

Standards for the Provision of Early Childhood Special Education

September 2006

ACCESS

APPROPRIATENESS

ACCOUNTABILITY

APPEALS



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A's

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This document applies to ECS special education in public and separate school boards, francophone regional authorities, private ECS operators and funded accredited private schools approved by Alberta Education to provide an ECS program, and charter schools that apply for ECS special education funding. It is intended for:

<i>Teachers</i>	✓
<i>Administrators</i>	✓
<i>Parents</i>	✓
<i>General Public</i>	✓
<i>Other</i>	✓

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Foreword

This document outlines for school authorities and parents the standards for educational programming and services for children with special education needs who are eligible under *Early Childhood Services Policy 1.1.3*. In all cases, the school authority must be approved by Alberta Education to provide an Early Childhood Services (ECS) program.

The standards included in this document promote consistent, quality educational practices within Alberta, so that, irrespective of location, ECS children with special education needs can access appropriate programming and services in a manner that serves the best interests of the child. These standards support Alberta Education's goal to ensure the learning system meets the needs of all learners and society.

The standards in this document are organized into the following areas:

- Access
- Appropriateness
- Accountability
- Appeals

Children and Students

The *School Act* (RSA 2000) makes a distinction between children and students. Section 30 (1) of the *School Act* states that a board or an approved school authority may provide an ECS program to a child who is younger than 6 years of age as of September 1. Under Alberta Education policy, children with disabilities/delays are eligible for up to three years of ECS programming, depending on age, severity of the disability/delay and its impact on the child's learning and development.

Individuals who are 6 years of age or older as of September 1 are considered resident students of a board. Resident students with special education needs are described in Section 47 (1) of the *School Act* (www.qp.gov.ab.ca/documents/Acts/S03.cfm). The standards for resident students with special education needs are outlined in *Standards for Special Education, Amended June 2004* (www.education.gov.ab.ca/k_12/specialneeds/SpecialEd_Stds2004.pdf). *Standards for the Provision of Early Childhood Special Education* applies to children who are younger than 6 years of age as of September 1 and who meet the eligibility criteria for special education programming.

Early Childhood Services, Including Kindergarten

The terms *Early Childhood Services (ECS)* and *kindergarten* are often used interchangeably. However, *ECS* refers to the broad, coordinated system of local and provincial programs that meet the developmental and special education needs of young children and their families, and *kindergarten* refers specifically to the education program for children in the year prior to Grade 1. The kindergarten program is an important part of ECS.

Early childhood special education is based on a combined set of individually and developmentally appropriate practices. School authorities use the following general principles, which are outlined in Alberta Education's *Kindergarten Program Statement (Revised September 2005)*, when working with children.

- Young children learn best when programming meets their developmental needs.
- Young children develop knowledge, skills and attitudes that prepare them for later learning.
- Young children with special education needs, through early intervention strategies, develop knowledge, skills and attitudes that prepare them for later learning.
- Young children build a common set of experiences through interaction with others.
- Parents have the opportunity for meaningful involvement in the education of their young children.
- Coordinated community services meet the needs of young children and their families.

Children with special education needs require additional supports, accommodations and adaptations to general ECS programming. *Standards for the Provision of Early Childhood Special Education* describes how school authorities meet these individual needs within a developmentally appropriate program as outlined by the broad principles listed above.

Definitions

“Assessment” means the ongoing process of collecting information about a child using a variety of formal and informal methods to develop and implement appropriate programming to support the child’s learning.

“Centre-based programming” means the instructional program hours (based on individualized program plan goals) provided to the child in a classroom setting at a school or centre, or programming that is delivered primarily or exclusively in the home by a teacher assistant (under the direction of a teacher) during a typical school year of September to June.

“Children with mild or moderate disabilities/delays” means children assessed as having mild or moderate cognitive disabilities, visual or hearing impairments, emotional/behavioural, physical, medical or multiple disabilities, or communication delays.

“Children with severe disabilities/delays” means children who meet the definition of severe disabilities/delays described in the *Funding Manual for School Authorities*.

“Children with special education needs” means children who are in need of special education programming because of their behavioural, communicational, intellectual, learning or physical characteristics or a combination of those characteristics, and who meet the criteria identified in *Special Education Coding Criteria*.

“Collaboration” means a process in which the learning team shares information and engages in decision making about all aspects of programming for the child.

“Designated special education ECS program” means an ECS program in which at least 70% of the funded children served have severe disabilities/delays.

“Developmental domain” means an area of development, such as motor, language, cognitive, and social/emotional.

“Developmentally appropriate programming” means educational programming that is based on knowledge of child development and understanding of individual children’s growth patterns, strengths, interests and experiences. Developmentally appropriate programming emphasizes child-initiated activities, learning through structured play, integrated learning activities across developmental domains, and active engagement with the learning and social environment.

“Early Childhood Services (ECS) program” means an education program offered by a board or, with the approval of the Minister, a person, to a child who is younger than 6 years of age as of September 1. The last year of an ECS program prior to Grade 1 is considered the kindergarten year.

“Early identification” means the process used to identify children with special education needs at the earliest possible time.

“Embedding” means a process of including children’s individual goals and objectives in ongoing activities and routines, or planning activities that create a context for teaching or practising goals and objectives identified in children’s individualized program plans.

“Engagement” means the amount of time children spend interacting with adults and peers and/or play and learning materials in a manner appropriate to their developmental levels and the context of activities.

“Family-oriented programming” means individually planned, developmentally appropriate intervention for children with special education needs that is designed to actively involve the parent or alternate caregiver in the child’s educational programming across settings. Family-oriented programming is done under the direction of a certificated teacher, takes place outside of centre-based programming hours and is based on a 1:1 service-delivery model.

“Individualized program plan (IPP)” means a concise plan of action that is designed to address children’s special education needs and is based on diagnostic information that provides the basis for intervention strategies. An IPP includes the following essential information:

- assessment data
- current level of performance and, where appropriate, level of achievement relative to age-appropriate learning expectations as outlined in the *Kindergarten Program Statement (Revised September 2005)*
- identification of strengths and areas of need
- level of programming and settings where programming will take place
- measurable goals and objectives
- procedures for evaluating the child’s progress
- identification of coordinated support services (including health-related), if required
- relevant medical information
- strategies, including accommodations and necessary instructional modifications
- required accommodations to the instructional environment
- transition plans
- formal review of progress at regularly scheduled reporting periods
- year-end summary.

“Individually and developmentally appropriate programming” means programming designed to meet the special education needs of individual children within a developmentally appropriate program (see definition of “Engagement”). Individually and developmentally appropriate programming emphasizes the targeting of specific goals and objectives throughout the day, carefully planned instruction and ongoing evaluation.

“Informed consent” means that the individual:

- has been provided with all information relevant to the activity for which consent is sought
- understands and agrees, in writing, to the carrying out of the activity for which his or her consent is sought
- understands that the granting of consent is voluntary and may be withdrawn at any time.

“Intervention” means a planned action that is implemented with the expectation that it will influence a specified behaviour or outcome in a predictable and desired manner.

“Learning team” means a team that consults and shares information relevant to the individual child’s education and plans special education programming and services as required. Under the direction of a certificated teacher, the team may consist of parents, the child (where appropriate), other school jurisdiction or program staff, and others as required.

“Level of programming” means the number of hours of centre-based programming and/or the number of family-oriented programming sessions for a child with special education needs. The level of programming is determined by the school authority, in consultation with the learning team, based on the individual needs of the child.

“Most enabling environment” means the most natural setting possible for an education program that is consistent with the developmental needs of children, while providing multiple opportunities for acquiring, practising and generalizing skills.

“Natural settings” means settings in which children typically spend time. Natural settings include classrooms, child-care facilities, playschools and homes.

“Other agencies” means organizations outside of the school authority that may be involved in supporting the child with special education needs or his or her family. Examples of outside agencies include the Regional Health Authority, Family Supports for Children with Disabilities and private service providers contracted by the family.

“Parents” means the biological parents or adoptive parents, or the individual who has legal custody or guardianship of the child.

“Private Early Childhood Services (ECS) operator” means a society registered under the *Societies Act*, a non-profit company registered under Part 9 of the *Companies Act*, a non-profit corporation incorporated by or under an Act of the legislature, or a funded private school that:

- is approved by Alberta Education to operate ECS programs
- receives funding under the *Learning Grants Regulation*.

“Referral” means arranging for children to receive specialized assessment and/or intervention.

“School authority” means public and separate school boards, including francophone regional authorities; private ECS operators and funded accredited private schools approved by Alberta Education to provide an ECS program; and charter schools that apply for ECS special education funding.

“Specialized assessment” means individualized measurement across a variety of domains and specific learning contexts for the purpose of providing individualized programming for children. Specialized assessment includes assessment of intellectual, personality/emotional, behavioural, communication and physical development relevant to children’s learning and performance.

“Specific instruction” means goals and objectives that are addressed through carefully planned activities and explicit teaching (e.g., establishment of appropriate learning conditions, clear definition of desired outcomes and timely delivery of planned responses to children’s behaviours).

“Teacher assistant” means an individual who works under the direction of a certificated teacher and who assists in the implementation of the child’s IPP.

“Transition planning” means a consultative process that involves children, parents, other professionals, receiving school/program staff and community agencies in order to help children and families prepare for and successfully make changes (e.g., home to community programming, community programming to preschool, preschool programming to kindergarten, kindergarten to Grade 1).

Access

Children with special education needs who are enrolled in an early childhood program are entitled to educational programming in accordance with Alberta Education's *Early Childhood Services Policy 1.1.3*. Eligible children for whom programming is requested have access to developmentally and individually appropriate programs that facilitate and enhance learning.

Access to programming includes:

- informed consent
- identification
- assessment
- referrals
- coordinated services
- access to records.

Informed Consent

Informed consent exists when parents are provided with and understand all information relevant to the activity for which consent is sought. Parents voluntarily agree, in writing, to carry out the activity and may withdraw consent at any time.

Requirements for Informed Consent

1. School authorities must:
 - a. obtain parents' written, informed consent for specialized assessments or referrals
 - b. document and place in the child's record, in cases where parents have not consented to specialized assessments or referrals, the actions undertaken by the school authority to obtain consent and/or the reasons for refusal.

Identification

ECS is often a child's first exposure to a structured learning environment. This environment places increased demands on children's language, social, motor and cognitive skills. Although many children with special education needs are identified prior to entering kindergarten, school authorities have an important responsibility in the early identification of children experiencing difficulties with learning.

Requirements for Identification

2. School authorities must:
 - a. develop and implement written policies and procedures for early identification, referral and assessment of ECS children with special education needs
 - b. involve parents and other agencies, as appropriate, in the screening, identification and referral process

- c. request information from parents when their child enters the education system that is relevant to planning and implementing the child's educational programming
- d. develop or utilize formal and informal checklists, screening tools and/or standardized assessments to assist in early identification
- e. ensure that appropriate training is available to equip staff to identify and program for children with special education needs
- f. provide information to school staff and parents that assists in the identification of special education needs in areas of development important to functioning in an educational environment.

Assessment

Assessment of ECS children is conducted for a variety of purposes. The specific needs of children must be recognized in all assessment activities carried out under the direction of school authorities. Assessment methods, instruments and processes should be compatible with the behaviours, interests and developmental level of each child. Assessment should involve a team approach that includes the child's family, teachers, paraprofessionals, and often, medical and child development specialists. Assessment should take place in the most natural setting possible and result in the identification of developmentally appropriate and educationally relevant goals for the child.

Requirements for Assessment

3. School authorities must:
 - a. obtain parents' written, informed consent for specialized assessments or referrals
 - b. use a variety of individually and developmentally appropriate assessment strategies and tools, which may include formal and informal measures (e.g., individually administered and standardized tests, checklists, developmental scales, individual and trans-disciplinary observational measures, parent and teacher report/interview scales), to determine the need for special education programming and services
 - c. ensure that results of assessments are reported to:
 - parents and teachers
 - child development specialists, community agencies and care providers involved in the child's programming, with parental consent
 - d. use results of assessments to plan programming, develop IPPs and assign support services
 - e. use assessment data to implement programming and services and to evaluate their effectiveness
 - f. reference the results of assessment to normative information, the child's readiness to learn and/or individual goals.

Referral for Specialized Assessment

Children may require specialized assessment. This information helps the learning team to make decisions about the type, format and level of service, and/or to determine the need for specialized programming. School authorities must consider parental concerns and priorities, and identify opportunities for parental participation when planning specialized assessments.

Specialized assessments may be carried out by specialists employed by school authorities, contracted specialists or private agencies independent of school authorities (e.g., Regional Health Authorities, Child and Family Services Authorities).

Requirements for Referrals for Specialized Assessment

4. School authorities must:
 - a. develop, keep current and implement written policies and procedures related to:
 - collaborating with referral agencies to determine eligibility and programming needs
 - ensuring ongoing informed consent for referral, specialized assessment and eligibility
 - identifying and referring children requiring specialized assessment
 - b. make every effort to ensure that specialized assessments are completed within a reasonable time from the date of referral
 - c. use professionals who are qualified to conduct specialized assessments with young children
 - d. ensure that specialized assessments carried out under the direction of the school authority include written reports that contain the interpretation of results and the programming recommendations in clear and easily understood language
 - e. base referrals for specialized assessment on a variety of indicators, which may include parent observations, screening procedures, teacher assessments and observations, child's progress, and previous or ongoing assessments
 - f. ensure that assessment activities follow expectations outlined in Alberta Education's *Standards for Psycho-educational Assessment* and the standards and guidelines set by professional organizations for their members.

Coordinated Services

Children with disabilities/delays may have special education needs that cross multiple developmental domains. Educational programming for these children requires input from professionals from a number of disciplines. An integrated working plan is developed by taking into consideration the knowledge and expertise of each of these disciplines. School authorities must ensure that services accessed through Alberta Education funding are relevant to children's educational programming and are in direct support of the goals and objectives in children's IPPs.

Often, a number of provincial and community-based agencies are involved in providing funding and services to young children. School authorities should take the lead in collaborating with other funding agencies and service providers to ensure coordinated service delivery.

Requirements for Coordinated Services

5. School authorities must:
 - a. develop, keep current and implement written policies and procedures related to:
 - accessing coordinated services
 - accessing and recording medical information
 - storing and/or administering medications
 - providing training for staff who administer health-related support services
 - b. initiate and participate in working with other community agencies to improve services for children with special education needs
 - c. ensure that the ideas, recommendations and suggestions of parents, educators and service providers are considered in the development of IPPs
 - d. identify in IPPs the type, frequency and format of coordinated services to be provided
 - e. ensure that service delivery models consider child and family needs, effective practice and available resources
 - f. ensure that services directed by the school authority are:
 - delivered in the most natural setting possible
 - in direct support of educational goals and objectives identified in IPPs
 - coordinated in their delivery
 - g. provide staff and, where appropriate, parents with the training and support necessary to implement programming suggestions arising from coordinated support services.

Access to Records

Planning and implementing educational programming for ECS children with special education needs requires the development of accurate, comprehensive and well-organized records. These records include information that is necessary and relevant to educational programming.

Privacy is protected by law. School boards and charter schools are subject to the rules set out in the *Freedom of Information and Protection of Privacy Act*, R.S.A. c. F-25 (FOIP Act), and the *Student Record Regulation*, A.R. 71/99 as amended (SRR). Private ECS operators are subject to the provisions of the *Early Childhood Services Regulation*, A.R. 31/2002 as amended and the *Personal Information Protection Act*, S.A. 2003, c. P-6.5 (PIPA). Collection, use and disclosure of information in the ECS setting is based primarily on parental consent and the protection of privacy. PIPA allows some disclosure without consent in limited circumstances.

Requirements for Access to Records

6. School authorities must:
 - a. establish records, including:
 - accurate personal information that is necessary and relevant to the effective delivery of special education programming
 - contacts with other disciplines
 - interpretive specialists' reports (e.g., medical, psychological, speech-language pathology, occupational therapy, physical therapy)
 - the name of any formal intellectual, behavioural or emotional assessment or evaluation administered individually to the child by a board, a summary of the results of the assessment or evaluation, recommendations, the date of the assessment or evaluation and the name of the person who administered the assessment or evaluation
 - any action taken as a result of the assessment, evaluation or interpretive report
 - program information
 - progress reports
 - IPPs
 - b. provide parents with access to information contained in children's records, including results of specialized assessments and child progress reports
 - c. provide, in a timely manner when a child moves to another ECS operator or school authority offering Grade 1, information that is:
 - necessary and relevant to providing ongoing and informed educational programming
 - consistent with the provisions of the FOIP Act and PIPA.

Appropriateness

Educational programming and services are designed around the assessed individual needs of children and are provided within a developmentally appropriate context by qualified staff who are knowledgeable and skilled.

To ensure developmentally appropriate educational programming for ECS children with special education needs, school authorities must consider:

- professional standards
- individualized program planning and evaluation
- individualized program plan implementation
- family-oriented decision making
- settings and levels of programming.

Professional Standards

Teachers working with ECS children hold a professional certificate and demonstrate that they understand that all children can learn, albeit at different rates and in different ways. With the assistance of other members of the learning team and access to professional development, teachers identify and accommodate the learning needs of all children, including those with special education needs.

Requirements for Professional Standards

7. School authorities must:
 - a. ensure teacher practice is in keeping with the Teaching Quality Standard Ministerial Order
 - b. ensure teachers are familiar with the principles outlined in the *Kindergarten Program Statement (Revised September 2005)* and understand how these principles are applied to ECS children with special education needs
 - c. ensure teachers have knowledge and skills to accommodate the individual differences of children with special education needs
 - d. support teachers' abilities to monitor the effectiveness of their practices and adjust practices as necessary
 - e. ensure that specialists who provide services in support of educational programs for children with special education needs, under the direction of the school authority, are registered with their respective societies and have competencies commensurate with the required duties.

Individualized Program Planning and Evaluation

All school authorities are required to develop IPPs for children with special education needs. Comprehensive and effective IPPs for young children reflect meaningful parental input and coordinated service delivery models. Goals and objectives included in children's IPPs focus on the development of skills that increase independence, developmental competence and the ability to participate in current and future settings.

Requirements for Individualized Program Planning and Evaluation

8. School authorities must:
 - a. ensure IPPs are developed, implemented, monitored and evaluated for all children identified with special education needs
 - b. identify certificated teachers as accountable for the development, implementation, monitoring and evaluation of programming
 - c. ensure that:
 - coordinated services are provided in support of children’s educational programming
 - learning teams are established under the direction of a certificated teacher
 - a collaborative, problem-solving approach is taken to programming
 - parents and other professionals are involved in the development, monitoring and evaluation of IPPs
 - ongoing feedback is provided to parents on children’s progress in addition to regularly planned IPP reviews
 - changes are made to IPPs as necessary
 - parents sign IPPs to indicate agreement with the IPP, or attempts to obtain the signature are documented
 - IPPs are placed in children’s records
 - d. provide teachers of children with special education needs with relevant resources.

Individualized Program Plan Implementation

IPP goals and objectives should be addressed through a variety of instructional procedures appropriate for young children. Wherever possible, instruction on IPP goals and objectives is embedded within activities and taught across environments. Many opportunities should be provided for children to acquire, practise and generalize skills through ongoing activities and routines. Opportunities should also be provided for child-initiated learning, particularly in the context of play. The amount of direct teaching and adult-imposed structure varies according to the nature of the goal or objective and the individual needs of children.

Requirements for Individualized Program Plan Implementation

9. School authorities must:
 - a. ensure teachers are aware of the need to:
 - address the goals and objectives identified in IPPs through children’s educational programming
 - design the learning environment to ensure children’s safety and to promote active engagement, learning and participation
 - individualize and adapt practices for individual children based on ongoing evaluation
 - review the goals and objectives in IPPs
 - incorporate specific instruction on the goals and objectives identified in IPPs across environments, activities and routines

- use instructional procedures compatible with children’s individual needs and the ECS setting to address the goals and objectives in IPPs
 - provide paraprofessionals (e.g., teacher assistants) with direction regarding roles and responsibilities for implementing programming
 - include teacher assistants as members of children’s learning teams
- b. ensure teacher assistants have adequate supervision from a certificated teacher.

Family-Oriented Decision Making

Appropriate educational programming for young children with special education needs draws on the knowledge and expertise of children’s parents and is sensitive to the demands placed on families. Educators help parents facilitate their children’s development. Appropriate ECS programming for children with special education needs reduces the potential for dependency and enhances parents’ confidence in their ability to meet the needs of their children. Educators understand that a parent’s primary role is nurturing and care giving and set expectations for participation and follow-through accordingly.

Appropriate educational programming for young children with special education needs respects family differences and builds on family strengths. Educators are aware of the need to communicate with family members in clear language that takes into account differences in linguistic, cultural and educational backgrounds. Family routines, rituals and beliefs should be considered when planning activities that require direct family involvement.

Requirements for Family-Oriented Decision Making

10. School authorities must:
- a. develop systematic and regular communication between schools and parents
 - b. develop a variety of strategies to facilitate parents’ direct involvement in their children’s programming
 - c. involve parents in transition planning
 - d. invite meaningful involvement of parents in planning, problem solving and decision making by ensuring parents have:
 - the information needed to make informed decisions
 - opportunities for direct participation in the development, implementation, monitoring and evaluation of their children’s IPPs
 - opportunities to participate in decisions affecting their children’s ongoing educational programming.
11. Parents should work with school authorities to ensure that their children’s special education needs are met, subject to limitations based on reasonableness.

Settings and Levels of Programming

Appropriate educational programming for young children with special education needs is based on meeting children's educational needs within the most enabling environments. School authorities should allow for flexibility in settings, and the number of centre-based hours and family-oriented programming sessions. Educational programming should be provided in natural settings to the greatest extent possible. Regardless of the setting, educational programming for ECS children with special education needs varies in the number of hours provided, based on the children's needs and developmental levels and taking into account parental preferences and local resources.

Requirements for Settings and Levels of Programming

12. School authorities must:
 - a. determine, in consultation with parents, the most enabling setting for the delivery of educational programming in a manner consistent with the developmental needs of children, local resources, and safety of the children and staff
 - b. ensure that educating children with special education needs in inclusive settings is the option of first choice
 - c. provide systematic and planned contact with children who do not have special education needs
 - d. ensure, in consultation with parents, that the level of programming meets the educational needs of the children as determined by assessment and developmental need
 - e. identify in the children's IPPs the number of centre-based hours, the number of family-oriented programming sessions provided, and the setting(s) where programming takes place.

Accountability

Accountability for programming for an ECS child with special education needs includes the obligation to report on the execution of one's responsibility to contribute to the child's readiness for lifelong learning.

Accountability for programming for ECS children with special education needs is established through:

- school authority policy and procedures
- reporting to parents
- program monitoring and evaluation.

School Authority Policy and Procedures

School authorities develop policies and procedures related to the development, implementation, monitoring and evaluation of programming for eligible children with special education needs. Locally developed policies and procedures must be consistent with Alberta Education *Policy 1.1.3* and the *Funding Manual for School Authorities*. School authorities must make these policies available to the public and effectively communicate the policies to parents.

Requirements for School Authority Policy and Procedures

13. School authorities must:
 - a. ensure that written local policies and procedures are developed, kept current and implemented
 - b. ensure that written local policies and procedures provide for access, appropriateness, accountability and appeals
 - c. make available to the public in print and/or electronic form
 - descriptions of programming options and services provided by the school authority for eligible children with special education needs
 - policies and procedures establishing roles and responsibilities of staff who provide programming to children with special education needs
 - policies related to the transition of ECS children with special education needs to the resident school board or program of choice
 - policies making provisions for professional development activities for staff directly related to the needs of children with whom they are working.

Reporting to Parents

School authorities must fully inform parents about their children's progress. Current information should be communicated in a way that enhances parents' understanding of children's educational needs, the services and supports provided, and the progress children are making toward goals identified in IPPs.

Requirements for Reporting to Parents

14. School authorities must:
- a. ensure that IPPs include:
 - the level of programming, including centre-based hours and/or number of family-oriented programming sessions
 - the type, frequency and format of services provided to support children's programming
 - achievement relative to goals and objectives
 - information on the child's current level of achievement relative to age-appropriate learning expectations as outlined in the *Kindergarten Program Statement (Revised September 2005)*, where appropriate
 - b. inform parents of their children's progress on goals and objectives identified in IPPs at regularly scheduled reporting periods throughout the year
 - c. develop procedures, where necessary, for providing ongoing educational programming information to parents.

Program Monitoring and Evaluation

School authorities should use a variety of processes and data sources to monitor and evaluate the effectiveness of programming and the efficient use of resources provided to children with special education needs. The purpose of this monitoring and evaluation is to ensure that appropriate practices are implemented and used effectively to provide quality services.

Requirements for Program Monitoring and Evaluation

15. School authorities must:
- a. establish program monitoring policies and processes for children with special education needs that consider:
 - the enrollment of children younger than the school authority's kindergarten entrance age who are identified with special education needs
 - expenditures related to special education programming and services
 - current records demonstrating that children are receiving the levels of programming and services identified in IPPs
 - b. establish evaluation policies and processes for children with special education needs that consider:
 - the percentage of parents who are satisfied with their involvement in their children's education
 - the percentage of parents and ECS teachers who are satisfied that ECS children with special education needs have made progress toward achieving IPP goals
 - achievements relative to readiness for lifelong learning
 - continuous improvement in programming.

Appeals

Timely, fair and open processes protect the rights of children and families and address differences of opinion about the education of children with special education needs. Since ECS is non-mandatory and residency cannot be used to deny a child access to a program, school authorities help parents to identify the range of educational programming options that may be available.

School authorities have the responsibility to work with families to provide appropriate educational programming for ECS children with special education needs in a manner that considers parental expectations and preferences. Identification of the child's special education needs and the transition from the home into ECS programming can be stress factors for families. These factors may increase the potential for differences of opinion, requiring the fostering of a high level of trust and collaboration between families and school authorities. School authorities should be responsive to the need for greater family involvement and respond to disagreements and disputes in a fair and non-judgemental manner.

Requirements for Appeals

16. School authorities must:
 - a. make every reasonable effort at both the program and school authority level to resolve concerns collaboratively with parents
 - b. have written procedures for timely, fair and open dispute-resolution and appeal processes related to educational programming for children with special education needs, which include:
 - advising parents of the right to appeal a decision, beginning with the supervisor of the employee of the local school authority and continuing through to the highest level of decision making within the school authority
 - advising parents of their right to formally appeal decisions that significantly affect the education of their children to the Director, Special Programs, Diversity Programs Branch, Alberta Education, in the event that the local dispute-resolution mechanism fails.

References

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

Freedom of Information and Protection of Privacy Act
Funding Manual for School Authorities
Guide to Education: ECS to Grade 12
Kindergarten Program Statement
Personal Information Protection Act
Services for Students and Children (Policy 1.8.1)
Special Education Coding Criteria
Standards for Psycho-educational Assessment
Standards for Special Education, Amended June 2004
Teaching Quality Standard Ministerial Order

Legislation

SCHOOL ACT (Revised Statutes of Alberta 2000 Chapter S-3) RELEVANT SECTIONS RELATING TO SPECIAL EDUCATION

Preamble

WHEREAS the best educational interests of the student are the paramount considerations in the exercise of any authority under this Act;

WHEREAS parents have a right and a responsibility to make decisions respecting the education of their children;

Limitations

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

Early childhood services program

30(1) A board or, with the approval of the Minister, a person may provide an early childhood services program to

- (a) a child who, as of September 1, is younger than 6 years of age, if the parent of the child agrees, or
- (b) a student, if the parent of the student and the board are of the opinion that the program will benefit the student.

(2) A person or board that provides an early childhood services program may charge fees in respect of the program from the parent of a child referred to in subsection (1)(a) who attends the program.

(3) If a child referred to in subsection (1)(a) attends a program under this section, the child is not, by reason of attending that program,

- (a) a resident student of the board, or
- (b) entitled to any of the rights or benefits given to a student under this Act.

(4) The Minister may make regulations respecting early childhood services programs.

ALBERTA REGULATION 31/2002
School Act
EARLY CHILDHOOD SERVICES REGULATION

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Definitions

1 In this Regulation

- (a) “Act” means the *School Act*;
- (b) “board” means a board as defined in the Act and includes an operator of a charter school;
- (c) “fiscal year” means the 12-month period beginning on September 1 and ending on the following August 31;
- (d) “operator” means a board, the operator of an accredited private school or a private ECS operator;
- (e) “private ECS operator” means a society registered under the *Societies Act*, a non-profit company registered under Part 9 of the *Companies Act* or a non-profit corporation incorporated by or under an Act of the Legislature, other than a private school, that
 - (i) operates an early childhood services program, and
 - (ii) receives funding under the *School Grants Regulation* (AR 72/95) in respect of the operation of the program.

Application

2(1) A person, other than a board, who wishes to operate an early childhood services program must apply to the Minister for approval on a form prescribed by the Minister.

(2) Each year an operator, other than a board, who wishes to continue to operate an early childhood services program shall apply to the Minister for approval on a form prescribed by the Minister.

Safety standards

3 An early childhood services program must be operated in a facility that complies with all applicable municipal and provincial public health, safety, fire and building standards.

Programs, policies

4 The operator of an early childhood services program must develop and maintain policies and programs that are consistent with the Minister’s early childhood services policies and programs.

Teachers

5 The operator of an early childhood services program may only employ as a teacher an individual who holds a certificate of qualification as a teacher issued under the Act.

Records

6 The operator of an early childhood services program must

- (a) keep records of enrolment and attendance in a form acceptable to the Minister, and
- (b) submit to the Minister any other information that the Minister may request.

Secretary, treasurer, auditor

7 The operator of an early childhood services program must

- (a) appoint a secretary and a treasurer, or one person to act as the secretary-treasurer, for the program, who is neither the chair, nor a trustee, nor the president of the organization, and
- (b) appoint a person who is registered and qualified to perform an audit pursuant to the *Regulated Accounting Profession Act* to be the auditor for the program,

and must report their names and addresses to the Minister.

Financial reporting

8(1) The operator of an early childhood services program must submit to the Minister annually on or before November 30, in a form prescribed by the Minister, the original and one copy of the financial statements for the fiscal year ending on the August 31 preceding that date, including an auditor's report signed by the auditor.

(2) The operator of an early childhood services program, other than a private ECS operator, must submit to the Minister annually on or before May 31, in a form prescribed by the Minister, the original and one copy of the budget for the fiscal year starting on the September 1 following that date.

(3) A private ECS operator must submit to the Minister annually on or before November 30, in a form prescribed by the Minister, the original and one copy of the budget for the fiscal year starting on the September 1 preceding that date.

Insurance

9(1) The operator of an early childhood services program must keep in force a general liability insurance policy or other form of indemnification in an amount that is not less than \$2 000 000 for each occurrence of loss or damage resulting from bodily injury to or the death of one or more persons, and for loss or damage to property, regardless of the number of claims arising from any one occurrence.

(2) The policy or other form of indemnification referred to in subsection (1) must provide coverage to the operator for all claims arising from a liability imposed by law on the operator, and from a liability assumed under any agreement entered into by the operator.

(3) The operator of an early childhood services program must ensure that in the general liability policy or other form of indemnification referred to in subsection (1), the word "insured" is defined to include

- (a) the named insured, and
- (b) any employee, board member, agent or other person, whether receiving compensation or not, when acting within the scope of that person's duties for the named insured.

Fidelity bond

10 The operator of an early childhood services program must maintain a fidelity bond in an amount acceptable to the Minister that covers the operator and its employees while carrying out duties relating to any money or security belonging to or held by the operator.

Repeal

11 The *Early Childhood Services Regulation* (AR 35/89) is repealed.

Expiry

12 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be re-passed in its present or an amended form following a review, this Regulation expires on March 1, 2009.

Policy 1.1.3 Early Childhood Services

BACKGROUND

Early childhood is a particularly significant period in human development. Independence, initiative, decision making, creativity, the ability to learn, the ability to relate to others and feelings of self-worth all have their beginnings in early childhood. Young children benefit from programs that help them explore the world around them and guide them through the transition to a more formal learning environment.

Early Childhood Services (ECS) programs provide services to address the developmental needs of children before they enter grade one. In ECS programs, young children participate as active partners in learning, build a set of shared experiences and develop knowledge, skills and attitudes that prepare them for subsequent learning. ECS programs provide additional support for children with special needs to assist them in reaching their full learning potential.

The use of the words, "child" or "children" is purposeful and reflects the optional aspect of participation in ECS programs which are not mandatory. In contrast, the term, "student" reflects the right of access to an education under section 8 of the *School Act* and that attendance at school is compulsory for a child 6 years of age or older on September 1st as per section 13(1) of the *School Act*.

ECS operators in cooperation with parents, staff and community services develop, implement and evaluate programs. Parents and families play a central role in their children's lives and therefore opportunities are provided for parents to be meaningfully involved in their children's education.

POLICY

Early Childhood Services programs meet the developmental learning needs of children and prepare them for lifelong learning.

STATUTE

School Act

Early childhood services program

30(1) A board or, with the approval of the Minister, a person may provide an early childhood services program to

(a) a child who, as of September 1, is younger than 6 years of age, if the parent of the child agrees, or

(b) a student, if the parent of the student and the board are of the opinion that the program will benefit the student.

(2) A person or board that provides an early childhood services program may charge fees in respect of the program from the parent of a child referred to in subsection (1)(a) who attends the program.

(3) If a child referred to in subsection (1)(a) attends a program under this section, the child is not, by reason of attending that program,

(a) a resident student of the board, or

(b) entitled to any of the rights or benefits given to a student under this Act.

(4) The Minister may make regulations respecting early childhood services programs.

REGULATIONS

The *Early Childhood Services Regulation* A.R. 31/2002 as amended, the *Certification of Teachers Regulation* A.R. 3/99 and the *Private Schools Regulation* A.R. 190/2000 must be referred to in conjunction with this policy. See Section 5, Regulations made under the *School Act*, in the *K-12 Learning System Policy, Regulations and Forms Manual*.

ADDITIONAL DEFINITIONS

In this policy,

- 1 "child" means an individual who is eligible for ECS funding and:
 - (a) whose age on September 1 in the program year in which he is attending is a minimum of
 - (i) in the case of a child who has severe disabilities: 2 years and 6 months*
 - (ii) in the case of a child with a mild or moderate disability: 3 years and 6 months*
 - (iii) in the case of a regular program child: 4 years and 6 months*
 - (iv) in the case of a developmentally immature student: 5 years and 6 months, and although eligible to proceed to Grade 1, is deemed by the parent, ECS operator and authority to benefit by continuation in an ECS program.*

* ECS operators need to take into consideration the Grade 1 entrance age in the community when enrolling children in the program.

- (b) whose parent is ordinarily resident in Alberta, but who is not
 - (i) counted by another operator, or
 - (ii) in another program, or
 - (iii) a First Nations child in respect of whom payment is received by the operator from the Government of Canada.

2 "developmentally immature student" means an individual of compulsory age for basic education but who, in the opinion of his parent, ECS operator and board, would benefit from an ECS program. This student is not eligible for special education funding. A developmentally immature student whose program plan involves both ECS and Grade 1 instruction may be counted either as a child under Part 2 of the *Funding Manual for School Authorities* or as a funded student under Part 1.

3 "Individualized Program Plan" (IPP) means a concise plan of action designed to address the child's special needs, and is based on diagnostic information which provides the basis for intervention strategies. All children with special needs require an IPP.

4 "special needs" means a child with mild, moderate or severe disabilities, or a child who is gifted and talented as defined in the *Student Information System (SIS) User Guide*.

5 "kindergarten" means one component of the total ECS program funded by Alberta Education, and refers to the year immediately prior to grade one. The Kindergarten Program Statement describes the learner expectations that will help prepare children for entry into grade one and provide a foundation for later success.

6 "private ECS operators" means a society registered under the *Societies Act*, a non-profit company registered under Part 9 of the *Companies Act* or a non-profit corporation incorporated by or under an Act of the Legislature, other than a private school, that

- (i) operates an early childhood services program, and
- (ii) receives funding under the *Learning Grants Regulation* AR 77/2003 in respect of the operation of the program.

7 A basic ECS program includes 475 hours of instruction; at least 22 in-home visits to each child in an in-home program during the school year; or the equivalent in a combination of hours and visits. Basic instruction funding includes support for instructional salaries and benefits, learning resources (to provide for a basic program), furnishings and equipment.

Additional funding is provided to cover the costs of plant operations and maintenance as well as administration.

PROCEDURES

Regular Programs

- 1 The operator of an early childhood services program shall develop, keep current and implement written policies and procedures that are consistent with provincial regulations, policies, and procedures.
- 2 The operator of an early childhood services program shall
 - (1) establish and maintain legal status, and
 - (2) employ certificated teachers who are issued an Alberta teaching certificate under the *Certification of Teachers Regulation A.R. 3/99*.
- 3 A child referred to in section 30(1)(a) of the *School Act* is not a resident or non-resident student of a board. Approved operators shall not use the residency or non-residency of the parent of a child in a district or division to:
 - (1) deny access to the program of a child; or
 - (2) differentiate as to the fees charged for the program.However, ECS operators need to take into account the Grade 1 entrance age policy of the school authority the child is likely to attend as a student.
- 4 A teacher in a private ECS program in a private school or with a private ECS operator, requiring a recommendation for permanent teacher certification may apply to the Association of Independent Schools and Colleges in Alberta (AISCA). AISCA, the approved signing officer, may conduct teacher evaluations and forward recommendations to the Registrar appointed under the *Certification of Teachers Regulation A.R. 3/99*.
- 5 Alberta Education may review early childhood services programs.
- 6 Alberta Education provides funding for children who meet eligibility criteria in approved ECS programs, according to the terms and conditions described in the *Funding Manual for School Authorities*.
- 7 A private ECS operator must submit by November 30 of each year, an annual report to Zone Services of the Basic Learning Division. Other ECS operators report through their annual education results report.
- 8 Private ECS operators must submit to Zone Services of the Basic Learning Division, a notification of intent to operate by July 31 of each year. Private schools with ECS programs must submit by May 31 of each year, their Notice of Intent to Operate as part of their "Annual Operational Plan".
- 9 No instructional fees shall be charged to parents for a basic ECS program of 475 hours. Should a parent wish a basic program then the operator cannot charge an instructional fee. An operator may charge non-instructional fees (e.g., for snacks, supplies, field trips and registration fees to be members of the ECS society). Instructional fees may be charged for those hours beyond a basic 475 hour program.

Programs For Children With Special Needs

- 10 An approved ECS operator shall accept and organize programming for all children with special needs who meet eligibility criteria, and for whom programming is requested.
- 11 All children with special needs will require an Individualized Program Plan (IPP).
- 12 Alberta Education provides funding, in addition to basic instruction, for children with special needs, including those with mild, moderate and severe disabilities, and those who are gifted and talented and those who are socially or economically disadvantaged. For further details see Part 2 of the *Funding Manual for School Authorities*.

- 13 ECS operators serving children with special needs, shall:
- (1) develop policy and procedures addressing the special needs component of the ECS Program consistent with Alberta Education regulations;
 - (2) maintain screening/assessment information on file;
 - (3) consult with and inform parents of all program placement decisions and of all program planning, implementation and evaluation activities directly involving their child;
 - (4) make use of provincial and local monitoring and auditing activities to improve their special needs programs; and
 - (5) have on file an Individualized Program Plan (IPP) for each child with mild, moderate or severe disabilities and for gifted and talented children.
- 14 Regular in-service opportunities should be available to all staff and parents.
- 15 ECS operators are encouraged to become partners in the Student Health Initiative. Through this partnership their capability to deliver health and related support services to children, will be strengthened.

REFERENCES

Please refer to the following for additional information:

Advisory Manual on ECS for the Incorporated Non-Profit Society or Private School
ECS Program Unit Funding: A Handbook for ECS Operators
Funding Manual for School Authorities
Private Schools Policy 3.6.1
Guide to Education: ECS to Grade 12
Individualized Program Plans
Kindergarten Program Statement
Teacher Growth, Supervision and Evaluation Policy 2.1.5
School Authority Accountability Policy 2.1.1
Services for Students and Children Policy 1.8.1
Students with Special Needs Policy 1.6.2
Student Health Partnership Service Plan Guidelines
The Alberta Children and Youth Initiative (ACYI) 2000-2001 Annual Report
Student Information System (SIS) User Guide

See Section 7 of the *K–12 Learning System Policy, Regulations and Forms Manual* for information on where the above document(s) may be obtained, and for Department contacts.