



Effective Approaches to Resolving School Issues for Your Child

Note: Inclusion BC wrote this guest post for the BC Ed Access blog, a family run blog on issues relating to students with disabilities and their families.

It's the beginning of October and Inclusion BC has been abuzz with calls from parents whose children have had limited access to an educational program. In some cases, students are still waiting at home. This unacceptable, no matter what the reason. In this article we want to give parents some tips and tools to address the immediate issue and to promote open and honest communication between home and school for the long term.

In this article you'll see:

- Information about your child's rights
- Legislative and policy information that may be helpful along with common system structures. A well-informed parent will be a confident advocate for their child.
- Successful tips gleaned from parents over the span of the past 20 or so years of inclusive education in BC.

Much more can be found in [Everyone Belongs in our Schools: A Parent's Handbook on Inclusive Education](#).

"Countries recognize that people with disabilities have a right to an education. In order to realize this right without discrimination, countries agree to ensure the availability of an inclusive education system at all levels, as well as access to life-long learning. This means ensuring access to the general education system and the provision of supports and accommodations within the general education system."

Inclusive Education Policy-BC Ministry of Education

All students should have equitable access to learning, opportunities for achievement, and the pursuit of excellence in all aspects of their educational programs. [Special Education Services: A Manual of Policies, Procedures and Guidelines](#).

What does the system have to say?

Definition

"Student with special needs:" A student who has a disability of an intellectual, physical, sensory, emotional or behavioural nature, has a learning disability or has special gifts or talents, as defined the in the Manual of Policies, Procedures, and Guidelines, Section E.

Funding, Assessments and Required Documentation

All school districts receive a basic allocation of funding per student (including students with disabilities) registered in the school district from the Ministry of Education. In addition, a district is provided supplementary funding based up the needs of students within their district. In order to qualify such students must have been appropriately assessed and have an Individual Education Plan (IEP).

*Please be aware that these funds are not attached to a specific student but are provided to school districts to support the needs of students within the district. Most districts in BC spend more on these programs than they receive, such as speech/language support, occupational support, behaviour support, etc.

- [See Special Education Services, Category Checklists – 2010, Ministry of Education](#)
- [The School Act](#), Regulations, Ministerial Orders & Polices

Should you be inclined to read legislation here are a few things to keep in mind about the Language of Policy:

- **Must** – requires compliance – no option
- **Should** – encourages or provides incentives but is optional
- **May** – enabling statements but still optional

By the way, an IEP is not a legal contract in BC therefore does not require any signatures. The principal, however is responsible for ensuring that the IEP is implemented.

The School Act says parents are entitled to:

- be consulted about the placement of their children with disabilities
- be involved in the planning, development, and implementation of their children's education program
- be informed of a student's attendance, behaviour, and progress in school, receive annual reports about the effectiveness of educational programs in the school district
- examine all records kept by the school board pertaining to their children
- register their children in an educational program through a school district, independent school, home school, or regional correspondence program
- appeal the decision of an employee of a board if it significantly affects the education, health, or safety of a student, within a reasonable time from the date that the parent or student was informed of the decision.

When things happen

Steps towards Resolution:

It is important to know that there is a process to resolve concerns at school. If you skip a step, you will be sent back down the ladder.

The teacher is usually the first person you should approach with a concern. Remember the teacher is ultimately responsible for the education of every student in his/her classroom. However, if your child is not yet attending school or is there for reduced hours then you probably need to go directly to the school principal.

1. You can send a concern in written format, try an informal 'chat' or request a formal meeting. Include a brief summary of the issue, list the steps already taken and stress the urgency of the matter. Simplicity and clarity are most effective.
2. If it's a formal meeting, take someone with you who will take notes and be the calm supporter should you become emotional.
3. Make a list of your issues ahead of time and take it with you. Quote the Ministry policy where possible.
4. Listen actively and ask for an explanation if you do not understand.
5. Follow up with an email summarizing the outcome of the meeting including next steps and a timeline if possible. The timeline is especially important if your child is not yet attending school for full days. State your expectation clearly.
6. Appreciate that the teacher has done the best that they are able to, but advise them that you will be taking your concern to the next level if unresolved. They are not the enemy but are working within a system that has limitations. It is merely that you need to take your issue higher to someone who may have more authority.
7. You may consider speaking with the school principal next. We have found that including the staff at the district level in emails at this time is useful. Commonly, school districts have staff identified as District Principals of Inclusive Education, District Principal, Learning Services or Student Support Services. Check your district website for this information.

Appeal to a Board of Education

Section 11(2) of the School Act says:

If a decision of an employee of a board significantly affects the education, health or safety of a student, the parent of the student or the student may, within reasonable time from the date that the parent or student was informed of the decision, appeal that decision to the board.

A School District appeal is only an option when all of the previous steps have been exhausted. All school districts are required to have an appeal policy and process in place.

1. Most district's appeal policies can be found on their website. If you cannot locate this request a copy from the board office. It will outline the procedure and timelines and when you can expect a decision. The board's decision should be in writing.
2. The school board's decision is binding and is the final step for resolution within your district.

Appeal to the Superintendent of Achievement

Appeals can only be made to a Superintendent of Achievement if a decision of an employee of a board significantly affects the education, health or safety of a student AND the matter relates to:

- Expulsion from an educational program;
- Suspension from an educational program;
- Suspension from an educational program where no other educational program is made available;
- Distributed learning required as part of a disciplinary matter;
- A decision not to provide a student with an IEP;
- Consultation about placement of a student with disabilities and the provision of an Individual Education Plan (IEP);
- Bullying behaviours, including intimidation, harassment or threats of violence; or
- Exclusion due to a medical condition that endangers others.

<http://www2.gov.bc.ca/gov/content/education-training/k-12/support/student-disputes-and-appeals/appeal-to-a-superintendent-of-appeals>

Final thoughts

Pick your battles and try to reserve your energy for the many opportunities that may lie ahead. With each achievement, no matter how small, congratulate yourself for a job well done and celebrate!

Inclusion BC is dedicated to supporting inclusive education and is available to provide advocacy when needed. Please contact Karen DeLong at 604-777-9100 ext 530 or kdelong@inclusionbc.org.

We are continuously seeking to hear from families regarding their experiences. Please let us know when things are going well!

Time-tested qualities of effective partners include:

- Mutual respect for skills and knowledge
- Honest and clear communication
- Understanding
- Shared planning and decision making
- Absence of labeling and blaming
- Awareness of unique strengths and needs