

2024 Bill 208

First Session, 31st Legislature, 2 Charles III

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 208

PSYCHO-EDUCATIONAL ASSESSMENT  
ACCESS ACT

MS HAYTER

First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

## BILL 208

2024

### PSYCHO-EDUCATIONAL ASSESSMENT ACCESS ACT

(Assented to \_\_\_\_\_, 2024)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

#### Definitions

**1** In this Act,

- (a) “board” means
  - (i) a board as defined in the *Education Act*,
  - (ii) a board as defined in the *Northland School Division Act*, or
  - (iii) a Francophone regional authority as defined in the *Education Act*;
- (b) “Committee” means the School Psychology Services Committee established under section 2;
- (c) “member” means a member of the Committee appointed under section 5;
- (d) “Minister” means the Minister of Education;
- (e) “newcomer” means an individual who is a permanent resident or refugee within the meaning of the *Immigration and Refugee Protection Act* (Canada) and ordinarily resident in Alberta;

- (f) “psycho-educational assessment” means a comprehensive and standardized evaluation of the mental processes that govern a student’s academic, social and personal achievement that is conducted by a regulated member of the College of Alberta Psychologists under the *Health Professions Act* to identify barriers impacting the student’s ability to succeed in school;
- (g) “student” has the same meaning as in the *Education Act*;
- (h) “teacher” has the same meaning as in the *Education Act*.

### **School Psychology Services Committee**

**2** The School Psychology Services Committee is established.

### **Mandate of the Committee**

**3** The mandate of the Committee is to improve access to mental health services for students by doing the following:

- (a) reviewing legislation and policies in other provinces with respect to
  - (i) psycho-educational assessment of students for the purpose of enhancing academic, adaptive and social skill development, including for students demonstrating exceptional aptitude and students experiencing neurodevelopmental issues, psychological disorders and conduct disorders, and
  - (ii) training and support provided to teachers to foster an inclusive academic environment and meet the unique needs of each student;
- (b) examining systemic barriers experienced by students in Alberta who require or have had a psycho-educational assessment, including
  - (i) lack of access to psycho-educational assessment in a community,
  - (ii) inability to pay the cost associated with undergoing a psycho-educational assessment,
  - (iii) bias in the process by which students are identified as requiring psycho-educational assessment, and
  - (iv) the amount of financial and staff resources provided by the Government to support an effective learning environment;

- (c) consulting with students, boards and other stakeholders in respect of the systematic barriers referred to in clause (b);
- (d) making recommendations to the Minister to be included in the report referred to in section 7 that, in the opinion of the Committee, will
  - (i) improve access to psycho-educational assessment for those students,
  - (ii) eliminate financial barriers in connection with the cost of conducting a psycho-educational assessment,
  - (iii) improve the provision of mental health services to students, and
  - (iv) address inadequate financial and staff resources that prevent the development of an effective learning environment for those students.

#### **Powers of Committee**

**4** In carrying out its mandate under section 3, the Committee may do any of the following:

- (a) request from the Minister information and data from the Minister's department with respect to the provision of psycho-educational assessments to students, including the cost associated with conducting a psycho-educational assessment;
- (b) provide opportunities for individuals to make submissions, orally or in writing, relating to the Committee's mandate;
- (c) publish any submissions made to the Committee under clause (b) in the report made to the Minister in accordance with section 7.

#### **Appointment of members**

**5(1)** Subject to subsections (2) and (3), the Lieutenant Governor in Council must appoint 10 members to the Committee.

**(2)** An individual is eligible to be appointed as a member of the Committee only if the individual is, at the time of the appointment, a resident of Alberta.

**(3)** The Committee's composition must consist of the following:

- (a) 3 members representing boards with a student enrolment that is over 35 000;

- (b) 1 member representing boards with a student enrolment that is between 7 000 and 34 999;
  - (c) 1 member representing boards with a student enrolment that is under 7 000;
  - (d) 1 member representing Indigenous peoples;
  - (e) 1 member representing individuals employed by a board;
  - (f) 1 member representing regulated members of the College of Alberta Psychologists under the *Health Professions Act*;
  - (g) 1 member representing newcomers;
  - (h) the deputy head of the Minister's department.
- (4) The Lieutenant Governor in Council must designate 1 member as the Chair of the Committee.
- (5) The Chair designated under subsection (4) is responsible for ensuring the Committee fulfills its mandate under this Act.
- (6) The Minister must provide secretarial support to the Committee for the purpose of fulfilling its mandate under this Act.

### **Remuneration and expenses**

**6** The Lieutenant Governor in Council must set out each of the following in a member's appointment:

- (a) the amount of remuneration that may be paid to the member, if any;
- (b) each type of expense for which the member may be reimbursed.

### **Report**

**7(1)** The Committee must submit a report to the Minister with its recommendations within 1 year after the day on which this Act comes into force.

**(2)** On receiving the report under subsection (1), the Minister must lay a copy of the report before the Assembly as soon as possible if it is then sitting or, if it is not then sitting, within 15 days after the commencement of the next sitting.

**Minister to introduce Bill**

**8** The Minister must, within 1 year of the day on which the report is laid before the Assembly under section 7(2), introduce a Bill in the Assembly that would, if enacted, give effect to the recommendations in the report.

**Repeal**

**9** This Act is repealed 3 years after the day on which this Act receives Royal Assent.



## Record of Debate

[illegible]