



# CALGARY BOARD OF EDUCATION

## Administrative Regulation 3003 - Special Education Programming

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### STATEMENT

In accordance with section 47 of the School Act and Alberta Education's Standards for Special Education, a student who is determined to be in need of a special education program is entitled to have access to special education programming. In accordance with Administrative Regulation 3046 - Instructional Program and Time, a student is entitled to full instructional programming provided to the greatest extent possible. Programming for students with special education needs is delivered in a variety of ways within a range of settings based on individual student need. The first educational placement option considered for educating students with special education needs is within an inclusive setting in their neighbourhood or local schools.

### REASON FOR THIS REGULATION

The purpose of this regulation is to outline the roles, responsibilities, and accountabilities in the provision of programming and services to students with special education needs and to comply with Alberta Education's requirement that school boards implement policies regarding special education.

### WHO SHOULD READ THIS?

- All teachers, support staff, specialists, psychologists, strategists, principals, Area Directors and Superintendents who work with students identified with special education needs.
- All parents of students with special education needs and independent students with special education needs.

### REGULATION IMPLEMENTATION

- All principals.

### REGULATION INTERPRETATION AND RESOURCE

- Student Services Support.

### WEBSITE ADDRESS FOR THIS REGULATION

[www.cbe.ab.ca/policies/adminregs.asp](http://www.cbe.ab.ca/policies/adminregs.asp)



# CALGARY BOARD OF EDUCATION

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## Administrative Regulation 3003 - Special Education

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**Preamble**

The Board of Trustees of the Calgary Board of Education has approved EL-4: Treatment of Parents and Citizens which says that:

“With respect to interactions with parents and citizens, the Chief Superintendent shall not cause or allow conditions, procedures or decisions which are unsafe, disrespectful, unfair, discourteous, undignified, unnecessarily intrusive, or which fail to provide appropriate confidentiality and privacy.

With respect to staff interactions with parents and other citizens, the Chief Superintendent shall not fail to establish the organizational conditions conducive to an environment of mutual respect, involvement and support.

Accordingly, the Chief Superintendent shall not:

1. Fail to ensure that appropriate participation in decision-making takes place in schools, service units and at the system level;
3. Fail to provide opportunities for parents and community members to have appropriate, respectful, timely and cost effective communications with the Calgary Board of Education;
4. Fail to administer a process for the effective handling of complaints.”

The Board of Trustees of the Calgary Board of Education has approved EL-6: Instructional Program which says that:

“The Chief Superintendent shall not fail to ensure that the district’s instructional program achieves the Board’s Ends policies for individual student learning.

Accordingly, the Chief Superintendent shall not fail to:

4. Ensure that the instructional program addresses the different learning styles and needs of students of various backgrounds and abilities;”

The Board of Trustees of the Calgary Board of Education has approved EL-16: Learning Environment/Treatment of Students which says:

“The Chief Superintendent shall not fail to establish and maintain a learning environment that is safe, caring and conducive to effective learning.

Accordingly, the Chief Superintendent shall not:

1. Fail to assure a culture that is characterized by mutual respect;
2. Fail to assure a culture that is characterized by support and encouragement for high student achievement;
5. Tolerate any behaviors, actions or attitudes by staff or volunteers who have contact with students that hinder the academic performance or the well being of students;”

## PART 1 GENERAL

**Definitions**      **1**      The following definitions are used in this regulation.

- (a)      **“adapted programming”** means programming that retains the learning outcomes of the Alberta Program of Studies at the student’s enrolled grade and where adjustments to the instructional process are provided to address the special education needs of the student.
  
- (b)      **“Board-delegated person”** means
  - (i)      the Superintendent of Educational Support Services, or
  - (ii)     one or more persons appointed in writing by the Chief Superintendent, at least one of whom must be teacher-certificated.
  
- (c)      **“independent student”** means a student who is
  - (i)      18 years of age or older, or
  - (ii)     16 years of age or older, and who
    - (A)     in the opinion of the principal is living independently according to Administrative Regulation 6000 - Independent Students, or
    - (B)     is party to an agreement under section 57.2 of the Child, Youth and Family Enhancement Act.
  
- (d)      **“Individualized Program Plan”** means a concise plan of action designed to address a student’s special education needs, based on diagnostic information which provides the basis for intervention strategies.
  
- (e)      **“informed consent”** means that the individual
  - (i)      has been provided with all information relevant to the activity for which consent is sought, and
  - (ii)     understands and agrees, in writing, to the carrying out of the activity for which the individual’s consent is sought, and

- (iii) understands that if consent is given for assessment, the results of the assessment will become and must remain part of the student record in compliance with the provincial regulation on Students Records, and
- (iv) understands that the granting of consent is voluntary and may be withdrawn at any time for any future action but may not be withdrawn for any action that has already occurred.
- (f) **“parent(s)”** means the biological parent(s) or adoptive parent(s), or the individual(s) who has/have legal custody or guardianship of a student.
- (g) **“Learning Team”** means a team that consults and shares information relevant to plan programming and services for students as required and may be either a school-based team under section 5 of this regulation or an individual student’s team under section 6 of this regulation.
- (h) **“modified programming”** means programming in which the learning outcomes are significantly different from those of the Alberta Program of Studies at the student’s enrolled grade and are specifically selected to meet the student’s special education needs.
- (i) **“specialized assessment”** is one component used to determine if students meet Alberta Education criteria for formal identification of special education needs, and means
  - (i) individualized measurement of a student’s intellectual abilities, academic performance, emotional and behavioural development and physical development relevant to students’ educational performance, across a variety of domains for the purpose of developing and providing individualized programming for students,
  - (ii) completed by qualified professionals, including teachers who are trained to administer and interpret Level B assessments.
- (j) **“special education programming”** means adapted or modified programming or accommodation provided to a student with formally identified with special education needs including students with mild, moderate or severe disabilities and students who are gifted.
- (k) **“specialized services”** means services provided by a qualified professional, other than the regular classroom teacher, to meet

the academic, developmental, intellectual, social-emotional, behavioural, psychiatric, physical and/or health-related needs of a student.

(l) **“students with special needs”** means

- (i) students described in section 47(1) of the School Act as being in need of special education programming because of their behavioral, communicational, intellectual, learning or physical characteristics, or
- (ii) students who may require specialized health care services, or
- (iii) students who are gifted; or
- (iv) students who have been formally identified according to Alberta Education eligibility criteria.

**Non-resident students**      **2**

Students who are non-resident students of the Calgary Board of Education, as defined in Administrative Regulation 6090 - Student Registration, may be admitted to a Calgary Board of Education special education program if there are sufficient resources and facilities available to accommodate that student. These requests are subject to all the provisions of Administrative Regulation 6091 - Student Admissions and School Choice, including admission priorities and duration of attendance.

**Transitioning special education students**      **3**

Students with special education needs who will be attending a Calgary Board of Education school or program may be permitted to visit their prospective school or program for transitioning purposes as set out in Administrative Regulation 6094 - Student Visits, Exchanges and International Students.

**PART 2  
SPECIAL EDUCATION PROGRAMMING**

**Principal's responsibility for specialized assessments and services**      **4**

The principal must ensure that:

- (a) staff at the school follow Calgary Board of Education written procedures to refer students for specialized assessment and/or services based on a variety of indicators such as review of the student record, teacher assessment, observation, parent

information, previous specialized assessments and recommendations;

- (b) the parent's or independent student's written informed consent is obtained for specialized assessments or services, including Level B assessments that will be completed by teachers trained to administer and interpret these assessments; and that
- (c) a written summary of the specialized assessment(s), including interpretation of the results, or a written summary of specialized services is placed in the student record.

**School Learning Team**

- 5** The principal must establish a School Learning Team that must include:
- (a) at least two or more Calgary Board of Education teachers and teacher-certificated administrative staff at the school,
- and may include one or more of the following:
- (b) Calgary Board of Education psychologists, or
  - (c) Calgary Board of Education specialists and strategists, or
  - (d) representatives from community services and supports.

**Student Learning Team**

- 6** For each special education student, the principal must establish a Student Learning Team that must include:
- (a) the student's classroom teacher(s),
  - (b) the student's parent(s),
- and may include:
- (c) the student, as appropriate; and
  - (d) Calgary Board of Education psychologists, or
  - (e) Calgary Board of Education specialists and strategists, or
  - (f) representatives from community services and supports.

**Individualized  
Program  
Planning**

- 7(1)** For each student identified with special education needs, the principal must ensure that,
- (a) the Student's Learning Team uses the results of the specialized assessment(s) to address the student's special education needs through the Individualized Program Plan;
  - (b) an Individualized Program Plan is developed, implemented, and monitored in accordance with Alberta Education's Standards for Special Education and reflects adequate levels of specialized services and supports;
  - (c) at scheduled periods, a parent's or independent student's signature is obtained on the Individualized Program Plan to indicate informed consent (agreement) with the Individualized Program Plan;
  - (d) if a parent or independent student is unavailable to sign the Individualized Program Plan, the reasons for unavailability are indicated on the Individualized Program Plan and the actions taken by the school staff to obtain informed consent are described;
  - (e) the summary section of the Individualized Program Plan is completed and the most recent cumulative hard copy of the Individualized Program Plan is placed in the student record:
    - (i) at the end of each school year, or
    - (ii) when a student leaves the school.
- (2) The principal must identify a teacher member of the Student's Learning Team whose responsibility it is to coordinate, develop, implement, monitor and evaluate a student's Individualized Program Plan.

**If no consent  
to  
Individualized  
Program  
Planning**

- 8** If a parent or independent student refuses to provide consent to the student's Individualized Program Plan either to the whole plan or part of the plan, the principal must ensure that
- (a) the reasons for refusal of consent and actions taken by the school to resolve concerns are documented on the Individualized Program Plan, and
  - (b) if consent is still not obtained, the parent or independent student is advised that they may ask for an appeal of the programming decision under Part 3 of this regulation.

- Special education placement**      **9**      The first educational placement option considered for educating students with special education needs is within an inclusive setting in their neighbourhood or local schools.
- Special education placement process**      **10(1)**      In accordance with the Calgary Board of Education program placement process, the principal must ensure that the parent(s) or independent student provides verbal agreement in order that the student be considered for placement in a special education setting.
- (2)      When a special education placement is offered to a student, the principal of the referring school or system designate will communicate the placement offering in writing to the parent or independent student as the case may be.
- (3)      Parents must accept or decline the placement offering in writing and a copy of the placement letter must be placed in the student record.
- Directed placement**      **11(1)**      In rare instances, a Director of Student Services Support may direct a student with special education needs to a special education placement, if in the opinion of the Director circumstances warrant the placement.
- (2)      If a Director of Student Services Support makes a directed placement, the Director must advise the parent or independent student that they may appeal the directed placement to the board-designated person in accordance with Part 3 of this regulation.
- Special education programming and services in French**      **12(1)**      For students with special education needs who are French-speaking students of Francophone parentage, and who choose not to access their rights under section 23 of the Canadian Charter of Rights and Freedoms to attend a Francophone Regional School Authority, the Calgary Board of Education may provide special education programming and services in the French language if numbers of such cases warrant such provision. If numbers do not warrant such a provision, these students will be required to access English language special education programming and services.
- (2)      Students with special education needs whose first language is not French and who are participating in French language programs may be required to access English language special education programming and services.

- Access to student information**      **13**      A parent or independent student may have access to information contained in the student record, including results of specialized assessments and student progress reports, as outlined in Administrative Regulation 6024 - Student Records.

### **PART 3 SPECIAL EDUCATION APPEALS**

- Request for an appeal of programming decision or a directed placement**      **14**      A parent or independent student may request an appeal of
- (a) a programming decision including an Individualized Program Plan made by the principal or system-designated specialist, or
  - (b) a directed placement by a Director of Student Services Support,
- by writing to the Board-delegated person within 20 school days of receipt of the Calgary Board of Education's written programming decision or directed placement.

- Request for a change in program location**      **15**      Resident students of the Calgary Board of Education who have been accepted into a special education program but who wish to apply for a special education placement in the same program in a different location within the Calgary Board of Education, may apply for an out-of-boundary special education program location under Part 3 of Administrative Regulation 6091 - Student Admissions and School Choice, and these requests may not be appealed under Administrative Regulation 3003.

- Preliminary review**      **16(1)**      Upon receipt of the request for an appeal of the programming placement decision or a directed placement by a Director of Student Services Support, the Board-delegated person must review the matter within 5 school days to determine whether:
- (a) it may be resolved at the school, or
  - (b) it is a matter that is appropriately addressed under another Administrative Regulation including a request for a change in program location under Administrative Regulation 6091 - Student Admissions and School Choice, or
  - (c) whether it is a special education programming matter.

- (2) When the Board-delegated person has completed their preliminary review they must advise the parent or independent student of their determination.

**Appeal hearing**

- 17** If the Board-delegated person determines that the matter is appropriately addressed as an appeal of a programming decision or a directed placement, within 20 school days of the Board-delegated person's determination, the Board-delegated person
  - (a) must meet with the parent or independent student;
  - (b) may meet with the principal;
  - (c) may meet with such other person(s) if, in the opinion of the Board-delegated person, it may be useful for the purpose of considering the appropriateness of the programming decision.

**Scheduling and adjournment of appeal hearings**

- 18(1)** If, in the opinion of the Board-delegated person, it is not possible to schedule a hearing with the parent or independent student within the 20 school days of the Board-delegated person's determination that the request for an appeal is a programming matter, the Board-delegated person may schedule the hearing at a mutually convenient time.
- (2) If, at any point in the appeal process, consensus is reached between the parties to resolve the matter, the appeal is suspended until the consensual resolution process is concluded.
- (3) If, at any time in an appeal hearing, in the opinion of the Board-delegated person, it is not possible to continue with the hearing, the Board-delegated person may adjourn the hearing. If the hearing is adjourned the Board-delegated person must advise the parent or independent student, as the case may be, of the adjournment and that they may request a Ministerial review of the Board-delegated person's decision under section 124 of the School Act.

**Decision of the Board-delegated person**

- 19** Within ten school days of the appeal hearing in section 17, the Board-delegated person must
  - (a) provide the parent or independent student with a brief, written decision, with reasons, either confirming the special education programming decision or proposing alternative special education programming, and

- (b) advise the parent or independent student that they may request a Ministerial Review the Board-delegated person's decision under section 124 of the School Act.

#### References

- Legal References:**
- Canadian Charter of Rights and Freedoms, section 23
  - Child, Youth and Family Enhancement Act R.S.A. 2000, c-12, section 57.2
  - School Act R.S.A. 2000, c.S-5, sections 18, 20, 29, 39(1)(c), 103 and 104.
- Governance Policy References:**
- EL-4: Treatment of Parents and Citizens, sections 1, 3 and 4
  - EL-6: Instructional Program , section 6
  - EL-16: Learning Environment and Treatment of Students, sections 1,2 and 5
- Alberta Education References:**
- Ministerial Order 4.2.3 - Standards for Special Education, approved June 7, 2004
  - Programming for students with Special Needs Book #3: Individualized Program Planning (2006)
  - Standards for Psycho-Educational Assessment (1994)
  - Policy 1.6.2 Special Education
  - Policy 3.5.1 Information Bulletin, Review by the Minister
- Calgary Board of Education References:**
- Special Education Appeal Procedures
  - Special Education Placement Process
- Administrative Regulation References:**
- 3064 - School Year and Hours of Operation
  - 3081 - Staff and Resource Allocation Decisions
  - 5007 - Community Concerns and Complaints
  - 6000 - Independent Students
  - 6024 - Student Records
  - 6090 - Student Registration
  - 6091 - Student Admissions and School Choice
  - 6094 - Student Visits, Exchanges and International Students

## **CALGARY BOARD OF EDUCATION PROCEDURES TO REFER STUDENTS FOR SPECIALIZED ASSESSMENT and/or SERVICES**

In keeping with the Standards for Special Education (2004) and CBE Administrative Regulation 3003 - Special Education Programming, the following procedures are used for referral for Specialized Assessment and Services.

CBE schools follow a Program Planning Process Model as encapsulated below to refer students for specialized assessment and services.

### Referral Procedures

1. A student concern is identified.  
Concerns are based on a variety of indicators such as review of the Student Record, teacher assessment, observation, parent information, and previous specialized assessments and recommendations. Note - when parent information/concerns are mentioned to a teacher or other school personnel and these expressed concerns suggest the parents think their child might have special needs or require assessment, this step is deemed to have occurred. Parent concerns are to be addressed using these procedures.
  
2. Concerns are first addressed at the Classroom Level of Screening/Planning.
  - a. Discussions are held with parents and teachers.
  - b. Teachers, in cooperation with parents and available school support personnel (e.g. school nurse), ensure that medical and sensory screening (vision & hearing) is up to date.
  - c. Level A information is collected, including background/history, observations and classroom-based assessment (formal and informal).
  - d. Once there is enough information, teacher(s) and/or parent(s) plan and implement strategies. If successful, no further intervention is required.
  - e. If there is not enough information, or if the interventions are not successful in resolving the concern, then move to Step 3 - Referral to the School Learning Team. Either parent(s) and/or teacher(s) may initiate this referral to the School Learning Team.
  
3. Referral to School Learning Team  
Each school will institute procedures for referral to its School Learning Team. These procedures are transparent and made available to all stakeholders (parent(s), teacher(s), support staff and others). Parent(s) are made aware of when their child's situation will be discussed at a School Learning Team meeting.

4. School Learning Team Meeting
  - a. As part of the problem solving process and program planning model (see Book 3 and Book 6 of the Alberta Education series Programming for Students with Special Needs), the School Learning Team determines what, if any, specialized assessments/services might be beneficial and who can provide these.
  - b. The School Learning Team prioritizes referrals for specialized assessments/services and determines which referrals will be made to which service providers.
  - c. The School Learning Team may provide suggestions to parent(s) regarding community or private service providers (if appropriate) when prioritization of student referral from the School Learning Team to internal service providers will not result in immediate service.
  - d. The School Learning Team designates individual(s) to consult with parent(s) and complete requests for specialized assessments/services using the forms and procedures used by the appropriate service provider(s).

(Please note – these procedures are specific only to the aspect of the School Learning Team meeting which relates to referral for specialized assessment/services. School Learning Team meeting agendas may/often will include other items such as brainstorming or evaluating specific strategies/interventions).

5. When a request for specialized assessment/service is prioritized by the School Learning Team, parent(s) are consulted. A decision to proceed assumes that parent(s) are likely to provide consent once such consent is sought by the service provider. When a Request for Services form from School Support Services is required it is completed by the designated school personnel.
6. Informed consent is sought by the School Learning Team/service provider in keeping with the relevant procedures and professional obligations of the service provider. See attached information in Appendix B for informed consent procedures for specialized assessment of academic achievement (Level B Assessment) completed by teachers trained to administer and interpret these assessments.
7. Stakeholder(s) are kept informed regarding status of the request for services and timelines for completion of service provision and report/summary writing.
8. Principals make decisions regarding formal identification of special education needs (coding) in consultation with parent(s). Principals make this formal identification when all coding criteria are met (see Alberta Education Special Education Coding Criteria).

9. When a student is formally identified with special education needs (coded) they will have a Student Learning Team and an Individualized Program Plan. See Standards for Special Education (2004), AR 3003, and Individualized Program Planning.
  
10. When the student about whom there is a concern already has identified special education needs the Student's Learning Team may assume responsibility for any one or more of the steps referenced in these procedures and communicates this action with the School Learning Team where appropriate.

## **BEST PRACTICES IN LEVEL B ASSESSMENT INDIVIDUALLY ADMINISTERED STANDARDIZED ACHIEVEMENT ASSESSMENT**

### **Who is this document intended for?**

This document is for CBE teachers who are using Level B assessment tools while they carry out their assigned duties in schools and for school principals. It is **not** applicable to Psychologists and/or other Professional Support Staff using Level B assessment tools. Their processes and procedures are separate from teaching staff in schools.

### **What is Level B Assessment?**

“Level B” is a category of assessment described by Alberta Education in the Standards for Psycho-Educational Assessment (1994). This category includes certain specialized assessments which require specific training for the user. In schools, Level B Assessment most frequently refers to individualized, standardized assessment of academic achievement. Examples of assessment tools that fall in this category include: Wechsler Individual Achievement Test (currently in its second edition), Woodcock Johnson Psycho-educational Battery Tests of Achievement (currently in their third edition), Kaufman Test of Educational Achievement (currently in its second edition with a normative update), and the like.

### **Who does Level B Assessment?**

Level B assessment tools are used only by qualified individuals. School Principals are responsible to ensure that only appropriately qualified individuals on their staff administer, interpret and record results of Level B assessments. Alberta Education sets out the qualifications as *Standards of Competence: Level of Tests and Qualifications*. This was re-printed in Book 6 of the series *Programming for Students with Special Needs* entitled *Teaching Students with Learning Disabilities* (page LD.318). This page is reprinted for your ease of reference as **Appendix A** to this document. CBE personnel doing this form of specialized assessment are expected to meet the qualifications as set out in this document. It should be noted that Psychologists qualified as Level C users are also qualified for the previous levels (A & B) regardless of their undergraduate background.

### **Where does Level B Assessment fit in a Program Planning Model?**

Assessment strategies form part of an overall process of identification of special education needs or programming for students with special education needs. Typically, when concerns first arise about a student’s progress, Level A assessment is conducted. Level **A** Assessment is used for determining potential instructional strategies and whether more in-depth assessment is required (see *Standards of Competence* referenced above and Chapter 5 of *Individualized Program Planning*, Alberta Education, 2006, Book 3 in the series *Programming for Students with Special Needs*). Level **B** assessment further informs the process of identification of special needs. It may also serve program planning purposes. As such, Level **B** assessment techniques are

sometimes precursors to Level **C** assessment. Level **C** assessment sometimes incorporates Level **B** tests.

### **What about “informed consent”?**

Alberta Education considers Level B academic achievement assessment to be “specialized assessment”. The Standards for Special Education require that school boards **must** obtain parents’ written informed consent for specialized assessment or referral.

**Obtaining informed consent is a process. A signed form documents that the process of obtaining informed consent has been completed.**

In order to obtain informed consent there must be communication between school and parent(s). This ensures that parents understand what will happen, why it will happen, and what will be the result of the Level B assessment.

At a minimum, the process of informed consent should provide the parent with the information set out below. The process must allow for parents’ questions to be answered. The process should provide accurate information in regard to:

- what assessment is being requested,
- why this form of assessment is considered desirable,
- the place, if any, the assessment may have in an overall process of identifying special education needs,
- the type of information that will be provided by the assessment,
- the intended uses for the results,
- how the assessment information will be reported and stored (see below),
- possible outcomes of the assessment,
- pros and cons (costs and benefits) of proceeding with the assessment, and
- how parents will receive the results and suggestions arising from the assessment.

**Appendix B** shows a suggested format to use for documenting the process of obtaining informed consent and obtaining the written consent.

### **How are test protocols safeguarded and stored?**

Level B tests are only sold to qualified users. When purchasing Level B tests, users are generally required to agree to safeguard the confidentiality of the test. This includes safeguarding protocols (the test forms) and not disclosing test content. Thus, test protocols are kept safely before they are used. As well, after administering the test and scoring and interpreting the results, the user will keep the protocol safeguarded and confidential. The protocol should **not** be placed in the Student Record. *Rather, **the results and interpretation of the assessment are placed in the school record*** (see below). The practice recommended by Student Services Support is that **test users keep files** containing these protocols for individual students. Such files should be **kept**

**at the school for 4 years after the student leaves the school.** After 4 years, the files should be sent to the Records Centre at Highfield. They should be boxed and clearly marked with: who generated the records, what year they were generated, and a list of the student names and CBE numbers. Detailed Records Management procedures are available at the following link: [Transferring Records to Records Management](#)

### **How is information from Level B Assessment reported and stored?**

CBE Administrative Regulation 6024 guides practice regarding what information should be included in the Student Record. This regulation mirrors the Alberta Education regulation which states “The Student Record must contain all information affecting the decisions made about the education of the student that is collected or maintained by a board . . .”. In specifying the contents of the Student Record, the Alberta Education regulation states that it includes information “in relation to any formal intellectual, behavioural or emotional assessment or *evaluation administered individually to the student by a board.* (Section 2(n))

The information in the Student Record should include:

- the name of the assessment or evaluation (e.g. Wechsler Individual Achievement Test (2nd Edition),
- a summary of the results of the assessment or evaluation,
- the date of the assessment or evaluation,
- the name of the individual who administered the assessment or evaluation,
- any interpretive report relating to the assessment or evaluation, and
- any action taken as program planning as a result of the assessment, evaluation, or interpretive report.

### **How do others access Level B Assessment Information?**

Only certain individuals within the school board have access to the Student Record (on a “need to know” basis). In accordance with the School Act, information is only disclosed “to an employee of the board if the information is necessary for the performance of the duties of the employee.” As well, the Alberta Education regulation states that “A board shall ensure that a student, the student’s parent and any other person who has access to the student under a separation agreement or an order of a court are informed of their entitlement under section 23 of the Act to review the student record of that student.” Outside of these requirements, any other requests for Level B Assessment information must be made in accordance with the Freedom of Information and Protection of Privacy Act.

## APPENDIX A STANDARDS OF COMPETENCE

### Standards of Competence: Level of Tests and Qualifications

Levels	Minimum Qualifications	Selected Examples
<p>Level A Tests</p> <p>No formal training in testing required</p>	<ul style="list-style-type: none"> <li>&gt; Four years teacher education inclusive of a Bachelor's degree</li> <li>&gt; Experience working within school systems (as a teacher and/or consultant)</li> <li>&gt; Familiarity with topic</li> <li>&gt; Able to follow administration procedures set out in manual</li> <li>&gt; Informal training; e.g., inservice in the use of a particular instrument</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Alberta Achievement Tests</li> <li>&gt; Gates-McGinitie Reading Tests</li> <li>&gt; Metropolitan Readiness Tests</li> <li>&gt; Alberta Diagnostic Reading/Mathematics Tests</li> <li>&gt; Teacher Alert System</li> <li>&gt; Stanford Diagnostic Mathematics/Reading Tests</li> <li>&gt; Canadian Tests of Basic Skills</li> <li>&gt; Informal reading/mathematics/spelling inventories</li> </ul>
<p>Level B Tests</p> <p>Requires formal training in testing</p>	<ul style="list-style-type: none"> <li>&gt; Four years teacher education inclusive of a Bachelor's degree</li> <li>&gt; Experience working within school systems (as a teacher and/or consultant)</li> <li>&gt; Senior undergraduate or graduate course work in test principles (reliability, validity, test construction, norm groups, types of scores), administration and interpretation</li> <li>&gt; Training in specific area related to test</li> <li>&gt; Experience administering and interpreting test</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Peabody Picture Vocabulary Test, revised</li> <li>&gt; Woodcock Reading Mastery Tests</li> <li>&gt; Tests of Language Development II</li> <li>&gt; Detroit Test of Learning Aptitude</li> <li>&gt; Wechsler Individual Achievement Test</li> <li>&gt; Woodcock-Johnson Psycho-educational Battery, revised Achievement (Part II)</li> </ul>
<p>Level C Tests</p> <p>Restricted tests requiring professional qualifications</p>	<ul style="list-style-type: none"> <li>&gt; Four years teacher education inclusive of a Bachelor's degree</li> <li>&gt; Experience working within school systems (as a teacher and/or consultant)</li> <li>&gt; Recognized Master's degree with a major in special education or educational psychology, including               <ul style="list-style-type: none"> <li>• graduate course work in test principles (reliability, validity, test construction, norm groups, types of scores), and</li> <li>• graduate course work in administering and interpreting individual tests</li> </ul> </li> <li>&gt; Fulfill any additional requirements as stipulated by the test publisher as being necessary or desirable for administration of each particular test instrument.</li> </ul> <p><i>It is expected that individuals administering and interpreting Level C tests will be eligible for registration as a Chartered Psychologist with the Psychologists Association of Alberta.</i></p>	<ul style="list-style-type: none"> <li>&gt; Intelligence Scales (WISC-III, WAIS-R, WPPSI-R, Stanford Binet IV, K-ABC)</li> <li>&gt; Personality Tests (High School Personality Questionnaire, Personality Inventory for Children, projective instruments)</li> <li>&gt; Self-esteem inventories</li> <li>&gt; Bender Visual Motor Gestalt Test</li> <li>&gt; Depression inventories</li> <li>&gt; ADD inventories</li> <li>&gt; Torrance Tests of Creative Thinking</li> <li>&gt; Woodcock-Johnson Psycho-educational Battery, revised, Cognitive Ability (Part I)</li> </ul>

From *Standards for psycho-educational assessment* (p. 13), by Alberta Education, 1994, Edmonton, AB: Special Education Branch. Order directly from the Learning Resources Distributing Centre.

LD.318

**APPENDIX B**  
**EXAMPLE OF “INFORMED CONSENT” LETTER**

**(TO BE POSTED IN THE STAFFROOM - FORMS A TO Z)**

**Instructions to School Personnel** – Read the accompanying information regarding the process of obtaining informed consent. Use this letter as the basis for your written communication with parents which documents the process you have followed (discussions with parents, eliciting and answering questions) to obtain informed consent for specialized assessment of achievement done by qualified personnel (Level B Assessment). Fill in any blanks as appropriate in the circumstances. Delete anything which is not true or applicable and make any additions required by the individual circumstances of the school or situation. Make sure that each of the key points in informed consent has been addressed in some manner in your process and documentation. Delete these instructions and those embedded in the text below. Print on school letterhead. Provide parents with two copies – one to be signed and returned (or provide one copy and after parents have signed and returned it give them a photocopy). Retain the signed letter in the Student Record.

Print On School Letterhead

Date

Dear \_\_\_\_\_,

You will remember talking with \_\_\_\_\_(name of school personnel conducting the informed consent discussion) about a specialized assessment (test) of academic achievement for \_\_\_\_\_(student’s legal name). During that conversation the following was reviewed and any questions you had were addressed:

An individualized, specialized assessment of academic achievement will be conducted by:

(Fill in the name of the qualified personnel who will be doing the assessment here)

We think it is a good idea to do this because:

(Fill in the explanation of why you wish to do the assessment here)

This assessment may have the following place in an overall process of identifying special education needs:

- Depending on the results, referral for further specialized assessment may be considered.
- Results of this assessment could provide data used for diagnostic purposes.
- (Keep or delete either one or both of the above statements and/or make your own statements here – but be sure you have a statement that provides parents with information about the role of this assessment in formal identification of special education needs).

The following kind of information will be provided by the assessment:

- Comparison of this student's academic skills with other students at the same age and/or grade.
- (Add any further explanation of the types of information that will be obtained from the particular assessment which will be administered).

The results are to:

- Guide program planning and
- (Add any further uses to which the results will be put and/or delete the above statement in the unlikely event that results are not to be used to guide program planning).

Possible outcomes of the assessment include:

- Adaptations to the instructional program, consideration for further referral for assessment/special needs identification, programming or services, and/or . . .
- (Add and/or delete to cover any reasonably foreseeable outcomes).

It will be beneficial to go ahead with this because:

- (List the "pros" or potential benefits here e.g. better understanding of needs and ability to program effectively)

You may also wish to consider:

- (List "cons" or potential costs here e.g. in the case of a student already coded - student functioning may preclude ongoing eligibility for special education identification – remember – it isn't informed consent if we have only provided information about "pros" and not told about "cons".)

You will get the results and suggestions arising from the assessment as follows:

- (Describe here the oral reporting/learning team meetings/debrief interview or similar format that is planned to discuss the results and arising suggestions)

The information will also be provided in the form of a brief written report to be included in the Student Record as per Administrative Regulation 6024.

(Do not delete this statement as AR 6024 requires that this outcome be met).

At the time of the discussion you gave your consent to this assessment. In order to confirm and document your informed consent, please sign, date, and return this form to the school, as indicated below. We will provide you with a copy of your signed letter if you request it.

Thank you.

Yours sincerely,

(Sign here)

Print name and role here.

I \_\_\_\_\_(print your name), being either the parent or guardian of \_\_\_\_\_(student's name), understand the information that was discussed (as per attached "Letter of Consent, dated \_\_\_\_\_). Any questions which I had have now been answered. I consent to the individualized academic achievement assessment. I understand that my consent is voluntary. It may be withdrawn at any time for any future action but may not be withdrawn for any action that has already occurred. Once an assessment has been completed, the information will be stored in accordance with the Student Record Regulation, AR6024 - Student Records: Part 1 3(n) (which can be found on the CBE website at <http://www.cbe.ab.ca/policies/policies/AR6024.pdf>). If any custody order has been granted by a court, I have the authority to provide this consent and I have informed the school if any other party's authorization is also required under the order.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Relationship to Student  
(e.g. mother, father, legal guardian)

Date: \_\_\_\_\_

Please return this form to:  
(School Personnel - Name and Role)

**(Use School Letterhead)**

**APPENDIX C  
LEVEL B ASSESSMENT REPORT FORMAT**

**ASSESSMENT OF ACADEMIC ACHIEVEMENT**

**STUDENT IDENTIFICATION INFORMATION**

Student Name: LEGAL LAST NAME, Legal First Name  
Student A.K.A. Name:  
CBE Number:  
Albert Ed. Number  
Birthdate: Year / Month / Day  
Chronological Age: xx years, xx months  
Grade:  
School:  
Date of Assessment:  
Date of Report:

**REASON FOR REFERRAL**

**ASSESSMENT TECHNIQUES**

**BACKGROUND INFORMATION AND OBSERVATIONS**

## ASSESSMENT RESULTS

Student Name: \_\_\_\_\_

Date: \_\_\_\_\_

<b>SUMMARY OF WIAT-II SUBTESTS, COMPOSITE AND TOTAL SCORES*</b> (Canadian/Age Based Norms)				
<i><b>WIAT-II Subtests</b></i>	<i><b>Standard Score</b></i>	<i><b>95% Confidence Interval</b></i>	<i><b>Percentile Rank</b></i>	<i><b>Qualitative Description</b></i>
Word Reading				
Reading Comprehension				
Pseudoword Decoding				
<b><i>Reading Composite</i></b>				
Numerical Operations				
Math Reasoning				
<b><i>Mathematics Composite</i></b>				
Spelling				
Written Expression				
<b><i>Written Language Composite</i></b>				
Listening Comprehension				
Oral Expression				
<b><i>Oral Language Composite</i></b>				
<b><i>Total Test</i></b>				

Please insert Standard Scores (using Canadian/Age Based Norms), Percentile Ranks, Qualitative Description (i.e. Extremely Low, Borderline, Low Average, Average, High Average, Superior, or Very Superior) and Confidence Intervals for each subtest/composite/total test score reported and then delete these instructions. You may also choose to delete rows of the table for subtests/composites not administered.

INTERPRETATION

SUGGESTIONS

\_\_\_\_\_  
Name, Credentials  
Role

\_\_\_\_\_  
Date Signed

**Check List - AR 3003  
Principal Responsibilities  
for  
Special Education Programming**

The following checklist may assist Calgary Board of Education principals in meeting their responsibilities for programming for students identified as special education learners.

The principal is responsible for:

- specialized assessments and services;
- coding of students;
- establishing a School Learning Team;
- establishing a Student Learning Team;
- an appropriate IPP being developed, implemented and monitored in accordance with the Standards for Special Education;
- documenting the reasons for refusal of consent and the actions taken by the school to resolve concerns around the IPP;
- ensuring that the parent(s) or independent student provides verbal agreement in order that the student be considered for placement in a special education setting and
- deploying resources to support the programming recommendations in the IPP.

(31/01/08)



Calgary Board of Education

## **SPECIAL EDUCATION PROGRAMMING APPEAL PROCEDURES**

### **Educational Support Services**

#### **Rationale**

The Calgary Board of Education is responsible for making informed decisions about the provision of programming and services for students with special education needs, consistent with the requirements of the Alberta *School Act* and the Alberta Standards for Special Education, Amended June 2004.

The Calgary Board of Education is responsible for ensuring a special education programming appeal process is in place and that this process is clearly communicated to stakeholders. Parents and independent students have the right to appeal a programming decision made by the school principal or system-designated specialist, or a directed placement made by a Director of Student Services Support. Appeals must be based on a specific special education programming decision that a parent or independent student believes is not appropriate in meeting the needs of the student.

#### **Information on Special Education Programming Appeals**

1. The Board of Trustees has delegated the authority to hear special education programming appeals.
2. A parent(s) or independent student may request a special education programming appeal by writing to the Board-delegated person (the "delegate") within 20 school days of receipt of the Calgary Board of Education's written programming decision or directed placement.
3. Upon receipt of the request for an appeal, the delegate must review the matter within 5 school days to determine whether it is a special education programming appeal. When the delegate has completed the review, the parent(s) or independent student will be advised of the decision and how the matter will proceed.
4. If the delegate decides the matter is appropriately addressed as a special education programming appeal, the delegate
  - (a) must schedule the appeal hearing with the parent(s) or independent student within 20 school days of this decision, or at a mutually convenient time,
  - (b) may meet with the principal,
  - (c) may meet with other person(s) if, in the opinion of the delegate, it may be useful for the purpose of considering the appropriateness of the programming decision.
5. Within 10 school days of the hearing date, the delegate must provide the parent(s) or independent student with a brief written decision, either confirming the special education programming decision or proposing alternative special education programming.
6. Parents or independent students must be advised that they may request a Ministerial Review of the delegate's decision under section 124 of the *School Act*.

#### **Appeal Hearing**

The delegate shall determine the date, time, and location of the hearing.

Three school days prior to the hearing, both the parent(s)/independent student and the administration will submit, for the delegate's approval, a written list of names with titles of all those attending the hearing. This list will also advise if a lawyer is part of their appeal contingent, even if the lawyer is not attending in a legal capacity.

The delegate has the right to restrict the number of people attending the appeal hearing. The delegate has the right to restrict attendance at the hearing to those people who have been pre-approved from the lists provided by both parties.

At the time of the hearing, both parties may provide an appeal submission verbally, in writing, or a combination of the two. Four copies of each written submission are to be provided at the time of the appeal hearing: one copy for the appeal file, one copy for the delegate, and the remaining two copies for the other party.

The appeal hearing will be held *in camera* and no electronic or tape recording of the appeal proceedings may be made by any of the parties. The parties may take their own notes for their own use. These notes are not considered part of the record of the hearing procedures.

No submissions, verbal or written, will be accepted once the appeal hearing has ended. If the delegate decides more information or further clarification is required, and additional preparation time is needed by one or both parties, the delegate has the option of adjourning the hearing for that purpose and reconvening at a later date. If the delegate considers it necessary to adjourn the hearing, the time limits for special education programming appeals will be suspended until the hearing is reconvened.

Once the appeal hearing is underway, the parties must follow the process, and must not interrupt the hearing or presentations of other parties. Participants may not engage in discussion or correspondence about the appeal proceedings unless they have the approval of the delegate.

At the beginning of the hearing, the delegate will:

1. Call the hearing to order and facilitate the introduction of all parties present.
2. Advise that, pursuant to the Board of Trustees Delegation of Authority Resolution adopted on December 4, 2007 in accordance with the provisions of section 61 of the *School Act* and Calgary Board of Education Administrative Regulation 3003 - Special Education Programming, the delegate's decision respecting the matter being appealed is deemed to be a decision of the Board of Trustees of the Calgary Board of Education.
3. Clarify the procedural rules of the hearing.
4. Commence the hearing as follows:
  - (a) The delegate may request that an attending administrator, where applicable, provide a brief summary of the matter and the history of the appeal process. 5 minutes
  - (b) The parent(s) or independent student shall proceed with a written and/or oral presentation(s), which may include the evidence of witnesses. 15 minutes
  - (c) Administration shall proceed with its written and/or oral presentation(s), which may include the evidence of witnesses. 15 minutes
  - (d) The parent(s) or independent student will then have the opportunity to provide comments regarding the presentation by administration. Cross-examination is not permitted. 5 to 10 minutes
  - (e) Administration will then have the opportunity to provide comments regarding the presentation by the parent(s) or independent student. Cross-examination is not permitted. 5 to 10 minutes
  - (f) The delegate will then have an opportunity to question both parties and any of the witnesses. 5 to 10 minutes
  - (g) The parent(s) or independent student will be invited to provide final concluding comments. 5 minutes
  - (h) Administration will be invited to provide final concluding comments. 5 minutes
  - (i) The appeal hearing is adjourned by the delegate.