

SPECIAL EDUCATION PROGRAM (SEP) HANDBOOK

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First Nations Education Steering Committee
First Nations Schools Association

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INTRODUCTION

This Handbook was prepared by the First Nations Schools Association (FNSA) and First Nations Education Steering Committee (FNEC) to describe the implementation of the Special Education Program (SEP) for First Nations schools in BC, including the principles guiding the program as well as information about how the SEP funding is allocated to First Nations schools and also used to support collective-level programs and services that are provided by the FNSA and FNEC.

NB: The BC SEP – including both grants for schools and collective services – is available only for First Nations schools in this province. While FNEC and the FNSA appreciate that First Nations students attending other educational settings have important needs, the funding available for the BC SEP is only sufficient to meet the needs of students with exceptionalities who are now attending First Nations schools. Therefore, the resources are not adequate to address additional purposes, but relevant resources for students attending other schools in BC are being pro-actively pursued through alternate mechanisms.

Who can I contact for more information?

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SECTION ONE: Principles that Guide the BC First Nations Schools Special Education Program (SEP)

The FNSA and FNEESC have been managing special education funding and services for First Nation students on the nominal roll attending First Nation schools in BC since the Department of Indigenous Services (ISC) began providing resources for this purpose in 2002. In 2018, the resources for special education funding were integrated into the new BC Tripartite Education Agreement (BCTEA), in a way that maintains the practices that have evolved in the BC Region through almost two decades of efforts.

1.1 The BC SEP

Since the SEP funding was first introduced, First Nations schools in BC have maintained a number of critical positions that continue to guide the program's design and implementation.

Position One: A focus on the early identification of students with special needs is key.

First Nations in BC have placed significant priority on an early identification of students with special needs. This decision reflects the widespread understanding that identifying and addressing special needs as early as possible offers the best opportunity for mitigating challenges and long-term costs. In fact, research reports dating back more than thirty years show that delaying special education interventions ultimately means more children requiring more services at higher costs, while providing early intervention for the same population means fewer children will require extra-ordinary services in the longer-term. There is a wealth of evidence that early intervention is clearly cost-effective – developmentally for children, emotionally for families, and financially for families, communities, and the broader society. Therefore, First Nations schools in BC support attention to the needs of students from preschool through to the grade 12 level – with a concerted emphasis on the early years.

Position 2: An intervention-based approach is consistent with both research and the unique needs and circumstances of First Nations schools.

Some special education approaches rely on identification, diagnosis, and labelling of students as the first step for service delivery, with formal diagnoses needed to generate program funding and begin planning for service delivery. In contrast, First Nations schools in BC have consistently supported a service delivery model that is founded upon intervention-based concepts.

In an intervention based approach, there is no need to diagnose and label children before beginning to provide them relevant support. A student may be identified as potentially having a concern or unique learning need that needs further investigation, but the student receives help right away, rather than waiting for referral and a diagnosis before interventions are planned and implemented.

Such students may have a specialist teacher working with the regular classroom teacher to provide them the best education possible. Students' goals are established through individual education plans, guided by a comprehensive evaluation and ongoing progress monitoring. The frequency of special education instruction depends upon students' needs, and the criteria to exit special education are specified and monitored so that placement can be flexible.

Position 3:

A comprehensive special education system is needed – one that includes an emphasis on local-level services, with complementary collective support activities to create economies-of-scale and increase access to necessary expertise and relevant special education materials.

School-Based Activities

Since the establishment of the SEP approximately sixteen years ago, the majority of the funding available in the BC Region has been allocated to First Nations schools through a school-grant allocation process. Section 2 of this document describes the specific grants available and how to access them.

Using the SEP funding grants, First Nations schools have made important progress in their special education programming. For example, a key focus has been professional development, as intervention-based approaches to special education require skilled teachers, learning assistance teachers, educational assistants, and administrators. Increasingly, the educational literature indicates that relevant knowledge and attitudes are needed for schools to be inclusive of students with diverse learning needs and to help all staff work as effective collaborative teams. Accordingly, in-service training and direct supports are needed to create a teaching force that is capable of identifying and supporting all students effectively – a need that is particularly pronounced in First Nations schools, where teacher turnover rates tend to be higher than in other school settings, and special education specialist teachers are not always readily available.

In addition, First Nation schools have used their special education grants to undertake a range of important locally-based activities, including the following.

- Accessing needed special education resources, including materials to support students' language development
- Building a stronger infrastructure for special education activities, including hiring

specialists, educational assistants, and learning assistance / resource teachers

- Contracting speech and language pathologists, occupational therapists, and other specialists

Further, the greatest portion of the SEP grants has been used to implement remedial activities and intervention supports for individual and small groups of students, such as those listed below.

- Therapy, child development and life skills programs
- Student behaviour programs and services, including counselling and behaviour consultant services
- Language development / reading programs, including the purchase and use of relevant software and equipment / assistive technologies
- Occupational and music therapy programming
- Psycho-educational assessments for students

Collective Support Activities Facilitated by the FNEsc and FNsa

The BC First Nations Schools SEP program also includes a significant emphasis on second level support services to assist school staff in implementing necessary programs and services for students. As noted in the *June 2012 Final Report On The Summative Evaluation of the Elementary / Secondary Education Program On Reserve* prepared by the INAC Evaluation, Performance Measurement, & Review Branch, Audit & Evaluation Sector:

First Nation participants indicated that opportunities, while needing to be equitable, must be tailored to the needs of First Nation students and their families. Caution was raised by respondents from all groups around the concept of comparability. It was particularly noted that First Nation students lag far behind their non-First Nation counterparts in overall performance. Additionally, there is a degree of resistance to the education system among some parents, largely linked to trauma associated with the residential schools system. Thus, participants were clear in the notion that comparability should not imply receiving the same services; rather, starting at a significantly deficient point, First Nation communities and students will need significantly more supports than their counterparts.

The collective activities organized to maximize the benefits of the SEP funding are described in more detail in Section 2 of this Handbook.

SECTION TWO: Accessing School Allocations and Second Level Services

As described in Section One of this Handbook, the SEP implementation in the BC Region is founded upon two general themes – funding allocations for schools to support local-level activities, as well as funding retained for collective support activities. The proportion of funds dedicated for each of these purposes has been regularly and repeatedly reviewed and approved by First Nations schools in BC.

NB: The BC SEP funding is available for First Nations students with special needs who are enrolled in First Nation schools and eligible for BCTEA funding.

2.1 School-Level Funding

As described above, since the establishment of the SEP, the majority of the special education funding available in the BC Region has been distributed to First Nations schools through a school-grant allocation process – a process that has been consistently approved by the FNSA membership.

Each year, all schools are provided a base amount of funding, recognizing that needs exist in all First Nations schools in the province. That base amount is supplemented by a per capita-determined allocation to account for differing school sizes. The flexibility of this funding process enables schools to focus on local priorities for teaching and learning and to address student needs from an inclusive, strength-based perspective rather than from a deficit model.

When ISC has finalized the nominal roll school grants for the upcoming school year are calculated. Schools are notified of their grants as soon as possible to allow time for effective planning and staffing decisions.

2.1.1 School SEP Allocations –Base-Plus-Per-Capita Grants

For the vast majority of schools in the BC Region, the per capita amount is calculated using ISC's nominal roll, including school-age and adult students attending programs between K4 through to the Grade 12 level.

First Nations schools access their SEP grants through the submission of workplans that detail the activities to be undertaken according to the eligible expenditures, as well as an anonymous listing of the school's students who have identified special needs. For the purpose of identifying eligible students, FNESC/FNSA have created categories of "special needs" based on Ministry of Education definitions, federal funding guidelines, promising psycho-educational practices, and the unique needs of students in First Nations schools.

First Nation schools are expected to use those categories, as well as available formal psycho-educational assessment information, to screen students perceived as having identified special needs for inclusion on their workplans. This information is critical for FNEC and FNSA, working with First Nations schools, to understand, monitor and plan service delivery according to the evolving needs of students in First Nation schools.

It is expected that all students identified on the SEP workplans will have an Individual Education Plan (IEP) in place or in development, as IEPs are being promoted as a key mechanism for responding to student needs and planning appropriate services. Resources to assist with the creation of IEPs – including templates, information handbooks, and direct in-school support – are available from FNEC/FNSA.

Schools must submit their required workplans by the deadline established each year.

This allows FNSA/FNEC to finalize the school grants budget based upon the submitted requests from eligible schools. FNSA/FNEC can then reallocate any un-accessed funding to implement other important special education priorities. Based upon the submission of an approved workplan and a signed contribution agreement that sets out the responsibilities of FNEC and the school, 75% of the special education grants are released to schools. Schools are then expected to implement their SEP activities according to their workplans.

Thorough, timely reporting on all SEP funding is necessary for accountability for the SEP resources, and FNSA/FNEC are responsible for facilitating collective reporting to the federal government in order to protect the funding program for all schools in BC. Thorough, accurate reporting is also necessary in order to demonstrate the ongoing need for funding for special education services in BC. Accordingly, all reporting requirements must be followed in order to ensure, to the extent possible, a continuation of the SEP. Interim and final reports are required in February and June of each year, and they must reflect the SEP reporting template provided by FNSA/FNEC.

2.1.2 Additional Special Education Grants

In addition to their regular base-plus-per-capita determined school grants, BC First Nations schools are able to request a portion of separate special needs funding *if* they have extraordinary special education needs in a particular year and they are able to submit full assessment information demonstrating the exceptional needs of individual students. A fixed amount of funding is set aside for this purpose annually, and the available resources are allocated to schools according to the number of eligible applications. Therefore, the annual per student allocations vary depending upon changing demand. Schools that are interested in accessing a portion of this additional, separate funding should contact the SEP staff; information and application forms are distributed to all schools in the fall of each year, and a deadline for applications is strictly applied.

2.1.3 Additional Policies and Special Considerations for Accessing SEP School Funding Grants

A. First Nations Schools Operated Under a Treaty or Self-Government Agreement

The exception to the use of the nominal roll for calculating SEP allocations is First Nations controlled schools that belong to a First Nation that operates under a Treaty or Self-Government Agreement with the Government of Canada and does not already receive core special education funding from another source. These schools are eligible for BC's SEP funding, but they are not required to submit an annual nominal roll to ISC. These schools therefore must annually submit directly to FNSA/FNESC enrollment information for students who usually would be eligible for ISC's nominal roll.

B. Students Funded Through the Reciprocal Tuition Agreement

In November 2009, the Province of British Columbia and FNESC reached a Reciprocal Tuition Agreement. Under that Agreement, the BC Ministry of Education provides full per-pupil funding for students living off-reserve who are enrolled in First Nations schools, and for eligible non-status students living on reserve lands. At this time, students who are funded through the Reciprocal Tuition Agreement with the BC Ministry of Education are not eligible according to BCTEA for inclusion in calculating the SEP per capita school allocations. *(The reciprocal tuition agreement states that the rates used for reciprocal tuition funding (formerly the First Nations Billing Rate, now called the First Nations' Student Rate under BCTEA) are based on the average per pupil funding for the school district in which the eligible band-operated school resides -- meaning that reciprocal tuition payments do account for all of the items factored into those district averages, including Indigenous education targeted funds and the provincial special education funding categories).*

C. Accounting for More Than One School Per First Nation

As described above, the funding grants for First Nations schools are calculated using a formula that provides a "base" plus "per capita" (FTE count) amount. The base amount is allocated per First Nation (not per school). For the past few years, when the base has been shared amongst schools within one First Nation, the portion allocated to each school has been calculated according to the relevant student population numbers of each school. Only one exception to this policy has been approved, reflecting extra-ordinary circumstances, as decided by the FNSA Board of Directors.

D. Consequences for Not Reporting

As described above, thorough SEP reporting is crucial to the integrity of the program, and schools must submit the required reports by the deadlines established each year. Schools are only provided the final 25% of their funding allocations based upon submission of a complete and approved interim report. There are also financial consequences for schools that do not submit a final report *by the established deadline*.

E. Special Education Program (SEP) Workplan and Report Appeals Process

The implementation of the SEP for First Nations schools requires the timely submission of SEP funding grant Workplans, Interim and Final Reports. Recognizing that delays in the submission of required information impacts on the effective management of SEP for all schools, the following motion was passed at the 2016 FNSA Annual General Meeting.

IT WAS RESOLVED THAT the FNSA membership approves the following procedures for the submission of applications for Special Education Program (SEP) school allocation grants.

1. The FNSA will clearly identify and communicate the deadline for the submission of SEP applications.
2. Schools may request an extension of three weeks maximum, if the request is received and approved prior to the deadline.
3. Applications received after the deadline or approved extended deadline will not be accepted.
4. A process will be developed and approved by the FNSA Board to:
 - ensure procedures are in place to contact appropriate school personnel.
 - review any appeals for late submissions, recognizing that appeal decisions of the FNSA Board will be final.

In the event that an appeals process is implemented, the FNSA will communicate pro-actively to make the process clear to the affected First Nation and First Nation school.

Appeals Process Approved by the FNSA Board in 2016

1. Applicants that miss a deadline for submission of a SEP Workplan, Interim, or Final Report will be notified of that problem within two days of the deadline.

2. In order to appeal a decision regarding the late submission of a SEP Workplan, Interim Report or Final Report, a First Nation / First Nation school must submit to the SEP Director a letter explaining in detail the reason the deadline was missed.
 - a. For SEP Workplans, appeals must be received within 30 days of the original submission deadline
 - b. For SEP Interim Reports, appeals must be received within 15 days of the original deadline
 - c. For SEP Final Reports, appeals must be received within 15 days of the original deadline
4. If an appeal is received, the SEP Director will immediately convene a SEP Appeals Committee, which will include three FNSA Board members.
5. The SEP Appeals Committee will determine whether the late Workplan or Report will be accepted. The Committee's decision will be based on the written appeals letter.
6. The First Nation / First Nation school that made the appeal will be informed of the Appeals Committee's decision, in writing, within seven days of application.
7. The decision of the Appeals Committee will be final.

F. Special Education Funding and the FNSA School Assessment Process

An additional requirement for eligibility for special education funding relates to the FNSA First Nations Schools Assessment and Certification Process. In 2005, the federal government released a compliance directive mandating that schools' special education programs be regularly reviewed. In order to accommodate BC First Nations' intervention-based approach, and to respect the principle of First Nations control of First Nations education, at the 2008 FNSA Annual General Meeting a motion was passed directing the FNSA to work with ISC BC Region to accommodate Canada's new special education compliance directive within the FNSA Assessment Process.

At that time, the FNSA membership agreed that in order to advance this plan, the FNSA School Assessment Process External Assessment Team members will be given the SEP Workplan for the school they are visiting, and will complete a checklist to confirm that the planned activities are underway. For example, a large number of schools use SEP funds to hire staff to work with students with special needs. In such cases, the school is asked to identify which staff members were hired using SEP funds. If the SEP Workplan

includes resource purchases, the school is asked to provide evidence of the purchases. If there is no evidence of the Workplan activities being implemented in the school, the SEP Director is notified and follow-up support is provided to the school by SEP staff as soon as possible.

NB: It is also important to recognize that a school can be deemed “in progress” according to the FNSA School Certification Process if the External Review Team Report indicates serious inadequacies in the school’s SEP program. If a school is interested in receiving Reciprocal Tuition from the BC Ministry of Education, which requires FNSA School Certification in good standing, any significant SEP problems identified in its External Assessment Report must be resolved before September 30 of the following year – the deadline for the annual Reciprocal Tuition application. Therefore, accessing assistance from a SEP staff person will be seen as a priority in such cases.

The specific steps for the review of the Special Education Program Workplan through the FNSA School Assessment Process are as follows.

1. School Assessment Process External Reviews usually take place in April or May of each year, following the schools’ completion of their internal assessment reports. The Assessment Process External Reviews include a thorough consideration of participating schools’ SEP activities.
2. To address the SEP compliance directive, SEP staff will email the school’s current SEP Workplan to the School Assessment External Team Chair before the school visit takes place.
3. During the external visit, the External Team will review the school’s progress in implementing its SEP Workplan, confirm that the Workplan activities are in place, and complete the Observations, Strengths and Suggestions on the SEP topic page of the School Assessment Project Template.
4. If the Workplan Activities are seen to be in place, the External Team will complete the School Assessment SEP Workplan Activity Checklist, and submit the Checklist and FNSA School Assessment SEP topic page to the SEP Director. In those cases, no further action will be required.
5. If the review demonstrates that the SEP Workplan is not being implemented as planned, the “Suggestions” section of the SEP Workplan Activity Checklist will outline the problems, and the Checklist and the FNSA School Assessment SEP topic page will be sent to the SEP Director to describe the situation and indicate that the SEP staff should arrange support for the school.
6. In the event that problems are identified, a SEP staff person will be assigned to address the situation. That staff person will make every effort to visit the school as soon as possible and will assist with the development of an appropriate SEP Workplan for the year following the assessment review.

2.1.4. Special Education Funding for First Nation Independent Schools

First Nations schools that are also registered as BC Independent Schools can apply to the BC Ministry of Education using the 1701 form to access funding for off-reserve students who meet the Ministry's eligibility criteria for the provincial system's categories of special education.

2.2 Second Level Services

As described above, collective activities are implemented each year to maximize the benefits of the SEP funding and help First Nations schools access programs and services that will benefit their students. The special education services are allocated in a variety of ways, depending on the specific intentions of the services. Among the other services being provided are the following.

A. SEP Staff

SEP staff share information with schools, answer questions, organize services, and provide overall management to ensure the effective operation of the SEP program. The SEP staff also provide ongoing assistance to all interested First Nations schools in BC through professional development and training workshops, to which all First Nations schools are invited to send representatives. Professional development opportunities are designed – to the extent possible – to recognize geographic challenges, meaning that community and/or regionally-based training opportunities are seen as particular priorities.

B. In-School Support from Coaches and Specialists

In addition, in-school or remote support and coaching are provided from individuals with a wide variety of specific expertise. Educational research increasingly supports the use of coaching from content and pedagogy experts as one of the most effective professional development approaches, and schools everywhere are increasingly looking to coaching and other relationship-based professional development strategies to improve the skills and performance of teachers and school leaders. Support from outside the school ensures that educators remain current with best practices and assists with gaps in the knowledge base of the school's staff. Coaches with a range of specialized skills have therefore been added to the core FNESC staff to provide ongoing assistance through emails, telephone and technology. This approach is intended to provide maximum flexibility, which is needed to address the broad array and changing needs of students in First Nations schools throughout the province. For scheduling purposes, priority may be assigned to schools with the greatest numbers of students with exceptionalities enrolled.

In particular, SEP-sponsored Speech Language Pathologists (SLPs) are working in a number of First Nations schools in various regions of the province. The SLP services provide teachers and education/learning assistants with information and language development strategies that are of benefit to all students, and assessment and intervention recommendations are provided for specific students with exceptional language learning needs.

FNESC/FNSA-contracted Occupational Therapists (OTs) also are now working in First Nations schools throughout the province. This initiative provides families and school staff with training and information on the motor development of children. The OTs provide student assessments and follow up, including intervention recommendations and staff training. Students who received OT services were selected based on recommendations. Based on the positive results of this service, this initiative is now included in the ongoing second level service process and is available for all schools.

Additional specialists are also providing coaching through projects that are focused on support from specialists with expertise in Assistive Technology, physiotherapy, and autism. Students receiving these services are identified through assessments and staff visits to schools.

BC First Nations schools also participate in a provincial-level Coordinated Psycho-Educational Assessment initiative for students referred for potential learning and behavioural disabilities. This initiative involves FNESC consultants organizing individual psycho-educational assessments in First Nations schools in BC in order to determine students' needs, establish follow-up procedures, recommend interventions, and provide direct supports for students, as appropriate. Overall, the coordinated psycho-educational assessments provide First Nations schools with the opportunity to have assessments completed for students with complex needs, to meet with psychologists, to enhance access to specialists who have direct experience related to First Nations schools, and to offer better interventions for their students. The importance of continued student assessment support is evidenced by the fact that many First Nations schools choose to use a portion of their SEP allocation grants to fund psycho-educational assessments, reflecting the fact that the coordinated approach cannot meet all needs in this regard.

Services through the SLP, OT and the coordinated psycho-educational assessment initiatives are allocated through an application process. All schools that have met the application criteria have been provided these types of supports.

Coaching visits to assist with behaviour supports are scheduled through requests, with first priority given to schools that enroll students with extraordinary needs who do not have access to supports through school-based counselors.

Support is provided to all schools in need in as timely a way as possible. We recommend phone or remote contact if schools require service immediately.

C. Professional Development for Education Assistants and Learning Assistant Teachers

The BC SEP funding sponsors training for Education Assistants who are working with students with exceptionalities, including topics such as behaviour management and participation as an effective team member. In addition, Learning Assistance Teacher (LAT) Networks will take place during the school year, through which LATs meet regularly through teleconference for advice and information sharing.

D. Student Assessment Support

In addition, consistent with the preventative Response to Intervention (RTI) approach, schools are expected to screen all students to identify those who require extra supports and interventions. To support this approach, SEP involves proactive assistance and professional development efforts to promote the use of student assessments for formative and screening purposes – to ensure that all students are learning at high levels and to identify any students who may require specific interventions to ensure their long-term educational success. Assessment results are not intended to be used as the sole indicator of students' needs, but they serve as an important piece of information in a model of data-based decision making that is considered within a larger system of support.

E. Assistive Technologies

Finally, specialized supports and materials are also provided for students who require specific assistive technologies in order to access the curriculum and demonstrate their progress in learning. Contact a SEP Coach for further information.

SUMMARY

A high level of success has been achieved through the past two decades of focus on special education for First Nation students in BC. First Nations schools continue to consider ongoing and future SEP priorities within the context of emerging research, innovative approaches, promising practices and effective strategies, improvements in distance education, new models for communication, and new assistive technologies. All of these advances hold ever-greater promise for First Nations students with special needs, and new technologies and growing understandings of how to help all students reach their full potential likely will inform even more inclusive and effective service delivery in the coming years.