



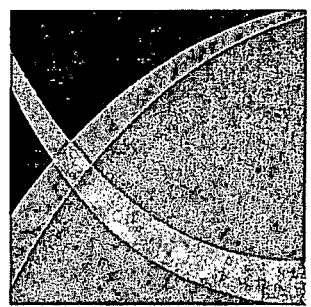
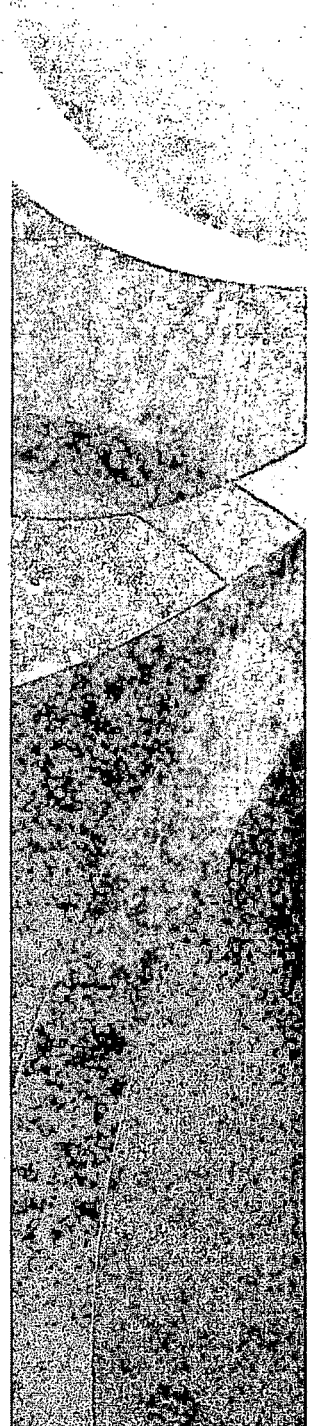
Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada

Special Education Program (SEP)

National Program Guidelines

Indian and Northern Affairs Canada
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Special Education Program – National Program Guidelines

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1.0 INTRODUCTION

The Special Education Program (SEP) provides additional investments in programs and services for First Nation children with identified special education needs. The SEP funds have been targeted to improve the quality of education and levels of support services for eligible students with special education needs classified as moderate to profound. Funding under the SEP does not include enhanced programs and services for gifted students or enriched, subject specific programming for students streamed into, for example, drama and the arts.

In keeping with the trend among provincial education systems, the SEP funding supports both direct and indirect services, using an intervention-based approach. This approach will maintain the requirement for formal assessments of students and the development of individual education plans (IEPs), and will also allow First Nation schools the flexibility to employ intervention strategies more quickly.

The SEP funding is only available under one-year Set Contributions.

2.0 OBJECTIVE

The objective of the Special Education Program (SEP) is to improve the educational achievement levels of First Nation students on reserve, by providing for access to special education programs and services, that are culturally sensitive, and that meet the provincial standards in the locality of the First Nation.

3.0 OUTCOME

The expected long-term outcome of the SEP is to allow First Nation students with special needs to achieve their fullest potential and be contributing members of society, as well as increase the numbers of high cost special needs students acquiring a regular high school diploma.

Recognising that students with High Cost Special Education (HCSE) needs may not achieve the same academic objectives as students without HCSE needs, the goals set out in the students' individual education plans are a measure of the students' ability to meet and/or exceed their educational goals, demonstrating progression towards graduation.

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4.0 ACTIVITIES

The SEP main activity is to provide special education programs and services that will help First Nation students achieve the expected outcomes of the program.

More specifically, activities of the program include:

- Identifying* the students with high cost special education needs;
- Identifying** the category or categories of exceptionality that applies to each student;
- Preparing an Individual Education Plan (IEP) for each student; and
- Selecting the types of services recommended in the student's IEP.

* Identifying the students with high cost special education needs can be done using two types of approaches:

1. The intervention-based approach is a formula-based method that does not necessarily require formal assessments before intervention strategies can be introduced. Under this approach, teachers with the appropriate training are able to use and interpret assessment instruments and in turn, develop the necessary intervention measures to address the student's immediate need(s) (e.g., the development of an IEP) while awaiting a more formal assessment. The intervention-based approach is designed to give immediate attention to the student in need by addressing the student's learning problems during the most formative period of development. This approach serves to mitigate some of the subsequent learning problems that may be experienced in later grades.
2. The assessment-based approach involves classifying student needs into recognized high-cost categories and providing a "per pupil" funding allocation to support individualized programming. Under this approach, children who are born physically dependent, who have multiple exceptionalities (e.g., deaf and blind), or who have special needs due to autism generally require ongoing assessments. These children are identified by a physician's report and are required to have an IEP that recognizes the broad range of their physical/intellectual abilities and addresses specific educational, health, and personal care needs.

** Special education programs and services are divided into two categories: First Level Services (Direct) and Second Level Services (Indirect).

Direct Services

Direct services are program activities focussed directly upon meeting student needs. These activities may represent a maximum of 75% of the annual SEP resources and typically include:

- Student intervention and Professional assessment;
- Special education teacher;
- Individual teacher aide / Para-professional workers;
- Educational psychological services;

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- Counselling / Social work services;
- Elder / Mentoring / Cultural services;
- Speech / Language services;
- Occupational therapy;
- Physical therapy;
- Purchase of learning and/or instructional materials; and
- Assistive technologies / Equipment.

Indirect Services

In order to gain the benefits of aggregation, Indirect Services refer to an array of supportive programs and activities often but not necessarily delivered by Indian and Northern Affairs Canada (INAC) Regional Offices, school boards, or Regional First Nation Organizations (may also be referred to as First Nation Regional Management Organizations (FNRMO)). These activities may represent a maximum of 25% of the annual SEP resources and typically include:

- Professional and institutional support services typically offered at school board level;
- Research in special education needs and services; and
- Special education program development.

5.0 ELIGIBILITY OF RECIPIENTS AND STUDENTS

5.1 ELIGIBLE RECIPIENTS

Broadly speaking, special education needs of students fall within a continuum of mild to moderate, moderate to severe and severe to profound. Special education needs categorized as mild to moderate are to be addressed within the funding and terms and conditions of INAC's Elementary and Secondary Education Program.

Eligible recipients may receive funding under the SEP for students who are identified on the INAC Nominal Roll and whose special education needs are categorized from moderate to profound (e.g., high cost special education needs).

Eligible recipients include Chiefs and Councils, organizations designated by Chiefs and Councils (band/settlements, tribal councils, education organizations, political/treaty organizations, public or private organizations engaged by or on behalf of Indian bands), provincial ministries of education, provincial school boards/districts and private education institutions.

The Regional First Nation Organizations are eligible to receive funding directly for the delivery of the SEP indirect services.

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5.2 ELIGIBLE STUDENTS

All on-reserve students for whom high-cost special education programming is funded under the SEP authority must be included, or be eligible for inclusion, on INAC's Nominal Roll - student registry database.

For a First Nation student with learning exceptionalities to qualify to receive special education services under INAC's SEP, he or she must have IEP in place as required under the SEP terms and conditions. An IEP can also be called an Individual Learning Plan (ILP), an Individual Program Plan (IPP), or an equivalent term used in the First Nation locality.

The First Nation students must also meet the following criteria of eligibility:

1. The student is enrolled in and attending either a federal, provincial, band-operated, or a private/independent school that is recognized by the province as an elementary or secondary institution.
2. The student's age is from 4 to 21 years (or the age range eligible for elementary and secondary education support in the province of residence) on December 31 of the school year in which funding support is required, or those students outside this range who are currently funded for elementary and secondary education.
3. The student is ordinarily resident on reserve* (a non-registered student who ordinarily lives on reserve lands that are leased is not eligible for funding).

*Ordinarily resident on reserve means that the student usually lives at a civic address on reserve, or is a child in joint custody who lives on reserve most of the time, or is staying on reserve and has no usual home elsewhere. Students continue to be considered ordinarily resident if they return to live on reserve with their parents, guardians or maintainers during the year, even if they live elsewhere while attending school or working at a summer job. In this context, reserves are deemed to include land set aside by the federal government for the use and occupancy of an Indian band, along with all other Crown lands which are recognized by INAC as settlement lands of the Indian band of which the student is a resident.

6.0 DELEGATION OF SERVICE DELIVERY

Where a recipient delegates authority or transfers program funding to an agency (e.g., an authority, board, committee or other entity authorized to act on behalf of the recipient), the recipient shall remain liable to the Minister for performing its obligations under the funding agreement, including all reporting requirements. Neither the objectives of the program, nor the expectations of transparent, fair and equitable service shall be compromised by such delegation or transfer of funds.

7.0 SERVICE DELIVERY STANDARD

The recipient shall ensure that students ordinarily resident on reserve (with the exception of students who are living on leased land, and who are not registered Indians) have access to elementary and secondary school special education and support services in a federal school, a provincial, or a band-operated or a private/independent school recognized by the province as an elementary/secondary institution.

In the case of band-operated or federal schools, the recipient is responsible for providing high-cost special education students with access to special education programs and services, that are culturally sensitive, comparable to, and at a minimum, reflect generally accepted provincial standards (e.g., transportation of high cost special education students) within the locality of the First Nations.

8.0 PROPOSAL ASSESSMENT CRITERIA

Each year, the INAC Regional Offices solicits reviews and evaluates incoming SEP funding requests. Depending on the Regional Office, the requests are treated as proposals, applications or work plans. These must be comparable with the educational needs and services rendered by their provincial schools.

However, INAC encourages the use of the following five criteria to inform the assessment process:

- Capability to manage the implementation;
- Consultation and commitment involving support from schools and communities;
- Implementation activities including timelines, cost-effectiveness, anticipated impact on outcomes;
- Management in relation to governance, deliverables, monitoring and reporting; and
- Costs assessed on basis of estimation and justification.

Note: Meeting these criteria does not guarantee funding from the Special Education Program.

9.0 MAXIMUM PROGRAM CONTRIBUTIONS

The SEP is a national program that is regionally based and proposal-driven. The maximum amount payable to a recipient is set on a case-by-case basis, limited overall by total available funding both nationally and regionally.

As per the SEP's Terms and Conditions, the maximum contribution for special education services per student shall not exceed the costs in accordance with the educational components set out below:

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Tuition Rate for Specialized Schools (e.g., Provincial School for the Deaf)

- **\$65,000** is the maximum amount that a high cost special education student attending a specialized school is eligible to receive per year. The student must be registered or be eligible to be included on the Nominal Roll. Because the student is receiving the maximum funding allocation for his education, his First Nation Band Council is not entitled to receive the student's regular elementary and/or secondary education program funds.

Tuition and Transportation Rate for Regular Schools

- **\$30,000** is the maximum amount a high cost special education student is eligible to receive per year when attending a regular federal, provincial, band, private, or independent school. The First Nation who records the student on its nominal roll will receive funding for the student through the regular elementary and secondary education program, and will be eligible to receive additional tuition funding under the SEP. The maximum amount that can be used per student, per year for regular school transportation is **\$5,000**.

Accommodation for High Cost Special Needs Students (includes room and board)

- The maximum amount allowed per year for high cost education needs student is **\$50,000**.

Emergency Transportation for High Cost Special Needs Students

- The maximum amount allowed for emergency transportation per student, per year is **\$5,000**.

Note - In addition, for students whose exceptionalities have been assessed according to methods prescribed by the province of residence and meet the provincial standards for funding eligibility, the maximum contribution may be increased by the salary of a teacher's aide per student over and above the instructional services tuition rate.

10.0 FUNDING ARRANGEMENTS

INAC will prepare the funding arrangements with the recipients whose proposal, application, or work plan has been reviewed and accepted.

11.0 STACKING PROVISIONS

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The stacking provisions are in place to ensure that different levels of government do not fund a recipient for a same program, service or activity or that the Consolidated Revenue fund is not funding the same program service or activity more than once. Proposals from a recipient shall address the requirement for the recipient to declare any and all prospective sources of funding for the program, service or activity, inclusive of all federal (other than INAC), provincial, territorial or municipal government source (total government assistance) that are expected to be received. Annual financial reporting shall show all sources of funding received. Where there is more than one source of funding for the same program, service or activity in excess of \$100,000 and, when more total government assistance is provided than was anticipated or actually required, the recipient shall reimburse to INAC a portion equal to INAC's funding to that program, service or activity. The maximum contribution by INAC and total maximum government assistance can be 100% for eligible programs, services and activities.

12.0 ELIGIBLE EXPENDITURES

SEP programs and services are divided into two categories: First Level Services (Direct) and Second Level Services (Indirect). Recipients who manage SEP funds (either direct or indirect) are eligible to use a maximum of 10 percent of the SEP funding allocation for administration support services; these administration costs can be shared and prorated with other programs (e.g., New Paths for Education Program).

While there are broad categories for direct and indirect services, it is worth noting that these categories of services can be delivered by the schools, the INAC Regional Offices, or Regional First Nation Organizations as direct and/or indirect services.

Direct Services: The majority of the SEP allocation is to be spent on high cost student support services. The following is a list of eligible expenditures for direct services:

- Costs associated with the acquisition of Professional Assessments;
- Costs associated with completion of Student Assessments;
- Salaries/benefits for Special Education Teacher;
- Salaries/benefits for Individual Teacher Aide / Para-professional Workers;
- Costs associated with Educational Psychological Services;
- Costs associated with Counselling / Social Work Services;
- Costs associated with Elder / Mentoring / Cultural Services;
- Costs associated with Speech / Language Services;
- Costs associated with Occupational Therapy Services;
- Costs associated with Physical Therapy Services;
- Costs associated with Instructional / Resource Materials; and
- Costs associated with Assistive Technologies / Equipment purchases.

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Indirect Services: Up to a maximum of 25 percent of the SEP budget can be spent on school activities and services that will improve special education programs for high cost special education needs students. The following is a list of eligible expenditures for indirect services:

- Costs associated with providing Information Services;
- Costs associated with contracting and providing Professional Support Services;
- Costs associated with contracting and providing Professional Assessment Services;
- Costs associated with Professional Development for professional accreditations;
- Costs associated with Other professional development (e.g., workshops, conferences);
- Costs associated with Administrative Support;
- Costs associated with Accommodations (Example: Can also include lodging (room and board) and can also include changes in how a student accesses information and demonstrates learning. These can include changes in the method of instruction, the curriculum, and the environment); and
- Costs associated with Transportation (Example: The transportation of severely disabled *special day class* pupils, and orthopedically impaired pupils who require a vehicle with a wheelchair lift, as specified in their individualized education program.).

13.0 INELIGIBLE EXPENDITURES

Enhanced programs and services for gifted students or enriched, subject-specific programming for students streamed into, for example, drama and the arts are not eligible for SEP funding.

Expenditures for constructing, operating, and maintaining facilities are provided through INAC's Capital Program and shall not be charged to the SEP budget allocation.

14.0 MONITORING, SUPPORT AND ACCOUNTABILITY

Performance and financial accountability are conditions of all funding agreements.

Monitoring and reporting activities are aimed at ensuring that the recipient receives adequate support from INAC, and that program funds are used in the most efficient and effective manner to achieve positive outcomes for First Nation students as well as value for money.

INAC is committed to providing assistance to recipients in order to effectively carry out the obligations contained in each funding agreement.

15.0 REPORTING REQUIREMENT

The SEP recipients must submit their Special Education Program Report towards the end of the school year. The collection of timely and complete program data is essential for both INAC and for First Nations to effectively fulfill their respective obligations. Throughout the school year, the recipients remain accountable to both INAC and to their First Nation community members.

Due dates for reporting on SEP student and school information is:

1. **May 1st** – is the deadline for the Band Operated, Federal, Provincial, Private and Independent Schools to report their SEP Data to their Regional First Nation Organizations, First Nation Tribal Councils, or INAC Regional Offices.
2. **July 31st** – is the deadline for Regional First Nation Organizations to report their aggregated SEP data collection results back to INAC's Regional Offices.

The SEP Data Collection Instrument (DCI) template can be found in the Recipient Reporting Guide (RRG) at http://www.ainc-inac.gc.ca/dci/dcilog_e.asp.

16.0 CONTACT INFORMATION

For further program information, please visit our website at:
<http://www.ainc-inac.gc.ca/edu/ep>

You can contact your regional representatives at:
<http://www.ainc-inac.gc.ca/ai/scr/rgcon-eng.asp>

You can also write to:
Special Education Program
Education Branch
Indian and Northern Affairs Canada
10 Wellington Street
Gatineau QC K1A 0H4
Fax: 613-995-9393

ANNEX: GLOSSARY OF SPECIAL EDUCATION PROGRAM TERMS

Assistive Technologies / Equipment - Here is a list of various adaptive hardware and software tools:

1. Adaptive Hardware:

- Audiocalc is a talking scientific calculator;
- AudiSee is the first audio-visual FM system for students who are oral-deaf or hard of hearing. Both audio and video signals are transmitted simultaneously in real-time. This means that mainstreamed students have instant access to all the information given by the teacher in class. AudiSee not only facilitates speech-reading but also enables students to use their residual hearing. This winning combination significantly increases message comprehension;
- Dream Writer Smart Keyboard is a portable keyboard with built in word processor;
- FM Systems: is a transmitter/receiver for students who are hard of hearing (enhances understanding of speech and filters environmental noise);
- Franklin Language Master is a Merriam-Webster dictionary 300,000 word spell checker with visual and auditory feedback;
- Hewlett Packard Scanner and Laser Jet Printer;
- Juliet Braille Embosser is a Braille printer;
- Kurzweil Personal Reader is a scan and text reading technology;
- Magna Cam is a portable scanner and print magnifier (mini-screen/TV/eye-wear);
- Tracker 2000 is a head mouse and bat keyboard; and
- V-Cam is a head mounted zoom-lens (Jordy - zoom - lens video eyewear).

2. Adaptive software programs:

- DeskTalk PC speech output;
- Dragon Naturally Speaking continuous speech recognition;
- Duxbury Braille Translator;
- Internet Access;
- JAWS for Windows/ DOS speech output synthesizer (screen reader);
- Open Book Unbound OCR software, scan text and convert to E-text;
- Text Help, Wordsmith & Inspiration, (multi sensory computer software that assists reading fluency and enhances writing development for students with reading and written language difficulties); and
- Zoom Text (print magnification screen reader).

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Chronic Illness / Medical Issues: These include: arthritis or rheumatism, asthma, chronic bronchitis, emphysema, diabetes, cancer, effects of stroke, high blood pressure, heart problems, stomach problems or intestinal ulcers, hepatitis, kidney disease, tuberculosis, HIV, AIDS, and any other long term condition. Long term health conditions are conditions that have lasted or are expected to last six months or more.

Counselling / Social Work Services: The role of a School Counselling Program and/or Social Work Services is to support and provide resources to the students, to their families and to educators by providing:

- Opportunities to develop knowledge and an appreciation of themselves and others;
- Opportunities to develop relationship skills, ethical standards and a sense of responsibility;
- Opportunities to acquire skills and attitudes necessary to develop educational goals which are suited to their needs, interests and abilities; and
- Information which would enable them to make decisions about life and career opportunities.

Deaf and Hard-of-Hearing: An impairment characterized by deficits in language and speech development because of a diminished or non-existent auditory response to sound.

Developmental Disability is a severe learning disorder characterized by:

- An inability to profit from a special education program for students with mild intellectual disabilities because of slow intellectual development;
- An ability to profit from a special education program that is designed to accommodate slow intellectual development; and
- A limited potential for academic learning, independent social adjustment, and economic self-support.

Educational Psychological Services: Difficulties may include academic, behaviour, or social-emotional problems. A psychological assessment provides information to help principal, teachers, and other school staff develop a program to meet the student's needs.

Elders: Mentoring/Cultural Services: In Aboriginal communities, Elders are keepers of traditional teachings and language. They are greatly respected for their life experience and wisdom, and members of the community often seek their counsel. Elders are not necessarily elderly, since traditions vary greatly among Aboriginal peoples. Elders are usually not self-proclaimed; instead, it is the members of the community who will acknowledge someone to be an Elder. Elders are experts in the areas of Aboriginal knowledge, language and culture, and schools can look to them for their teachings and experience. They are available for student counselling and to provide a resource for teachers.

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Exceptionalities: The following five categories of student exceptionality are recognized by the provinces and are the terms that the SEP program has chosen to use in the new SEP data collection instrument (DCI):

1. **Physical Exceptionality:** Students with neuro-muscular conditions, students who are blind or have low vision, and students with physical disabilities (e.g., Fetal Alcohol Syndrome).
2. **Behaviour Exceptionality:** Students with long standing or severe behavioural or mental health problems. Often linked to mood disorders such as depression or bipolar disorders; personality disorders; conduct disorders (including oppositional defiant disorder or disruptive disorder); anxiety disorders; impulse control disorders such as Attention deficit hyperactivity disorder (ADHD or AD/HD or ADD) is a neuro-behavioral developmental disorder.
3. **Intellectual Exceptionality:** Often used for students with Moderate to Severe Intellectual Developmental Delays, or with DD (Developmental Disability).
4. **Communication Exceptionality:** Often linked to student with Autism, Hard of Hearing, Speech Impairment, Developmental Language Delays or Language Impairment.
5. **Multiple Exceptionalities:** Often used to explain a student affected by a combination of disorders, impairments, or physical disabilities, who requires the services of one or more teachers holding qualifications in special education as well as the provision of support services appropriate for such disorders, impairments, or disabilities.

Fetal Alcohol Syndrome/Fetal Alcohol Effects (FAS/FAE) are birth defects caused by the consumption of alcohol during pregnancy.

Individual Teacher's Aide (a title used in several provinces instead of the title of Para-professional Worker): Provides direct educational support in and outside of the classroom with a specific focus for teaching prevocational, functional language skills, motor activities, self-care, functional living, social and community skills to all individuals served.

Instructional / Resource Materials: Teaching materials for special education are professionally designed to foster the various learning techniques employed in the special needs classroom. Specialized manipulative, workbooks and videos focus on specific skill sets. Special education materials also offer success-oriented adaptations and cross-curricular activities to promote child-centered programs.

Language Impairment: A learning disorder characterized by an impairment in comprehension and/or the use of verbal communication or the written or other symbol system of communication, which may be associated with neurological, psychological, physical, or sensory factors.

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Mental Health: Mental health is a crucial dimension of overall health and an essential resource for living. It influences how we feel, perceive, think, communicate and understand. Without good mental health, people can be unable to fulfill their full potential or play an active part in everyday life. Mental health issues can address many areas, from enhancing our emotional well-being, treating and preventing severe mental illness to the prevention of suicide.

Occupational Therapy: Occupational therapists may specialize in working with specific populations such as children or adults, or persons with distinct problems such as dementia, traumatic brain injury and chronic pain, or provide special interventions such as return-to-work programs.

Para-professional Worker (a title used in several provinces instead of the title Teacher's Aide): Provides direct educational support in and outside of the classroom with a specific focus for teaching prevocational, functional language skills, motor activities, self-care, functional living, social and community skills to all individuals served.

Physical Disability: A condition of such severe physical limitation or deficiency as to require special assistance in learning situations to provide the opportunity for educational achievement equivalent to that of pupils without exceptionalities who are of the same age or development level.

Physical Therapy: Physical therapists (PTs) provide services in circumstances where physical movement and function are threatened by aging, injury, disease or environmental factors. This encompasses physical, psychological, emotional, and social well being. PTs practice in many settings, such as outpatient clinics or offices, inpatient rehabilitation facilities, skilled nursing facilities, extended care facilities, private homes, education and research centers, schools, hospices, industrial workplaces or other occupational environments, fitness centers and sports training facilities.

Special Education Teacher: Teachers and teaching assistants provide educational supports for students who have physical disabilities and learning exceptionalities such as; autism spectrum disorders, Fetal Alcohol Syndrome/Fetal Alcohol Effects (FAS/FAE), emotional disturbances, auditory impairments, and ADHD. Many of these students are in the special education program but receive instruction and supports in the general education classroom. The special education teacher uses a variety of techniques to assist students and promote academic achievement.

Speech Impairment: A disorder in language formulation that may be associated with neurological, psychological, physical, or sensory factors; that involves perceptual motor aspects of transmitting oral messages; and that may be characterized by impairment in articulation, rhythm, and stress.

Speech / Language Services: Speech-language pathologists (speech therapists) diagnose and treat or remediate communication disorders in children. Developmental paediatricians and paediatric neurologists will also sometimes diagnose a speech or language disorder and refer the child to a speech-language pathologist for treatment.

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Student Assessment: Assessment means the ongoing process of collecting information about students using a number of formal and informal methods across a variety of domains relevant to performance (behavioural, communicational, intellectual, learning or physical characteristics) to develop and implement appropriate programming to support student learning.