

November 02, 2005

LEGISLATION IN FORCE TODAY ON APPROPRIATE EDUCATIONAL PROGRAMMING

Education, Citizenship and Youth Minister Peter Bjornson announced today that regulations for Bill 13, the Public Schools Amendment Act, Appropriate Educational Programming are now in effect to support appropriate education for all students.

"Proclaiming Bill 13 and the accompanying regulations is a positive step that entrenches the province's commitment to provide all students with the opportunity to participate fully in the academic and social life of their schools," said Bjornson. "Bill 13 builds on Manitoba's philosophy of inclusion. The new regulations formalize the existing practices of school divisions and schools across the province when it comes to inclusion of students with a variety of support needs. It also reaffirms what is already good practice and builds on the progress made toward inclusion in recent years."

The legislation allows for setting province wide programming standards. There is also a dispute-resolution mechanism which gives parents an avenue for discussion beyond the school division in the event that an agreement cannot be reached regarding what constitutes appropriate educational programming for students who have individual education plans in place.

"These regulations are responsive to the needs of parents and school divisions because they incorporate local autonomy, flexibility and choice in meeting the diverse needs of children," said Bjornson. "They also give parents and school divisions greater opportunity to have meaningful involvement in the education planning process."

"Teachers and school divisions have been doing everything possible to ensure students learn to the best of their abilities. I would like take this opportunity to commend them for their outstanding work."

The Public Schools Amendment Act, Appropriate Educational Programming was introduced in the Manitoba legislature as Bill 13 in November 2003 and passed third reading on May 12, 2004. On June 10, 2004, the bill received royal assent.

"Since receiving royal assent we have conducted extensive public consultation; significant input has been provided by teachers, parents, students, school trustees and others involved in the education system," Bjornson said. "This input has been extremely valuable in shaping the legislation and supporting regulations, protocols and policies that support the legislation."

The provincial government will hold regional information sessions this month. Dates and locations will be announced in the near future.

BACKGROUND INFORMATION

APPROPRIATE EDUCATIONAL PROGRAMMING

The Public Schools Amendment Act (Appropriate Educational Programming), S.M., 2004, c9 was proclaimed today.

The regulations incorporate input from stakeholder consultations across the province including the education community and families. They provide the framework for addressing the recommendations made by the Manitoba Special Education Review (Final Report, 1999) and are based on Manitoba Education, Citizenship and Youth's philosophy of inclusion.

The Philosophy of Inclusive Education

Bill 13 builds on Manitoba's philosophy of inclusion, which states:

"Inclusion is a way of thinking and acting that allows every individual to feel accepted, valued and safe. An inclusive community consciously evolves to meet the changing needs of its members. Through recognition and support, an inclusive community provides meaningful involvement and equal access to the benefits of citizenship.

In Manitoba, inclusion means enhancing the well-being of every member of the community. By working together, we strengthen our capacity to provide the foundation for a richer future is strengthened for all of us."

Appropriate Educational Programming

Closely tied to inclusion is the process of appropriate educational programming.

Appropriate educational programming is a collaborative school-family-community process. School communities create learning environments and provide resources and services responsive to the life-long learning, social and emotional needs of all students.

Overview of Regulations

Teachers around the province have worked hard to adapt the way they teach the curriculum to recognize the different interests and strengths of students. Most schools have policies and practices in place that include working effectively with families, to accommodate the needs of all students. The regulations promote what is already good practice in the province and affirms and celebrates the efforts most schools have made to provide appropriate educational programming for all students.

The regulations reinforce the belief that children have a right to be included in their neighborhood schools with their peers and to feel accepted, valued and safe. They also:

- ensure individual educational plans are developed for children who experience serious difficulty in meeting the learning outcomes of the provincial curriculum,
- promote greater involvement of parents in the planning and programming decisions affecting their children, and
- encourage greater involvement of students in the academic, social and community life of their school.

Dispute Resolution

Most disputes between parents and schools can be resolved at the school and division level using informal dispute resolution techniques including problem-solving, negotiation or conciliation.

The new regulations provide for a formal appeal process in the form of a review committee. This process ultimately provides for an appeal to the provincial government, once the local school board has made a ruling taking into consideration the programming or placement of a student with an individual education plan. In these disputes, a three person review committee will hear both sides of a dispute and submit a final report and recommendations in the best interests of the student. A school board or a complainant may appeal the review committee's decision to the deputy minister.

Building for the Future

Bill 13 legislation affirms the right of all students in Manitoba to receive appropriate educational programming that fosters their participation in learning and the social life of schools. Along with its supporting regulations, it builds on the positive developments that have occurred in previous years in moving towards a more inclusive society. This challenge involves continued conversations across all communities on attitudes, behaviors and practices that serve the best interests of Manitobans.