into account:

- The recommendations formulated by the other categories of personnel in the school.
- The school organization plan

Composition

- School Administration
- Teacher Members
 - Those most knowledgeable in the area of special needs and who can provide the best information possible

The committee may call upon a member of the professional or support staff working regularly with special needs students to take part in the discussions

Operation

- Shall be set up by September 30th of each school year
- Model and membership determined at a meeting of all teachers and administrators.
- Will establish its own rules of internal procedure
- Expectation that the committee will operate as any given committee
 - Chair and Secretary
 - Written records
 - Accountable to
 - School Staff
 - Special Education Board Parity Committee

TIMELINE

Complementary Educational Services

AUGUST

- Support Staff Allocation sent to schools

SEPTEMBER

- Beginning of Year Meeting (**School Resource Team & Professional**)
- Deadline to have new codes entered in GPI (**September 30th**)
- Principals – notify teachers of coded students in their classes

OCTOBER

- Professionals meet with Kindergarten teachers (*mid - October*)
- Review ASD student progress (*mid-October*)
- Validation forms sent to schools (*last week of October*)

NOVEMBER

- End of 1st Reporting Period – IEP's to be completed
- Completed validation forms to be returned to the School Board (*end of November/beginning of December*)

DECEMBER

- School Resource Team & Professional Meetings (*during 1st two weeks*)
- Placement evaluations needed for students moving on to High School

JANUARY

- Deadline for submitting completed validation forms to the MELS
(*usually 1st week in January*)

FEBRUARY

- Copy of IEP for students with a code 12 & up to be sent to the School Board

MARCH

- Begin Learning Assessments (Woodcock testing, etc.) for students going to High School
- School Resource Team & Professional Meetings (*last week of March/beginning of April*)
- Final results from validation received (*end of March/beginning of April*)
- Deadline for new Referral Requests to be sent to professionals

APRIL

- Support Services Request Form sent to schools (*end of April/beginning of May*)

MAY

- Support Services Request Form returned to the Board (*end of May*)

JUNE

- School Resource Team & Professional Meetings (*1st two weeks of June*)
- Derogation/Retention Requests sent to the Board

SPECIAL EDUCATION POLICY (P011)

Confidentiality

Confidentiality of information must be respected for all students. With regard to the special needs student, it is important that information be shared judiciously with the staff members concerned with each student.

Participation and Responsibilities of Teachers

A teacher, who observes that a student in his/her class may have a special need, shall submit a request to the school principal that the case be studied by the Ad Hoc Committee. Parents must be invited to this meeting, however, the meeting may take place should the parents be unable to attend. Every effort should be made to schedule the meeting according to the availability of the parent. Prior to the meeting, the teacher will be asked to follow the established guidelines which include: a description of the interventions tried and the difficulties observed, consultation of the student's academic and confidential file, prior communications with parents and contact with professionals or outside agencies if applicable.

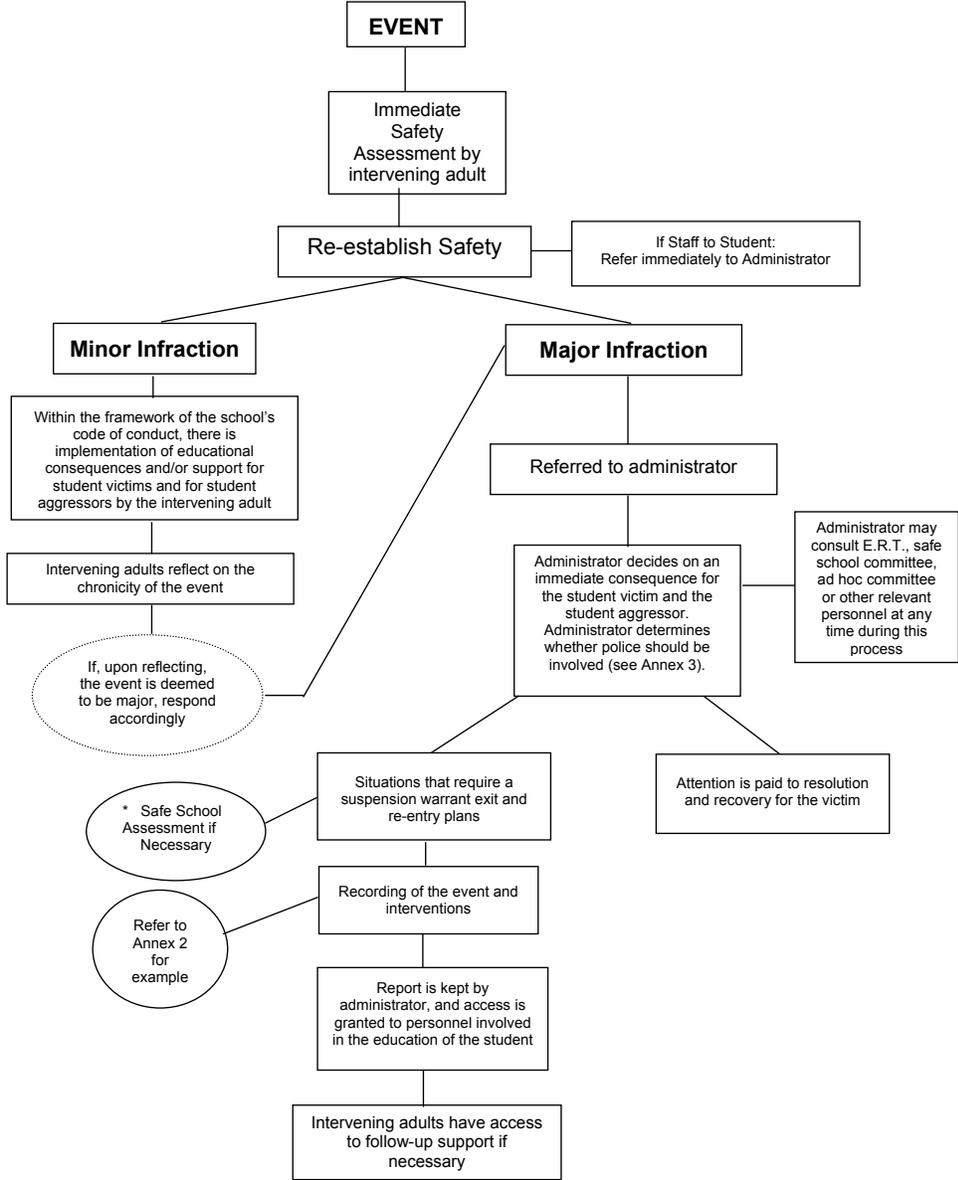
SAFE SCHOOL POLICY (P035)

The Safe School Policy conforms to the following legal framework.

The Eastern Townships School Board hereby undertakes to honour the first paragraph of Section 39 of the *Youth Protection Act*, which reads as follows:

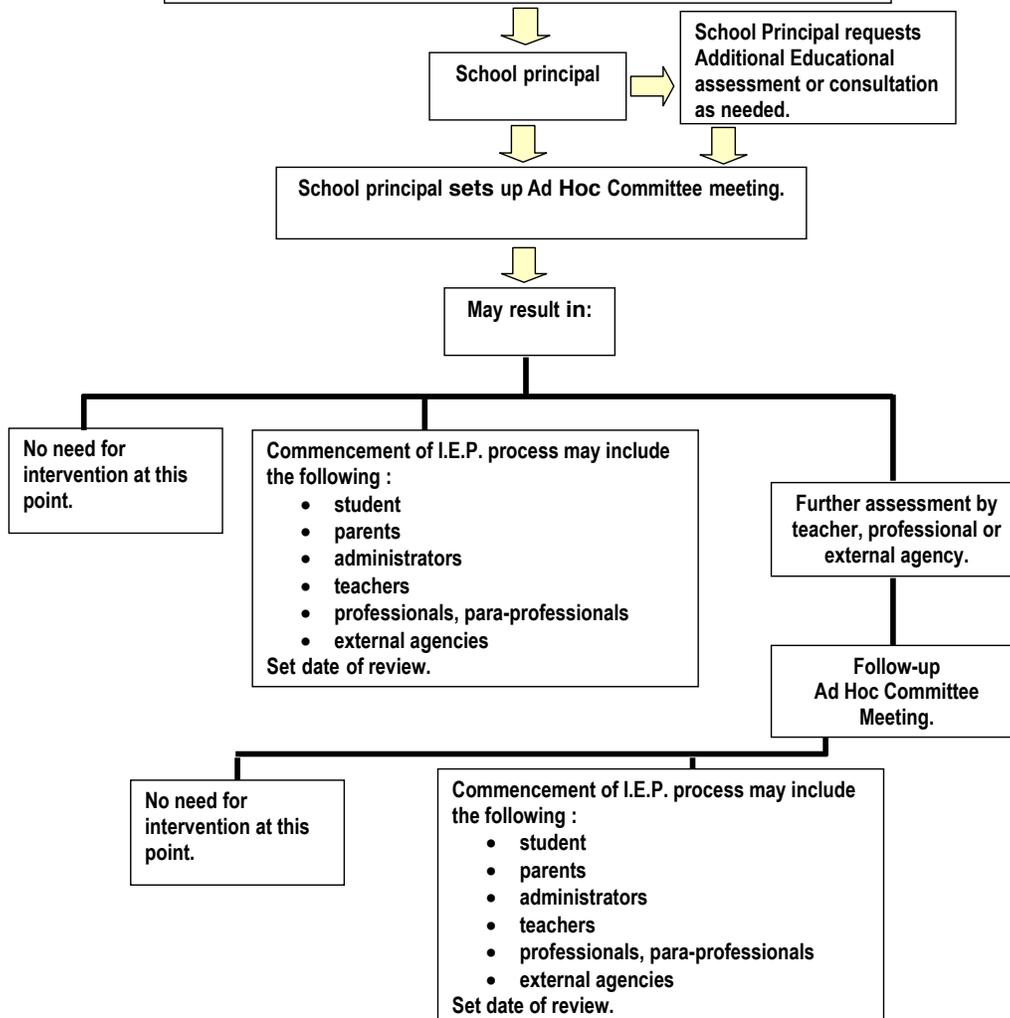
Every professional who, by the very nature of his profession, provides care or any other form of assistance to children and who, in the practice of his profession, has reasonable grounds to believe that the security or development of a child is or may be considered to be in danger within the meaning of section 38 or 38.1, must bring the situation to the attention of the director without delay. The same obligation is incumbent upon any employee of an institution, any teacher or any policeman who, in the performance of his duties, has reasonable grounds to believe that the security or development of a child is or may be considered to be in danger within the meaning of the said provisions.

Safe School Procedure Chart



PROCEDURES FOR EVALUATING SPECIAL NEEDS of STUDENTS

- Teacher observes the student.
- Teacher intervenes with the student.
- Teacher contacts the parents.
- Teacher writes a report describing actions taken, frequency of observations, summary of existing assessments.
- Teacher refers student to:



Individual Education Plan



Special Education Advisory Committee

Revised April 2014

Introduction

This brochure has been prepared as a guide for parents and students to the **Individual Education Plan** or **IEP** support that is available within the Eastern Townships School Board.

It is the purpose of the IEP to ensure that all students are able to learn at their maximum ability. This guide is meant to provide a clear understanding of the IEP process.

What is an IEP?

- An IEP is an individualized education plan. It is a written document that describes a student's educational abilities and needs. Goals for educational objectives are established annually.

Resource services are provided by teachers. Support services are provided by special education technicians, social aid technicians and handicapped student attendants. Professional services are provided by psychologists, psychoeducators, speech and language pathologists, guidance counselors, substance abuse prevention counselors, spiritual and community life animators.

Who has the right to an IEP?

- Students who have been identified with a learning or behavioral difficulty, or who require special education services need to have an IEP.
- Students needing an enriched program may also benefit from an IEP.

Who can request an IEP meeting?

- Parents, students, teachers, professionals and/or administrators can all request an IEP meeting. The request may stem from a school meeting, a new identification of a learning or behavioural difficulty, a review of objectives from a previous IEP meeting, and/or the beginning of a new school year. Support interventions must have taken place prior the establishment of an IEP.

How is the IEP meeting carried out?

- Parents are contacted by the school with a potential date and time.
- The meeting process should be generally outlined when the parents are first contacted.
- IEPs are completed yearly for Kindergarten to cycle 3 secondary students.

Who Makes Up the IEP Team?

- Parents, teacher(s), resource teacher(s), professional(s) (if required), student (if appropriate), and administrator or delegate.

Who Makes Up the IEP Team? (continued)

- Parents are an essential part of the IEP meeting discussions and decision-making. However, the meeting can still occur if parents do not wish to attend. Parents will be notified of their child's yearly objectives following the IEP meeting and asked to sign the document.
- Parents are encouraged to invite professionals from external agencies involved with their child, if they so wish.

How long will the meeting last?

- The length of the meeting may be influenced by the amount of information being shared and the number of team members participating. The first meeting is usually longer.

What is the procedure?

- All participants are welcomed and introduced. A brief description of how the meeting will be run is outlined by the meeting's manager.
- Objectives will be discussed and written to ensure that they represent the true description of the needs.
- The written objectives should be read out to the team members and agreed upon.
- A person - teacher or technician/attendant will be identified as the one responsible for teaching the skill and collecting the data.
- The IEP document is then signed by the team members and dated.
- A copy of the completed IEP document is given to the parents at this time or sent within a few days of the meeting.

What is the content?

- The student's **abilities** and **needs** are discussed and noted on the IEP form. From the **needs**, a discussion should arise between all team members identifying priorities for the student.
- Objectives, accommodations and/or referrals must be noted on the IEP form.
- Identifies clearly whether a student is following an adapted or modified program and their grade level.
Adapted – student is expected to reach grade level.
Modified – student is working at least 1 cycle below grade level.

What is an objective?

- Objectives are academic, social, developmental and/or behavioral goals. The means are specific strategies and methods put in place to achieve the specific objectives.
- Short or long term objectives have the following characteristics:
measurable, doable, functional and observable.

Review of the IEP. When? How often?

- The IEP objectives may be reviewed at each reporting period or more frequently. Information on the student's progress may be sent home to parents or discussed by telephone.
- Parents should regularly contact their school for information.
- Students should advocate for their own accommodations*.
- An IEP may be started and/or terminated at any point in the school year. Parents must be notified.
- At the end of each school year a final review should be made and this information is written on the student's IEP form
- If an objective is accomplished, a new objective can be identified and started mid-year.
- When a student leaves the youth sector a copy of the current IEP will be sent home with the report card. Data on IEPs is no longer available after 5 years! The IEP may accompany a student through post-secondary education.

***For additional information please refer to the ETSB website for the ETSB Special Education Policy.**

If you have any questions or for more information please contact:

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This brochure has been prepared by the **Special Education Advisory Committee (SEAC)** with special thanks to: E. Baylis Creary, ETSB Administrator

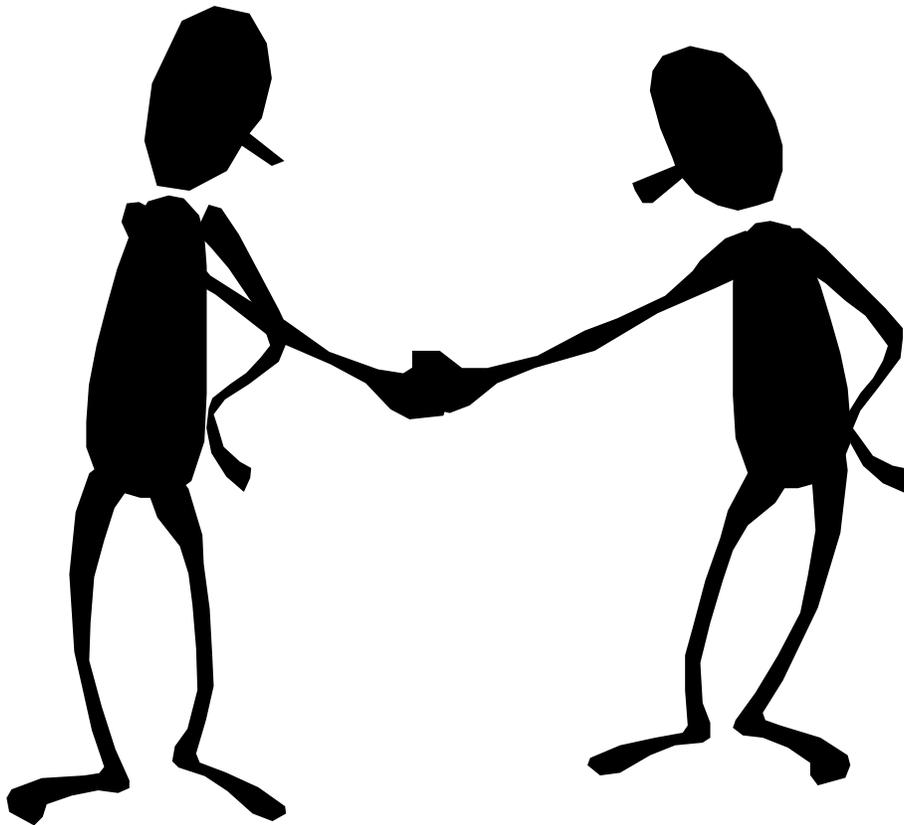
SUMMARY OF CRITERIA FOR HANDICAP CODING

CODE	TITLE	DESCRIPTION	SUPPORT MEASURE	SUPPORT PERSONNEL	SUPPORT TIME	SUPPORT DESIGN
14	Severe Behavioural Disorders	Exhibit aggressive or destructive behaviour of an antisocial nature	Sustained	Usually SET	As needed, available during crisis	Individual Pull out Integration
23	Profound Intellectual Impairment	Major limitations in the area of cognitive functioning	Sustained	Usually HAS	Full Time	Individual Pull out Integration Special Class
24	Moderate to Severe Intellectual Impairment	Significant limitations to cognitive functioning	Sustained	Usually HSA, may be SET for learning tasks	As Needed	Individual Pull out Integration Special Class
33	Mild Motor Impairments	Significant & persistently limited ability to carry out everyday activities	Regular			Individual Pull out Integration
33	Organic Impairments	Permanent organic impairment seriously & persistently limits ability to carry out everyday activities	Regular			Individual Pull out Integration
34	Language Disorders	Exhibit severe limitations with verbal interactions, (expression & comprehension), socialization & learning at school	Regular			Individual Pull out Integration
36	Severe Motor Impairments	Extremely & persistently limited in their ability to carry out everyday activities	Sustained	Usually HSA		Individual Pull out Integration
42	Visual Impairments	Limitations in communication, participating in everyday activities & mobility	Regular			Individual Pull out Integration
44	Hearing Impairments	Limitations in learning & in oral & written communication	Regular			Individual Pull out Integration
50	Pervasive Developmental Disorders	Major limitations with communication, socialization & learning at school	Sustained	Usually SET, younger may be HSA		Individual Pull out Integration
53	Psychopathological Disorders	Marked difficulties in adapting to school life	Sustained	Usually SET		Individual Pull out Integration
99	Assigned exceptionally to students	Assigned temporarily until	Sustained	Either SET or HSA		Individual Pull out Integration

Reference: Organization of Educational Services for At-Risk Students and Students with Handicaps, Social Maladjustments or Learning Difficulties

<http://www.mels.gouv.qc.ca/dgfd/das/orientations/pdf/19-7065-A.pdf>

ATA LOCAL AGREEMENT



4-2.00 **METHODS AND SUBJECTS OF PARTICIPATION NEGOTIATED AND AGREED AT THE LOCAL OR REGIONAL LEVEL**

4-2.01 The object of participation as described in this chapter is to ensure that the educational system will function harmoniously and effectively for the benefit of the students. It is recognized that teachers, as the persons most closely involved with teaching, must have input into the shaping of educational policies.

4-2.02 The appropriate participatory committee shall be consulted on all subjects for which the provisions of the entente, the agreement and the *Education Act* stipulate that the Board or the Principal are obliged to consult.

4-2.03 Consultation shall occur prior to the adoption of a policy within the scope of this agreement.

4-2.04 The participatory committees shall have a reasonable period of time in order to respond to a policy proposal.

4-2.05 Any questions within the terms of reference of Chapter 4-0.00 may be referred by either party to the appropriate participatory committee.

4-2.06 At the Board level, the participatory committees shall be:

- Teacher Advisory Council,
- Central Professional Improvement Committee,
- Special Education Teacher Parity Committee,
- Special Education Board Parity Committee.
- Health and Safety Committee

At the school level, the participatory committee shall be:

- School Council
- Special Needs Committee (site based)

Each participatory committee will establish its own rules of internal procedure.

4-2.07 If the Board decides to take a course of action other than that recommended by the Teacher Advisory Council or Special Education Teacher Parity Committee, the reasons for the decision will be given, in writing, at the next meeting of that committee. The Board must consider further recommendations of the committee, should there be any, prior to making a final decision.

4-4.00 **SITE BASED SPECIAL NEEDS COMMITTEE GENERAL PRINCIPLES**

4-4.01 On or before September 30th of each school year, a committee composed of teachers and of the school administration shall be set up in each school. The committee's mandate shall be:

- a) taking into account the criteria defined by the parity committee set up under clause 8-9.02 of the entente, to identify the specialized and financial resources that it deems necessary for the following school year intended for students with special needs and as support for teachers;
- b) for the following school year, to inform the parity committee, no later than April 1st or at another date that the board determines, of the resources prescribed in the preceding subclause;
- c) to distribute the resources allocated to the school under clause 8- 9.02 of he entente as well as the additional services to be determined during the year and to define the conditions of access to services including, where applicable, the possibility of setting up provisional support services before a decision is made under subclause a) of clause 8- 9.05 of the entente;
- d) to periodically assess the effectiveness of the conditions facilitating access to the services in place;
- e) to report to the parity committee on the allocation of resources agreed to under the preceding subclause c). In carrying out its mandate, the committee shall take into account the recommendations formulated by the other categories of personnel in the school. Also, in the context of the application of subclauses a) and c), it shall take into account, where applicable, the school organization plan established under article 8-10.00 of the entente. The committee may call upon a member of the professional or support staff working regularly with at- risk students or students with handicaps, social maladjustments or learning difficulties to take part in the discussions.

4-7.00 **SPECIAL EDUCATION TEACHER PARITY COMMITTEE GENERAL PRINCIPLES**

4-7.01 The Board and the Association shall set up an advisory committee (SETPC) of teachers dealing with students with handicaps or special maladjustments or learning disabilities. The committee's

mandate shall be:

- a) to give its view on the drawing up of a policy on the organization of educational services for students with handicaps or special maladjustments or learning disabilities;
- b) to suggest the terms and conditions for integrating students into regular groups and the support services to be provided to the students;
- c) to make recommendations concerning the implementation of the policy.

4-7.02 **COMPOSITION**

- 1) The SETPC shall at all times be on a basis of equal representation and consist of 10 members.
- 2) The Board shall appoint 5 members, and the Association shall appoint 5 members. For

the purposes of this clause the Association President shall be considered a teacher in the service of the Board.

- 3) A quorum shall consist of three members from each party.

4-7.03 **OPERATION**

- 1) On or before September 15th of each year the Board and the Association shall form a SETPC for the school year. Each party shall inform the other, in writing, of its representatives by September 15th.
- 2) The Director General, or his/her delegate, after consulting the Association President, shall call the first meeting of the SETPC prior to September 30th.
- 3) The chairperson and secretary of the committee shall be appointed annually. The committee will adopt all other rules of internal procedure.
- 4) The committee shall meet a minimum of five times a year, at the call of the Chair.

4-8.00 **SPECIAL EDUCATION BOARD PARITY COMMITTEE GENERAL PRINCIPLES**

- 4-8.01 In conformity with clause 8-9.02 of the entente, the Board and the Association shall set up an advisory committee (SEBPC) of teachers dealing with students with handicaps or special maladjustments or learning disabilities. The committee's mandate shall be:
- a) to give its view on the policy on the organization of educational services for students with handicaps, social maladjustments or learning disabilities and to make recommendations concerning the implementation of the policy and the methods for integrating students into regular groups as well as the support services required for the students' integration;
 - b) to recommend models for organizing services that could be implemented in schools to provide support for the formation of classes including, among other things, setting up groups of students as a result of a priori weighting, the creation of a resource or transition class or the addition of services;
 - c) to give its view on the services to be offered at the board level;
 - d) to verify all the resources available under clause 8-9.01;
 - e) to determine the criteria for the allocation of resources to schools according to the policy in effect at the board;
 - f) to analyze requests from schools in relation to the allocation criteria established;
 - g) based on the total available resources allocated under 8-9.01, to recommend to the board:
 - i) the allocation of resources among schools;
 - ii) the portion of resources to be allocated as compensation due as a result of the weighting of certain students with special needs to be paid, where applicable, to be included in the schools budget;
 - iii) the reserve to be maintained for additional services that will be determined during the following year under clause 8-9.05;

- h) to receive and study the reports prepared under subclause e) of clause 8-9.03 and to make the recommendations it deems appropriate.

The committee may call upon representatives of other categories of employment to take part in the discussions.

4-8.02 **COMPOSITION**

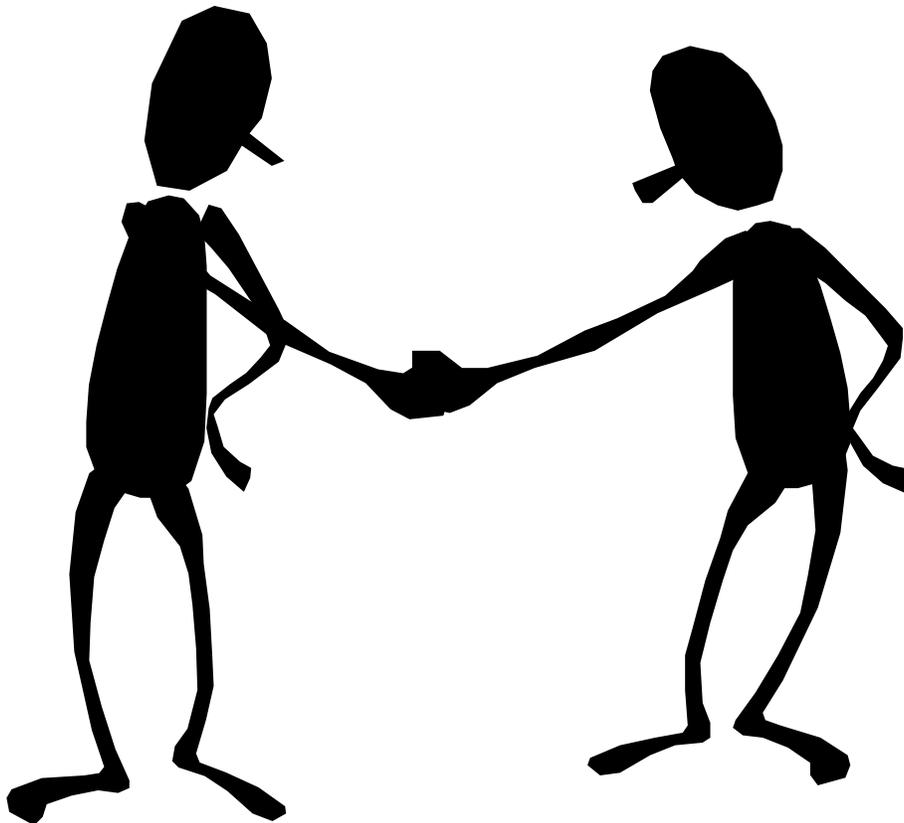
- 1) The SEBPC shall at all times be on a basis of equal representation and consist of ten members.
- 2) The Board shall appoint 5 members, and the Association shall appoint 5 members. For the purposes of this clause the Association President shall be considered a teacher in the service of the Board.
- 3) A quorum shall consist of three members from each party.

4-8.03 **OPERATION**

- 1) On or before September 15th of each year the Board and the Association shall form a SEBPC for the school year. Each party shall inform the other, in writing, of its representatives by September 15th.
- 2) The Director General, or his/her delegate, after consulting the Association President, shall call the first meeting of the SEBPC prior to September 30th.
- 3) The chairperson and secretary of the committee shall be appointed annually. The committee will adopt all other rules of internal procedure.

The committee shall meet a minimum of 3 times a year, at the call of the Chair.

PROVINCIAL COLLECTIVE AGREEMENT



8-9.00 PROVISIONS CONCERNING STUDENTS WITH SPECIAL NEEDS

8-9.01

No later than April 30, the board shall identify provisionally, for the following school year, the specialized resources available for all categories of personnel and the financial resources available in the schools and the board for services offered to students with special needs and shall so inform the parity committee prescribed in clause 8-9.02.

Once the board has determined the total resources available, it shall so inform the parity committee.

The resources include:

- a) for the duration of the entente, the funding of additional teaching positions at the elementary level specified in Appendix XXIX;
- b) for the duration of the entente, the number of positions and the funding received by the board for additional teaching positions at the secondary level based on the distribution of the 600 supporting teacher positions¹ among the boards according to the parameters established by the Ministère;
- c) for the 2010-2011 and 2011-2012 school years, the number of positions and the funding received by the board for additional teaching positions at the secondary level based on the distribution of 200 additional supporting teacher positions¹ among the boards according to the parameters established by the Ministère;
- d) the funding specified in Appendix XXX received by the board to resolve specific problems related to the integration of students with special needs and, especially, students with behavioural difficulties;
- e) the budgetary resources allocated for students with special needs in addition to the resources the board receives for regular students for educational activities;
- f) the budgetary resources allocated for handicapped students in addition to the resources the board receives for regular students for educational activities.

No later than October 31 or at another date agreed upon by the board and the union, the board shall inform the committee of the number of special classes and individualized paths for learning classes.

8-9.02

The board and the union shall set up a parity committee. The committee's mandate shall be:

- a) to give its view on the policy on the organization of educational services for students with handicaps, social maladjustments or learning difficulties and to make recommendations concerning the implementation of the policy and the methods for integrating students into regular groups as well as the support services required for the students' integration;

¹ The Ministère shall distribute the positions among the French-language and English-language school boards and the Littoral School Board.

- b) to recommend models for organizing services that could be implemented in schools to provide support for the formation of classes including, among other things, setting up groups of students as a result of a priori weighting, the creation of a resource or transition class or the addition of services;
- c) to give its view on the services to be offered at the board level;
- d) to verify all the resources available under clause 8-9.01;
- e) to determine the criteria for the allocation of resources to schools according to the policy in effect at the board;
- f) to analyze requests from schools in relation to the allocation criteria established;
- g) based on the total available resources allocated under clause 8-9.01, to recommend to the board:
 - i) the allocation of resources among the schools;
 - ii) the portion of resources allocated as compensation as a result of the weighting of certain students with special needs to be paid or, where applicable, to be included in the school's budget;
 - iii) the reserve to be maintained for additional services that will be determined during the following year under clause 8-9.05;
- h) to receive and study the reports prepared under subclause e) of clause 8-9.03 and to make the recommendations it deems appropriate.

The committee may call upon representatives of other categories of employment to take part in the discussions.

8-9.03

A committee composed of teachers and of the school administration shall be set up in each school. The committee's mandate shall be:

- a) taking into account the criteria defined by the parity committee set up under clause 8-9.02, to identify the specialized and financial resources that it deems necessary for the following school year intended for students with special needs and as support for teachers;
- b) for the following school year, to inform the parity committee, no later than April 1 or at another date that the board determines, of the resources prescribed in the preceding subclause;
- c) to distribute the resources allocated to the school under clause 8-9.02 as well as the additional services to be determined during the year and to define the conditions of access to services including, where applicable, the possibility of setting up provisional support services before a decision is made under subclause a) of clause 8-9.05;
- d) to periodically assess the effectiveness of the conditions facilitating access to the services in place;
- e) to report to the parity committee on the allocation of resources agreed to under the preceding subclause c).

In carrying out its mandate, the committee shall take into account the recommendations formulated by the other categories of personnel in the school. Also, in the context of the application of subclauses a) and c), it shall take into account, where applicable, the school organization plan established under article 8-10.00. The committee may call upon a member of the professional or support staff working regularly with at-risk students or students with handicaps, social maladjustments or learning difficulties to take part in the discussions.

8-9.04

- a) When a teacher detects, in his or her class, a student who, in his or her opinion, demonstrates particular problems, he or she shall report it to the school administration indicating the problem or problems encountered by the student and the interventions he or she carried out over a significant period of time in order to request support services or submit the case to the committee prescribed in clause 8-9.06, as the case may be.

Any request to have the case studied by the committee prescribed in clause 8-9.06 must be made in a written report and encompass the following information:

- identification of student;
- reason for request;
- description of problem;
- interventions carried out and duration, where applicable;
- support services requested.

In other cases, the request may be made using any other means determined by the local parties.

- b) A request for services may be made for any student with special needs. Support services requested must take into account the allocation of the available resources in the school as determined by the committee prescribed in clause 8-9.03.
- c) A request to study the case may be made to determine whether the student satisfies one of the definitions prescribed in Appendix XXXI. The request to have a student identified as having behavioural difficulties shall be valid only after a period of at least 40 working days following the request for support services when the support services provided have not remedied the situation or no service was provided.
- d) The support services put in place may consist of services intended either for the student, the teacher or both.
- e) This clause applies to both regular groups and special classes.

8-9.05

- a) The school administration shall inform the teacher of its decision concerning the request for services made under subclause b) of clause 8-9.04 within 10 working days of the request. The decision shall be made based on the allocation of resources determined by the committee prescribed in clause 8-9.03.
- b) Support services shall be set up as soon as possible.
- c) At the teacher's request, the school administration shall provide him or her with the reasons for its decision in writing.

- d) The teacher may make comments, in writing, to the committee prescribed in clause 8-9.03 concerning the processing of his or her request for services. The committee shall take note and adopt any measure it deems appropriate.

8-9.06

- a) Within 15 working days of receiving the teacher's report under subclause c) of clause 8-9.04, the school principal shall set up an ad hoc committee to ensure that the case is studied and monitored. The committee shall be made up of a representative of the school administration, the teacher or teachers concerned and, at the committee's request, a professional. The committee shall invite parents to attend committee meetings. However, the fact that the parents do not attend a meeting shall neither impede nor prevent the committee from carrying out its work. Specifically, the committee's mandate shall be:
 - i) to study each case submitted and, where applicable, make recommendations to the teacher on other intervention measures to be carried out immediately;
 - ii) to request, if the committee deems it necessary, pertinent evaluations from the competent personnel;
 - iii) to obtain, as soon as possible, the evaluations prescribed in subparagraph ii), if need be;
 - iv) to make recommendations to the school principal on the services to be set up under clauses 8-9.02 and 8-9.03 and, where applicable, on the possibility of identifying the student according to one of the definitions prescribed in Appendix XXXI;
 - v) to assist the principal in establishing an individualized education plan by making appropriate recommendations;
 - vi) to oversee the implementation of the measures adopted concerning the individualized education plan, its follow-up and periodic evaluation.
- b) The school principal shall decide whether to act upon or reject the recommendations made under subparagraph iv) of subclause a), within 15 working days of receiving the recommendations, barring exceptional circumstances.
- c) If the school principal decides to adopt measures based on the recommendations made under subparagraph iv) of subclause a), the measures shall come into effect, whenever possible, within 15 working days of the decision.
- d) If the school principal decides to reject the recommendations made under subparagraph iv) of subclause a), he or she shall state the reasons to the members of the committee prescribed in that subclause, within 15 working days of his or her decision.
- e) The ad hoc committee may, at any time, use additional resources and, if it deems it necessary, meet with the student.

8-9.07

- a) Students with special needs may be integrated totally or partially into regular groups or grouped together in special classes according to the policy in effect at the board.

- b) When students with special needs are integrated into regular groups or grouped together in special classes, the school principal shall give the teacher concerned information on the students, provided that the information is available and that the giving of the information is in the student's interest.

The preceding paragraph applies subject to the respect for persons and for the code of ethics.

- c) For the purposes of applying the rules governing the formation of student groups, when students with behavioural difficulties are placed in regular groups, they shall be considered as belonging to the student group into which they are integrated. In this case, the board shall maintain, where applicable, the support services already in place under clause 8-9.05 and shall weight the students in accordance with Appendix XIX.
- d)
 - i) For the purposes of applying the rules governing the formation of student groups, students with handicaps other than students with pervasive developmental disorders, psychopathological disorders or learning difficulties who are placed in regular groups shall be considered as belonging to the student group into which they are integrated.
 - ii) In the case of handicapped students other than students with pervasive developmental disorders or psychopathological disorders, the board shall provide support services to the teacher or, failing this, weight the students in accordance with Appendix XIX; however, the policy may prescribe support services and weighting.
 - iii) In the case where students with severe behavioural difficulties are placed in regular groups, the board shall provide support services to the teacher and students who were not weighted under clause 8-4.01e) shall be weighted under Appendix XIX.
 - iv) In the case of students with learning difficulties, if no support service was available during the year, the board shall weight the students in accordance with Appendix XIX.
- e) Subclauses c) and d) do not apply to students enrolled in a temporary individualized path for learning.
- f) A student identified as being handicapped or as having severe behavioural difficulties shall continue to be identified as such until such time as the committee prescribed in clause 8-9.06 has had the opportunity to give its view on the reappraisal of his or her placement.

- g) On the date on which the entente comes into force, totally or partially integrated students with handicaps or with severe behavioural difficulties shall continue to be integrated until such time as the committee prescribed in clause 8-9.06 has had the opportunity to give its view on the reappraisal of their placement.**

8-9.08

On the date on which the entente comes into force, students considered at risk under the 2000-2003 entente so remain and are entitled to services without the teacher having to make a request in accordance with subclause b) of clause 8-9.04 during the first complete school year following the signing of the entente. During that school year, each case must be studied in order to determine whether the services are still required and, in the case of students identified as at risk with behavioural difficulties, whether these students will be identified or not as students with behavioural difficulties under Appendix XXXI. In the latter case, the members of the committee prescribed in clause 8-9.06 must participate in the study.

8-9.09

This article cannot be the subject of a grievance filed under Chapter 9-0.00. However, the union may, if it believes that the procedure prescribed in this article was not followed, file a grievance to that effect. The union may also file a grievance on the application of the last sentence of subclause c) or paragraphs ii), iii) and iv) of subclause d) of clause 8-9.07.

8-9.10

The board and the union may agree on an internal process for resolving the difficulties that may arise at the school-level committee. At any time and even in the absence of such a mechanism, a decision at the school level must be made without delay.

8-9.11

The composition and operating procedures of the committees prescribed in clauses 8-9.02 and 8-9.03 shall be determined under Chapter 4-0.00.

APPENDICES

**APPENDIX XVIII
ESTABLISHMENT OF MAXIMUM AND AVERAGE NUMBER OF STUDENTS IN A GROUP OF STUDENTS WITH HANDICAPS, SOCIAL MALADJUSTMENTS OR LEARNING DIFFICULTIES INCLUDING STUDENTS OF DIFFERENT TYPES**

The maximum number of students in the group shall be established as follows:

- a) the number of students of each type is divided by the maximum number of students per group for the type of students;
- b) the quotients thus obtained are added up;
- c) the total number of students in the group is divided by the total of all the quotients thus obtained;
- d) the new quotient thus obtained is the maximum; if the fraction is less than 0.5, it is dropped; if the fraction is equal to or greater than 0.5, it is rounded off to the next whole number.

The average shall be obtained by subtracting two from the maximum.

This method of calculation also applies to a group of students in temporary individualized paths for learning including one or more students of one or more types of students with handicaps or with severe behavioural difficulties including, in the calculation, students referred to in subparagraph 3 of subclause a) of clause 8-4.04.

EXAMPLE

At the secondary level, a group of 14 students is made up as follows:

Number of students	Identification	Maximum
7	Moderate to severe intellectual handicaps	14
4	Severe behavioural difficulties	11
3	Severe motor impairments	11

$$\frac{14}{7/14 + 4/11 + 3/11} = 12.28$$

Maximum: 12 Average: 10 Maximum is exceeded by: 2

APPENDIX XIX

ESTABLISHMENT OF THE MAXIMUM NUMBER OF STUDENTS IN A GROUP INTO WHICH STUDENTS WITH HANDICAPS, SOCIAL MALADJUSTMENTS OR LEARNING DIFFICULTIES ARE INTEGRATED

For the purposes of calculating the maximum, the board applies a weighting factor to integrated students according to the following formula:

$$F = \frac{MI}{M}$$

Where:

- F is the weighting factor.
- MI is the maximum prescribed in article 8-4.00 for the group into which the student is integrated.
- M is the maximum prescribed in article 8-4.00 for the type of students with handicaps or students with social maladjustments or learning difficulties to which the integrated student belongs.

If the result of the application of this formula for a given student is negative, the weighting factor is not taken into account.

If the product of the number of students thus weighted results in a fraction, the following formula applies:

if the fraction is less than 0.5, it is not taken into account; if the fraction is equal to or greater than 0.5, it is rounded off to the next whole number.

This weighting rule applies only to students identified as being handicapped or as having social maladjustments or learning difficulties by the board and is only used for the time during which he or she is identified as such.

Example: two students with behavioural difficulties at the secondary level are integrated into a general education course with 30 students (before integration).

Maximum of the group into which the two students are integrated is 32

Maximum of the type to which the two students belong is 14

$$\text{Weighting factor} = \frac{32}{14} = 2.286$$

$$\text{Number of students integrated} = 2 \times 2.286 = 4.752 = 5$$

Total number of students in the group = 30 + 5 = 35

In this case, the number of students exceeds the maximum prescribed (32) by three students and the teacher is therefore entitled to the compensation prescribed in subclause g) of clause 8-4.01.

APPENDIX XXIX

RESOURCES FOR AT-RISK STUDENTS AND STUDENTS WITH HANDICAPS, SOCIAL MALADJUSTMENTS OR LEARNING DIFFICULTIES²

1. Remedial teachers (support for learning)

For the term of the entente, each board shall maintain the same amount of remedial teaching resources as that prescribed in the appendix of the letter of agreement signed on November 4, 2009 with the Quebec Provincial Association of Teachers (QPAT) as specified in the following table:

Board	Total amount of remedial teaching resources
Eastern Townships	19.43

2. Supporting teachers

2.1 For the term of the entente, 600 supporting teacher positions³ at the secondary level shall be distributed among the boards according to the parameters established by the Ministère.

2.2 For the 2010-2011 and 2011-2012 school years, an additional 200 supporting teacher positions² at the secondary level shall be distributed among the school boards according to the parameters established by the Ministère.

2.3 The board shall hire the number of supporting teachers allotted by the Ministère.

3. Special conditions

3.1 In the case where a school board cannot fill the total number of positions prescribed for a given year, the balance shall be carried over to the following school year.

² This appendix applies to French-language and English-language school boards.

³ The positions shall be distributed by the Ministère among the French-language and English-language school boards as well as the Littoral School Board.

This appendix is intended to provide guidance to the board and to those involved in intervention efforts.

I- At-risk students

At-risk students are students who display characteristics likely to affect their learning or behaviour that will place them in a vulnerable situation, particularly, with respect to academic failure or their socialization, without immediate intervention.

Particular attention must be devoted to at-risk students in order to determine the preventive and remedial measures required.

At-risk students are not included in the definition of "students with handicaps, social maladjustments or learning difficulties".

II- Definitions

For the purposes of applying the agreement, the Ministère shall adopt the following definitions concerning students with handicaps, social maladjustments or learning difficulties.

A) Students with social maladjustments or learning difficulties

1. Students with behavioural difficulties

A student is deemed to have behavioural difficulties when a psychosocial assessment, carried out by qualified personnel in conjunction with other concerned individuals relying on observation and systematic analysis techniques, shows that he or she has a marked inability to adapt manifested by significant difficulties in interacting with one or more elements that make up his or her social, family or school environment.

These difficulties may involve:

- overactive behaviour in relation to environmental stimuli (e.g. unjustified verbal abuse, acts of aggression, intimidation or destructiveness, a constant refusal to accept needed help and support...);
- underactive behaviour in relation to environmental stimuli (e.g. excessive fear shown towards people and new situations, abnormal passivity, dependence, withdrawal...).

Difficulty in interacting with the environment is deemed significant, that is, as requiring special education services, if it hinders the development of the student in question or that of others despite the fact that the usual support measures have been provided.

A student with behavioural difficulties often exhibits learning difficulties because he or she has a limited ability to persevere in the task at hand or a low level of attention and concentration.

2. Students with severe behavioural difficulties linked to psychosocial disturbances

Students with severe behavioural difficulties linked to psychosocial disturbances are students whose overall functioning, through an evaluation carried out by a multidisciplinary team, including a specialist from student services, using systematic observation techniques and standardized tests shows that the student displays:

- aggressive or destructive behaviour of an antisocial nature that has manifested itself frequently over several years;
- repetitive and persistent behaviour that significantly violates other students' rights or the social rules appropriate for an age group and which takes the form of verbal or physical aggression, irresponsible behaviour and the constant challenging of authority.

The intensity and frequency of this behaviour are such that special education and systematic supervision are necessary. An evaluation using a standardized behaviour rating scale shows that these students fall at least two standard deviations from the mean for their age group.

The severity of the students' behaviour is such that it prevents them from carrying out their daily activities and, in terms of educational services, necessitates the intervention of supervisory or rehabilitation personnel for most of the time the students are in school.

3. Students with learning difficulties

a) Elementary level

A student is deemed to have learning difficulties when an analysis of his or her situation shows that the remedial measures, carried out by the teacher or by others involved in intervention efforts over a significant period of time, have not enabled the student to make sufficient progress in his or her learning to meet the minimum requirements for successful completion of the cycle with respect to the language of instruction or mathematics as provided for in the Québec Education Program.

b) Secondary level

A student is deemed to have learning difficulties when an analysis of his or her situation shows that the remedial measures, carried out by the teacher or by others involved in intervention efforts over a significant period of time, have not enabled the student to make sufficient progress in his or her learning to meet the minimum requirements for successful completion of the cycle with respect to the language of instruction and mathematics as provided for in the Québec Education Program.

B) Students with handicaps

According to section 1 of the Education Act (R.S.Q., c. I-13.3) a student is considered handicapped if his or her situation corresponds to that described in the definition of a "handicapped person" in section 1 of the Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration (R.S.Q., c. E-20.1). According to the Act, a "handicapped person" is defined as follows: "a person with a deficiency causing a significant and persistent disability, who is liable to encounter barriers in performing everyday activities".

For the annual September 30 declaration of enrollments, the definitions of students described in this document allow for the recognition as handicapped of students who fulfill the following three conditions:

1. a handicap has been diagnosed by a qualified person;
2. they have disabilities that limit or prevent their participation in educational services;
3. they need support in order to function at school.

The individualized education plan must take into account the diagnoses, which often clarify the origin of the student's limitations and disabilities and also his or her needs and abilities in order to identify the appropriate educational services.

Students with multiple handicaps or difficulties shall be recognized according to the definition that corresponds most closely to their characteristics and their principal limitations.

B.1) Students with mild motor impairments, organic impairments or language disorders

1.1 Mild motor impairments or organic impairments

1.1.1 Mild motor impairments

Students are deemed to have a mild motor impairment when a neuromotor examination carried out by a qualified person shows that they have one or more nervous, muscular or osteoarticular disorders.

Students are considered "handicapped by a mild motor impairment" when an evaluation of their level of functioning shows that, even with technological aids, they have one or more of the following characteristics:

- difficulty accomplishing tasks involving grasping (manual dexterity);
- difficulty accomplishing daily activities (personal hygiene, eating);
- limitations in mobility hindering their ability to get around.

These difficulties or limitations may be accompanied by difficulty in learning to communicate.

These characteristics necessitate special training and periodic support at school.

1.1.2 Organic impairments

An organic impairment is diagnosed when a medical assessment and an evaluation of the level of functioning shows that one or more of a student's vital systems (e.g. respiratory, circulatory, genito-urinary system) are affected by problems resulting in permanent organic disorders and have a serious impact on the student's ability to function.

Students are considered "handicapped by an organic impairment" when the functional disorders that have been diagnosed involve the following characteristics:

- special care has to be integrated into the student's daily schedule (frequent medication, insulin and monitoring, a nurse);
- the student has difficulty with the programs of study because of medical treatment (reduced concentration, persistent pain, anxiety, reduced hours of school attendance);
- the student's access to certain places may be restricted by the nature of the disease;
- frequent absences, sometimes for prolonged periods, lead to academic delays.

An organic impairment is recognized as having a serious impact on a student's ability to function in school when it is necessary to integrate special teaching methods and special care into the student's daily schedule.

1.2 Language disorders

Students with language disorders are students whose overall functioning, through an evaluation carried out by a multidisciplinary team of specialists using systematic observation techniques and appropriate tests, leads to a diagnosis of severe dysphasia.

Severe dysphasia: a serious and persistent language development disorder significantly limiting verbal interactions, socialization and learning at school.

Students are considered handicapped when an evaluation of their level of functioning indicates:

- marked difficulties in the following areas:
 - . language development;
 - . verbal expression;
 - . cognitive verbal functions;
- moderate to severe difficulties in the area of:

verbal comprehension.

The persistence and severity of the disorder is such that it prevents the student from carrying out school tasks normally suggested to students of the same age.

Therefore, the student requires student services and an adapted pedagogy.

1.2.1 Serious language disorders

For the sole purpose of applying article 8-4.00, a language disorder is qualified as serious when it involves pure word deafness, semantic-pragmatic disorder or congenital or developmental aphasia, the evaluation of which, conducted by a multidisciplinary team, reveals severe difficulties in the area of verbal comprehension and major difficulties in the area of verbal expression.

B.2) Students with moderate to profound intellectual handicaps or severe developmental disorders

2.1 Moderate to profound intellectual handicaps

Students with moderate to profound intellectual handicaps are students whose cognitive functions, evaluated by a multidisciplinary team using standardized tests, show a level of general functioning that is clearly below average, as well as impaired adaptive behaviour appearing from the beginning of the development period.

2.1.1 Moderate to severe intellectual handicaps

An intellectual handicap is qualified as "moderate to severe" when an evaluation of the student's level of functioning shows that a student displays:

- limitations in the area of cognitive development restricting the ability to learn with respect to certain objectives of the regular programs of studies and requiring an adapted pedagogy or program;
- limited functional abilities in the area of personal and social autonomy resulting in a need for assistance in new activities or a need for instruction in basic autonomy;
- more or less marked difficulties in sensory, motor and communication development, making adapted intervention necessary in those areas.

An intellectual or development quotient of between 20-25 and 50-55 is usually considered to denote a moderate to severe intellectual handicap. The results of standard cognitive functioning tests can be translated into a development quotient by means of the following formula:

$$\text{Development quotient} = \frac{100 \times \text{developmental age}}{\text{chronological age}}$$

2.1.2

Profound intellectual handicaps

An intellectual handicap is qualified as "profound" when an evaluation of the student's level of functioning shows that a student displays:

- major limitations in the area of cognitive development making it impossible to achieve the objectives of the regular programs of studies and requiring the use of an adapted program;
- manifestly limited perceptual, motor and communication skills, requiring individualized methods of evaluation and stimulation;
- very low functional abilities in the area of personal and social autonomy, resulting in a constant need for support and supervision to accomplish daily school tasks.

The evaluation of the student's level of functioning may also show that the student displays related impairments, such as physical disabilities and sensory impairments, as well as neurological and psychological disorders and an increased propensity to contract various diseases.

A development quotient below 20-25 is usually considered to denote a profound intellectual handicap. The results of standard cognitive functioning tests can be translated into a development quotient by means of the following formula:

$$\text{Development quotient} = \frac{100 \times \text{developmental age}}{\text{chronological age}}$$

2.2 Pervasive developmental disorders

Students with pervasive developmental disorders are students whose overall functioning, through an evaluation carried out by a multidisciplinary team of specialists using systematic observation techniques and standardized tests in accordance with the diagnoses criteria of the DSM-IV⁴, leads to one of the following diagnoses:

Autistic disorder: a set of dysfunctions appearing at an early age and characterized by clearly abnormal or inadequate development of social interaction and communication and a markedly restricted, repetitive and stereotyped repertoire of activities, interests and behaviour.

Autism is demonstrated through several of the following specific limitations:

- an inability to make friends, significant problems integrating into a group;
- an inability to understand concepts and abstract ideas and a limited comprehension of words and gestures;

⁴ Diagnostic and Statistical Manual of Mental Disorders

- special language and communication problems: some students have no language, while others engage in echolalia, invert pronouns, etc.;
- behavioural problems such as hyperactivity, abnormal passivity, fits, fearfulness in ordinary situations or a lack of fear in dangerous situations, etc.;
- mannerisms, stereotyped and repetitive gestures, etc.

Rett syndrome, childhood disintegrative disorder, Asperger syndrome or a non-specific pervasive developmental disorder are also considered pervasive developmental disorders.

The severity of the disorders considered here is such that it prevents the students from carrying out tasks that would normally be appropriate for their age and school environment, without continuous support.

2.3 Psychopathological disorders

Students with psychopathological disorders are students whose overall functioning, through an evaluation carried out by a team of multidisciplinary specialists, using systematic observation techniques and standardized tests, leads to a diagnosis of:

A psychiatric disability that appears through a distortion in several areas of development, particularly in the area of cognitive development.

The disorders in question include several of the following characteristics:

- disorganized behaviour, episodes of serious disturbance;
- extreme emotional distress, extreme confusion;
- distortion of reality, delirium and hallucinations.

The evaluation of the overall functioning of the student must conclude that the developmental disorders entail marked difficulties in adapting to school life.

The developmental disorders considered here are of such severity that they prevent the students from carrying out tasks that would normally be appropriate for their age and school environment, without continuous support.

2.4 Atypical disorders

Students with atypical disorders are students whose overall functioning, through an evaluation carried out by a multidisciplinary team of specialists, shows that they have characteristics or limitations that do not correspond to any of the definitions established by the Ministère for its annual September 30 declaration of enrollments.

These diagnoses are very unusual. However, the students' limitations are of such severity that they prevent the students from carrying out tasks that would normally be appropriate for their age and school environment, without continuous support.

B.3) Students with severe physical handicaps

3.1 Severe motor impairments

Students are deemed to have a severe motor impairment when a neuromotor examination, carried out by a specialist, indicates one or more nervous, muscular or osteoarticular disorders.

Students are deemed "handicapped by a severe motor impairment" when an evaluation of their level of functioning shows that, even with technical aids, they display one or more of the following characteristics:

- severe functional limitations that may necessitate special training and regular assistance in performing daily activities;
- severe limitations in mobility (mobility and locomotion) necessitating special assistance in motor development as well as an aide or highly specialized equipment to help them move around.

These limitations may be accompanied by serious limitations with respect to communication necessitating the use of alternate means of communication.

These limitations necessitate special training and continuous assistance.

3.2 Visual impairments

Students are deemed visually impaired when an eye test carried out by a qualified specialist determines that each eye has a visual acuity of no more than 6/21 or a visual field of less than 60° in the 90° and 180° meridians, with correction by means of appropriate ophthalmic lenses other than special optical devices and supplements of more than + 4.00 dioptries.

Students are deemed visually handicapped when an evaluation of their level of functioning shows that, even with technical assistance, they display one or more of the following characteristics:

- limitations with respect to communication resulting in:
 - . the need for specialized material (high-quality printed matter, sometimes in the form of large-print text, for the functionally sighted; material in braille and recordings for the functionally blind);
 - . the need for exercises and periodic supervision when using specialized mechanical or electronic devices or specialized instructional material;
 - . the need to learn and use alternate codes in order to read and write (for the functionally blind);
 - . the need for an adapted pedagogy to facilitate comprehension of certain concepts;

- limitations with respect to participation in everyday activities necessitating special exercises, the adaptation of teaching and periodic assistance;
- limitations with respect to mobility requiring special exercise, the adaptation of teaching and periodic assistance.

3.3 Hearing impairments

Students are deemed hearing impaired when a standard audiometric examination administered by a specialist reveals an average hearing threshold greater than 25 decibels for pure tone stimuli of 500, 1 000 and 2 000 hertz, in the better ear.

Testing must also take into account auditory discrimination and sound tolerance threshold.

Students are deemed handicapped by a hearing impairment when an evaluation of their level of functioning shows that, even with technical assistance, they display one or more of the following characteristics:

- limitations in learning and verbal communication resulting in the need for:
 - . specialized techniques for learning verbal language;
 - . alternate means of communication (lip reading, sign language, etc.);
 - . interpreters;
- problems in cognitive development (in concept formation) and in oral language development resulting in the need for:
 - . special teaching methods;
 - . supplementary instruction to enable the student to overcome learning delays.