

Review of the Halton District School Board's

Special Education Plan 2007 – 2010

By Learning Disabilities Association of Halton

Presented to the Special Education Advisory Committee

October 6, 2009

Standard 1: The Board' Consultation Process

Purpose of the Standard: To provide details of the board's consultation process to the ministry and to the public

Requirements of the Standard: The school board's special education plan must contain a description of the following:

Criteria	Fully Evident	Somewhat Evident	Not Evident
take into consideration issues and feedback from members of the community			√
public consultation with the assistance of the Board's SEAC			√
a statement of how, in accordance with Regulation 464/97 made under the Education Act, the board ensures that its SEAC is involved in the annual review of the board's special education plan	√ (P.12)		
a description of any majority or minority reports concerning the board's approved plan that have been received from members of the board's SEAC	√ (P.11)		
the board's response to these reports			√
a statement of how members of the community, particularly parents of children who are receiving special education programs and services, are informed of the time lines and methods for providing input into the board's special education plan			√
a summary of feedback received as a result of consultation		√ (P. 11)	
results of any internal or external reviews of existing special education programs and services within the board that have taken place in the previous or current school year.			√
a list of internal and external reviews of the board's special education programs and services that are planned for the following year	√ (1,2)		

Comments:

SEAC reviewed the Plan monthly through out the year, however, not all amendments were reported to them and they were never presented with a finale copy prior to voting. The Plan currently available on the board's web site is different than the one that was first put up on the web site in June. (page 8)

There is no mention of how the Board would deal with Minority Reports. Although it is noted that our association did not submit a "formal minority report" in 2008 it is also important to note that there was no response from the board to the concerns raised nor are the issues brought forward included.

It is not clear if or how community was consulted as no results are included. A survey specifically for special education still has not been developed. This was listed in the 2007 /08 plan. This survey is for parents with children attending school. There is a requirement to consult the "community".

As there were a number of major amendments made to the plan such as the closing of the intermediate self contained classes for students with learning disabilities one would expect that these placements were reviewed. Nothing is included to outline why this change was made. Also no information is included about the LD Task Force proposed in the 2004 – 2005 Plan has been reported. In 1999 a Task Force on secondary special education programs and services was to be created. No

report has ever been reported.

The results of the new screening process for primary gifted students piloted last year have not been reported. (page 37)

Standard 2: Special Education Programs and Services - The Board's General Model for Special Education

Purpose of the Standard: To provide the ministry and the public with information on the board's philosophy and service-delivery model for the provision of special education programs and services.

Requirements of the Standard: The school board's special education plan must contain a description of the following:

Criteria	Fully Evident	Somewhat Evident	Not Evident
outline in detail the board's general philosophy	√ (P. 13/14)		
outline in detail and service-delivery model for the provision of special education programs and services.	√ (P. 14)		
designed to comply with the Canadian Charter of Rights and Freedoms			√
designed to comply with the Ontario Human Rights Code			√
designed to comply with the Education Act and regulations made under the act			√
statement confirming that the plan was designed in accordance with this requirement	√ (P. 14)		

Comments:

In theory the Board maintains a continuum of service model and statements of "Belief" that LDA Halton supports. However, there are practices that do not uphold these beliefs. The availability of programs, services and placements must be available to all exceptional pupils at any point in their education. The board can not pick and choose whether these services are or are not available and still be in compliance with the Charter of Rights and Freedoms and the Ontario Human Rights Code. The board is required to show how the plan is "designed" not just make a statement that it is.

The Ontario Human Rights Commission maintains in its document *Guidelines on Accessible Education* "the most appropriate accommodation is one that most respects the dignity of the student with a disability, meets individual needs, best promotes inclusion and full participation, and maximizes confidentiality". Further in the *Policy and Guidelines on Disability and the Duty to Accommodate* it states, "The essence of accommodating people with disabilities is individualized". The practice of allocating individual support based on a student's exceptionality does not meet the test of the Supreme Court of Canada or the Ontario Human Rights Code. The board must move to accommodating students as individuals.

Although many individuals have access to the web the board needs to ensure that those that don't have access to board documents such as Operating Policies.

Standard 3: Roles and Responsibilities

Purpose of the Standard: To provide the public with information on roles and responsibilities in the area of special education.

Requirements of the Standard: The board’s special education plan must provide information on the roles and responsibilities of:

Criteria	Fully Evident	Somewhat Evident	Not Evident
the Ministry of Education	√ (P. 16)		
the school boards	√ (P. 16)		
the board’s SEAC	√ (P. 17)		
principals and teachers of the board	√ (P.17 - 18)		
parents and guardians	√ (P.19)		
students	√ (P.19)		

Comments:

The role of SEAC is listed as “makes recommendations to the Board with respect to any matter affecting the establishment, development, and delivery of special education programs and services for students with special education needs of the Board”. Some where in the plan it should show how SEAC is fulfilling its legislated role. This could be done by listing all the motions that SEAC sent to the Board for consideration and the results of their decision.

On page 17 it states that the school principal and the teacher carries out duties as outlined in policy/program memorandum. The implementation of the Ministry of Education’s Policy Program Memorandums is the responsibility of the school board. There are many reference to the Education Act and its regulations in each section. These need to be specific if the public is to understand the authority under which the board and/or staff work.

The description of the responsibilities for the special education teacher is extensive. Given the pupil teacher ratio in Halton schools it is impossible to comprehend how a teacher can carry out the listed duties. There is no information contained in the plan on how the board determines how special education teachers there will be or how that number is determined. This information was in the 2008 and the first draft of the 2009 version of the Plan. **It has been removed from the finale 2009 version.**

On page 21and 22 the role of the Learning Resource Teacher Consultant is listed. This position does not appear on the 2008 plan. This is an amendment that was not reported.

Also the position of the Code Project Coordinator listed on page 21 of the 2008 Plan not longer is listed (page 22). This is an amendment that was not reported. Also the results of this project have not been reported.

On page 407 of the June 18, 2009 version of the 2009 – 2010 Board’s Operating Budget a vice principal and 2 principals are listed. The vice principal and one principal position do not appear in the plan.

Standard 4: Early Identification Procedures and Intervention Strategies

Purpose of the Standard: To provide details of the board’s early identification procedures and intervention strategies to the ministry and to the public

Requirements of the Standard: The school board’s special education plan must contain a description of the following:

Criteria	Fully Evident	Somewhat Evident	Not Evident
the guiding principles or philosophy used by the board for early identification of children’s learning needs	√ (P. 23)		
the teacher’s role in early identification	√ (P. 24)		
polices and procedures on screening, assessment, referral,		√ (P.24)	
identification, and program planning for students who may be in need of special education programs and services		√ (P.38)	
procedures for providing parents with notice that their child is having difficulty		√ (P.27, 30)	
procedures used within the board for referring a student for an assessment (e.g., an assessment by an in-school team or by professional resource staff) should learning problems be identified that might result in the student’s being referred eventually to an IPRC (these procedures include notifying parents and involving them in the process)		√ (P.27, 30)	
procedures for providing parents with notice that their child is being considered for referral to an IPRC			√
procedures for providing parents with notice that their child is being considered for a special education program and related services if the child is not referred to an IPRC			√
the types of assessment tools/strategies used to gather appropriate information on students in order to assist in the development of appropriate educational programs		√ (P.24)	
the types of early intervention strategies that are used to support students prior to referral to an IPRC			√

Comments:

The early interventions that the board provides should be further developed. The interventions should be exceptionality specific. For example there is no mention of programs for preschoolers who are deaf as required under Regulation 298 subsection 30 or how the board deals with gifted pupils.

The use of parent volunteers in the “All Star Reading Program” on page 25 appears to be the only early intervention in the area of literacy. Again we raise our concern about the role of the SERT. How do schools decide which children will receive direct instruction from the SERT given the pupil teacher rations in schools. The plan does not state which children are referred to the volunteer program as opposed to services from the resource teacher or the learning resource teacher. There are no early intervention programs listed in the other areas such as mathematics, social development.

On page 25 it states that “all primary teachers use a variety of strategies to teach phonemic development, phonological awareness..... This statement seems to be contradictory to the comments made by staff to our association about the lack of knowledge that teachers have in this area. On reviewing the staff development section in this plan as well as last years version there has been no staff development in this area. The board needs to ensure that all teachers have access to training in this area as

without this skill many will not succeed. **The standard requires a list of strategies. They are not listed.**

There are references to the process outlined on page 27 however, it is not clear how that information is shared with parents or how parents are made aware that their child requires assistance. As the Parent Guide is only given is requested and prior to an IPRC (page 12) how would a parent know anything about their rights and responsibilities? The criteria for when a student would receive an Individual Education Plan are not outlined.

The reference on page 75 to Learning Resource Teachers (LRT) should be outlined in this section. The following needs to be included: the criteria for service, the percentage of time spent with primary students as opposed to older students, the number of students on each teachers case load and the criteria for demission needs to be clear. As these teachers are not assigned to all schools, in non assigned schools it is not clear who fulfills this role.

The Early Language Development Centre (Kindergarten) listed on page 57 is a program and should be referenced in this section. The following areas are not clear: the role of the speech and language pathologist in the day to day running of the program, the expectations of parents to make a “commitment to their child’s involvement and their own involvement in the program”, the number of pupils who attend at one time, how many groups of children can be served each year or the criteria for demission from the program. There is no mention of services for children who are not selected for this program. LDA Halton is concerned that parents who can not make the required commitment may find their child denied service.

The Communication Transition Program (JK – Grade 1) listed on page 57 should also be referenced in this section as it is not a placement. It appears that this is a program for children with autism however, this is not clear. This program does not have the same requirements of parents as the Early Language Development Centre. This needs to be explained along with the length of time a child can stay and the criteria for demission.

Standard 5: The Identification, Placement, and Review Committee (IPRC) Process and Appeals

Purpose of the Standard: To provide details of the board’s IPRC process to the ministry and to the public.

Requirements of the Standard: A board’s special education plan must include:

Criteria	Fully Evident	Somewhat Evident	Not Evident
a description of the board’s IPRC process	√ (P. 30)		
the number of IPRC referrals, reviews, and appeals conducted within the board in the previous school year.	√ (P. 34)		
copy of the board’s guide for parents. At a minimum, the parents’ guide to special education must contain the information set out in the sample guide that is included in Appendix B to this document		√ (P. 115)	
guide gives parents information on the procedures involved in identifying a student as exceptional and determining the student’s placement, as well as information on appealing the decision of the IPRC if the parents do not agree with the decision.		√ (P. 115)	

Comments:

This section has been changed significantly; however, it could be improved. LDA Halton does not agree with the position that, “the provision of programs and services is not dependent on the (IPRC) process”. In order for students to be protected by the Education Act and the regulations this process is essential.

A specific criteria needs to be developed to ensure that all schools are consistent in deciding when a child needs to move to a different placement.

LDA Halton is concerned with the implications that assessments done by qualified psychologist to determine learning disabilities may not be accepted by the board. The board needs to be clear about what “criteria” it uses for determining which students have learning disabilities. If the board uses a criteria other than the definition set out by the Ministry of Education it must be included. The board also needs to explain how it deals with students with non verbal learning disabilities. **In some cases parents are reporting that the board refuses to identify these students.**

The change to only allow parents to visit a class as opposed to the specific class that their child would go to has been questioned by a number of SEAC organizations. LDA Halton raises the same concern. Who the teacher is and what children are already in a class should be part of the information that a parent has before they are required to make an IPRC decision. The chart on page 30 is not consistent with this new process.

Although the chart on page 30 indicates that parents are invited to attend the IPRC it is frequently reported to the LDA Halton that they don’t need to attend because the meeting is only five minutes long. The board needs to be clear in their message and they also need to ensure that parents who do attend are allowed to ask what ever questions they need in order to make a finale decision. The board needs to ensure that parent’s questions about “programs and services” are discussed. It should be noted that some school boards have a place on the IPRC form for the recording of recommendations regarding programs and services.

In the Dispute Resolution (page 33) it appears that the “Mediation” meeting is part of the legislation. It needs to be make clear that this is not a legal requirement but an option for parents. The authority of such a process needs to be outlined as well as where the IPRC fits into this process.

LDA Halton is deeply concerned about the number of IPRCs that are being waived (page 34). The letter used to inform parents of their ability to Waive the Annual Review should be included. As this letter has not been share with the public the board needs to ensure that parents need to be clear about what this means in terms of their legal rights as well as how they can revoke this waiver. The number of waivers seems to indicate that the Halton Board is slowly dispensing with the IPRC process. This is confirmed by the information shared with our association, that schools have been directed to not identify students as well as by the statistics in 2008 and 2009. New identification in 2008 was 616 compared to 516 in 2009.

The Plan must include an actual copy of the board’s parent guide, “Working Together”. If a parent requests a hard copy of the Special Education Plan, they should also receive the parent guide. The board can not assume that all families have access to the internet.

One of the concerns that we raised at the Board of Trustee this past spring about the closure of classes related to how the legal rights of parents were dealt with. We understand the need to amend the Special Education Plan, however the rights of students can not be violated in the process. The timing of the review of the Plan and the annual IPRCs needs to ensure that the of parents are not violated.

Standard 6: Educational and Other Assessments

Purpose of the Standard: To provide details of the board’s assessment policies and procedures to the ministry and to make parents aware of the types of assessment tools used by the school board, the ways in which assessments are obtained by IPRCs, and the ways in which assessments are used

Requirements of the Standard: A board’s special education plan must provide information on the types of assessment tools used within the board, including educational assessments for students who are in need of special education programs and services.

For each type of assessment tool described, the school board’s special education plan must include the following information:

Criteria	Fully Evident	Somewhat Evident	Not Evident
the qualifications of categories of staff who conduct the assessment and/or diagnoses, that is staff who are governed by the Education Act; the Regulated Health Professions Act, 1993; the Health Care Consent Act, 1996; or other legislation, as appropriate (the board must specify which legislation applies)	√ (P.44/45)		
average waiting times for assessments to be conducted		√ (P. 44/45)	
the criteria for managing waiting lists if they exist		√ (P. 42)	
an acknowledgment that requirements for obtaining parental consent are met prior to conducting the assessment		√ (P. 39)	
an explanation of how results of an assessment are communicated to parents	√ (P. 39)		
a description of protocols for sharing information with staff and outside agencies	√ (P. 41)		
an explanation of how privacy of information is protected	√ (P. 41)		

Comments:

Although the plan indicates that special education teachers do academic assessments, children are not annually assessed. This means for an identified students there is no standardized measurement to show whether they have made any progress. Annual standardized assessments need to be used as part of the criteria for determining when or if a placement needs to change. The report card only shows what a student can accomplish when they are accommodated and/or supported. It can not demonstrate individual skill development.

The board needs to put a process in place for determining wait times. Although on pages 44 and 45 it states the times on page 42 it states that “wait times have not been measured on a Regional basis”. This is confusing. The wait time in the 2005 plan for psychological assessments **was 1 year**; it is now **14 months**. The practice of constantly re- prioritizing students for assessment needs to be evaluated to ensure that no student is denied an assessment in an acceptable length of time. It is not acceptable that a student with learning disabilities has an assessment in grade 4 and is never assessed again. **A parent reported to us that when she requested a re-assessment that “the board was only funded for one assessment for a child”.**

The charts on page 44 and 45 are incomplete. For example there are no assessment tools listed for speech-language pathologists. Does this mean that they don't do any testing? Also the limited number of tests in the area of psychology is concerning and different from the 2008 Plan. The Plan needs to explain why tests done by the special education teachers, social workers or child and youth workers are not kept in the OSR. The chart does not indicate the professional qualifications of child and youth workers nor does it indicate that social workers are governed by the Regulated Health Professions Act. Page 40 indicates that social workers do "assessments" however, page 45 states they only do "observations". Clarification is required.

Some Assessments are held at the Regional Student Services Office as well as the OSR. It does not specifically indicate who has access to the assessment held outside of the OSR. The practice of sharing assessments needs to be clear. The plan states on page 40 that "a copy of the written report will be given or mailed ..." however, in the Parent Guide it states on page 5 that a parent must request a copy. Clarification is required.

If the Board uses "outside agencies and private practitioners"(page 42) to deal with the waiting time for assessments. The names of the private practitioners should be listed. If an individual from outside the Board is contracted to assess a student, the consent form used for that purpose should be included. The criteria for choosing these outside practitioners should be included.

The information about assessments required for post secondary institution is new. (page 42). LDA Halton strongly feels that the board should be ensuring that this information is part of the development of a student's Transition Plan. Guidance departments have a responsibility to assist parents who require financial support as there is no funding available unless a student qualifies for OSAP.

Standard 7: Specialized Health Support Services in School Settings

Purpose of the Standard: To provide details of the board's specialized health support services to the ministry and to the public

Requirements of the Standard: A board's special education plan must:

Criteria	Fully Evident	Somewhat Evident	Not Evident
describe the provision of specialized health support services for students who require them in school settings	√ (P. 47/48/49)		
specific information about each type of specialized health support service provided by Community Care Access Centres (CCACs), school board staff, or other service providers	√ (P. 47/48/49)		
Appendix C completed	√ (P. 47/48/49)		

For each type of specialized health support service described, the plan must describe the following:

Criteria	Fully Evident	Somewhat Evident	Not Evident
the agency or the position of the person who performs the service (e.g. CCAC, board staff, parent, student)	√ (P. 47/48/49)		

eligibility criteria for students to receive the service	√ (P. 47/48/49)		
position of the person who determines whether a student is eligible to receive the service and what level of support will be	√ (P. 47/48/49)		
Criteria for determining when the service is no longer required		√ (P. 47/48/493)	
Review or appeal procedures (if any) available for parents who dispute the provision of these services, including any time limits on requesting reviews or appeals		√ (P. 47/48/493)	

Comments:

Policy Program Memorandum 81 needs to be included to make the eligibility criteria evident. **The Criteria for Discharge CCAC Speech and Language at the bottom of page 47 is new. This was not reported as an amendment. No criteria for discharge for occupational therapy services are listed. The new criteria for Occupational Therapy services should be included.**

Under “Criteria for determining when the service is no longer required section” it is not clear if a nurse, case manager, principal or therapist can determine a service prescribed by a Medical Practitioner can be terminated. Where a professional person can determine that a service should be terminated or changed in some way, the criteria that is used needs to be included. It is common practice, for services to be terminated for financial reasons. Parents need to be aware of all of the criteria so that they can use the dispute process if they do not agree.

The information regarding appeal procedures is confusing. It appears that families living in the Burlington area have a different process than other Halton families. Families in Burlington are only required to call however, other families in Halton must put their concerns in writing. As there is a detailed appeal process under the Health and Long Term Care Act to the Health Review Services Tribunal this information must be included. <http://www.hsarb.on.ca/english/default.htm>

In 2005 the Health Review Services Tribunal made an interesting ruling in the AXN. V Hamilton Community Care Access Centre case. It ruled that services that had been stopped due to a pre set time line was not acceptable and order services to be reinstated. http://www.hsarb.on.ca/scripts/MOHShowUploadedFile_Public.asp?File_ID=1174

Standard 8: Categories and Definitions of Exceptionalities

Purpose of the Standard: To make information on the categories and definitions of exceptionalities available to the public, including parents and community associations.

Requirements of the Standard: A board's special education plan must:

Criteria	Fully Evident	Somewhat Evident	Not Evident
list the ministry's categories and definitions of exceptionalities (see Appendix D to this document).	√ (P. 50-52)		
must describe the ways in which the board's IPRC applies them in making decisions on identification and placement.	√ (P. 27)		

Comments:

The Plan needs to describe how the board deals with children in the primary grades who have a reading disability but who do not show a "significant discrepancy" as well as, how the board deals with students diagnosed with disorders such as Tourettes Syndrome, Attention Deficit Disorder, Environmental Hypersensitivities.

On page 52 it indicates that to be identified as a student with a learning disability requires a recent psycho-educational assessment done by an individual who is a member of the College of Psychologists of Ontario. This appears to contradict the current practice of reviewing assessments done outside of the board by qualified practitioners. **In some cases parents report that the assessment does not meet the "board's criteria".**

The board needs to reconsider the use of the multiple category. In some boards any student with more than two exceptionalities is automatically put into the multiple category. This has a huge impact on those families who wish their child placed in an appropriate self contained class under Regulation 298 (31).

Standard 9: Special Education Placements Provided by the Board

Purpose of the Standard: To provide the ministry and the public with details of the range of placements provided by the board, and to inform the public that placement of a student in a regular class is the first option considered by an IPRC.

Requirements of the Standard: The board's special education plan must:

Criteria	Fully Evident	Somewhat Evident	Not Evident
describe the ways in which the board's SEAC is involved in providing advice on determining the range of placements offered;			√
acknowledge that placement of a student in a regular class is the first option considered by an IPRC;	√ (P. 54)		
outline ways in which a student can be integrated into the regular classroom when the placement meets the student's needs and is in accordance with the parents' preferences;		√ (P. 57)	

outline specific information about each type of placement provided at the elementary and secondary levels;		√ (P. 55/63/64)	
list for each category of exceptionality the range of placement options available		√ (P. 63, 64)	
criteria for admission		√ (P. 56)	
the admission process		√ (P. 56)	
the criteria for determining the level of support provided in each placement, including the board's criteria for assigning intensive support for students who are in need of a great deal of assistance;			√
state the maximum class size for each type of special education class	√ (P. 63/ 64)		
list the criteria used for determining the need to change a student's placement			√
describe the alternatives that are provided when the needs of a student cannot be met within the board's range of placements the ways in which the options are communicated to parents			√

Comments:

All exceptionalities do not have access to self-contained placements as outlined in Regulation 298 (31). On page 33 the Board includes the category of multiple, however, on pages 63 and 64 there are no placements for this group of students. There are no placements for students with autism that comply with Regulation 298.

There are no specific criteria for the admission to a placement or when that placement needs to change. The degree to which a student can be provided for in a regular class needs to be specific. **The use of a time specific criteria only for students with learning disabilities is not acceptable. This means that the demission of a student with learning disabilities from a self contained placement is not based on the needs of the pupil but on a time frame. This is an example of how the Plan does not comply with the Charter and the Code.**

One page 55 a placement of Resource with withdrawal is listed. There are no criteria for admission listed. The frequency and length of the withdrawal periods needs to be included. **The Board needs to institute yearly, standardized assessments on students to determine whether the placement is effective and students are growing in their skills.**

Only students who have safety and health needs are provided with intensive support. Students who require support to be successful academically need to have support allocated to them. This is another example of how the Plan does not meet the Charter and the Ontario Human Rights Code. SEAC members should review the February 6, 1997 decision of the Supreme Court of Canada in the Eaton v. Brant County case. <http://scc.lexum.umontreal.ca/en/1997/1997rcs1-241/1997rcs1-241.html>

On page 61, the provision of a purchase of service agreement with another school board is not listed as an option under “Students Needs outside of the Board’s Range of Placements”.

The new process to allow parents to place their children in a self contained class without an IPRC means that these families are not protected by the due process of the law. It also means that these parents may not be required to follow the same process outlined on page 32. The information on page 56 is contradictory. How can a child meet the admission requirement to a self contained class; that is that they are identified, if parents can choose not to have them identified.

On page 56 it states that classes starting in September 2009 would meet the requirement of Regulation 298 in regards to class size. However, on page 59 it clearly states that the self contained classes for students with learning disabilities would have other exceptionalities in them. Regulation 298 is very clear. The class size for mixed exceptionalities can not exceed 16. Just because there are less children does not make it a learning disability class. Students with Asperger’s Disorder have very little in

common with a student with learning disabilities.

The board needs to review the placement options for all exceptional students. It needs to ensure that the options are based on the “best interest of the pupil” and not on finances or philosophy. The also need to ensure that the “Beliefs” of the Board are reflected in this standard.

Standard 10: Individual Education Plans (IEPs)

Purpose of the Standard: To inform the ministry and the public about the ways in which the board is complying with ministry requirements for implementing IEPs

Requirements of the Standard: The school board’s special education plan must describe the following:

Criteria	Fully Evident	Somewhat Evident	Not Evident
the board’s plan for implementing the ministry’s standards for IEPs	√ (P.		
any processes for dispute resolution where parents and board staff disagree on significant aspects of the IEP	√ (P.68)		
the board’s results of the ministry’s review for the previous year,			√
the board’s plans for a response to these results (when available)			√
a copy of its IEP form in the plan.	√ (P.100)		

Comments:

Although the board is using an electronic IEP, it still must be able to personalize to each student. There is no indication how flexible the template is to accommodate this.

On page 66 it indicates that under PPM 140” that an IEP is required to be implemented within 30 days of a child with autism entering school”. The 30 days must be clarified as to whether it is 30 instructional days or 30 consecutive days.

Accountability Plan

The details of the current tracking plan should be attached to the Special Education Plan.

It is not clear which teachers participated or whether training was mandatory.

The results of the feedback from the focus groups should be included as well as the ongoing review by the co-coordinators.

Transition Plans

The board should use a sample IEP that includes a Transition Plan. The IEPs that parents share with our organization do not meet the standards outlined in the Ministry of Education documents; The Individual Education Plan (IEP), A Resource Guide, 2004 and Transition Planning: A Resource Guide, 2002.

The dispute mechanism on page 68 should be included in the Board’s Parent Guide and the brochure on IEP’s should be attached to the Parent Guide and the Special Education Plan.

Observation on Sample IEP on pages 103 – 104.

1. The student’s placement is Regular Class with Resource Assistance, however the student is being withdrawn 3 times a week.
2. Although in the assessment section it indicates that reading comprehension is a weakness it is not listed in the area of need.
3. In the areas of need a weakness in the area of expressive language is shown however, there is no mention of this in the assessment section.
4. This student is provided with the support of a Educational Assistant three classes a day. This is confusing as this is contrary to the board policy to only assign Educational Assistants for health and safety reasons. This section also does not indicate if this support is shared with another student.

5. Although this IEP is dated October 17, 2006 it contains Term 2 Expectations.
6. In the assessment data area there is no information about the reading skills (decoding). It also does not appear in the strengths area. This may mean that this child's difficulty with reading comprehension is also related to the lack of phonological awareness and/or decoding skills.
7. The only accommodations provided for provincial assessments are frequent breaks and alternative location even though many others are listed including use of a computer. Although a calculator is listed as a accommodation in mathematics, the assessment section show no weakness in this area and in the area of strength role memory is a strength.
8. The individualized equipment section lists only "specialized software however no hardware is noted except Alphasmart and DANA. This equipment will not run specialized software such as Inspiration or Smart Ideas (graphic organizers). If Ministry funded "assistive software" has been purchased it should be listed. Also this equipment must be available for all assessments including EQAO.
9. There is no mention of how or if this student is accommodated in science, art, computers or music.
10. There is no statement as to the current level of achievement in decoding/reading in the English section. This would indicate to the teacher and parent that the problem in comprehension is not related to decoding skills.
11. The goals and expectations in the English and Advocacy sections are not measurable. Please note that in the Term 1 Learning Expectation section it is not the responsibility of the student to set out the "completion strategies". The current level of achievement in the Advocacy section is not measurable.
12. In Term 2 for English there are no teaching strategies listed.
13. Organization skills and social skills are listed as areas of need however, there is no Alternative programming listed.
14. There is no reference to the parents involvement in the reviewing and updating of the IEP. Although on the first page it indicates that both the SERT and the classroom teacher worked together to develop this plan on the last page no classroom teacher is listed in the review section. This is concerning as the resource teacher is not in the classroom on a daily basis.

This sample needs to be more realistic. The practice of determining the expectations for term 2 prior to the completion of term one may indicate that this student will moved forward without the teachers evaluating his skills. There must be consistent recording of information between the assessment section, the areas of needs and the description of the program modifications.

The reference to the board's brochure Parent Brochure on IEPs has been removed. This was listed in the Appendix section in the 2008 Plan. This is an amendment.

Standard 11: Provincial and Demonstration Schools in Ontario

Purpose of the Standard: To provide the public with information about the Provincial and Demonstration Schools that are operated for students who are deaf, blind, or deaf-blind, or who have severe learning disabilities, which may include attention-deficit hyperactivity disorder (ADHD).

Requirements of the Standard: The school board’s special education plan must include the following:

Criteria	Fully Evident	Somewhat Evident	Not Evident
information on programs and services offered by Provincial and Demonstration Schools that is provided by the ministry in Appendix E to this document	√ (P.69)		
current statistics, by program, on the number of students who are qualified to be resident students in the board who are currently attending Provincial and Demonstration Schools	√ (P.70)		
information about how transportation is provided for students to and from the Provincial or Demonstration School, including transportation of an assistant if necessary		√ (P.70)	

Comments:

The assessment services of the Resource Service department of Demonstration Schools needs to be included. The availability of books in alternative formats from W. Ross Macdonald School for the blind for students with learning disabilities needs to be outlined.

The requirement in the admission process to Demonstration Schools for students with learning disabilities of a recommendation of the IPRC should be included.

The admission process for blind, deaf and deaf-blind students to Provincial Schools should include contact information for parents.

There is no information about how transportation is provided for students attending Trillium School.

The criteria for an assistant needs to be included along with an explanation why only students travelling to Sir. James Whitney is provided with an assistant.

Standard 12: Special Education Staff

Purpose of the Standard: To provide specific details on board staff to the ministry and to the public

Requirements of the Standard: The school board’s special education plan must include:

Criteria	Fully Evident	Somewhat Evident	Not Evident
information on the types of staff who provide special education programs and services	√ (P.71- 78)		
the board must complete and include the form in Appendix F to this document, outlining the range of programs and services offered and the qualifications required for the categories of staff listed on the form.	√ (P.71, 72)		
<p>Comments: <u>Please note that the entries on page 71 and 72 were never provided to SEAC prior to its consideration of the Special Education Plan. Also there are additions to these pages that were never reported as amendments.</u></p> <p>LDA Halton is deeply concerned about the reduction in self contained classes for students with learning disabilities from 26 to 17 and the loss of the one Itinerant Teacher for LD students. It is interesting to note the increase in classes for gifted from 12 to 14 classes and the increase of Life Skill classes from 15 to 18 as well as the increase of a.5 Itinerant Teacher for Gifted at the elementary level.</p> <p>The removal of the Itinerant Teacher for LD students is an amendment that was never reported.</p> <p>The addition of a .5 Itinerant Teacher for Gifted is an amendment that was never reported.</p> <p>The addition of an Itinerant teacher for Assistive Technology is an amendment. This position is not listed on page 22 nor is it listed as an amendment.</p> <p>The qualifications of Learning Resource Teachers is not listed on page 71. The qualifications of Paraprofessional Resource Staff are not listed on page 72.</p> <p>LDA Halton is also concerned with the staff qualification for special education teachers especially for teachers of self contained classes and itinerant teachers. This level of training is insufficient for the daily leadership that is required</p> <p>Teachers of the blind and deaf are required to be qualified under Regulation 268, section 23. Support workers for blind, deaf and deaf blind students are regulated by Policy Program Memorandum 76C.</p> <p>The reduction of secondary educational assistants from 208 to 169; a loss of 39, is concerning. At no time has the board explained in detail how it was going to manage this reduction. Nor have they indicated how the increase at the elementary level (382 to 421) would be allocated. The practice of only allocating EAs for health and safety in 2008 has not changed in 2009. This needs to be explained.</p> <p>On page 72 there is reference to volunteers and Nutrition Break Supervisors. These individuals do not appear on the staffing chart on pages 107 and 108. There are no qualifications listed or explanation on how volunteers are used within a school.</p>			

Standard 13: Staff Development

Purpose of the Standard: To provide details of the board’s professional development plans for special education staff to the ministry and to the public

Requirements of the Standard: The board must outline its plans for the professional development of its special education personnel. The special education plan must describe the following:

Criteria	Fully Evident	Somewhat Evident	Not Evident
the overall goal of the special education staff development plan	√ (P. 79)		
ways in which staff provide input for the plan		√ (P. 79)	
ways in which the school board’s SEAC is consulted about staff development			√
methods of determining priorities in the area of staff development	√ (P. 79)		
courses, in-service training, and other types of professional development activities offered by the board		√ (P. 80)	
ways in which staff are trained with regard to the legislation and ministry policy on special education, with particular attention to training for new teachers		√ (P. 76)	
details of the board’s budget allocation dedicated to the staff development plan in the area of special education		√ (P. 81)	
any cost-sharing arrangements with other ministries or agencies for staff development		√ (P. 81)	
ways in which school board staff are made aware of the board’s special education plan and of professional development opportunities	√ (P. 80)		

Comments:

There have been no professional opportunities offered in the area of learning disabilities listed in the Plan since 2003/04. Considering that teachers in special education are only require Special Education Part 1 this needs to be addressed.

The budget of \$ 587,714.00 for 2008/2009 (page 77) needs to be provided in detail. There needs to be an explanation as to why this amount is different from the amount outlined on page 48 of the approved 2009/2010 budget.

The list of opportunities for professional development has not changed from 2008 even though there will be a \$0.3 million reduction in the 2009/2010 budget. This needs to be explained. It is not clear why the board only collaborates with a limited number of association represented on SEAC in providing staff development.

The cost sharing arrangements with other ministries or agencies needs to be developed.

It appears that the SEAC is only informed about professional development opportunities. There is no formal process for SEAC to provide input to the staff development opportunities.

Standard 14: Equipment

Purpose of the Standard: To inform the ministry, board staff members and other professionals, and parents about the provision of individualized equipment for some students with special needs.

Requirements of the Standard: The school board’s plan must describe:

Criteria	Fully Evident	Somewhat Evident	Not Evident
how the board determines whether a student requires individualized equipment, such as assistive technology	√ (P. 82)		
how the board allocates its budget for equipment, including the criteria used for purchasing individualized equipment		√ (P. 82)	

Comments:
 Details of the amount set aside for individualized equipment needs to be included.
 For example:

- How much of the assistive technology technician salary is paid out of the SEA claim?
- How much is allocated to repairs?
- If a laptop is in need of repairs how much is allocated for a replacement?
- How much is allocated for training of the student and teacher.
- How is the amount for the student individualized to accommodate the learning needs of each student?

The criteria for purchasing individualized equipment which costs less than \$ 800.00 needs to be included. A list of fundable items in the “Personal Equipment Category needs to be included.

The availability of personal equipment is subject to budget. The Plan needs to explain what this amount is and what happens to the request for personal equipment if the budget is exhausted?

The amount budgeted for claims over \$800.00 is not clear. The amount projected in 2008/2009 (page 82) for equipment over the \$800.00 amount was \$ 475,000.00. However, in the projected budget for 2009/2010 on page 48 states that \$2,167,231 was the projected amount. These discrepancies need to be explained.

LDA Halton is concerned that computers are being used in lieu of direct instruction in areas such as written language skills. This concern is supported by what parents report to our association. Parents also report that teachers are often not changing how they deliver curriculum for students who have specialized equipment such as laptops with Kurzweil and their children are not receiving sufficient training in the new software or in keyboarding skills.

Computers for some students with language difficulties will not be a substitute for a note taker and/or scribes. The reduction in EAs at the secondary level is going to have a huge negative impact on these students. The board needs to explain how students will be accommodated.

The types of equipment under \$100.00 need to be listed. The budget allocation to schools needs to be included.

Many parents tell us of the long wait time for SEA claims for computers and software. There is no mention of how long a claim takes or the role of parents.

Standard 15: Accessibility of School Buildings

Purpose of the Standard: To provide the ministry with further details of the board’s multi-year plan, which was previously submitted to the ministry, for improving accessibility for students with physical and sensory disabilities, and to provide the public with this information

Requirements of the Standard: The school board’s special education plan must include the following:

Criteria	Fully Evident	Somewhat Evident	Not Evident
a summary of the board’s multi-year capital expenditure plan for improving accessibility to its school buildings, grounds, and administration offices, including resources dedicated to providing barrier-free access in the coming school years			√
a statement outlining how members of the public can obtain a copy of the complete plan from the board			√
a summary of the board’s progress in implementing the capital expenditure plan			√

Comments:
 This section does not appear to have been updated from 2007. There continues to be no outline of the capital expenditure budget or a statement as to how members of the public can obtain a copy of the board’s Accessibility Plan.

There continues to be no mention of the designated schools for those children with environmental hypersensitivities.

It is concerning that “automatic exterior door openers” are listed at the Phase III. As schools are public building they are required to be accessible to the public. This accommodation should be moved to Phase I.

The charts listed on pages 86 to 89 are not consistent with the charts listed on the board’s web site in the **Annual Accessibility Plan, 2008 – 2009**.
<http://www.hdsb.ca/BoardroomTrustees/Annual%20Accessibility%20Plans/2008AccessibilityPlan.pdf>

The Accessibility Handbook and the Accessibility Plan are no longer listed in the Appendixes.

Standard 16: Transportation

Purpose of the Standard: To provide details of the board’s transportation policies to the ministry and to the public

Requirements of the Standard: The board’s special education plan must describe:

Criteria	Fully Evident	Somewhat Evident	Not Evident
the types of students with special needs who are eligible to receive transportation	√ (P. 90)		
the ways in which these students can access the transportation	√ (P. 91)		

The types of students are as follows:

Criteria	Fully Evident	Somewhat Evident	Not Evident
students in special education programs, including students who are in regular classrooms	√ (P. 91)		
students in educational programs in care, treatment, and correctional facilities	√ (P. 91)		
students attending Provincial and Demonstration Schools	√ (P. 91)		
students who require transportation in order to attend summer school programs			√

The special education plan must also describe the following:

Criteria	Fully Evident	Somewhat Evident	Not Evident
the process for deciding whether a student with special needs will be transported with other children or whether it is in the best interests of the student to be transported separately			√
the safety criteria that are used by the board in the tendering and the selection of transportation providers for exceptional students (e.g., drivers must have first-aid training; wheelchairs must be secured during transit; a criminal record check must be done on drivers)			√

Comments:

There is no mention of transportation for summer programs.

It appears that the school resource team can authorize transportation however, the statement, “All other special education transportations must be authorized by the Superintendent of Student Services”. It is not clear who makes the decision. This statement needs to be clearer.

This section should outline the impact of the Optional Attendance Policy on their child's right to transportation.

The process for appealing should be included. The number, reason and results of Transportation Appeals should be included.

Standard 18: The Board's Special Education Advisory Committee

Purpose of the Standard: To provide details of the operation of the board's SEAC to the ministry and to give members of the public information to which they are entitled

Requirements of the Standard: The board's special education plan must provide the following information concerning its SEAC:

Criteria	Fully Evident	Somewhat Evident	Not Evident
names and affiliation of members	√ (P. 96/97)		
meeting times and locations	√ (P. 94)		
a contact address, telephone, and/or e-mail address for each member	√ (P. 96/97)		
procedures for selecting members	√ (P. 93)		
where applicable, a note that a board has membership to represent the interests of Native students			√

Criteria	Fully Evident	Somewhat Evident	Not Evident
making recommendations to the board with respect to any matter affecting the establishment, development and delivery of special education programs and services for exceptional students within the board participating in the board's annual review of its special education plan			√
participating in the development of the board's annual budget for special education			√
reviewing the financial statements of the board as they relate to special education			√
description of the ways in which parents and other members of the public can make their views known to SEAC		√	

Comments:

The attachment of a list of motions from SEAC to the Board along with how SEAC is involved with the development of the board's budget and review of the Plan needs to be included. It is clear that staff provide information to SEAC regarding the budget. It is not clear what they do with it.

Although SEAC was provided with information about the projected budget they were never provided with a detailed budget to comment on. Without this information it was not possible to this committee to fulfill its legal mandate.

It should also be noted that SEAC was also not provided with a final version of the Special Education Plan. Although, they reviewed each Standard on a monthly basis, in May they were surprised to hear that 8 self contained classes for students with learning disabilities were closing. The review process must change. SEAC should not be asked to give an opinion on either the budget or the Plan without a final version that is complete. It should be noted that the Trustees of the Halton Board were put in this same position. The complete projected budget was only put on the Board's web site after a member of the public complained.

In Board Policy 1000, Section 2.5 It states the following:

“Upon the recommendation of the Director of Education, the Board may appoint up to three (3) community representatives for the duration of the term of the Board. The Director will establish criteria for community representatives and provide these criteria to trustees and to the Special Education Advisory Committee.”

These criteria should be listed in this section.

According to the budget the board has allocated \$65, 000.00 for 1 Native Language Teacher. If the number of native children is increasing, the board must ensure that these students have representation on SEAC.

The requirement listed on page 93 that states that, “Members at Large may not hold membership in a Local Association during their term of office is not listed in Board Policy 1000. This needs to be clarified.

The addition of the public question period added to the SEAC agenda should be included as a mechanism for the public to make their views known to SEAC.

Standard 18: Coordination of Services with Other Ministries or Agencies

Purpose of the Standard: To provide the ministry and the public with details of the board’s strategies to ensure a smooth transition for students with special needs who are entering or leaving a school.

Requirements of the Standard: The special education plan must provide specific details about advance special education planning that is done for students with special needs who are arriving from other programs, such as the following:

Criteria	Fully Evident	Somewhat Evident	Not evident
preschool nursery programs	√ (P. 24/84)		
preschool programs for students who are deaf			√
preschool speech and language programs		√ (P. 100)	
intensive early intervention programs for children with autism	√ (P. 100)		
care, treatment, and correctional programs		√ (P. 100)	
programs offered by other boards of education	√ (P.25/100)		
whether it is the board’s policy or practice to accept assessments accompanying the students from these programs	√ (P. 101)		
whether it is the board’s policy or practice to reassess all incoming students. If reassessment is the policy or practice, the plan must state the estimated waiting time for completing an assessment	√ (P. 101)		
provide details about the way in which information is shared for students leaving the board to attend programs offered by other school boards or by care, treatment, and correctional facilities.		√ (P.101)	
identify the position of the person responsible for ensuring the successful admission or transfer of students from one program to another.		√ (P. 100)	

Comments:

The transition process needs to outline to include timelines for each category listed above. A sample of the Transition Plan that could be developed when a student enters the board from either the community or outside agencies would be useful.

The acceptance of outside assessments needs to be clearer, by clarifying the term “appropriate assessment.”

There is reference here to programs offered by other school board. Information about what programs are available should be listed in the Plan.

The only person identified as the person responsible for ensuring a successful transition is the special education teacher. For students in need of mental health interventions this may not be the most appropriate person to be assign to this role. The board needs to consider that this role be carried out by individuals from Special Services.

Submission And Availability Of School Board Plans

Each board is required to make its special education plan available to the public at the same time that it submits the plan to the ministry. The board must inform the public in a variety of ways about how to access the plan.

Criteria	Fully Evident	Somewhat Evident	Not Evident
if the board maintains a web site, the board is required to include information on ways in which the public may access the plan			√
if the board maintains a web site, it is encouraged to make the plan available on the web site	√		

The complete plan must be submitted along with the following documents:

Criteria	Fully Evident	Somewhat Evident	Not evident
a letter from the director of the school board that confirms that the school board's special education plan is being submitted in compliance with the requirements of Regulation 306 and of this policy document.			√
a copy of the board's motions of approval of the plan including the date of approval			√
a copy of any related motions or recommendations from the board's SEAC			√

Required Appendices:

Criteria	Fully Evident	Somewhat Evident	Not evident
Appendix A Roles and Responsibilities in Special Education	√ (P. 16-21)		
Appendix B Sample Parents' Guide to Special Education			√
Appendix C Specialized Health Support Services	√ (P. 47-49)		
Appendix D Ministry Categories and Definitions	√ P. 48.)		
Appendix E Provincial and Demonstration Schools	√ (P. 69/70)		
Appendix F Special Education Staff	√ (P. 71/72)		