

**Autism Ontario's Response to**  
***Special Education Transformation:  
The Report of the Co-Chairs  
with the Recommendations of the Working Table  
on Special Education***



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## Executive Summary

In this response, representatives of Autism Ontario outline their concerns, questions, and issues related to the “Special Education Transformation” document. We strive to reflect the realities experienced by parents of students with ASD<sup>1</sup> in Ontario.

Throughout this response, we emphasize the importance of enforcement and accountability. Accountability needs to encompass compliance with the regulatory framework, effectiveness of tax dollars spent, and successful outcomes for students with special needs. For the desired transformation to take place throughout the province, the “*sound legislative and policy framework*” must be accompanied by enforcement measures and accountability requirements, and these must be communicated to and known by all stakeholders — including educators, family members, and service providers. In our view, school board administrators and educators should not only be expected, but be required, to act in the best interest of each student regardless of the student’s specific needs and the cost of delivering the required programming and services.

Flexibility of offerings, in terms of a variety of placement options, a modified curriculum, a focus on social achievement, and a process that focus on individual needs, is critical. Students with special needs should be considered as individuals with unique learning styles and support requirements, not as part of a collective with a common need.

Parental involvement must not only be encouraged, but mandated, both to relieve the stresses the educational system places on parents and to benefit the student through shared knowledge and information. The dispute resolution aspect of these recommendations needs to be clarified so that parents no longer face barriers in advocating for their individual child within a large and powerful education system.

The involvement of third parties in curriculum development and delivery of services within the schools is a critical issue that, as with parental input, needs to be mandated rather than handled at the discretion of individual educators. Positive outcomes for students with ASD rely on a multi-disciplinary approach that does not exclude experts outside the education system, such as mental health professionals.

We would welcome a system that offers stable and reliable funding, but it is critical that the funding be accounted for to ensure it is used for students with special needs, and that those students receive appropriate supports regardless of where they live in Ontario.

## Introduction

### ***Who is Responding***

This response reflects the collective input of a 10 member committee of Autism Ontario members, primarily parents, and is intended to represent the response of the organization and its province-wide membership. Autism Ontario's SEAC representatives, chapter presidents, and other volunteers are in regular contact with parents dealing with the special education system, and this response reflects information gathered through that contact and from other sources.

Autism Ontario recognizes the effort and thought put into this report, and appreciates the report's acknowledgement of the need for stable and predictable funding, recognition of the important role played by parents, and focus on children's mental health. We are pleased to see that many of the report's contents are consistent with our Education Policies.

*Students with ASD have what they need to learn at their maximum potential regardless of geographical and/or financial situation.  
(Autism Ontario Education Policies)*

Autism Ontario is entirely supportive of a special education system that "*enables students to acquire, demonstrate, and apply the knowledge and skills necessary to maximize their potential for school and beyond*" and applauds the recognition that students need access to the appropriate "*supports, services, programs, and range of placement that they need so that they can achieve their potential*".

Individually, the committee recognizes that the education system in Ontario contains some exceptional educators who demonstrate skill, compassion, and commitment to students with ASD. We acknowledge their contribution to our children's lives, and trust that the transformation of the special education system results in even more of these individuals coming to light.

### ***Need for Ongoing Reporting***

Autism Ontario trusts that the progress of this proposed transformation, both in terms of practices and the outcomes of those practices, is regularly reported to a wide group of stakeholders. We also hope that groups such as ours will be consulted as decisions are made to put the guidelines into action.

### ***About This Response***

In many areas, the transformation report is too general to allow effective and targeted comments. Where this is the case, our response consists of questions and requests for clarification. In some cases, the report's prose did not always entirely align with the bulleted recommendations, leaving some uncertainty in the minds of the reviewers and, therefore, in this response.

Autism Ontario, naturally, has focused our response on the needs of students with ASD. However, we believe that the issues we raise in this response are valid for all special needs students. Furthermore, addressing these issues will ensure a better educational environment for all students, and a better society for all

## Parents' Experience with Special Education in Ontario

Although the facts presented in the report's "Some Facts About Special Education" are accurate, they do not entirely reflect the reality of parents, as disclosed to our SEAC representatives and volunteers. In particular, Autism Ontario calls attention to the following points.

- The number of students with ASD in the Ontario system is undoubtedly higher than quoted. Many students are awaiting diagnosis, while others may be diagnosed under a different category. Using the figure of 1 in 165<sup>3</sup> individuals having ASD gives a more realistic number of students with ASD in the educational system.
- Students with ASD often have their education truncated. Some schools practice early dismissal (citing a lack of teachers' assistants or complications of bus scheduling), without consideration for Regulation 298 of the Education Act. In other cases, "[students] may be asked to stay home on days when there will be a substitute teacher, or when there is a field trip."<sup>4</sup>
- Parents of students with ASD are often given inaccurate information by school officials, such as being told that "autism" is not an acceptable IPRC category, being discouraged from having their child receive an IPRC, or being mis-informed about their rights as parents.
- Parents of students with ASD who are not offered an appropriate placement withdraw the children, for varying periods of time, from the school system. Although apparently voluntary, these actions are typically taken when no reasonable alternative is available.
- Students with ASD are disproportionately affected by school-based disciplinary action (such as removal from the classroom or the school itself), often for reasons caused by their condition. In essence, they are disciplined for having a disability.
- Only a fraction of disciplinary actions against students with ASD are reported as suspensions — many more are "soft" suspensions, where parents are requested to remove their child without a suspension being recorded.

These limits to educational opportunities place a large burden on the shoulders of parents (most often, on mothers). Parents may be forced to reduce or eliminate regular employment in order to handle these issues, limiting family income, reducing the opportunity for funding other interventions for their special needs children, and adversely affecting the entire family.

## Unique Aspects of Students with ASD

Although students with ASD all "have some kind of cognitive or learning disability"<sup>5</sup>, only 25% of them also have mental retardation (IQ < 70)<sup>6</sup>. This makes placement choices uniquely challenging — individuals with ASD must be treated individually.

All students with ASD have some impairment in their communication skills. The school system "fails to treat the communication needs of ASD students as a major factor in their education"<sup>7</sup>, in contrast to others with special needs such as the deaf. "Schools routinely attempt to provide an education to students with ASD who have no means of communication."

<sup>8</sup> Parental collaboration is also complicated by these communication limitations, since students

*[Students with ASD need] a curriculum that is flexible enough to allow for individual education programming for the diverse needs of students with ASD throughout the education and transition process.  
(Autism Ontario Education Policies)*

may not be able to accurately report on their day, and the provision and scope of regular classroom communication remains at the discretion of the individual teacher. Autism Ontario believes educators of students with communication challenges should be required to regularly provide parents with written communication from the school about the school day's activities.

In all aspects of their lives, individuals with ASD experience a degree of stress that is “greater than for any other childhood condition or developmental disability”<sup>9</sup>. These stresses affect their education, but are not addressed through curriculum or learning strategies. Schools should work in partnership with mental health agencies to alleviate stress in ASD students and further prevent the development of serious mental health disorders such as anxiety and depression.

“Research shows that people with ASD think and learn differently than others. If students with ASD are to have equal access to education, then they must have access to curriculum materials designed for ASD students and specialized teaching staff that understands the unique learning style of students with ASD [just as] there are specialized teachers for the blind and the deaf because of their unique learning needs”<sup>10</sup>

## 1 Student Success and Access to Curriculum

### ***Our Policies***

Autism Ontario believes all students with ASD can graduate from Ontario's education system, given the appropriate supports.

*Education for students with ASD includes not only programming for an academic curriculum, but also programming to address the communication, social skill and behavioural deficits associated with ASD. (Autism Ontario Education Policies)*

Report Statement	Autism Ontario Response
<i>all students would be expected to achieve both academically and socially</i>	Social achievement must be clearly defined as part of the curriculum, given that it is a pre-condition to the successful attainment of academic, life, and job market skills. However, social achievement must extend beyond the mere ability to tolerate the presence of peers or demonstrate compliant behaviour in class. All students with ASD should be educated through clearly defined social skills curriculum requirements, expectations, and programming at every academic and social grade level.
<i>a range of placement options would continue to be available</i>	<p>All school boards, regardless of language of instruction, location, or budget, should be required to make available a full range of placement options, both inclusion and congregation, to provide an education appropriate for the individual student. Despite existing ministry requirements, many school boards offer a full range of options only on paper, not in practice, or make some options impossible to access in a practical manner.</p> <p>All placements must be supported by adequate resources based on the needs of the individual student, not on their diagnosis. For example, a student with a diagnosis of high functioning ASD does not necessarily need fewer supports. With ASD in particular, individuals have highly individualized learning needs.</p>

In this important area, Autism Ontario recommends specific considerations for the different types of placement options.

### **Congregated Placements**

- Although inclusion is a desired norm, “many students with ASD, at various stages of development, across all functioning levels, may benefit from specialized, segregated classes.”<sup>11</sup>
- Students with ASD should not be forced to prove that they cannot cope in a regular class before being offered specialized placements. Indicators should be developed to help educators identify students who do not possess the skills to be successful in a regular class, and efforts made to channel these students directly into specialized programs earlier in the system before major difficulties arise.
- All students in congregated placements should have, in their IEP, an inclusion plan to map out how they will be supported in integrating into general school life such as at recess.
- When students with ASD are congregated with children mixed in their abilities, individual learning needs should be respected. Children with ASD often have specialized areas of strength that can be over-looked or stunted when considered part of a collection of children with a variety of learning disabilities.
- Congregated placements should not be “*duration-specific*” — students should remain in such placements until they are individually determined to have progressed to the point where they are ready for integration.

### **Inclusion Placements**

- Inclusion must involve more than simply including the special needs student in the regular classroom. Parents routinely report that “inclusion” is more a matter of perception than reality. “Inclusion” means participation in all classroom activities, eating lunch with classmates, going on all field trips, and being actively welcomed into the social life of the class.
- Placement in a regular classroom should not set any special education student up for failure. Administrators must be required to plan for and provide adequate support such as a teachers’ assistant, adaptive devices, and support from outside agencies.

### **Combination Placements**

To address the wide range of abilities and needs of individuals with ASD, a more flexible set of placement options is needed. For example, individuals might participate in an inclusive setting for subjects they are particularly adept in, while participating in a congregated setting at the start and end of the day and for subjects where more support is required.

*Students with ASD have access to a range of placement options based on individualized student needs. This will include all ranges from full integration to full segregation at all school boards. (Autism Ontario Education Policies)*

## Secondary School-Specific Placements

ASD involves a fundamental impairment in social functioning, and secondary school success is highly dependent on social abilities. The environment of secondary school, with multiple transitions during the day, puts even more stress than usual on students with ASD. Parents who have been working hard to develop relationships with their child's elementary school teacher face an overwhelming challenge in working with multiple teachers in the secondary school environment. Resources are much harder to access and supports are diminished at a time when the needs of the individual are increasing.

IEPs specific to secondary school needs should be developed and delivered. Successful pilot projects, such as those currently operating in Ottawa and Streetsville for students with Asperger's Syndrome, exist. These should be expanded and offered to all those with ASD for whom these models are appropriate.

## Transitions

Report Statement	Autism Ontario Response
<i>special attention would be paid to transitions</i>	Individuals with ASD have difficulty adjusting to and handling changes of all types, so transitions are particularly problematic for this population.

In this important area, Autism Ontario recommends specific considerations for all transition points.

### Transitions Into School

On entry to school, those families who have been receiving intensive behavioural interventions (funded by government or privately) are faced with a system that, generally speaking, refuses to adopt the behavioural-based strategies that have been supporting the child. The added pressure and potential for failure this causes at the very start of the child's life in the education system contribute to ongoing challenges for both parent and child.

The Ministry of Education's document "Planning Entry to School: A Resource Guide" contains excellent strategies that could form the basis for policy in this area.

The report's recommendation to involve third parties will also help develop effective transition strategies.

*Every child with ASD has an individualized plan for transition from pre-school settings to school that includes appropriate supports and classroom/curriculum adaptations to ensure maintenance of previously acquired skills and continuity of learning....Every student with ASD has a written transition plan in place throughout high school to ensure a smooth and successful transition from school to community. Placement in post secondary school, day program or employment is arranged prior to the student leaving high school.*

(Autism Ontario Education Policies)

## Transitions Between Schools

Transition practices for students with special education needs require cooperation between the individual schools and, where necessary, between school boards. To facilitate the transition of students, placement decisions must be made early in the school year and include a commitment of a particular school.

The transition from elementary to middle or secondary school is particularly problematic for students with ASD. School transition programs should be developed and provided well in advance of the transition. This could include visits to receiving schools and/or a formal “buddy” program with existing students at that school.

## Transitions Beyond School

Transition plans for special needs students leaving the educational system are intermittently available, and of variable quality and usefulness. The timeliness of this planning is also critical — opportunities may be lost if planning occurs too late. Cooperation between the school and/or school board and post-secondary institutions or other post-school options is key.

## ***Expectations and Curriculum***

Report Statement	Autism Ontario Response
<i>expectations for student achievement would be agreed upon by educators and parents</i>	<p>Autism Ontario recommends the use of the term “outcome” rather than “expectation”, with the resulting focus on what will be achieved and what the student will be able to do. Too often, “expectation” is used to focus on the student’s weaknesses rather than strengths.</p> <p>Although it is admirable that expectations be jointly agreed upon, what recourse will be available if parents do not agree with the expectations developed by educators? Autism Ontario would like to see expectations take into account objective external measurements as well as those developed by educators. Where expectations are not being met, the educational team, not the individual student, must be held accountable.</p>
<i>continue to provide curriculum and instructional resources to schools, complete with performance indicators</i>	<p>Students with ASD are known to respond well to information presented in visual format. Adapted curriculum materials that are visually based should be available to teachers at all grade levels. These are useful for a wide range of students, within and outside the special needs environment.</p> <p>The term “performance indicators” needs to be clarified. What measurement tools will be associated with the curriculum, and how will those address individual special education needs?</p> <p>To promote student success at the secondary level, an alternative curriculum for secondary schools needs to be developed, one targeted particularly for special needs students. Students who are intellectually challenged in a more traditional way tend to remain in schools longer than those who face other challenges, such as those</p>

Report Statement	Autism Ontario Response
	with Asperger's Syndrome. <sup>12</sup> Drop-out rates of these students need to be addressed with the strategies described in the transformation report and this response document.
<i>continue to refine and develop appropriate measures to assess and track progress of those students</i>	Students with ASD can perform poorly when assessed using conventional standardized measurement tools. What efforts will be made to ensure that the information used by the ministry accurately reflects the abilities of special needs students?
<i>develop resources related to effective instructional practices or program indicators for educators based on specific learning profiles and/or areas of need</i>	<p>Many models of effective instructional practices exist in both the academic and clinical domain, and should be capitalized on, without reinventing the wheel.</p> <p>"Learning profiles" must not be interpreted based on the individual's diagnosis, but on their individual style of learning. Despite their shared characteristics, not all students with ASD have the same learning style or needs.</p>

### ***Bullying***

Students with ASD typically experience high levels of anxiety, even to the point of receiving a diagnosis of an anxiety disorder (some 60% have such mental health problems<sup>13</sup>). Such challenges are often related to teasing and bullying at school. Bullying may be addressed through raising awareness of other students and consultation with outside agencies.

## **2 Professional Development**

Report Statement	Autism Ontario Response
<i>increased capacity of all staff to educate a wider range of learners</i>	<p>The "<i>specific and systemic professional development related to special education</i>" should include a specific focus on ASD. It is critical to educate teachers on the fundamental aspects of ASD and increase their awareness of the causes of behavioural and educational challenges in these students. Professional development that focuses on "tips and tricks" may address an immediate need, but does not set the foundation for fundamental knowledge that can be used to respond to a variety of situations and individuals.</p> <p>Educators should have access through the ministry to appropriate standard measurement tools and be trained on how to implement them.</p>
<i>parents would have the opportunity to access information and resources</i>	Parents should be able to audit Professional Development courses to increase their own knowledge and awareness.
<i>require, through the Ontario College of Teachers, the completion</i>	Given the likelihood that any classroom teacher will have a special needs student in their class at some point, Autism Ontario strongly recommends the Ontario College of Teachers require a minimum

Report Statement	Autism Ontario Response
<i>of a minimum of a half-course on special education</i>	of a full special education course. For the same reason, we recommend that all current teachers be required by the ministry to pursue special education courses.
<i>establish standards that define roles and responsibilities for teachers' assistants</i>	<p>Teachers' assistants should be regulated either through the College of Teachers or through a separate college of teachers' assistants established for the purpose of regulating and ensuring appropriate conduct, suitability for registration, and appropriate educational training standards. The ministry, in consultation with community groups, should determine the appropriate training standards and requirements.</p> <p>Teachers' assistants should be declared an essential service and therefore not be able to strike.</p>

### 3 Identification and Support Options

Report Statement	Autism Ontario Response
<i>there is greater reliance on educational and classroom assessments than medical/psychological assessments</i>	Autism Ontario agrees that this objective is appropriate when considering the need to provide services to students that educators and administrators believe to be at risk. We take issue, however, with the proposed general objective that greater reliance be placed on educational and classroom assessments than on medical/psychological assessments. In fact, all available relevant assessments relating to a child's diagnosis and needs that support the identification of a suitable placement and appropriate services for a student with ASD must be taken into account in determining the appropriate placement, services, and accommodations. School board administrators and educators should not have discretion to disregard medical and psychological assessments in favour of educational assessments.
<i>educators...would have access to personnel with expertise in...behaviour strategies</i>	<p>Parents of students with ASD often can provide an intersection between educators and behavioural experts with general or specific knowledge relevant to their child. However, school boards and educators have in many cases demonstrated reluctance to work with such outside agencies. How does the ministry propose to overcome this barrier?</p> <p>In many cases, unnecessary suspensions due to inappropriate behaviour could be reduced by requiring behavioural plans for all students. Early identification of potential problem behaviours, and development of evidence-based strategies to address those behaviours, should be required.</p>
<i>when the IPRC process is initiated, it should work in tandem with the IEP process</i>	<p>The ministry needs to articulate with more clarity its plan for the proposed IPRC/IEP process.</p> <p>The focus of IEPs should be on measurable goals and should include strengths.</p>

Report Statement	Autism Ontario Response
<i>revise IPRC and IEP policy</i>	<p>Caution must be used when reducing or eliminating the IPRC, which may adversely affect parents. Doing this means “the one thread of accountability that parents have, since the IPRC is a legal contract between the school and the parents, would thus be removed and removed without parents fully understanding what they were giving up.”<sup>14</sup></p> <p>Whatever standards and practices are introduced, they are meaningless if compliance with them is not monitored and enforced.</p> <p>“It is not acceptable to place the burden on families to prove their child needs specific services or accommodations... All guidelines for determining the most appropriate accommodations for students with ASD should derive from what is in the best interests of the child. Best interests of the child should be considered in the context of parental wishes, current knowledge of ASD, and the student’s rights, under the Education Act, to appropriate services and programs. [AO OHRC report]</p>
<i>mandate and support the implementation of a provincial IEP template</i>	<p>The IEP template should be a model of clear, concrete, and measurable objectives and should include a glossary defining the terminology employed within it, to make the document more accessible to parents.</p> <p>Objectives should be frequently revisited so the IEP clearly shows progress from year to year. Goals that have been achieved should be replaced by new goals. Strategies that are not contributing to success should be replaced. Parents often find that IEPs, once established, remain fairly static from year to year.</p> <p>Software used for developing IEPs must allow for individual student differences to be reflected and encourage identification of a students’ strengths and how those strengths will be used to increase educational opportunities.</p> <p>Existing ministry guidelines indicate that parents are to be consulted in IEP development, but all too often that “consultation” involves sending parents a completed IEP for review and comment, typically well into the school year. Parents are then faced with the dilemma of agreeing to an IEP they question, or causing further delays in the IEP delivery because of the need to meet with teachers to discuss it. School boards must be required to forward draft IEPs within a specified timeline in advance of IEP meetings to afford parents and students the opportunity for meaningful participation in the IEP process.</p>

## 4 Service Integration

### *Special Needs of Students with ASD*

Students with ASD often also have other conditions that “make quality of life and adaptation much more difficult”<sup>15</sup> than the regular population. In particular, roughly 60% of those with ASD “develop another mental health problem such as attention deficit disorder, mood disorder or an anxiety disorder”<sup>16</sup>. Integration of services is critical for these students. Access to collaboration and cooperation with mental health professionals who are familiar with the high levels of anxiety and related mental health issues experienced by students with ASD is critical.

Students with ASD require access to speech and language pathology services. Focus on speech production is not sufficient to meet the needs of all students with ASD. Some students also require support, through occupational and physical therapy, to develop fine and gross motor skills. In all cases, a consultative model is not appropriate: students need direct access to these services.

Report Statement	Autism Ontario Response
<i>develop capacity to build more cooperative connections between schools, agencies, and families of children facing learning and behavioural challenges</i>	Autism Ontario recommends that the ministry consult the MCYS publication “A Shared Responsibility - Ontario’s Policy Framework for Child and Youth Mental Health for useful guidelines. For example, in its review of the “continuum of needs-based services and supports”, this document suggests “multi-disciplinary teams in schools” for providing intensive interventions and treatments as well as short-term crisis intervention.
<i>facilitate and require ongoing coordination and integration of services</i>	Educators, schools, and boards should be required to follow and implement professional recommendations.
<i>service integration and coordination across all ministries, school boards, and community agencies is a priority</i>	Autism Ontario agrees with this approach very strongly. However, we ask for more clarification on how educators would take the “lead role in coordinating service delivery and case management”. It is arguable that educators are qualified to manage the full range of needs or those with ASD. Case management and service coordination is a complex issue that involves not only educational services, but also medical, therapeutic, and social services, making it an inappropriate activity to be engaged in through the school system. An independent agency is perhaps the best for handling these complex inter-connected issues.  To achieve any measure of success, service integration must receive sufficient funding, regardless of where it is situated.
<i>requires that school boards work collaboratively with service providers</i>	Collaboration with service providers outside the school system, in the view of parents, is often strongly resisted by school boards and individual schools. How will the ministry enforce this requirement, and ensure that school boards make similar demands on their individual schools?

## 5 Parent Collaboration

Report Statement	Autism Ontario Response
<p><i>enhance collaborative relationships between educators and parents and reduce conflict in the system</i></p>	<p>“The stress experienced by the families of children with Autism Spectrum Disorders is greater than for any other childhood condition or developmental disability.”<sup>17</sup> Autism Ontario strongly supports any efforts to reduce conflict between parents and the school system, thereby reducing the stress in these parents.</p> <p>We agree that parents and students should be active participants in the process related to program, service, and accommodation decisions for students with special education needs. We would welcome an environment “<i>in which individuals demonstrate a mutual willingness to work together</i>”. Many parents have found the willingness to collaborate varies widely from school to school and class to class and depends largely on the individual educator’s views and approach to special education.</p> <p>The inherent power imbalance in the parent/school relationship needs to be addressed. Parents who face barriers of time (meeting during work hours) and/or language (non-native speakers), who fear a backlash against their child, or who are intimidated by authority need additional supports to access collaborative activities.</p> <p>How will the legislation, regulations, and standards achieve this collaborative process? How will the current climate of reluctance on the part of some school boards and educators be overcome?</p>
<p><i>families would have a minimum of at least one additional opportunity every year, outside of regularly scheduled report card meetings, to meet with the personnel working with their children for a collaborative discussion</i></p>	<p>Autism Ontario feels that a single additional meeting is inappropriate. The goal of parental collaboration cannot be met with such a low minimum standard. This is particularly the case with parents of students with ASD, who are often highly involved in their child’s pre-school experiences as well as ongoing behavioural and social interventions.</p> <p>Parents would welcome the occasional meeting devoted to the special needs students’ strengths, rather than meetings that always tend to focus on problems.</p>
<p><i>engage parents in a culturally sensitive manner</i></p>	<p>What is the meaning of the term “culturally sensitive”, when used in references to how parents will be engaged, and the skills of advocates/mediators? It may be that the “culture” of parents is their role in the life of their child with special needs, rather than any sense of ethnicity.</p>
<p><i>parents gain...necessary information and support networks</i></p>	<p>What networks are envisioned by the ministry? How will they be specified and defined in the regulatory framework?</p>

Report Statement	Autism Ontario Response
<i>include targeted support for parents of students with special education needs in the mandate of the provincial Parent Engagement Office.</i>	What kind of support would the Parent Engagement Office provide for parents of students with special education needs? Will it have any power in areas of dispute? Will it have any impact on the work of SEAC, mediators, or the appeal and tribunal processes?

### ***Dispute Resolution***

Autism Ontario has an ongoing concern about the current structure of Regulation 181 and the subsequent appeal process. In particular, in a 2002 document to the OHRC, we identified issues such as:

- No ability to appeal recommendations for programs and services
- No clear definition of the term “placement”.
- No avenue for resolving issues if a school board’s special education plans are inadequate.
- No way for the appeal committee to order recommendations be implemented — decisions are inherently limited because they are always at the discretion of the school board. Although tribunal decisions are theoretically final and binding, in practice they are not as school boards can continue to appeal them.
- School boards apparently have unlimited financial access for legal representation and parents must either bear the financial cost of legal representation or appear without the support of that representation. The cost issue represents an unfair barrier to parents.

Report Statement	Autism Ontario Response
<i>require school boards to develop...informal dispute resolution processes for issues related to programs and services for students with special education needs...[and a] mandatory dispute resolution process</i>	<p>The inclusion of the term “programs” in this recommendation is key. As indicated by Lindsay Moir, the current system allows appeals only of identification and placement, although “more and more parents are actually taking issue with program.”<sup>18</sup></p> <p>In lieu of the proposed mandatory dispute resolution, Autism Ontario favours a remedy that is both binding upon the parties and enforceable. How can the regulatory framework require school board administrators to actually implement the results when mediation is non-binding by nature?</p> <p>Any dispute resolution system must be fair and open to all parents. Appropriate weight must be given to all relevant material and assessments (from within and outside the school) in support of the needs of a special education student.</p> <p>Mediation provided for in the IPRC process in the current legislation is largely ineffective. How will the proposed mandatory mediation be any more effective?</p>

Report Statement	Autism Ontario Response
	Will the provincial Child Advocate play an advocacy role, supported by more funding, in not only supporting parents through the process but also in attending and counselling parents during the course of mediation?
<i>school boards and parents would have access to trained and culturally sensitive mediators</i>	Who will the mediators be? Will they be drawn from a pool of retired teachers and retired board employees and, therefore, be potentially more sensitive to the needs of school boards and its administrators than to parents? How will the ministry ensure that mediators are objective? Will the mediators be funded by a third party rather than by the Ministry of Education?

## 6 Accountability and Reporting

Report Statement	Autism Ontario Response
<i>The ministry has the necessary data and information to ensure that funds have been utilized in an effective and efficient manner</i>	Autism Ontario applauds this objective, but questions how it will be executed. How will boards be held accountable for spending special education funding on special education? How will that information be shared with stakeholders?
<i>Revise the ministry's standards for special education board plans</i>	How will adherence to these revised standards be enforced? How will the ministry ensure that special education plans developed by school boards adequately provide for the needs of special education students?  Autism Ontario believes that the Ministry of Education and school boards must be required to operate "under the strict policies and guidelines of the Ontario Human Rights Code. In the event of non-compliance...parents should have a meaningful recourse to a remedy. A timely and just process that will not disadvantage the student's progression through the school system is required." <sup>9</sup>
<i>Elicit information related to parent, SEAC, and community satisfaction with the delivery of programs and services</i>	How will school boards and schools effectively be held accountable for providing timely and appropriate services or otherwise be held accountable for compliance with the Education Act? Will the legislation provide enforcement provisions and investigative powers to ensure compliance? If not, what body, if any, will monitor the acts or omissions of educators, school board administrators, and officials? Will the government pass a bill similar to the proposed Bill 90 that recommends giving the Ombudsman the power to investigate the practices of school boards?  When the need for additional supports, such as adaptive devices, is identified, administrative procedures should not unduly deliver the receipt of those devices.

Report Statement	Autism Ontario Response
	Reporting should focus on what has been achieved, the outcomes of the efforts, not on the modified expectations themselves.

## 7 Research

Autism Ontario is in favour of more research and sharing research results publicly, but has concerns about how this has been handled in the past. For example, results from ASD-specific pilot classrooms, the Special Education standards, and the School Support program are not publicly available.

Ongoing research activities must be targeted to topics of interest, importance, or relevance to the education system, to schools and/or to the special education public. Research should be used to identify gaps between what is needed and what is offered, and explore the use of evidence-based practices and models of service. Replicable models should be developed based on research results. All results should be made public.

We are pleased to see a recognition of the role of evidence-based practices and trust that the current barriers to such practices in the classroom will be removed.

## 8 Special Education Funding Allocation

Report Statement	Autism Ontario Response
<i>Provide protected special education funds</i>	How will boards be held accountable for spending special education funding on special education? How will that information be shared with stakeholders?
<i>[funding] flows to boards in a predictable and equitable manner</i>	Autism Ontario agrees that funding is critical. Clearly, none of the recommendations put forward in the report can be implemented without funding.
<i>Allocate funds to boards based on enrolment, enrolment plus the board-specific incidence of students with high needs, and direct funding for students with extremely high needs</i>	<p>“High needs” should be clearly defined. For students with ASD, the level of need does not always correspond to level of functioning — an apparently higher functioning teenager may still have high needs. Needs should not be tied to intellectual scores.</p> <p>Funding should be:</p> <ul style="list-style-type: none"> <li>• attached to students requiring special education</li> <li>• independent of enrolment numbers (which does not necessarily correlate to the number of special needs students in a board)</li> <li>• directed to ensure maximum in-class human resources such as teachers’ assistants and school social workers, particularly at the secondary school level</li> <li>• directed for speech pathologists and other professional service providers</li> </ul>

Report Statement	Autism Ontario Response
<i>Review the impact of the proposed modifications on the provincial French-language education system</i>	Although we recognize that the French language system faces additional challenges, we trust that the impact of these modifications on the entire system, including rural boards, will be reviewed.

<sup>1</sup> When this document uses the term “ASD” (Autism Spectrum Disorders), it encompasses autism, PDD-NOS, and Asperger’s Syndrome, unless those other terms are used explicitly

<sup>2</sup> All quotes are from the “Special Education Transformation” report, unless otherwise attributed.

<sup>3</sup> Fombonne E, et al “Pervasive developmental disorders in Montreal, Quebec, Canada: prevalence and links with immunizations”, *Pediatrics*, July 2006.

<sup>4</sup> Autism Ontario (formerly Autism Society Ontario) submission to the Ontario Human Rights Commission on Education & Disabilities, October 2002.

<sup>5</sup> Szatmari, Dr. Peter, Director of the Offord Centre for Child Studies and Founding Member of the Canadian Autism Intervention Research Network (CAIRN), in a November 2006 brief to the Senate Inquiry on Funding for Autism Treatment.

<sup>6</sup> Szatmari, Dr. Peter. “The Science and Policy of Autism”, presented at Autism Ontario President’s Council, June 2006.

<sup>7</sup> Autism Ontario (formerly Autism Society Ontario) submission to the Ontario Human Rights Commission on Education & Disabilities, October 2002.

<sup>8</sup> Ibid.

<sup>9</sup> Szatmari, Dr. Peter, in a November 2006 brief to the senate, citing Lecavalier et al “The impact of behaviour problems on caregiver stress in young children with autism spectrum disorders.” *Journal of Intellectual Disability Research*, March 2006.

<sup>10</sup> Autism Ontario (formerly Autism Society Ontario) submission to the Ontario Human Rights Commission on Education & Disabilities, October 2002.

<sup>11</sup> Ibid.

<sup>12</sup> Moir, Lindsay, in a presentation to Autism Ontario’s President’s Council, November 2006.

<sup>13</sup> Szatmari, Dr. Peter, in a November 2006 brief to the senate, citing Leyfer et al in the *Journal of Autism Development Disorders*, October 2006 and B. Korkman in the *Seminar on Clinical Neuropsychiatry*, July 2000.

<sup>14</sup> Forman, Dr. Norm, Executive Director of the Ontario Association of Education Advocates, quoted in the “Recess” newsletter, December 2006.

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<sup>15</sup> Szatmari, Dr. Peter, Director of the Offord Centre for Child Studies and Founding Member of the Canadian Autism Intervention Research Network (CAIRN), in a November 2006 brief to the Senate Inquiry on Funding for Autism Treatment

<sup>16</sup> Ibid.

<sup>17</sup> Ibid, citing Lecavalier et al in the Journal of Intellectual Disability Research, March 2006.

<sup>18</sup> Moir, Lindsay. "The Role of the Advocate in the Transformed Education System". Quoted in the Ontario Association of Education Advocates "Recess" newsletter, December 2006.

<sup>19</sup> Autism Ontario (formerly Autism Society Ontario) submission to the Ontario Human Rights Commission on Education & Disabilities, October 2002.