

Inclusive Education

Policy regarding students with a disability

**Ministerial Committee on Inclusive Education (MCIE)
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Scope of the Policy Document

This policy document:

- a. describes the function of the Individualised Education Programme (IEP) and stipulates the situations when an informal process to its development is to be adopted and, alternatively, when a formal statementing process is necessary;
- b. regulates the setting up, composition, functions and procedures of the Statementing Panel;
- c. regulates the establishment, composition and functions of an Appeals Board.

An Individualised Education Programme (IEP)

1. The Individualised Education Programme (IEP)

The IEP is a concise and practical written plan, developed for a student with a disability, that describes the modifications and adaptations for a student's educational programme and the services necessary to ensure full access to educational entitlements according to the National Minimum Curriculum. The IEP is a primary tool for ensuring equal opportunities, as regards the National Minimum Curriculum, for students with special educational needs because of disability. Some students with a disability require small adaptations and minimum levels of support while other students with more complex needs may require detailed planning for educational modifications, adaptive technologies, or health care plans.

2. Main Purposes of an IEP

- a. It serves as a tool for collaborative planning between the school, the parents, the student (where appropriate), personnel of the education division, and other community services necessary or involved in a student's life.
- b. It summarises those aspects of a student's education programme that are modified or adapted, and identifies the support services to be provided, and who is responsible for their provision

3. Main characteristics of an IEP

- a. Planning decisions and processes are formalised, linking assessment with programming;
- b. Students, parents, teachers, and other support personnel will be provided with a record of the educational programme for an individual student with special needs that serves as a benchmark for evaluating and reporting progress registered by a student in terms of agreed-upon goals and objectives;
- c. A clear relationship is established between any support services being provided and the student's educational programme;
- d. It provides accountability for ensuring individualised planning;
- e. In its development, it provides parents and students with a mechanism for input into the individualised planning process.

4. Eligibility for an IEP

All students with an impairment that interferes with their educational progress are eligible for an IEP.

5. Development of an IEP

- a. An IEP may be developed through an informal approach facilitated by the school, or a formal statementing process moderated by a panel appointed for the purpose by the Minister of Education.
- b. When a student requires minor adaptations to education materials, or instructional, or assessment methods, or when the adaptations and extra support needed can be

provided within the available resources of the school, the development of an IEP takes place within the school setting and is not considered as a formal statementing process.

- c. When a student requires adaptations and supports outside what can be provided by the school itself, the development of an IEP is preceded by a referral for extended external assessment, known as the Statementing Process. In this case, the IEP is equivalent to a Statutory Assessment or a Statement. In this case, the statementing process is moderated by a panel known as the Statementing Moderating Panel.
- d. Parents must be given the opportunity and supported to actively participate in the planning process and the IEP should serve as a tool for the ongoing collaboration between the school and the student's home. In addition, to the maximum extent possible, the student should also be actively supported to participate in the planning process.
- e. The goals established for any student will approximate the expected learning outcomes for the age or grade of the student, and set at an appropriate and attainable level to encourage parents, students, and staff to hold high but attainable expectations. Each goal is accompanied by measurable objectives to enable IEP review and evaluation.
- f. The level of detail of an IEP depends on the complexity of the student's needs. For example, one student may require support personal assistance and the IEP will be relatively simple. In contrast, another student may have complex needs resulting from multiple disabilities, requiring the involvement of a variety of services and supports, adaptive technologies and major curricular modifications, and therefore a complex and extensive IEP.
- g. In situations when the different parties involved do not reach full agreement on the IEP or the Formal Statement, an Appeals Board set up for the purpose by the Minister of Education will have the final decision.

6. Contents of an IEP

The level of detail included in an IEP will reflect the complexity of the student's need. The IEP document will contain the following:

- a. a description of the present levels of educational performance of the student;
- b. the learning outcomes set for that student for a particular school year where these outcomes have been modified from the applicable age-equivalent learning objectives;
- c. details of all the required adaptations to educational materials, and instructional and assessment methods;
- d. a description and quantification of all the support services to be provided;
- e. a description of the place where modified educational programmes are to be provided;
- f. the names of all personnel who will be involved in providing the educational programme and the support services for the student during the school year;
- g. when applicable, plans for the next transition point in the student's education, including transitions beyond compulsory schooling; and
- h. the period of time and process for review of the IEP.

7. Time-scale

- a. An IEP for eligible students will be developed:
 - (i) before being admitted to a formal education;
 - (ii) before being admitted to a Secondary school; or
 - (iii) in preparation for adult services including post-secondary and vocational education and training; or
 - (iv) if the need so arises any time during a scholastic year.
- b. An IEP is to be developed within a reasonable time, following a request, and as early as possible before the commencement of the scholastic year.

8. Implementation

The development of an IEP is a collaborative process and involves a significant number of people. It is the responsibility of the Head of School to ensure the co-ordination, development, documentation and implementation of a student's IEP.

The Statementing Moderating Panel

9. Appointment and Accountability

- a. The Panel shall be appointed by the Minister of Education and be accountable to the Director General, Division of Education.
- b. The Panel shall be the State recognised body empowered to develop a Statutory Assessment (known as the Statement) of the support required in to ensure a quality education entitlement, under the provisions of the National Curriculum, for students having an impairment.

10. Composition of the Statementing Moderating Panel

The Minister of Education shall appoint the Panel, which shall be composed as follows:

- a. A Chairperson who shall be an educationalist, preferably an educational psychologist not professionally involved with students being statemented;
- b. Two members who shall be officials of the Education Division with experience/qualifications in special and inclusive education not professionally involved with students being statemented.
- c. Another professional with experience/qualification in the area of education of people with the disability of the student to be statemented, and who is not professionally involved with the student under review, is to be co-opted by the panel as a member during that particular statementing process.
- d. The Head of the School, or a representative, shall be co-opted by the Panel as member during the assessment of that particular student.

11. Functions of the Statementing Moderating Panel

The functions of the Statementing Moderating Panel shall be as follows:

- a. To ensure that the school concerned has done everything it could and should do to meet the needs of the student within the resources already available in the school;
- b. To gather and analyse written trans-disciplinary assessment reports from various professionals in public or private practice including educational, parental, medical, psychological, social, communicative, vocational, etc.;
- c. To request assessment bodies and practitioners for additional information, if so required;
- d. To invite parents, student/parent advocates, and professionals to discuss in more depth issues raised by written assessments presented to the panel;
- e. To seek active consultation with parents and, when appropriate, the students themselves, as part of the mandatory process in developing a statement;

- f. To establish the nature and level of educational support needed by the student being statemented in order to ensure a quality education to which they are entitled according to the National Minimum Curriculum;
- g. To submit Statements to the Director General of Education for follow-up action and provision of the indicated educational support;
- h. To undertake periodic reviews of Statemented students.
- i. To prepare annual reports for submission to the Minister and to the Director General of Education.

12. Application Procedure

- a. The Head of School where the student is to attend, or already attends, discusses with the parents/guardians what support or educational provision can be offered at the school level to the student with a disability to ensure a quality education entitlement according to the National Minimum Curriculum.
- b. If the Head and the parents consider that extra resources other than those the school can provide are required, the Head of School refers parents/guardians to the Statementing Panel giving them a copy of the prescribed application form to fill in.
- c. The student's parents/guardians send their application form, including copies of assessment reports, to the Statementing Panel.
- d. If the Head considers that a Statement for the student is required, and the parents/guardians do not agree, the Head of School refers the student and the parents to the School Psychological Services for further discussions. If, following discussions with the relevant professionals, the parents continue to refuse, the Director (Student Services) shall nonetheless refer the student to the Statementing Moderating Panel.
- e. If the parents consider that a statement for their child is required, but the Head of the school concerned does not agree, they may refer their request to the Panel without the endorsement of the Head. The Panel may accept or refuse the parents/guardians' request. If the Panel refuses the request of the parents, the parents may refer their request to the Appeals Board (referred to later in this document) for a decision on whether a statementing process for their child will be initiated. The Appeals Board's decision is final.

13. Panel's Responsibilities

- a. The Panel shall develop the Statement in partnership with the student, the student's parents/guardians and family, the student's informal support network, the student's school, and any other significant persons in the student's life.
- b. In the process of developing a Statement, the Panel shall access all related written assessments undertaken within the last twelve months by professionals from various disciplines in the public or private practice, following the consent of the student concerned or the student's parents as appropriate.
- c. Access to all the reports in the Panel's file shall be given by the Panel to parents or guardians as well as, where appropriate, to the students themselves.

14. Procedures to be adopted by the Panel

The Statementing Moderating Panel shall adopt the following procedures:

- a. Registering all applications for a Statement;
- b. Maintaining child profiles with relevant correspondence, documents, minutes, and decisions;
- c. Holding meetings on a regular basis and keeping signed Minutes of each meeting
- d. Checking whether all relevant assessments are available and, with the consent of applicant parents/guardians, requests professionals and schools to send reports not made available to parents until then; parents shall have access to such reports before any discussions are undertaken;
- e. In the absence of such an assessment, advising parents/guardians to obtain such reports from agencies such as the CDAU;
- f. In case of point 'e' above, referring applicants to the CDAU or similar assessing agencies through a letter in order to undertake the necessary assessments;
- g. Once all the required documentation has been received, inviting the Head of School or his/her representative to be present at all case-discussion sittings;
- h. Providing parents/guardians, students and parent/student advocate (as appropriate) with all documents being considered and used by the Panel and not already in their possession, and discussing with them the contents of these documents;
- i. Discussing in depth with parents/guardians, student (where applicable) and parent/student advocate all decisions being considered by the Panel and the reasons why such decisions are being considered;
- j. Discussing in depth with parents/guardians, student (where applicable) and parent/student advocate all decisions taken by the Panel and the reasons why such decisions were taken;
- k. Should the need arise, inviting professionals who have assessed the student to present outcomes in more depth;
- l. If necessary, in the case of students already in school, requesting officials from the Education Division to observe the student in class and to make written recommendations to the Panel;
- m. Determining the educational, psychological, behavioural, communicative, social and physical needs of the student;
- n. Formulating the report with a final assessment and recommendations;
- o. Submitting the report to the Director General of Education and copied to the parents.

15. Role of the Director General, Division of Education

On receipt of a written Statement, the Director General or his delegate shall:

- a. ensure that educational officials responsible for the required provision follow all attainable recommendations submitted by the Statementing Panel;
- b. inform, in writing, the Head of School about the Statementing outcome;
- c. keep the parents informed in writing of all decisions taken as a result of the statementing process and, when applicable, giving reasons, within one month of receipt of the Statementing report, why it was reasonable and justified for the Education Division not to follow a recommendation of the Panel.

16. The Statement Format

The written statement shall be presented having at least the following contents:

*Part One: **Personal data:*** The student's name and address, date of birth; hospital/identity card number; the names and address/es of the student's parents or guardians, their identity card number, and their home telephone number/s; child's present support (if any); present school and class; future school and year.

*Part Two: **Description of the student's functioning:*** the student's abilities based on professional advice; and the main areas of concern, namely physical, sensorial, mental/cognitive, communicative, behavioural and social.

*Part Three: **Recommendations:*** Detailed description of the support needed in order for the student to have a quality education to which s/he is entitled to.

*Part Four: **Other Recommendations*** aimed at school personnel, parents and others who may be of help to the student.

17. The Educational Provision

The educational and other support provision/s may be any one or any reasonable combination of the services as listed in Schedule 1.

18. Progress Report on the Student

- a. The Head of School shall submit to the Director General of Education a report in mid- and end of the scholastic year on the impact of the educational support provided on the student's educational attainment, and any recommendations concerning the review of the student's IEP.

19. Review of an IEP

- a. Unless otherwise indicated by the Statementing Moderating Panel, or unless any one of the interested parties submit a request for a review of a student's Statement, each Statement will be reviewed in the following circumstances:
 - Transition from Kindergarten to Year 1 (at the end of Kindergarten Years);
 - Transition from the Primary to the Secondary school;
 - At 14 years of age to commence Transition Plan to Adult Services;
 - Or as may be required by change of circumstances.
- b. Generally, an IEP review process should be initiated at the beginning of the calendar year and completed by the end of the scholastic year.
- c. Although the formal process for the review of a student's statement is regulated by 2.9.2 above, the ongoing modification of a student's IEP is undertaken as required on regular basis. Any significant variations from the formal Statement have to be reported by the Head of School to the Panel, and discussed with parents/guardians as necessary.

The Appeals Board

20. Appointment and accountability

The Minister shall appoint a Statementing Appeals Board to consider appeals from the recommendation of the Statementing Moderating Panel or from the results of periodic reviews. The Board shall report directly to the Minister of Education.

21. Composition

The Appeals Board shall be composed:

- a. an external educationalist, preferably an Educational Psychologist who is not professionally involved with the student being reviewed, to act as chairperson;
- b. a representative of the Education Division with qualifications in special/inclusive education who is not professionally involved with the student being reviewed, to act as a member;
- c. a representative of the National Commission Persons with Disability who is not professionally involved with the student being reviewed, to act as a member.

22. Appeals Procedures

- a. The parents or guardians of the student and/or the Head of School shall appeal in writing to the Chairperson of the Statementing Appeals Board, indicating clearly the grounds on which the appeal is being made.
- b. The Board shall register and acknowledge the appeal.
- c. In order to arrive at a just decision regarding the support required by the student that ensures quality education, the Appeals Board shall hear the person who is submitting the appeal and take into consideration any other relevant opinions, reports and assessments. Whenever necessary, the Board shall also consult any other person and specialists that the Board considers appropriate.
- d. The Appeals Board shall present its recommendation to the Minister of Education within 21 days of receipt of appeal.
- e. The Minister of Education shall, in writing, direct the Director General of Education to implement all appropriate recommendations given by the Statementing Appeals Board.
- f. The Director General of Education shall, in writing, inform the Minister about those recommendations that his/her Division cannot reasonably implement and the reasons why.
- g. The Director General of Education shall inform in writing the parents and the head of school concerned with the outcome.

Conclusion

23. Phased Implementation

This policy document embodies the desired long-term directions of the Ministry of Education and the principles of the National Curriculum. Its effective realisation will depend on stakeholder agreement about a realistic phased approach to its implementation in the following areas:

- a. Completion of training of all the required levels of personnel;
- b. Provision, by the Faculty of Education, of different types of courses and training for different levels of classroom support personnel at both initial and professional development level;
- c. Deployment of all levels of required personnel and resources;
- d. Creation of new posts and their corresponding salary scales (example SENCOs);
- e. Availability of funds to meet demand.

Schedule 1

Educational and other Support Provision for Pupils with an Impairment

Facilitator: A designated person assigned to one particular student. The Facilitator shall, in collaboration with class teacher, parents and other professionals, co-ordinate the implementation of the student's Individual Education Plan. However, wherever possible, the Facilitator shall also support other students in school as well as the teacher with the whole class.

Shared Facilitator: A designated person assigned to two or more students in the same classroom or in different classrooms. The Facilitator shall, in collaboration with class teacher, parents and other professionals, co-ordinate the implementation of the students' Individual Educational Plan. The Facilitator shall also support other students in school as well as the teacher with the whole class.

Partial Support: A Student Assistant (Special Needs) (without University Diploma in Facilitating Inclusive Education) shall help students with disability requiring support that is not education specific.

Personal assistance: Students with a physical disability may be given the necessary support to function in school in order to fully access the curriculum.

Peripatetic Teacher: A Specialised teacher (such as those for sight and hearing impaired students) who will visit the school at regular times to support the students and the mainstreamed teacher.

Special School: The Statementing Panel may, after an in-depth assessment, decide that some of the special educational needs of the student may best be fulfilled through specialised educational provision available at a Special School. In these exceptional situations, the Statement will include a special section on what opportunities for inclusion will be provided for the student concerned.

Specialised educational programmes: The Panel may recommend that the student attends a specialised programme offered within or outside the school; e.g. complementary education, sign language, multi-sensory learning.

Note Takers: Hearing-Impaired Students who cannot take notes and follow the lessons should be supported through note takers.

Sign Language Interpretation: Persons whose first language is Sign language should be provided with interpreters so that they will have full access to the curriculum.

Mobility Training: Persons who are visually impaired should be trained to be mobile and independent.

Technological Support: Technological supports, such as computers, Braille writers, etc. should be provided. This may also reduce the human support needed by the students.

Vocational guidance and training: Students reaching the age of puberty or before should be supported to have the necessary guidance and training to help them eventually achieve quality adulthood.

Emotional and Behavioural Support: Students with emotional and behavioural difficulties are to be provided with the necessary therapeutic support.

Communication Therapy: Students who require support in communication, language and/or speech may be provided with this form of support.

Physiotherapy: Students with physical disability are to be offered the necessary physical therapy that will enable the student to continue receiving a quality education.

Occupational Therapy: Students with significant difficulties in the acquisition of self-help and fine motor skills are to be offered occupational therapy intervention.

Medical Support: Students requiring medical care that can only be given by medical personnel shall have access to the services of a nurse or other health care professionals.

Social Work Intervention: Students and their families needing guidance, counselling and other social work intervention shall be provided with such support to remove obstacles to quality education.

Community Social Services and Health Services: The Panel may recommend the involvement of community based social services and/or health services and how these may be co-ordinated to ensure full access to the curriculum.

Support to Parents: If so required, parents shall have access to support services and training to be able to meet the child's needs.

Any other support: The Panel may recommend any other support measure it deems appropriate.