



Access to Learning through Universal Design

Administrative Procedure 3.B.10

Board Governance Policy Cross Reference: 1, 2, 3, 16, 17

Legal Reference:

- Public Schools Act
- Canadian Charter of Rights and Freedoms (Canada)
- The Education Administration Act (Manitoba)
- The Human Rights Code (Manitoba)
- The Public Schools Act (Manitoba)
- The Public Schools Amendment Act (Appropriate Educational Programming), S.M. 2004, c.9, proclaimed on October 28, 2005

Other References

- Policy Guidelines for Transportation of Students with Special Needs (ME)
- Supporting Inclusive Schools: School-Based Planning and Reporting
- A Framework for Developing and Implementing Annual School Plans and Reports (ME)
- Guidelines for Early Childhood Transition to School for children with Special Needs (Healthy Child et al)
- Guidelines for School Registration for Students in Care (Healthy Child et al)
- Interdepartmental Protocol Agreement for Children and Adolescents with Severe to Profound Emotional/Behavioural Disorders (ME)

Date Adopted: June, 2009

Date Amended: January 2015

All students in Manitoba are entitled to have access to an education under *The Public Schools Act*.

Some students will require accommodation such as adaptations, curricular modifications or individualized programming to enable and improve learning. Placement policies shall comply with the *Canadian Charter of Rights and Freedoms* and *The Human Rights Code*, which state that one cannot discriminate on the basis of physical or mental disability or any other protected characteristic.

The first and foremost consideration in the placement of all students is the right to attend the designated catchment school for their residence in a regular classroom with their peers or in a program designated by the school board if the school does not provide it. This includes the four provincially recognized programs: English, French Immersion, Français and Senior Years Technology Education.

Placement of students in locations other than the catchment school for their residence shall be reviewed annually or when students' needs warrant review.

Access to learning should be maximized in consideration of universal design principles in all planning processes. In education, universally designed schools, classrooms, curricula and materials provide all students with access to the resources they need, regardless of their diverse learning needs.

Evergreen School Division will provide reasonable accommodation for all students based on identified needs. Students requiring such accommodation shall be assessed and reasonably accommodated on an individual basis. Evergreen School Division honors the *The Human Rights Code* which specifies that there must be reasonable accommodation of students' special needs unless they demonstrably cause undue hardship due to cost, risk to safety, impact on others or other factors.

A. Guidelines

Evergreen School Division will:

1. provide all students with the same minimum number of hours of instruction, and document in the IEP any reduction or alterations in the school day (Manitoba Regulation [MR] 101/95)
2. make reasonable efforts to modify structures, remove barriers or arrange appropriate transportation to an accessible educational setting if a placement cannot be made because of physical barriers (*The Human Rights Code*)
3. provide parents with the transportation policy for students who are attending school outside the catchment area (MR 155/05)
4. develop a personalized transportation plan (PTP) for students who require transportation due to exceptional needs according to the *Policy Guidelines for Transportation of Students with Special Needs* and ESD Admin Procedure 7.20 *Transportation of Students with Special Needs*. The forms will be completed by the designated case manager for the student in collaboration with the parents
5. reasonably consider barrier-free access and universal design principles in planning for all new construction and significant renovation (MR 164/98)
6. provide parents new to the school division with the accessibility information they request on each school in the division (*The Public Schools Act* [PSA] 58.6, MR 468/88)
7. transfer pupil record information according to existing *Manitoba Pupil File Guidelines*
8. forward pupil files (school records) within one school week of receiving such a request from the receiving school (MR 468/88)

9. implement a transition to school plan in a timely manner according to the interdepartmental transition protocols (MR 155/05, provincial transition protocols)
10. develop a personalized transportation plan (PTP) for students who require transportation due to exceptional needs according ensure that school-related activities such as assemblies, sports days and field trips reasonably accommodate the needs of all students (MR 155/05)
11. begin educational programming within 14 days after the student seeks to be enrolled, regardless of whether that school has received the student's pupil file (MR 155/05)
12. 7(2) A school board's obligation to provide educational programming under clause (1)(a) does not limit or restrict it from taking reasonable steps to address any significant risks to safety which a pupil may present to himself or herself, or to others. (Appropriate Education Programming Regulation – 155/2005)

B. Access (Refer to Admin Procedure 1A130 Right to Attend School, 1A140 School of Choice, 1A150 School of Choice – Admission Guidelines)

1. Parents register their child in their local catchment school.
 - If a parent wishes to exercise their school of choice right, they follow the process in 1A150
2. If a school is not able to meet the appropriate programming needs of the students, in consultation with the parents and school team, the principal will contact the Assistant Superintendent or designate who will meet with the school team and parents to determine an appropriate placement for the student.
 - If a student has an appropriate placement other than their local school, that placement is reviewed annually (or as needs arise) to determine that the placement is still appropriate and to ensure that the local school is still not able to accommodate the needs of that student for the upcoming school year.
3. No student shall be unreasonably denied admittance to school due to transfer of information issues. Alternate programming will be made available as necessary to support student learning.