

Guidelines Regarding Entering into Agreements, including Tuition Agreements, for the Provision of Services and Benefits

The Education Act, Section 64(3)(c) states:

A school board may enter into agreements, including tuition agreements, for the provision of services and benefits.

The following criteria and procedures are suggested as guidelines for boards considering agreements for the provision of services and benefits for students. Students must be currently registered and attending a public school within the school board. The agreement must relate to the provision of programming and services for students who are assessed as having any of the exceptionalities listed in Policy 1.3 in the Special Education Policy and be limited to services and benefits provided within the context of public education.

- (1) The process of identification, assessment, program planning and evaluation for students with special needs as outlined in Policy 2.2 of the Special Education Policy Manual and in the board's policy has been followed and resulted in the development and implementation of an Individual Program Plan;
- (2) The school and board have explored all opportunities to realign, reallocate or change the delivery of services and benefits within the school board to meet the challenges of the student;
- (3) The program planning team, in consultation with Student Services staff at the Board, has determined that proposed or existing individual program plan outcomes require the provision of additional specialized services and benefits beyond the board's current capacity;
- (4) If all of the first three criteria are met, the school board may enter into an agreement, including a tuition agreement. If the agreement is a tuition agreement, students are expected to participate in assessments and examinations in accordance with the policies and procedures of the provincial Program of Learning Assessment for Nova Scotia.
- (5) If the agreement, is a tuition agreement and a student is placed in a school outside the boards in accordance with the preceding guidelines, the student must be registered with his/her local school and will be counted for formula funding purposes. The board will continue to have responsibility for reviewing and evaluating the student's progress toward meeting stated program outcomes throughout the school year;
- (6) School boards should develop a policy on purchasing educational services and benefits which incorporates the preceding guidelines based on their particular circumstances and respects current collective agreements and limits financial obligations to per pupil funding and associated targeted funding;
- (7) School boards are encouraged to explore partnerships with other Department and agencies when entering into a partnership to procure services and benefits.

The preceding guidelines assist school boards in identifying options for disbursing funds to best meet the requirements of students with special needs. It should be noted that only the school board receives formula funding and no other person or organization has legal entitlement to these funds.

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