

**Motion #5 by TDSB SEAC as Approved April 3 2017**

**The Effective Inclusion of Students with Special Education Needs at TDSB**

**Recommendations**

To supplement the four motions it passed on June 13, 2016, the TDSB Special Education Advisory Committee recommends as follows:

**Recommendation 1: Adopt an Effective Definition of "Inclusion"**

TDSB should adopt an effective definition of "inclusive education" for students with special education needs. It should define inclusion by regard to the purpose for education in the Education Act, which provides:

"The purpose of education is to provide students with the opportunity to realize their potential and develop into highly skilled, knowledgeable, caring citizens who contribute to their society." The "inclusion" definition should draw upon either or a combination of these definitions, and draw on Article 24 of the United Nations' Convention on the Rights of Persons with Disabilities:

- a) (from the Canadian Association for Community Living) Inclusive education occurs when ALL students attend and are welcomed into their neighbourhood schools in age-appropriate regular classes and are supported to learn, contribute to and participate in all aspects of the life of the school. As well, all students are challenged to meet their unique intellectual, social, physical and career development goals.
- b) (from Disability is Natural): Inclusion is children with disabilities being educated in the school they would attend if they didn't have disabilities, in age-appropriate regular education classrooms, where services and supports are provided in those classrooms for both the students and their teachers, and where students with disabilities are fully participating members of their school communities in academic and extracurricular activities.

**Recommendation 2: Comprehensive Inclusion Strategy Should Not Exclude any Students with Any Kind of Disabilities**

TDSB should adopt a comprehensive new Inclusion Strategy for all students with special education needs. In so far as that includes students with disabilities, it should apply to all students with any kind of disability, as protected by the Ontario Human Rights Code, whether or not that disability is identified as an "exceptionality" under Ontario's special education laws. For example, it should include students with any mental health condition, whether or not that condition constitutes a behaviour exceptionality under Ontario's special education law.

**Recommendation 3: Comprehensive Inclusion Strategy Should Make Placement of Students with Disabilities in a Special Education Class a Last Resort, Consistent with Voluntary Parental Choice**

The new Inclusion Strategy should include:

- a) (Consideration of Paragraph (a) was deferred to May 1, 2017 SEAC meeting.
- b) Where TDSB proposes to refuse to provide a student with a disability in a regular class setting with needed accommodations, supports or services, over the objections of the student or their family, on the grounds that TDSB cannot serve that student in a regular classroom setting, the principal should be required to give written notice of this to the family, with reasons addressing the test in paragraph (a), and to tell the family that it has the right to promptly receive the principal's reasons in writing. But this should not be reason to stop or withdraw services or support until a meeting has been held to discuss progress of have a review meeting of some kind.
- c) Parental choice should prevail in such placement decisions. However, parental choice

should be truly voluntary, free of actual or perceived pressure. For example, a parental decision to agree to placement in a special education class may not be truly voluntary, if parents have been told that their child will receive more support or disability accommodations in a special education class than in a regular class.

- d) There should never be a one-size-fits-all approach to meeting the needs of students with special education needs. The approach should always be tailored to an individual student's learning needs.
- e) Where a special education class placement is proposed, TDSB should provide a multi-year plan aiming, consistent with the student's needs and parental choice, at progressing to eventual placement in a regular class.
- f) The foregoing paragraphs in this Recommendation 3 pertain to students with disabilities. TDSB should also develop policies and practices regarding inclusion of gifted students tailored to their specific needs, in consultation with those who advocate for gifted students. This should include a spectrum of options, e.g. an acceleration policy contemplating all forms of acceleration and specialized classes that provide for the needs of gifted students.

#### **Recommendation 4: TDSB Should Create a Major Organizational Change Transition Plan**

To transition away from the current TDSB rate of segregating students with special education needs that is more than triple the provincial average, TDSB needs to put in place a major transition plan, to create major organizational change from top to bottom, including:

- a) Time lines for action.
- b) Effective monitoring of progress and public accountability measures, including periodic reporting to TDSB trustees and to SEAC (at least semi-annually).
- c) Strong, monitored transition safeguards to ensure that no students with special education needs are put in a worse position as a result of the new Inclusion Strategy. This should include, among other things, TDSB officials who are independent of the student's school, checking with the family during the transition period to monitor that the transition is working effectively.
- d) Regularly monitoring and measuring individual student placement and program for success, including regularly checking to see the extent to which students with special education needs feel that they are effectively included in the regular educational setting.
- e) As part of this transition plan, TDSB should first choose a small number of schools to roll out key changes, monitor what works, and build a record of success. The teachers and other staff at that school, as well as students and their families, can become key players in then helping build support for spreading these successes to other schools across TDSB.

#### **Recommendation 5: Identify TDSB Accessibility Barriers and Develop Comprehensive Action Plan and Timelines for Barrier Removal and Prevention**

TDSB should systematically review its educational programming, services, facilities and equipment to identify recurring accessibility barriers within TDSB that can impede the effective inclusion of students with disabilities. A comprehensive plan for removing and preventing these accessibility barriers should be developed with clear time lines, clear assignment of responsibilities for action, monitoring for progress, and reporting to TDSB trustees and to SEAC. To fulfill its barrier removal/prevention obligations under the Ontario Human Rights Code, TDSB should look for accessibility barriers far beyond the built environment accessibility barriers and digital accessibility barriers addressed in SEAC's June 13, 2016 motions, and beyond those

accessibility barriers addressed in accessibility standards enacted to date under the Accessibility for Ontarians with Disabilities Act. This plan should aim at all accessibility barriers that can impede students with disabilities from full inclusion at TDSB, many of which are identified in this Motion.

### **Recommendation 6: Rename and Re-define Misnamed Intensive Support Programs**

TDSB should promptly rename and update its descriptions of its "Developmental Disabilities" and "Mild Intellectual Disabilities" Intensive Programs. It should assign to them and publicize new names and descriptions of eligibility for them that are accurate and current.

### **Recommendation 7: Phase Out Schools that Are Entirely Segregated**

TDSB should develop and implement a long-term plan to ensure that none of its schools is entirely segregated exclusively for students with disabilities. This should be done over a reasonable time. It should be done without displacing any students now situated in one of those schools absent the consent of the student or their family. In the interim, TDSB should create as many opportunities as it can for students in those special education schools to learn and interact with students without disabilities during the school day, with an emphasis on working towards those students' future employment opportunities.

### **Recommendation 8: Implement Strategies to Substantially Reduce the Shuffling of Students with Special Education Needs From School to School over Their TDSB Years**

TDSB should implement a strategy to substantially reduce the shuffling of students with special education needs from one school to another over their TDSB years. For example:

- a) If a student, attending a school other than their home school, for an Intensive Support Program, is prepared to shift to inclusion in a fulltime regular classroom, then consistent with parental agreement, the student should have the option of remaining at the same school as the ISP, and treating it as their home school.
- b) Where possible, TDSB should locate in the same school a combination of two Intensive Support Program classes that involve different levels of support. This would enable a student to progress towards a regular class setting in that school, without having to switch schools in order to switch to a different level of Intensive Support Program. It would also enable a student, where appropriate, to spend part of a school day in one program and another part of the school day in another program, to best meet the student's needs. For example, TDSB should aim to locate one of the more intensive special education programs (such as the one now called a Developmental disability class) at the same school as one involving less intense support (such as the program now called a Mild Intellectual Disabilities class).
- c) Where feasible, if a student with special education needs is required to attend a different school than his or her home school, in order to take part in special education programming, the family should have the option of having that students' siblings also attend that school, especially where this will help the student with special education needs. Whenever possible, siblings, including those with special education needs, should be able to attend the same school.

### **Recommendation 9. Ensure Universal Design in Learning Is Used in Classrooms across TDSB**

TDSB should develop, implement and monitor a plan to ensure that all teachers and teaching staff understand, and effectively and consistently use, principles of Universal Design in Learning

(UDL), and differentiated instruction, when preparing and implementing lesson plans and other educational programming. For example:

- a) TDSB should survey its front-line teachers to find out how much they now know about or were trained in UDL and differentiated instruction, how much they incorporate UDL and differentiated instruction into their lesson plans, and what supports would assist them to practice UDL and differentiated instruction in their teaching.
- b) TDSB should develop, implement and monitor a comprehensive plan to train its teachers, other teaching staff, teaching coaches and principals on using UDL and differentiated instruction principles when preparing lesson plans and teaching. Training on UDL and differentiated instruction should be mandatory, not optional.
- c) TDSB should include knowledge of UDL and differentiated instruction principles as an important criterion when recruiting or promoting teachers, other teaching staff and principals.
- d) TDSB should ensure teachers are provided with appropriate resources and support to successfully implement the UDL training. This could include appropriate adaptive technology and sufficient planning time for teachers who are sharing a team-teaching role. TDSB should also develop strategies for monitoring and assessing how effectively UDL and differentiated instruction are incorporated into lesson plans and other teaching activities on the front lines.
- e) TDSB should develop a specific strategy for monitoring and reinforcing the use of UDL and differentiated instruction in situations where a teacher in a regular classroom has very limited exposure to their students with special education needs, e.g. where a student, placed in a special education class, only spends an hour per day in a regular class.
- f) TDSB should review any curriculum, text books and other instructional materials and learning resources used in its schools to ensure that they incorporate principles of UDL.
- g) TDSB should ensure that teachers in the areas of science, technology, engineer and math (STEM) have resources and expertise to ensure the accessibility of STEM courses and learning resources. This should include ensuring that any math coaches hired under the new Ontario Government math strategy have the expertise in UDL and differentiated instruction, to effectively assist teachers in meeting the needs of students with disabilities.
- h) TDSB should provide teaching coaches with expertise in UDL to support teachers and other teaching staff across TDSB.
- i) An annual UDL/differentiated instruction training report should be presented to SEAC and TDSB trustees. It should include the training done in the past year and planned for the following year; including summary of the training content, audiences and learning outcomes.

### **Recommendation 10: Tearing Down Counterproductive TDSB Senior Management Silos**

TDSB should subsume its Special Education Department in the Teaching and Learning department. This would help special education become a more integral part of oversight of teaching and learning, not as at present, as a separate department. This should be done in a way that ensures that accumulated expertise in all exceptionalities and disabilities is retained, including expertise in mental health issues.

### **Recommendation 11: Tearing Down Attitudinal Barriers against Students with Disabilities**

To eliminate attitudinal barriers among students, TDSB employees and some families of TDSB students, TDSB should:

- a) Develop and implement a multi-year program/curriculum for teaching students, TDSB staff and families of TDSB students, about inclusion and full participation of students with

disabilities, tailored to age levels. Because online courses are inadequate for this, where possible, this should include hearing from, meeting and interacting with people with disabilities e.g. at assemblies and/or via guest presentations.

- b) Post in all schools and send information to all families of TDSB students, on TDSB's commitment to inclusion of students with disabilities, and the benefits this brings to all students.
- c) Provide specific training to all TDSB staff that deal with parents or students, on the importance of inclusion.

### **Recommendation 12: Removing Barriers to Participation in Experiential Learning**

To ensure that students with disabilities can fully participate in TDSB's experiential learning programs, TDSB should:

- a) Review its experiential learning programs to identify and remove any accessibility barriers.
- b) Ensure that its partners who accept TDSB students for experiential learning placements are effectively informed of their duty to accommodate the learning needs of students with disabilities.
- c) Create and share supports and advice for placement organizations who need assistance to ensure that students with disabilities can fully participate in their experiential learning opportunities.
- d) Monitor placement organizations to ensure they have someone in place to ensure that students with disabilities are effectively accommodated, and to ensure that effective accommodation was provided during each placement of a student with a disability who needed accommodation.
- e) Survey students with disabilities and experiential learning placement organizations at the end of any experiential learning placements to see if disability-related needs were effectively accommodated.

### **Recommendation 13: Ensuring French Immersion and Other Specialized Programs Are Barrier-Free for Students with Disabilities**

TDSB should develop, implement and monitor a strategy to ensure that French Immersion and other specialized programs are accessible to and barrier-free for students with disabilities, including:

- a) Identifying what percentage of the students in these programs are students with disabilities, to document any under-participation.
- b) Review the admission process for gaining entry to these programs, for accessibility barriers.
- c) Review the choice of the buildings where these programs are to be delivered to ensure that students with disabilities will be able to physically attend these programs.
- d) Identify what efforts TDSB now makes to ensure that students with disabilities are accommodated in these programs, and the extent to which UDL and differentiated instruction principles are used in the teaching in these programs.
- e) Develop an action plan to address any accessibility and inclusion shortfalls.
- f) Actively publicize to students with disabilities and their families about the opportunities to take part in these programs, and TDSB's willingness to ensure that their accommodation needs will be met.
- g) Monitor the effectiveness of efforts to ensure inclusion and accessibility of these programs for TDSB students with disabilities, and report publicly on this, including to TDSB trustees and to SEAC, on an annual basis.

### **Recommendation 14: Ensuring Student Testing/Assessment is Free of Disability Barriers**

To ensure that TDSB fairly and accurately assesses the performance of students with disabilities, TDSB should:

- a) Give its teachers and principals training resources on how to ensure a test is a fair, accurate and barrier-free assessment for students with disabilities in their class, and where needed, how to provide an alternative evaluation method.
- b) Set guidelines for proper approaches to ensuring tests provide a fair, accurate and barrier-free assessment of students with disabilities, and on when and how to provide an alternative evaluation method.
- c) Monitor implementation of these guidelines.

### **Recommendation 15: Ensuring Students with Disabilities Can Bring Service Animals to School**

Because students on the autism spectrum have reported difficulties at some school boards with being allowed to bring a service animal to school, and have even had to take action before the Human Rights Tribunal against a school board, TDSB should ensure it has a fair protocol to ensure that students with disabilities who need a trained service animal are able to bring them to school, and respects the student's rights under the Ontario Human Rights Code. TDSB should also ensure that principals, teachers, school office staff and families of students with disabilities know about this policy.

### **Recommendation 16: Ensuring Accessibility of Instructional Materials that Students with Disabilities Use**

To ensure that instructional materials used at TDSB are fully accessible on a timely basis to students with disabilities such as vision loss and those with learning disabilities that affect reading, TDSB should:

- a) Survey students with disabilities who need accessible instructional materials, and their teachers and families, to get their front-line experiences on whether they get timely access to accessible instructional materials.
- b) Establish a dedicated resource to convert instructional materials to an accessible format, where needed, on a timely basis. It is insufficient to place this workload on TDSB's staff who work with students with vision loss.
- c) Review its procurement practices to ensure that any new instructional material that is acquired is fully accessible or conversion-ready, and monitor to ensure that this is always done in practice.

### **Recommendation 17: Ensuring Accessibility of Gym, Playground and Like Equipment**

To ensure that gym equipment, playground equipment and other like equipment and facilities are accessible for students with disabilities, TDSB should:

- a) Take an inventory of the accessibility of its existing gym and playground equipment.
- b) Adopt a policy on specific requirements to ensure accessibility for new gym or playground equipment, in consultation with SEAC, and widely with families of students with disabilities.
- c) Implement effective measures to ensure this procurement policy is followed and enforced.

### **Recommendation 18: Implement Human Resources Policies and Practices to Expand TDSB Staff Knowledge and Skills Regarding Inclusion**

TDSB should develop and implement human resources policies targeted at inclusion, such as:

- a) Making knowledge and experience on implementing inclusion an important hiring and promotions criterion especially for principals, vice-principals and teaching staff.
- b) Emphasizing inclusion knowledge and performance in any performance management and performance reviews at TDSB.

### **Recommendation 19: Finding Out What Has Worked on Inclusion at TDSB and Elsewhere**

TDSB should extensively investigate effective practices in all the areas addressed in this motion, within TDSB as well as at other school boards in Canada, the U.S. and elsewhere. This should include investigating school boards that have successfully made major transitions in the direction of more inclusion and less segregation of students with disabilities. TDSB should make its research public, and available to trustees and SEAC.

### **Recommendation 20: Establishing a TDSB Chief Accessibility/Inclusion Officer**

TDSB should establish the position of Chief Accessibility/Inclusion Officer, reporting to the Director of Education, with a mandate and responsibility to ensure proper leadership on the matters in this motion, as well as the four motions which SEAC passed on June 13, 2016, and to help TDSB ensure that it provides a fully accessible workplace for employees with disabilities.

### **Recommendation 21: TDSB Regularly Reporting to the TDSB Board, to SEAC and to the Public on Plans and Progress**

TDSB should establish a time line for action, including key interim milestones, on these motions. It should establish a schedule for regularly reporting to the TDSB Board, to SEAC, to any other related governance bodies and to the public, on its plans to implement this motion, and for periodically reporting on progress, with this reporting to begin no later than six months after the date of this motion.