



## KAWARTHA PINE RIDGE DISTRICT SCHOOL BOARD

### ADMINISTRATIVE REGULATIONS

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<b>Section:</b>	<b>Educational Services</b>	<b>Regulation Code: ES-3.8.2</b>
	<b>• Programs and Curriculum</b>	<b>Policy Code Reference: ES-3.8</b>
<b>Regulation:</b>	<b>SPECIAL EDUCATION – PROTOCOL FOR COLLABORATION AGREEMENTS WITH NON-REGULATED EXTERNAL AGENCIES AND THIRD PARTY FOR SUPPLEMENTAL STUDENT SERVICES</b>	

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This administrative regulation is written in accordance with the guiding principles in Board Policy No. ES-3.8, Special Education and specifically Item 1.6.

The Kawartha Pine Ridge District School Board values its partnerships with community partners to support supplemental programs and services for our students. This administrative regulation outlines the protocol surrounding the establishment of these partnerships, specifically those which are not covered under the *Regulated Health Professionals Act*.

Collaborations must be consistent with the terms of the Education Act and the Kawartha Pine Ridge District School Board's stated mission, vision, values, policies and administrative procedures.

Programs and services provided in collaboration with external agencies will reflect local circumstances of the respective communities within the Board.

Collaborations must not impede the Board's ability and responsibility to provide services and/or programs to all students, including those with special needs.

Collaboration agreements must be aligned with the collective agreements of unionized Board staff and enhance and/or supplement, but not duplicate, service delivery. The programs/services delivered by the external agencies would be considered to be supplemental student services.

This administrative regulation does not apply to those agencies and agreements reached for the provision of educational programs in Care and/or Treatment, Custody and Correctional (CTCC) facilities, otherwise known as Section programs and covered under Administrative Regulation No. ES-3.8.1, Special Education – Care and/or Treatment, Custody and Correctional (CTCC) Facilities.

1. The purpose of this administrative regulation is threefold:
  - 1.1 To define the nature and scope of non-regulated supplemental student services.
  - 1.2 To set out the procedures for establishing collaboration agreements with external agencies that are not covered under Administrative Regulation No. ES-3.8.3.
  - 1.3 To set out the procedures for establishing collaboration agreements with third party service providers who wish to apply for, and fund, in-classroom student support through funding a Kawartha Pine Ridge District School Board employee.

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- 1.4 To set out the procedures for establishing collaboration agreements with a third party who wishes to provide a personal support worker for in-classroom student support via an employee external to Kawartha Pine Ridge District School Board.

The Board recognizes that in limited and temporary rehabilitative circumstances, it may be in the interests of the student to employ a personal support worker to provide personal support services at the expense of the third-party organization that normally provided such rehabilitative services, for a student who might otherwise not qualify for personal support services at Board expense.

Further, support persons accompanying a person with a disability will be welcomed on Board or school premises. This access applies only to those areas of the premises where the public or third parties customarily have access. The Board may require a person with a disability to be accompanied by a support person when on Board premises, but only where a support person is necessary to protect the health or safety of the person with a disability or the health or safety of others on the premises.

### **2. Definitions for the Purposes of this Administrative Regulation**

- 2.1 *External Agency* with non-regulated health, social work or social service professionals and paraprofessionals supervised by these professionals refers to an organization, not internal to Kawartha Pine Ridge District School Board, that wishes to provide a service and/or program within our schools.
- 2.2 *Third Party Service Providers* refers to parties which request and fund the provision of personal support for students directly in schools and in classrooms.
- 2.3 *Support Worker - Third Party* refers to a personal support worker who directly supports a student in a school This person is not an employee of the Board.
- 2.4 *Collaboration Agreement* refers to a formal written document which outlines terms and conditions of service/program delivery by an external agency, third party service provider, or personal support worker - third party within the Board.

### **3. Description of Non-regulated Supplemental Student Services which require application to Supplemental Student Services Committee**

- 3.1 evidence-based services for students, in the areas of mental and physical health and well-being, behavioural supports, healthy relationships, life skills, pathways,

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for example, provided by non-regulated (non healthcare professional) agency personnel,

- 3.2 delivered either one-to-one, in small groups, or in larger groups, typically over a period of days, weeks, months,
- 3.3 these services do not duplicate services already offered in our schools; rather, they are complementary, and they enhance programming,
- 3.4 these services do not include public third-party services mandated by government, such as school-based rehabilitation services (Five Counties, Grandview), public health, police services, and Children’s Aid Societies.

#### **4. Procedures for Establishing a Collaboration Agreement**

- 4.1 External Agencies with Non-regulated Health, Social Work, Social Service Professionals:
  - 4.1.1 Such external agencies wishing to provide programs/services in Kawartha Pine Ridge District School Board schools as outlined in this administrative regulation will make application to the central board committee known as the Supplemental Student Services Committee. The mandate of this committee is established and outlined in Administrative Regulation No. ES-3.8.4, *Special Education – Collaboration Agreements with External Agencies for Provision of Services by Regulated Health Professionals, Regulated Social Workers and Social Service Professionals, and Paraprofessionals.*
  - 4.1.2 Information pertaining to the application and approval process will be posted and made available to external agencies on the Board’s website [by clicking here.](#)
  - 4.1.3 Information pertaining to the programs and services provided by Kawartha Pine Ridge District School Board professional student service personnel, paraprofessionals and other student support personnel will be posted on the Board’s website and made available in paper copies, if requested
  - 4.1.4 External agencies wishing to collaborate with the Board will complete and submit the Application for Consideration of an External Agency Collaboration – Type: Supplemental Student Services by *Non-regulated*

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Professionals/Paraprofessionals. This application form will be forwarded to the Chairperson of the Supplemental Student Services Committee for consideration.

- 4.1.5 If the application is approved by the Supplemental Student Services Committee, the Chairperson of this committee will inform the external agency and a collaboration agreement will be completed.
- 4.1.6 Upon approval, the Collaboration Agreement – *Non-regulated* will be jointly created by the external agency and the Board, including Board departments such as Business and Corporate Services, Human Resource Services or Special Education, depending on the nature of the agreement. The approved application will be attached to the Collaboration Agreement – *Non-regulated*.
- 4.1.7 All necessary components of the agreement must be in place prior to activities within any school.
- 4.1.8 Once all components of the Collaboration Agreement – *Non-regulated* are in place the information about the agency and their approved services and programs will be posted and made available to the system and community on the Board’s website.
- 4.1.9 Decisions for implementing Board approved external agency services and programs in a specific school is at the discretion of the school principal, in collaboration with the Superintendent of Special Education, Mental Health and Well-being, or designate.
- 4.1.10 If the application is denied the respective agency will be informed of the decision via letter by the Chairperson of the Supplemental Student Services Committee and given the reasons of the denial.

### **5. Third Party Service Providers**

#### **5.1 Provision of Services by a Board Employee – At Third Party Expense**

- 5.1.1 Third party service providers will make application through the Supplemental Student Service Committee for consideration of the provision of in-school personal support services at third party expense.

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- 5.1.2 Third party service providers will complete the Application for Consideration of a Third-Party Collaboration – Type: *Support Worker*.
- 5.1.3 The third party requesting such consideration shall be responsible only for reimbursing the Board for the actual expenses incurred including salary, and salary-related costs, and related expenditures, including transportation and special services.
- 5.1.4 The process of consideration, approval, denial or termination of personal support services at the expense of a third-party organization shall operate in the same fashion as external agencies through the application for consideration, and the completion of a collaboration agreement if approved.
- 5.1.5 The Board, or its principal/vice-principal delegate, is responsible for the screening, selection, assignment, supervision and direction of the support worker approved through this process and in accordance with this administrative regulation.
- 5.1.6 The terms and conditions of employment of the support worker shall be at the discretion of the Board and its principal, and in accordance with applicable statutes and reciprocal obligations, including collective agreements where applicable.
- 5.1.7 A support worker employed as an in-school personal support at the expense of a third party shall have no obligation to the third party, whose only access to personal information about the student shall be at the discretion of the principal, acting in accordance with the Education Act and the Municipal Freedom of Information and Protection of Privacy Act, as they may be amended from time to time.
- 5.1.8 The Board is responsible for the provision of in-school and in-classroom personal support and professional services to students, and retains the sole and absolute discretion to terminate third party reimbursement arrangements, in-school and in-classroom personal support services, and volunteer services of any kind.
- 5.1.9 If the request for a support worker at the expense of the third party is approved, the Chairperson of the Supplemental Student Services Committee will contact the Executive Officer of Human Resource

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Services and the Controller of Business and Corporate Services to ascertain anticipated salary, salary-related, transportation and other costs. Upon notification from the Executive Officer of Human Resource Services, the Controller of Business and Corporate Services shall arrange the necessary accounting process for invoicing, collecting and tracking costs, and receiving payments in accordance with the terms and conditions set out.

5.1.10 Upon receipt of the necessary financial and accounting information, the Chairperson of the Supplemental Student Services Committee, through the Executive Officer of Human Resource Services, shall notify the third party interest in writing of terms and conditions, including anticipated hourly rate and related costs of the personal support worker and any other anticipated cost(s), of the services(s) to be provided to the student, and shall seek a signed commitment from the third party through the Collaboration Agreement – *Third Party Expense* before arranging the placement of an employee for that purpose. The commitment and general terms and conditions of placement shall be outlined in the Collaboration Agreement – *Third Party Expense* and may be modified at the sole discretion of the Board to suit the particular circumstances of the request and approval.

5.1.11 Once the Collaboration Agreement – *Third Party Expense* has been signed by the third party and the Superintendent of Education with responsibility for Special Education, Mental Health and Well-being, the school principal and Human Resource Services will make the necessary arrangements for a qualified Board employee to be assigned to the school and to the student. This arrangement is subject to cancellation/termination at any time by, and at the sole discretion of, the Supplemental Student Services Committee and the Superintendent of Education with responsibility for Special Education, Mental Health and Well-being.

### **6. Support Worker Provided by a Third Party**

In some situations, usually of a short-term nature, the Board will consider the provision of a support worker external to Kawartha Pine Ridge District School Board as long as the work of the individual does not duplicate the programs and services the Board provides.

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- 6.1 Where a school is contacted by a third party that is an organization that normally provides rehabilitative services to an individual, the school shall refer the inquiry to the Chairperson of the Supplemental Student Services Committee.
- 6.2 The third party will complete the Application for Consideration of a Third-Party Collaboration -Type: *Support Worker*.
- 6.3 The decision of provision of support workers in schools and/or in classrooms by a third party will be determined by the Supplemental Student Services Committee. Such approval will require the completion of a Collaboration Agreement - *External Support Worker*.
- 6.4 The approval, denial and termination of such a collaborative agreement will follow the same process as with external agency applications and applications from third party service providers offering to pay for personal support work.
- 6.5 Once all the components of the Collaboration Agreement *External Support Worker* are in place, the information about the agency and their approved services will be posted and made available to the system and community.
- 6.6 The third party can then approach the specific school principal(s) to arrange for a support worker to accompany a specific student.
- 6.7 All support workers from an approved third party will function in our schools as volunteers. If a person with a disability is accompanied by a support person, the principal shall ensure that both persons are permitted to enter the premises together and that the person with a disability is not prevented from having access to the support person while on the premises.
- 6.8 The principal will ensure for each support worker who is involved with a student, they receive a copy of Board Policy No. B-7.1, *Volunteers*, and its corresponding administrative regulation, as well as any training/orientation materials required by law. After reading these documents all support workers will submit the appropriate police record check and will sign the Agreement and Undertaking - Support Worker form. These agreements will remain with the school. Principals will have these individuals entered into the Board's database as volunteers.
- 6.9 The principal will ensure for each support worker there will be advance notice with regard to admission charges, if any, payable by a support person when

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assisting their assigned student at school-related events or on school premises (e.g. school plays, trips).

- 6.10 These agreements as well as current police record checks must be completed annually, the latter at the expense of the third party.
- 6.11 Any disputes or disagreements with respect to the support worker provided by the third party will initially be resolved by the school principal and the supervising official from the third party.
- 6.12 If disputes can not be resolved at this level, the principal can refer to the System Principal of Special Education or to the Superintendent of Education with responsibility for Special Education, as well as to someone at the senior level of the third party.
- 6.13 Termination of the agreement to have a support worker in a school supporting a student can be initiated by the school principal through discussions with the Chairperson of the Supplemental Student Services Committee and the Superintendent of Education with responsibility for Special Education.

References:

*Regulated Health Professions Act* (1991, 2018)

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Established: November 21, 2006

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March 30, 2010  
October 22, 2015  
February 3, 2020