

## LDAO Public Policy Manual 2002

### Section D: Assessment and Diagnosis

The policies in this section relate to methods and procedures for the assessment of a person for the presence of learning disabilities. Policies address the appropriate models to be used in assessment, the qualifications necessary to do an assessment and the way in which information and diagnoses arising from an assessment are to be provided to parents. Policies also address who should be referred for assessment and when and how often assessments should occur.

The Learning Disabilities Association was in a research project called Promoting Early Intervention. As part of this project, LDAO has:

- developed a new definition of learning disabilities,
- identified a screening process for kindergarten age children,
- piloted a series of interventions for children who are seen as being at risk for school failure,
- introduced a revised assessment protocol for diagnosing learning disabilities in accordance with the new definition,
- developed and piloted a series of programming initiatives for the primary grades,
- made recommendations to all parties involved in the training of teachers in the pre- and in-service programmes, AQ courses and the accreditation and recertification process by the Ontario College of Teachers,
- and promoted much greater public awareness of the field of learning disabilities.

Some of the materials developed through this project have been included in this manual. Others are available on the LDAO website, [www.ldao.on.ca](http://www.ldao.on.ca) or may be obtained directly from the LDAO office or the Association's local chapters.

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## **Policy D1 – Multidisciplinary Assessment System I**

LDAO advocates that student assessments be multidisciplinary. Such assessments should include educational, psychological and health components and, where appropriate, assessments by occupational therapists, physiotherapists and speech and language pathologists. Input from the student and his or her parents may also be included.

### **Rationale**

Under current legislation, the formal diagnosis of a learning disability can only be made by a physician or a registered psychologist. However, the purpose of the assessment is not only to diagnose the problem but also to identify the student's strengths, needs and learning style. As such, the role of other professionals is important in developing a profile of the student as a 'whole person'. The student and his or her parents' perception of the problem and information about how the student functions outside the classroom should also be taken into account.

### **References**

Regulated Health Professions Act, 1993, s27(1)  
Education Act, s8(3)  
Regulation 181/98  
Regulation 298  
An Appropriate Needs Statement developed by LDAO for Association use and for inclusion in the next Special Education Information Handbook, 1996  
Submission to Ministry of Education on the definition of learning disabilities, LDAO, 1998  
Promoting Early Intervention materials, LDAO, 2001

## **Policy D2 – Multidisciplinary Assessment System II**

LDAO advocates that the Ministries of Education, Health and Community and Social Services mandate a consistent multidisciplinary assessment system to be used by school boards and other agencies throughout Ontario in the identification and diagnosis of students with learning disabilities.

### **Rationale**

At present, policies and procedures vary widely between the various entities (including school boards and children's mental health centres) involved in assessments. This results in inconsistent identification of students; two students with similar profiles may be identified differently because, for example, they attend schools in different school boards.

All students should have access to multidisciplinary assessments carried out by professionals trained in those assessment procedures. Consistent, up to date methodologies should be applied to ensure accurate identification. The Government of Ontario is the appropriate authority to mandate a consistent and appropriate assessment process for children and adolescents with learning disabilities.

## **References**

Response to amendments to the Education Act, LDAO, 1996  
Response to regulation 181/98, LDAO, 1998  
Report of the Interministerial Working group on Learning Disabilities, 1992  
Correspondence with the Ontario Psychological Association, LDAO, 1997, 1998  
LEAP, LDAO, 1998  
Promoting Early Intervention materials, LDAO, 2001

## **Policy D3 – Assessment, Diagnosis and Documentation of Learning Disabilities**

LDAO advocates that the Government of Ontario mandate the adoption of the “Recommended Practices for Assessment, Diagnosis and Documentation of Learning Disabilities” protocol prepared by the Screening and Assessment Working Group of LDAO’s Promoting Early Intervention Project, approved by the LDAO Board and piloted throughout Ontario in 2001 for the purposes of diagnosing learning disabilities in all government funded programs and services.

### **Rationale**

One of the greatest barriers faced by individuals with learning disabilities has been the lack of a generally accepted and consistent definition of learning disabilities, coupled with a lack of a consistent diagnostic identification process. This has led to significant scepticism about the existence and effects of learning disabilities as well as a lack of consistency in who is identified as having specific learning disabilities and is provided with services, supports and accommodations to overcome the impacts of the condition.

In response to this, LDAO, with the support of the Ministry of Education, has developed the new definition of learning disabilities (see page of the manual) and the diagnostic protocol, referenced above (see Appendix of the manual). The protocol has been piloted throughout Ontario by over thirty school boards, coupled with some relevant intervention practices.

The adoption of this protocol for all service provision areas, such as all aspects of education, vocational training and employment, social and health services, would enable individuals with learning disabilities to access much needed supports and accommodation without having to prove that they have learning disabilities in accordance with a wide range of definitions and assessment practices.

### **References**

Report of the Interministerial Working Group on Learning Disabilities, 1992  
Reports and documents related to the Promoting Early Intervention Project, LDAO, 2000-01  
Correspondence with the Minister of Education, LDAO, 1997-2001

See also:

Definitions of Learning Disabilities  
Appendices

## **Policy D4 – Psychological Assessment Reports**

LDAO advocates that the Government of Ontario mandate the adoption of the “Practice Guidelines Regarding Psychological Assessment Reports Written for Clients with Learning Disabilities” prepared by the Ontario Psychological Association in 1998.

### **Rationale**

One of the greatest barriers faced by individuals with learning disabilities is the lack of a generally accepted and consistent definition of learning disabilities. This, coupled with a lack of a consistent

identification process, has led to significant scepticism about the existence and effects of learning disabilities. In response to this, the OPA has developed a set of practice guidelines for the assessment of learning disabilities and for providing the results of these assessments to the client and service providers. Although these guidelines have been distributed to educational psychologists throughout Ontario, their use is not mandated. LDAO considers that a legislative requirement to adopt the guidelines should be introduced.

### **References**

Report of the Interministerial Working Group on Learning Disabilities, 1992  
Practice Guidelines Regarding Psychological Assessment Reports Written for Clients with Learning Disabilities, OPA, 1998 (refer Appendix H)  
Correspondence with the Minister of Education and Training, LDAO, 1997-98  
Promoting Early Interventions materials, LDAO, 2001  
See also: Definitions of Learning Disabilities

## **Policy D5 – Types of Assessments**

LDAO advocates that assessments for identifying and establishing the presence of learning disabilities include both educational/academic and psychological/psycho-educational components.

### **Rationale**

Learning disabilities are due to neurobiological factors which result in impairments in one or more psychological processes related to learning. As such, they are usually observed in educational or academic settings with an achievement level that appears low in comparison to the individual's thinking and reasoning abilities or with an adequate achievement level that is maintained by extremely high levels of effort and/or support.

The student's educational achievement is measured by tests, usually administered by a teacher, which are ongoing, regular and involve the use of curriculum-based materials and criteria. Educational assessments are often described as formative and the results change consistently with the material being studied. All students, whether exceptional or not, are normally assessed on such a formative basis.

Psychological and psycho-educational assessments rely on standardized tests of intellectual and perceptual function. Such tests are typically administered by appropriately qualified professionals and are diagnostic or summative. The results do not reflect or change with the material that the student is studying. Such assessments usually include recommendations for coping strategies and accommodations.

The results of both these types of assessments contribute to special educational placement and programming decisions.

### **References**

Regulated Health Professions Act, Ontario, 1993  
Psychology Act, Ontario, 1993  
Regulation 181/98  
AHEAD Guidelines for the Documentation of Learning Disabilities, 1997  
LOTF Diagnostic and Documentation Criteria for Pilot Project Eligibility for Students with Specific Learning Disabilities, January 2000  
LEAP, LDAO, 1998  
"Recommended Practices for Assessment, Diagnosis and Documentation of Learning Disabilities"  
protocol prepared by the Screening and Assessment Working Group of LDAO's Promoting Early Intervention Project, LDAO, 2001 Hotlink to: [www.ldao.on.ca/pei/ppt/Ass\\_prot/frame.htm](http://www.ldao.on.ca/pei/ppt/Ass_prot/frame.htm)

## **Policy D6 – Referral for Psychoeducational Assessment**

LDAO advocates that students who are not making adequate progress in spite of regular class interventions, accommodations and modifications be referred promptly for a psychoeducational assessment to determine the primary cause of their difficulty.

### **Rationale**

Students who are failing academically must not be allowed to continue to do so without intervention by educators. Principals and teachers should refer students for assessment where there are concerns about the student's academic progress, behaviour and/or social or emotional well-being. The obligation to make such a referral continues even after a student has been identified as exceptional and is receiving intervention or differential programming.

### **References**

Education Act, s8(3)  
Regulation 181/98  
Promoting Early Intervention materials, LDAO, 2001

## **Policy D7 – Receipt of Assessment Information by Parents**

LDAO advocates that all school boards be required to adopt the Ontario Psychological Association recommended process when providing parents with information about and interpretation of the findings of psychoeducational testing. This process mandates that the parents receive the information and interpretation directly from the person undertaking the assessment before it is released to others, including school personnel.

### **Rationale**

Parents are the people most concerned with their child's welfare and future. The OPA recommends that parents be provided with this information before it is provided to any other professionals. The reasons for this are two-fold. First, parents must be given the opportunity to have the assessment and its findings explained to them and be given adequate time to consider the findings, ask questions for clarification and seek additional information before they are asked to make any decisions about their child's educational future. Secondly, parents must be given sufficient time to consider whether or not they are in agreement with the findings, whether the assessment accords with their understanding of their child and to address their feelings about the findings.

A similar process of disclosure should be implemented for educational testing for diagnostic purposes. Parents must be informed of their rights regarding disclosure of information before any testing occurs.

### **References**

Education Act, s8(3)  
Regulation 181/98  
Practice Guidelines Regarding Psychological Assessment Reports Written for Clients with Learning Disabilities, OPA, 1998 (refer: Appendix J)

## **Policy D8 – Frequency of assessments**

LDAO advocates that if a thorough and comprehensive assessment has been completed on an individual who is seven years of age or older and an adequate diagnosis has been rendered verifying the presence of a learning disability, further assessments for the sole purpose of verification or reverification should not generally be required.

Reassessment may be beneficial at times when the individual is making significant transitions, e.g., from elementary to secondary school or from secondary school to post-secondary education, in order to clarify how the individual's learning disability presently manifests itself and the types of programming and accommodations that are most appropriate to meet the needs of the individual at that time.

### **Rationale**

A clear and comprehensive diagnosis of a learning disability made on the basis of the requisite assessments by a qualified professional should be considered adequate to prove the presence of a learning disability. Learning disabilities persist throughout a person's life. During childhood and adolescence growth and development of the brain, the neural pathways and hormonal changes may alter the functional effects, type and severity of the learning disability. As a result of these potential changes, it may indeed be beneficial to carry out the reassessments referred to above. However, the primary purpose of any reassessment, especially for older adolescents and adults, should not be for the purposes of re-establishing a diagnosis, but rather to enable the individual and any service providers to understand better the current impacts of the condition. This should also help to enhance a better match between the demands of the environment in which the individual is currently functioning, e.g., school, workplace, etc., and the individual's strengths and needs.

### **References**

AHEAD Guidelines for the Documentation of Learning Disabilities, 1997  
Practice Guidelines Regarding Psychological Assessment Reports Written for Clients with Learning Disabilities, OPA, 1998 (see Appendix )  
LOTF Diagnostic and Documentation Criteria for Pilot Project Eligibility for Students with Specific Learning Disabilities, January 2000  
"Recommended Practices for Assessment, Diagnosis and Documentation of Learning Disabilities" protocol prepared by the Screening and Assessment Working Group of LDAO's Promoting Early Intervention Project, LDAO, 2001: Hotlink to: [www.ldao.on.ca/pei/ppt/Ass\\_prot/frame.htm](http://www.ldao.on.ca/pei/ppt/Ass_prot/frame.htm)  
LEAP, LDAO, 1998  
Transition Planning Resource Guide for Students With Learning Disabilities, LDAO, 1999

## **Policy D9 – Adequacy of Assessments**

LDAO advocates that the Government of Ontario mandate minimum standards for all diagnostic assessments for learning disabilities such that every assessment meets the following criteria:

1. A statement that the testing was carried out by an appropriately qualified professional;
2. A formal diagnostic statement attesting the presence of a learning disability,
3. A non-random, clinically significant discrepancy between abilities essential for thinking and reasoning and one or more of the specific psychological processes related to learning;
4. Academic achievement that is unexpectedly low relative to the individual's thinking and reasoning abilities or academic achievement that is within expected levels but is sustainable only by extremely high levels of effort and support;
5. Evidence that the learning difficulties are logically related to the observed deficits in specific psychological processes;
6. Evidence that the learning difficulties cannot primarily be accounted for by:
  - other conditions such as global developmental delay, primary sensory deficits or other physical difficulties;
  - environmental factors such as deprivation, abuse, inadequate or inappropriate instruction, socio-economic factors or lack of motivation;
  - cultural or linguistic diversity;
7. If a co-existing condition is present, the learning difficulties cannot primarily be accounted for by the co-existing disorder.

### **Rationale**

The above criteria are included in the “Recommended Practices for Assessment, Diagnosis and Documentation of Learning Disabilities” protocol prepared by the Screening and Assessment Working Group of LDAO’s Promoting Early Intervention Project, have been approved by the LDAO Board and reflect other diagnostic and documentation guidelines for demonstrating the presence of learning disabilities.

### **References**

AHEAD Guidelines for the Documentation of Learning Disabilities, 1997  
Practice Guidelines Regarding Psychological Assessment Reports Written for Clients with Learning Disabilities, OPA, 1998 (see Appendix )  
LOTF Diagnostic and Documentation Criteria for Pilot Project Eligibility for Students with Specific Learning Disabilities, January 2000  
“Recommended Practices for Assessment, Diagnosis and Documentation of Learning Disabilities” protocol prepared by the Screening and Assessment Working Group of LDAO’s Promoting Early Intervention Project, LDAO, 2001: Hotlink to: [www.ldao.on.ca/pei/ppt/Ass\\_prot/frame.htm](http://www.ldao.on.ca/pei/ppt/Ass_prot/frame.htm)  
ISA Eligibility Profiles, 2001

## **Policy D10 – Qualifications Necessary to Undertake Assessments**

LDAO endorses the provisions of the Regulated Health Professions Act, which provide that formal psychological and psycho-educational assessments and the diagnosis of conditions such as learning disabilities may only be carried out by appropriately qualified personnel.

### **Rationale**

Under Ontario legislation, formal assessments which include the diagnosis of a specific condition shall be carried out only by physicians or registered psychologists. Formal assessments determine an accurate measure of intelligence, detailed achievement and performance levels, and indicators of specific learning problems. These assessments use standardized tools as opposed to the checklists and observations used in informal testing. Regulation 298, s26(2) makes provision for school boards to hire psychiatrists, psychologists and other professionals for this purpose.

At present, some non-qualified individuals are administering assessments. LDAO rejects the undertaking of such testing and considers that the findings are of no diagnostic value.

### **References**

Regulated Health Professions Act, 1993  
Education Act, s171(1)6  
Regulation 298, s26(2)  
Psychology Act, 1993  
Promoting Early Intervention materials, LDAO, 2001  
See also: Policies Q10, Q11

## **Policy D11 – Assessment for Transition Periods**

LDAO advocates that assessments be reviewed and, where necessary, updated or amended as the student moves from one level of education to the next and on preparing to enter the workforce.

### **Rationale**

The purpose of an assessment is to identify how well a person with learning disabilities is functioning and to use this information to determine appropriate programming and any necessary accommodation. To ensure appropriate programs, services and accommodations are made available to the student and

the facilitate smooth transition from one stage to the next, up to date information on functioning and needs must be available as the student moves from:

- preschool to elementary
- elementary to middle school or junior high
- middle school/junior high to senior secondary school
- secondary school to postsecondary education or employment
- postsecondary education to employment

Where reassessment is considered necessary, it must be done prior to the change of levels. Parents and students should be aware of the issues involved in maintaining the student's identification as having learning disabilities when moving from one level of education to the next and of the need to plan ahead for these transitions. This is of particular importance as the student moves from secondary to postsecondary education, training or employment.

### **References**

Regulation 181/98

Report of the Interministerial Working Group on Learning Disabilities, 1992

Response to Secondary School Review, LDAO, 1996

## **Policy D12 – Portability of Assessments**

LDAO advocates that the Ministry of Education require school boards to accept the results of an assessment provided by or purchased by another school board in Ontario.

### **Rationale**

At present, when a student moves from one school board to another, the new school board may require a new assessment before the student can receive a special education placement or program. This is both costly and time-consuming. In some cases, a student may wait a year before receiving the necessary programming and assistance, during which period the student is being effectively denied an appropriate education. Mandating the acceptance of prior assessments would circumvent this unnecessary delay.

### **References**

Learning Assessment Profile, Ministry of Education, in preparation

Report of the Interministerial Working Group on Learning Disabilities, 1992

Practice Guidelines Regarding Psychological Assessment Reports Written for Clients with Learning Disabilities, OPA, 1998 (see appendix J)

LEAP, LDAO, 1998

## **Policy D13 – Plain Language to be Used in Assessment Reports**

LDAO advocates that all assessment reports be written in plain and clear language understandable by lay people.

### **Rationale**

During the IPRC process, parents and older students are called upon to make decisions based on assessment findings. They will also be called upon to participate in the development of the student's individual educational plan. It is essential, therefore, that the assessment report be written in language that helps them to understand the findings and the implications of the findings. Technical language should be used only where necessary and, if used, explained clearly.



Similarly, it is very important for adults in employment settings and for students in post-secondary education to have access to clearly comprehensible reports.

### **References**

Practice Guidelines Regarding Psychological Assessment Reports Written for Clients with Learning Disabilities, OPA, 1998 (refer: Appendix J)  
Correspondence with OPA, LDAO, 1997 and 1998

## **Policy D14 – Later and/or On-Going Assessment of Learning Disabilities**

LDAO advocates that school boards adopt policies which provide that students can be referred for assessment and possible identification of learning disabilities at any age and at any grade level, in accordance with the Education Act.

### **Rationale**

Recognition that a student may have learning disabilities may not necessarily occur when the student first enters the school system. This may occur for a number of reasons:

- a student may have been overlooked or improperly identified in a previous school or school board
- a student, particularly one with milder forms of learning disability, may not encounter academic problems until late elementary or even secondary school when he or she encounters heavier workloads and/or more difficult concepts
- a student may be able to cope with and compensate for his or her learning disabilities in the primary grades but not in the later grades
- an adult student returning to school to complete graduation requirements may have previously unidentified learning disabilities

All students should be provided with an opportunity and the means to be identified and receive appropriate supports and accommodations, regardless of the age or grade level at which a problem first arises or is recognised.

### **References**

Education Act, ss8 (3), 49(7)  
Regulation 181/98

## **Policy D15 – Obtaining a Second Opinion**

LDAO endorses the fact that parents may elect to seek a second opinion on any assessment or findings of an assessment. LDAO advocates that, provided the second opinion meets the requirements of a formal assessment (for example, it is carried out by an appropriate professional), it may be provided to and should be considered by the school board at an IPRC.

### **Rationale**

Assessment findings are not “written in stone” but rather are subject to interpretation. If the profile or findings in an assessment report do not fit the parent’s perception of the child, the parent has a right to seek a second opinion. Parents should be made aware of this right and be provided with information about how to go about seeking a second opinion.

Assessments obtained by parents should be considered by the school board and should carry appropriate weight in making any decisions about the identification or placement of the student.

## **References**

Regulation 181/98

## **Policy D16 – Paying for an Assessment**

LDAO advocates that school boards provide or, where necessary, pay for all assessments required to enable the delivery of appropriate special education programs and services.

### **Rationale**

An IPRC, when identifying a student as an “exceptional pupil” or determining the placement of such a student is required by law to “obtain and consider an educational assessment of the pupil”. Regulation 181/98 further permits the IPRC to obtain and consider a health assessment and a psychological assessment. All costs associated with such assessments should be borne by the school board. This position has been upheld by a Regional Special Education Tribunal.

Parents may choose to seek a private assessment, either as a primary assessment or as a second opinion. Costs of private assessments are borne by the parent. OHIP will not cover the cost of psychological assessments; however, parents may have access to private assessments through extended health benefits.

When a third party requests an assessment, the third party should bear the costs. This would apply to health, physical or occupational therapy assessments as well as psychological assessments.

### **References**

Education Act, s170(1)7

Regulation 181/98

Kavelman vs Waterloo County Board of Education, Regional Special Education Tribunal, 1985

Report of the Interministerial Working Group on Learning Disabilities, 1992

## **Policy D17 – Informal Assessments**

LDAO advocates that informal assessments (such as teacher observations and formative and functional assessments, parent, student or peer observations), while important, do not replace appropriate formal assessments.

### **Rationale**

Informal assessments of a student’s strengths and needs are an important component of the overall assessment process. Teachers and parents may have observed or been told by the student information that did not come out in the formal assessment and which, when shared with the professional who did the formal assessment, may lead to the modification of conclusions and recommendations. However, informal assessments do not eliminate the need for formal assessment. Ideally, formal and informal assessments will be in essential agreement and will facilitate a greater understanding of the student.

### **References**

Response to the consultation on the IPRC process, LDAO, 1995

## **Policy D18 – Unbiased Assessments**

LDAO advocates that assessments and all assessment methods be free of cultural or gender bias and that test results should be interpreted in light of the student’s racial, ethnic, cultural, linguistic and socio-economic background as appropriate.

### **Rationale**

Many of the tests currently used to measure intellectual, perceptual or emotional function were “normed” on middle-class North Americans, many of them children between the ages of eight and twelve. These norms may not be an accurate reflection of the functioning levels of people drawn from outside this group.

Language or cultural difference is not a basis for ignoring or electing not to address a student’s needs. Conversely, it is equally important that students not be misidentified as exceptional due to an unfamiliarity with English or French or a misinterpretation of the student’s cultural difference. To the greatest extent possible, assessments should be administered in the student’s first language, using tests that reflect the individual’s culture and ethnicity. School boards with large immigrant populations should ensure the availability of appropriate tests and, where possible, refer such students to assessors with expertise in administering such tests. If tests and assessors are not available to evaluate students in their mother tongue, it is best to wait until the student has an adequate command of English or French before undertaking any assessment.

### **References**

Practice Guidelines Regarding Psychological Assessment Reports Written for Clients with Learning Disabilities, OPA, 1998 (refer: Appendix J)  
“Links in Learning”, MESE Consulting Ltd, 1996  
See also: Access Policy; Policies M3, M4, S5

## **Policy D19 – Discussion with the Assessor**

LDAO advocates that parents and where appropriate, students be given the opportunity to discuss the assessment with the professional who carried out or supervised the testing and wrote out the report.

### **Rationale**

It is essential that parents and students understand fully the assessment and its results so that they can participate in the process of identification and placement, and in developing an appropriate program for the student. The Ontario Psychological Association agrees, witness the following statements from the Standards of Professional Conduct of the Ontario Board of Examiners in Psychology:

“To the extent advisable and not contraindicated, a psychologist shall properly inform a person who has undergone a psychological assessment or his/her legal representative of the conclusion, opinions and advice issuing from the assessment within a reasonable time. (Pr 5.5)”

“A psychologist and those they supervise shall make available client information or records, as defined in Appendix C, only to those professionals who have a need to know in order to serve the client. Information will be released only with the permission of the client, and presented in a form which, in the judgement of the psychologist, is clear and not likely to be misunderstood by the recipient.” (Pr 7.3)

“If directed by written request, a psychologist shall report within a reasonable time to individuals designated by the client, guardian or legal representative an account of services rendered together with such findings, conclusions and opinions that appear to be in the best interests of the client.” (Pr 7.10)

### **References**

Regulated Health Professions Act, 1993  
Practice Guidelines Regarding Psychological Assessment Reports Written for Clients with Learning Disabilities, OPA, 1998 (refer: Appendix J)

## **Policy D20 – Assessments for Adults for Regular Educational Purposes**

LDAO advocates that adults who are enrolled in regular credit courses within the school system have the right to be assessed and to receive appropriate special education programs and services.

### **Rationale**

The Education Act guarantees any person seven years of secondary education by a school board without payment of a fee. The Education Act also provides for special education programs and services without payment of fees. The age of the student is irrelevant when it comes to the right to receive an assessment and, if found to be exceptional, to receive appropriate special education programs and services.

Many adults with learning disabilities left school before high school graduation because they weren't identified as learning disabled or because special education programs and services were not provided at the secondary school level. Those who return to school in an effort to achieve graduation diplomas should receive the identification, programs and services they need.

### **References**

Education Act ss 8(3), 40(1),(2),(4), 49(7)  
Learning Assessment Profile, Ministry of Education (in preparation)  
LEAP, LDAO, 1998  
See also: Part T

## **Policy D21 – Access to Assessment Results**

LDAO advocates that the results of all assessments be provided to the student if he or she is 16 years of age or older and to the student's parents if the student is under 16 years of age or has consented to his or her parents receiving the results.

### **Rationale**

Parents are an integral part of their child's education and support. Legislation gives them the right to receive information gathered about their child by any professional.

Parents do not have an automatic right to assessment results where the student concerned is 16 years of age or older. Such results are to be provided to the student in accordance with the Municipal Freedom of Information and Protection of Privacy Act, 1990.

### **References**

Regulation 181/98  
Regulated Health Professions Act, 1993  
Psychology Act, 1993  
Municipal Freedom of Information and Protection of Privacy Act, 1990  
AHEAD Guidelines for the Assessment of Learning Disabilities, 1997  
LEAP, LDAO, 1998

## **Policy D22 – Pre-Assessment Support for English-as-a-Second-Language/Dialect Students**

LDAO advocates that school boards develop methods of supporting ESL/D students who appear to have academic or behavioural difficulties without waiting for an assessment to identify specific exceptionalities.

### **Rationale**

Where concerns are raised about a student's academic ability or behaviour and the student cannot be immediately assessed as a result of no or limited command of English or French and no available assessment facilities in the student's first language, the school or school board must address the concerns on an interim basis. Inability to undertake appropriate assessment does not abrogate the requirement to provide appropriate programming.

### **References**

Response to the Report of the Royal Commission on Learning, LDAO, 1995  
Response to the consultation on the funding of education, LDAO, 1997

## **Policy D23 – Appropriate Assessments for English-as-a-Second-Language/Dialect Students**

LDAO advocates that school boards develop assessment models appropriate to the languages and cultures of English-as-a-Second-Language/Dialect students.

### **Rationale**

Fairness demands that assessments yield an accurate reflection of the strengths, weaknesses and abilities of the person being assessed. It is not fair to interpret poor command of English or poor results arising there from as evidence of exceptionality. Given the present lack of qualified assessors and assessment instruments for the various languages and cultures represented in Ontario's ESL/D population, a student should not be referred for assessment until he/she has spent two years in an Ontario school. The exception would be in the case of those medical evaluations which do not rely on language (or where interpreters can bridge the gap) or familiarity with Canadian cultural concepts. Ministry of Education should assist by gathering information from other countries on assessment models used in the child's home country. These alternative models should spell out for parents what tests will be used, who will administer them, how the results will be interpreted and communicated, and how support will be provided to the student and his family.

### **References**

Response to the Report of the Royal Commission on Learning, LDAO, 1995  
Response to the consultation on the funding of education, LDAO, 1997  
Promoting Early Intervention materials, LDAO, 2001

## **Policy D24 – Open Access to Secondary Programming for English-as-a-Second-Language/Dialect Students**

LDAO advocates that recent immigrant or other ESL/D students have open access to secondary school programs and not be steered automatically toward basic level and vocational school programs on the assumption that their poor command of English disqualifies them from general or advanced level courses.

### **Rationale**

Research undertaken in Toronto shows that ESL/D students are often actively discouraged from pursuing courses leading to college or university because of difficulties in using English as a second language or dialect and not because they lack the ability to master course content.

### **References**

Studies and reports on school drop-outs sponsored by OSSTF; King, A., Queens University, 1974-78 and Radwansky, G., 1985  
Report of the Select Committee on Education, Ministry of Education, 1987