



Section 6A: Safe and Inclusive Schools

Protocol for Agreements with External Providers for the Provision of Services by Regulated Health Professionals, Regulated Social Services Professionals and Paraprofessionals

Supporting Policies:

Supporting Procedures:

Supporting Protocols and Guidelines:

Supporting Templates and Forms:

- Form One – Application for Consideration of a Third-Party Provider to Provide Services within Algoma District School Board (ADSB) Schools
- Form Two – Private Third-Party Provider Declaration
- Form Three – Summary of Services

Other Resources:

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Rationale

The Algoma District School Board is committed to working collaboratively with third-party providers, including public and private agencies and individuals that provide mental health, physical health, or social services, including assessment, counselling, therapy and/or treatment, to meet the needs of individual students.

Types of Third-Party Agreements

The Algoma District School Board has different types of agreements with third party providers who work with our schools and/or students. These include:

- **Contractual Agreements:** Contractual agreements are initiated by the board with agencies providing defined services (e.g., psychological - educational assessments, orientation and mobility) not available internally. Such agreements are managed centrally and involve payment for services.
- **Collaborative Agreements:** Collaborative agreements are detailed in the form of a Memorandum of Understanding (MOU) with an external provider to support the delivery of programming (e.g. section 23 agreements). Collaborative Agreements may be renewed annually or may be in place on a multi-year basis and may cover multiple schools or a specific school within the board.



- **Access Agreements:** Access agreements are requested by a private third-party provider and/or the parent/guardian to provide specific services to the student (client) that have been externally contracted by the family or through another funding source. Access agreements are short-term agreements whereby private practitioners are allowed to access a designated space at the school site to work with an individual student (client) at an individual school. This is detailed in the form of an agreement with the individual service provider outlining specific parameters for access to a designated space in which services may be provided.

Definitions

Third-Party Provider: *A mental health, physical health or social service agency (including its staff) professional, or paraprofessional that is not employed or contacted by the board that seeks to provide services in ADSB schools.*

Professionals: *Individuals who are members of a regulated professional College in Ontario.*

Paraprofessionals: *Individuals with relevant post-secondary or on-the-job training who work under the supervision of a member of a relevant, regulated professional College in Ontario.*

Description of Program or Service: *A written record of the goals, objectives, roles and responsibilities for carrying out collaborative activities or access activities that occur on an ongoing basis, written with input from each of the parties (e.g. School Board and External Provider).*

Agreement: *A written document which outlines the terms and conditions of an agreement with a Third-Party Provider that is signed prior to the implementation of services. Agreements provide an ongoing, mutually beneficial, and supportive arrangement between the school board and an external mental health, physical health or social services agency, professional or paraprofessional, to enhance or expand opportunities for student success.*

Models of Collaborative Working Relationships

The collaborative relationship between third-party providers and school personnel may include a variety of different models:

Observation: The third-party provider (professional and/or paraprofessional) observes the student in the school setting to obtain information to assist with their assessment and/or treatment of the student. Observation may also occur as part of the consultation process.

Observation of a student is at the discretion of the school administrator and does not require an agreement to be in place. However, specific guidelines have been established to help provide clarity for this model of collaborative relationship.



Further information is provided in Appendix A – Models of Collaborative Relationships.

Consultation: When requested, assessment information as well as strategies and practices are shared between an external provider and school/board staff through a written report or an in-person meeting, usually held at a student's school.

It is understood that strategies and practices suggested by the third party are considered to be recommendations. As regulated professionals, school personnel make the final determination as to which strategies and practices are appropriate for use in the classroom or school.

Consultation regarding a student is at the discretion of the school administrator and does not require an agreement to be in place. However, specific guidelines have been established to help provide clarity for this model of collaborative relationship.

Further information is provided in Appendix A – Models of Collaborative Relationships.

Demonstration: The third-party provider demonstrates a strategy or technique that they are using with the student to help school staff determine if the same strategy or technique is appropriate to be adapted and utilized in the school setting. School personnel determine the appropriateness of any strategy/practice for the classroom or school setting, which could then be included as part of the student's *Individual Education Plan (IEP)*.

Demonstration services from third party providers generally require an agreement to be in place. Further information is provided in Appendix A – Models of Collaborative Relationships.

Note: It is understood that observation, consultation, and/or demonstration will typically occur during a few sessions at most. Longer-term transition planning and support as outlined below may require an extended period to be determined by the school- and system-based team in collaboration with external provider staff.

Transition planning and support: Third-party provider staff work collaboratively with ADSB staff to promote successful transition to the school setting for students with high needs (e.g. *Entry to School* program).

Transition planning and support that occurs with direct involvement of third-party providers requires a collaborative agreement to be in place. Further information is provided in Appendix A – Models of Collaborative Relationships.

Individual or Group Programs: The Board or a third-party provider such as a public agency proposes a program be delivered to students within the school setting and within the instructional day.

A collaborative agreement is required to be in place *for Individual or Group Programs* to be put in place. Further information is provided in Appendix A – Models of Collaborative Relationships.



Direct Services (Designated Space): A third-party provider (e.g. professional or paraprofessional) provides mental health, physical health or social service supports, including assessment, counselling, therapy and/or treatment, directly to the student (client) in a designated space in an ADSB school.

Note: Direct services do not include access to the student's classroom except for services provided under PPM 81 – Provision of Health Support Services in School Settings.

Note: *School-Based Rehabilitative Services* from the designated provider do not require a separate agreement as these are governed by legislation/regulation.

For private providers, an access agreement must be in place for direct services to be provided in a designated space at a school site. Further information is provided in Appendix A – Models of Collaborative Relationships.

Process for Developing Contractual Agreements

The ADSB identifies a need for a service not provided internally by ADSB staff (e.g. orientation and mobility).

The appropriate Superintendent will identify a third-party provider (or providers) with the capacity to provide the required service and will establish a contractual relationship with the provider for the service to be provided. Any relevant documentation required will be requested during this stage of the process.

A contractual agreement is formalized in a letter outlining specific parameters of the agreement. The term of an agreement is usually a single school year, with the option for renewal.

When the signed agreement and relevant documentation are received, the Superintendent will ensure that the information is shared with appropriate staff and advise the third-party provider that the service can begin.

Process for Developing Collaborative Agreements

Third-party providers that wish to collaborate with ADSB to deliver programs to students in our schools should reach out to the office of the appropriate Superintendent.

Discussion with the appropriate Superintendent will take place to ensure alignment with the ADSB's mission, vision and values as well as compliance with established criteria for screening of third-party provider agreements.

If the application is denied, the Superintendent will contact the external agency to advise that the application has been denied or to request further information if necessary.

If the application is approved, the Superintendent will formalize the agreement with the third-



party provider, generally in the form of a Memoranda of Understanding.

When the signed MOU is received, the Superintendent will ensure the MOU is shared with appropriate staff and advise the third-party provider that service can begin as per the established obligations and agreements.

Access Agreements (Direct Services in Designated Space): Private third-party providers will review this Protocol, including *Models of Collaborative Relationships* (Appendix A) and *Considerations for Third-party Provider Agreements* (Appendix B) prior to initiating the process of seeking an access agreement.

Following review of these documents, the third-party provider, in consultation with the parent/guardian, will complete the written application-agreement for a regulated health professional, regulated social services professional and/or paraprofessional to access a designated space in the school to provide services directly to the student (client) by completing the *Application for Consideration Of A Third-Party Provider To Provide Services Within Algoma District School Board (ADSB) Schools* (Form 1).

This form may be submitted to the school principal or designate for access to provide services at a specific school or submitted directly to the superintendent if seeking access across multiple schools.

Prior to submitting the completed form, the external provider (or principal upon request) will provide the parent(s)/guardian(s) a copy of the *Private Third-Party Provider Declaration* (Form 2) for signature.

A copy of this form will be retained at the school along with the Summary of Services (Form 3).

Consideration of a Request:

The Superintendent or designate will:

- review the *Application – Agreement to Provide Services in Designated Space in ADSB Schools* (Form 1) to ensure that an agreement is consistent with the Board's policies, procedures and practices
- consult with the staff in the school(s) that would be impacted by the proposed collaboration model (if applicable)
- assess the need for the third-party provider to deliver the service within the school
- ensure that the service to be provided will enhance any current services delivered by Board staff
- ensure that all necessary forms/documentation are completed and signed off as part of the application – agreement document
- approve or deny the agreement



If the request is approved, a signed copy of the application – agreement will be sent to the third-party provider. If not already completed, a signed copy of the *e Private Third-Party Provider Declaration* (Form 2) must be provided to the school before services begin.

If the application is denied, the Superintendent will advise the third-party provider and/or request further information.

Implementing an Agreement

After receiving approval of the agreement, the third-party provider will:

- implement agreed-upon services (any requested adjustments to the agreement must be approved prior to implementation)
- submit to the principal or designate the *Summary of Services* (Form 3) once services have been completed. This information will not be placed in the Ontario School Record (OSR); however, it will remain stored in a confidential and secure location for the remainder of that school year. Upon request, the principal will submit a copy of the report to the Superintendent for review.

Process for Review of Existing Agreements

All third-party provider agreements must be reviewed and approved annually.

Third-party providers will update and submit Form 1 for approval. Updated copies of documentation may also be requested at this time.

It is expected that staff of the third-party provider will be available to participate in this review process if requested. Summary of Services forms may be used to determine the efficacy of the access agreement moving forward.

If an extension of the agreement is denied, the Superintendent will contact the third-party provider to either request additional information or to advise that the agreement has been denied. The Superintendent will advise all involved as to the change.

Confidentiality

Third-party providers that provide services in ADSB schools must adhere to the ADSB's standards of confidentiality. Subject to relevant legislation (e.g. Duty to Report), it is understood that information about ADSB students, staff and any other individuals within the school community is not to be shared or discussed outside of the school.

Conflict Resolution

The Third-party Provider must agree to participate in a conflict resolution process should



issues arise that cannot be resolved at the school level.

An Ad Hoc committee of ADSB staff and the Third-party Provider will be convened if a disagreement or dispute between the parties must be resolved. Designates of the ADSB and the Third-party Provider will be stated in the final agreement between the ADSB and the Third-party Provider.

Terminating a Third-Party Provider Agreement

Either the ADSB or the Third-party Provider has the right to terminate an existing third-party provider agreement subject to the terms outlined in the MOU.



Appendix A - Models of Collaborative Relationships

Third-party providers, including public or private agencies, organizations, or individuals, must be provided with a copy of this document for review prior to completing an *Application – Agreement to Provide Services in Designated Space in ADSB Schools (Form 1)*

Model of Collaborative Relationship	Requirements
Observation (Principal Discretion)	The following guidelines will be used in the case of requests to access the classroom for observation: • The specific purpose of the observation has been established and is clearly understood by ADSB and third-party provider staff. • It is understood that the purpose of the observation is to obtain information about the student (client) necessary for the assessment and/or treatment of the student (client), not to observe or provide input into the practices of ADSB staff unless specifically requested. • The request for the third-party provider accessing the classroom to conduct an observation has been approved by the ADSB classroom staff. • The request for observation has been approved by the principal (for each occurrence) and scheduled for an agreed-upon date, time, and duration. • It is understood that ADSB staff are not available to participate in discussions, conversations or consultation during the observation. • If consultation is required / requested, this may take place at a scheduled date/time. If a meeting is scheduled, it is understood that information is to be shared directly with administrative and teaching staff. • Third-party provider staff agree that any information pertaining to ADSB staff, other students, and/or other members of the school community obtained while accessing the classroom shall be held confidentially, with exceptions pertaining to relevant legislation (e.g. Duty to Report). • Copies of observation notes will not reference other ADSB students or staff, and a copy of the observation notes will be provided to the school principal • Written reports (outcomes and/or recommendations) will be provided to the school principal. It is understood that written reports will not contain information outside the purposes for the observation (e.g. staff practices) Following the observation, the school principal will determine what next steps (if any) need to occur.



Consultation (Principal Discretion)	Formal consultation between school/system-based staff and external providers may occur under the following conditions: • The Principal or Vice-Principal, along with appropriate school- and/or system-based staff, will meet with the parent/guardian, and/or third-party provider for the purpose of sharing information about the student. Appropriate consent must be obtained for information-sharing to occur. • At the meeting, the P/VP will review roles, involvement practices, and the focus of the meeting. • It is understood that the purpose of consultation is for the mutual sharing of information to support programming for the student. Unless specifically requested, it is not the role of a third-party provider to observe or provide input into the classroom practices of ADSB staff. • Following the initial meeting, the principal/vice-principal will determine next steps (if any) that may be needed (e.g. development/changes to IEP, future meetings and frequency). • If it is determined that other collaborative strategies (e.g. observation) need to occur as part of the consultation process, guidelines for that model of collaborative relationship will apply.
Demonstration (Collaborative Agreement Required)	Third-party providers may have an agreement established for the purposes of obtaining access to the classroom to demonstrate specific techniques or strategies that may be appropriate for use in a school setting. In addition to other conditions that may be established based on the specific context of the request, the following conditions will be included in any agreement developed to include demonstration: • ADSB staff agree to have the third-party provider access the classroom for the purpose of demonstrating the specific technique or strategy. • The demonstration visit(s) have been approved by the principal for each occurrence and scheduled for an agreed upon date, time, and duration. • The purpose of the visit is to demonstrate specific techniques/strategies that may be appropriate to support the students' programming in the school setting. It is understood that school staff make the final determination of strategies/techniques used in a classroom. It is not the role of third-party provider staff to observe or provide input into the practices of ADSB staff unless specifically requested by the staff member. • Third-party Provider staff are subject to ADSB policies, procedures, and practices within the classroom setting (e.g. strategies/techniques appropriate for a therapeutic setting but inappropriate for a classroom setting are not



	permitted). • School/system-based staff are present for the demonstration to assist and/or provide feedback on the appropriateness of the strategy/technique for a school setting. • Information pertaining to ADSB students, staff, and/or other members of the school community obtained while accessing the classroom shall be held confidentially, with exceptions pertaining to relevant legislation (e.g. Duty to Report). • The principal, in consultation with school/system-based staff will determine if the strategy/technique may be used by school personnel. If yes, the strategy/technique will be included in the IEP.
Transition Support and Planning (Collaborative Agreement required)	Third-party providers may have an agreement established for the purpose of providing on-going planning and support for the transition of individual students. In addition to other conditions that may be established based on the specific context of the request, the following conditions will be included in any agreement developed to provide transition planning and support. • ADSB staff agree to have the third-party provider access the classroom for the purpose of supporting the transition. • A timeline for support to be in place at the school and in the classroom has been developed and approved by the principal in consultation with the appropriate superintendent. • The purpose of the third-party provider demonstration is to support specific programming practices appropriate for a school setting to enable an effective transition. It is not the role of third-party provider staff to observe or provide input into the practices of ADSB staff unless specifically requested by the staff member. • Third-Party Provider staff are subject to ADSB policies, procedures, and practices within the classroom setting (e.g. strategies/techniques that are appropriate for a therapeutic setting but inappropriate for a classroom setting will not be permitted). • School/system-based staff are involved in the transition to assist and/or provide feedback on appropriateness in a school setting. • Information pertaining to ADSB students, staff, and/or other members of the school community obtained while accessing the classroom shall be held confidentially, with exceptions pertaining to relevant legislation (e.g. Duty to Report). • The principal, in consultation with school/system-based



	staff will determine practices to be used in programming to support the transition. These will be included in the IEP.
Individual or Group Program (Contractual or Collaborative Agreement Required)	With appropriate agreements in place the ADSB collaborates with third-party providers to offer approved programs on-site at ADSB schools.
Direct Service (Access Agreement Required)	The ADSB permits third-party providers to access designated space to provide direct services on-site at a school as a convenience for the student and the parent/guardian. Access to a designated space requires an application – agreement to be approved by the ADSB (see Form 1) • The term “designated space” refers to a specific area in the school that the principal has designated for use by the third-party provider to offer direct services. • A student’s classroom shall not constitute a designated space in which direct services occur. • Direct Services are provided outside of the classroom. ADSB staff are not present when direct services are provided and are not responsible for supervision of the child during this time. The student (client) is under the care and supervision of the external provider while receiving direct services. • Students must be enrolled in the school to receive services from a third-party provider in the designated space. • Access to provide services in a designated space occurs during the instructional day. • It is understood that the school’s operational needs take precedence over scheduling of external provider staff access (e.g. internal staff requiring space receive priority over a third-party provider). • It is understood that not every school of the ADSB has the available capacity to provide a designated space.



Appendix B - Considerations for Third Party Provider Applications - Agreements

Prior to developing an agreement, the Superintendent, in collaboration with the school Administrator, must collect and review appropriate information to determine the eligibility of the external provider to provide mental health, physical health or social services including assessment, counselling, therapy and/or treatment on ADSB school sites.

To determine the need for and appropriateness of the services, the following areas must be considered as part of the application:

Description of the program or service to be provided.

This description must include the following information:

- the nature of the service provided;
- anticipated outcomes of the service.

Names of the designated representative(s) or contact(s) of the Third-Party Provider.

Specific contact information for designated representatives of the third-party provider must be provided.

Qualifications/Supervisory Relationships for the Third-Party Provider Staff Providing the Service

For staff that belong to a regulated professional College, evidence of current qualifications, appropriate to the services to be provided, is required.

For staff who are unregulated (e.g. paraprofessionals), evidence that they are working under the supervision of a regulated member of the relevant College in Ontario is required.

Supervision:

A qualified, registered professional must provide clinical supervision to any staff of the External Provider that are not registered with a College (e.g. paraprofessionals).

It is understood that the Education Act gives the principal the authority for the operation and management of the school. External Provider staff working within the school are subject to the principal's direction on all matters related to school operations and management, including the reporting of any special information (e.g. instances of illness, injury reporting) that may occur while External Provider staff are providing the service

Informed Consent

Documentation of the informed consent process for the parent(s)/legal guardian(s), or student who is of age, regarding the service(s) to be provided, is required.

An ADSB *Consent to Release of Confidential Information Form* must be completed to permit the exchange of information among the Board and the Third-Party Provider. It is understood



that, depending on the nature of the service, there may be limitations on information sharing due to privacy considerations.

For students under the age of 18, written consent must be obtained from the parent for the Board to release information from the OSR. For students over the age of 18, written consent may be obtained directly from the student to release information from the OSR.

Police Reference Check

The ADSB has responsibility under the law to provide a safe, secure learning environment therefore, External Providers who request access agreements to provide services in a designated space are responsible to ensure that all personnel have appropriate criminal background checks (Vulnerable Sector Screening).

The External Provider will provide appropriate documentation to the Board for approval prior to allowing the individual to provide the service.

Liability Insurance

Third-Party Providers must carry their own insurance which includes professional malpractice coverage (minimum of \$2,000,000) to insure against civil litigation alleging incompetence, professional errors, omissions or charges laid by professional Colleges or parent/legal guardian(s).

Third-Party Providers are required to provide written assurances that their staff members are covered while working on ADSB property by producing a certificate of insurance naming the Algoma District School Board as an additional named insured.

Designated space requirements.

Availability of space is an issue in many schools. Third-Party Providers need to be aware that space may not be available in all schools of the board.

Considerations related to the appropriateness of the designated space available must be provided by the third-party provider. It is understood that space meeting specific requirements may not be available at the school.

Scheduling of use of the designated space:

Scheduling of use of available space must be done in consultation with principal or designate. It is understood that space for ADSB staff to execute their duties will need to be prioritized before providing space to external providers.

The student's educational programming (e.g. classroom scheduling) may also need to be given priority when scheduling external provider services.

Respect for the Board's Collective Agreements with Unionized Staff

Services provided by Third-Party Providers are intended to augment, not duplicate, services provided by the ADSB. Services to be provided must not conflict with the provisions of



collective agreements with ADSB staff.

Note: Educational Assistants are hired by the board, their direct supervision is provided by Board personnel, and their liability is covered by the board insurance carrier.

Educational Assistants are not assigned to provide support to third-party providers offering direct services to students (clients) in a designated space.