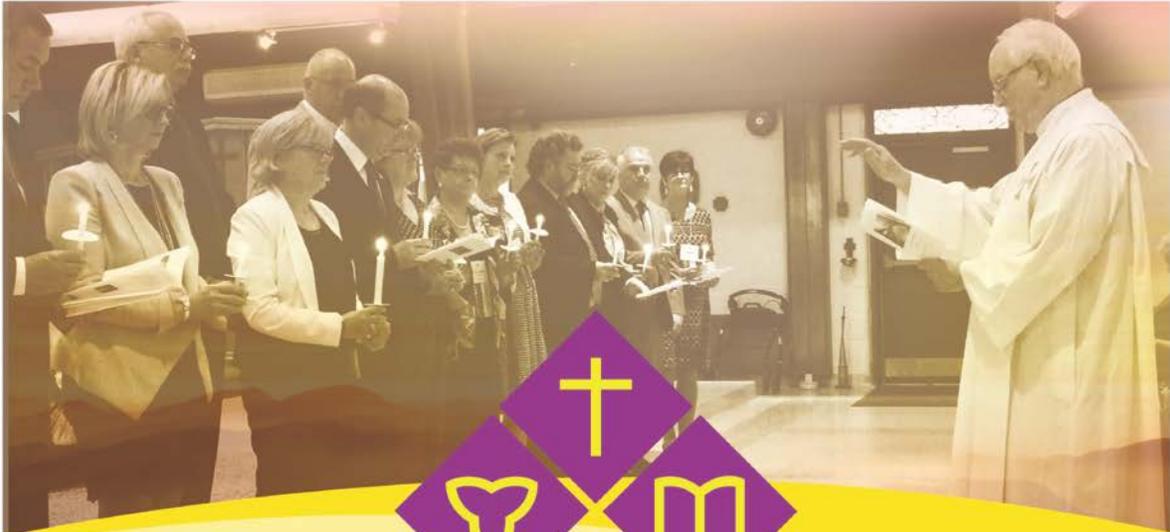


Response to
Ministry of Education's
**Engagement Guide for the Development of
an Accessibility Standard for Education**

July 10, 2017



Ontario Catholic School
Trustees' Association



Ontario Catholic School Trustees' Association

Mission Statement

Inspired by the Gospel, the Ontario Catholic School Trustees' Association provides the provincial voice, leadership and service for elected Catholic school trustees to promote and protect publicly funded Catholic education in Ontario.

Vision Statement

Ontario is enriched by a publicly funded Catholic education system, governed by locally elected Catholic school trustees who serve with faith, commitment and compassion.

Introduction

On behalf of the Ontario Catholic School Trustees' Association ("OCSTA") we are pleased to provide you with our submission on the development of an "Accessibility Standard for Education". The recommendations contained within this report reflect extensive consultations with our Catholic school boards.

OCSTA was founded in 1930. It represents 237 elected Catholic trustees who collectively represent 29 English-language Catholic district school boards. These school boards educate approximately 545,000 students from junior kindergarten to grade 12 and adults in continuing education programs province-wide.

Inspired by the Gospel, the Mission of the Ontario Catholic School Trustees' Association is to provide leadership, service and a provincial voice for elected Catholic school trustees who seek to promote and protect publicly funded Catholic education in Ontario.

Context for the Development of an Accessibility Standard in Catholic School Boards

Since the passage of the *Accessibility for Ontarians with Disabilities Act, 2005*, ("AODA") and its key regulations O. Reg. 429/07 and O.Reg. 191/11 providing schools with specific requirements in customer service and standards for accessibility, Ontario's 29 Catholic school boards have worked diligently to provide an environment in each of its facilities that fosters independence, dignity and respect for all board students and staff with disabilities. Our school boards are fully committed to providing services that are free of barriers and biases to our students, parents and the broader school community.

Our member boards strive to ensure that the principle of equal opportunity is reflected and valued in our learning and working environments. They are committed to ensuring that people with disabilities have equal opportunities to access services, programs and educational experiences that are available to all others they serve.

Catholic school boards in Ontario have continued to meet all targets and timelines in respect of the implementation of accessibility requirements in customer service, employment, information and communication, and student transportation. In addition, Ontario's Catholic school boards have developed multi-year accessibility plans, as required by O. Reg. 191/11 on Accessibility Standards. In general, these plans describe the measures each board will take over several years to identify, remove and prevent barriers to people with disabilities who work, learn and participate in the school community primarily in the areas of customer service, employment, information and communication, and student transportation.

School Board Process and Policy Development

In terms of the manner through which these multi-year plans are developed, Catholic school boards have accessibility working groups comprised of senior board staff and student representatives. These working groups consult with their Special Education Advisory Committees, Catholic School Councils, local Principal/Vice Principal Associations, local Union Representatives and persons with disabilities in establishing specific barrier removal and prevention strategies. These multi-year plans are also reviewed annually and are subject to overall school board approval. Each board is required to issue an “annual report” on the progress made in achieving the goals outlined in its multi-year plan. Also boards are required to file periodic progress reports on compliance with the regulations for accessibility.

With regard to the funding of specific initiatives within school boards’ multi-year plans, through the standard budgeting processes key barrier removal projects are identified, prioritized and completed in a coordinated effort from within existing board financial resources. Without specific, earmarked provincial funding for accessibility requirements, boards will struggle to reach full compliance by 2025.

Defining an Education Accessibility Standard

According to the Accessibility for Ontarians with Disabilities Alliance (“Alliance”) Discussion Paper¹, an “education accessibility standard” is:

An enforceable regulation that the Ontario government would enact under the AODA. It would set out measures that school boards must take to remove and prevent accessibility barriers that impede students with disabilities from fully participating in, being fully included in, and fully benefitting from education programs in Ontario. It would set deadlines for action.²

The Alliance Discussion Paper goes on to describe some of the features of an Accessibility Standard for Education that need to be addressed. For example, the concept of disability should include students with physical, mental, sensory, intellectual, mental health, learning, communications, and neurological impairments. These forms of disability are currently covered by the Ontario Human Rights Code. In addition, the Accessibility Standard for Education should also include the following measures:

- Actions that make it easier to include students with disabilities in the mainstream of school activities and programs;
- Accessibility standards for new buildings;
- Digital accessibility requirements for on-line learning;
- Provincial standards on service animals;
- Curriculum based “universal design in learning principles”;
- Measures to remove attitudinal barriers that impede full inclusion of students with disabilities.

¹ This advocacy group is comprised of several non-profit disability rights groups. These include the CNIB, Canadian Mental Health Association, Easter Seals and March of Dimes among several other local groups across Ontario.

² See page 2 Discussion Paper, November 2016 (www.aodalliance.org)

OCSTA supports many of these general recommendations; however, individual school boards should maintain the autonomy and flexibility to determine local board policies. For example, the province may prescribe the need for school boards to have a service animal policy or procedure, but not dictate the specific requirements of that policy or procedure.

The Discussion Paper suggests that achieving an Education Accessibility Standard should not entail new government funding. However, this suggestion fails to appreciate the financial resources, staff time and other capital and operational resources required to support students with the range of disabilities identified above. It also fails to understand the costs associated with some of the key implementation requirements of such a standard. For example, the necessary in-service training programs for board staff that must be created to implement an education accessibility regulation and the costs associated with creating educational materials in accessible formats.

Tools to Support Accessible Education

The Ontario Education Services Corporation (“OESC”), a joint initiative of all trustee and school board associations, has developed a comprehensive set of resources to support school boards with complying with the requirements in respect of accessibility standards in education. In addition, the “Teachable Project” developed by OESC, provides specific resources to teachers and school boards as they develop accessibility policies for students with various disabilities³. Our school boards have collectively demonstrated leadership in ensuring that our schools are accessible and meeting the needs of students with disabilities.

Recommendation:

The Ministry and the Accessibility Directorate (and the Education Standards Committee) should continue to fund and provide support to the OESC as it develops implementation strategies and tools to enable school boards to implement an Education Accessibility Standard.

Current Challenges Facing Catholic School Boards

OCSTA’s Catholic school boards will face a number of challenges in fully implementing the requirements of an Education Accessibility Standard. Based on our boards’ experience with the requirements in meeting customer service and standards for accessibility described in O. Reg. 191/11, the financial costs are significant. The Ministry of Education currently does not fund via the GSN or EPO specific program dollars to assist boards in meeting the requirements of the regulation. This problem will be exacerbated with an additional Education Accessibility Standard regulation, assuming no new money is attached to its implementation. This means boards will have to adjust their existing accessibility plans and priorities and this will likely impact the timelines for full implementation of the regulations.

In addition, 28 of 29 Catholic school boards in Ontario are currently running financial deficits in their special education program areas. Boards must adjust various budget items to ensure special education students receive the programs and services required. Adding additional requirements

³ See <http://theteachableproject.org/accessibility/index/>. The resources include policy statements, lesson plans, research reports and articles all related to accommodating students with disabilities.

through an Education Accessibility Standard without any new funding would put significant stress on already over extended budgets.

Further challenges include:

- Balancing the needs of students with multiple accommodation needs. Many students with disabilities have intersecting needs related to race, gender, cultural heritage and their specific disability. This may impact the ways in which boards provide accessible educational programs.
- Potential conflicts between making schools accessible for students with specific behavioural disabilities and ensuring schools are safe places for learning.

Recommendations:

OCSTA would strongly recommend that transitional funding is specifically allocated to any new regulations related to an Education Accessibility Standard.

In terms of multiple student accommodation needs, ensure school boards maintain the autonomy and flexibility to design programs, procedures, processes and facilities that meet their local circumstances.

Key Issues in Developing an Education Accessibility Standard

The Ministry of Education’s Discussion Guide for the development of an Education Accessibility Standard (“the Guide”), outlines a number of themes the standard should address.

- 1. Accessibility Awareness and Training.** Accessibility awareness and training programs are currently required under the AODA and supported by the Ontario Education Services Corporation and the Accessibility Directorate. School boards will continue to identify new training and awareness gaps in their accessibility plans to accommodate any new requirements emerging from the Education Accessibility Standard.
- 2. Awareness of Accessibility Accommodations—school board policies, programs and processes.** Ensuring that parents, students and board staff have access to information about board policies and procedures is generally a key feature of the multi-year plans. This information is on school board web sites and is available in accessible formats. Hard copies will be made available at board offices, departments, schools and various advisory councils.
- 3. Information, Communication and Inclusive Decision Making.** Catholic school boards strive to ensure that all voices are heard in identifying barriers and removing them to accommodate students with disabilities. In addition, many boards have advisory committees, Special Education Advisory groups and accessibility working groups with student with disabilities participating in them. These groups also have in many cases the mandate to update long term accessibility plans. With the new Education Accessibility Standard, these working groups will likely have an expanded mandate to identify barriers and propose barrier removal/prevention strategies to the school board.

4. **Transition Planning.** Supporting children entering school from child care presents significant challenges to school boards. For example, the large increase in children on the autism spectrum entering school presents challenges in respect of obtaining the proper educational and behavioural supports and funding that most boards are struggling with. Also the coordination with various child care agencies often presents logistical issues in obtaining information in a timely manner that respects privacy issues for parents and students. To support the transition from secondary to work or post-secondary education, boards currently have a range of measures in place to support students with disabilities. Work placement programs and outreach with youth employment agencies and social service groups, are examples.
5. **Inclusive and Accessible Learning Spaces:** Currently school boards have made significant gains ensuring accessibility features in the design and functioning of schools. Boards are using the principles of universal and barrier free design to meet Ontario building code requirements and prioritize key capital and construction projects to remove various barriers for students and staff with disabilities. However, this mandate is met largely on a “reactive” basis due to limited funding sources. Specific funding allocated towards accessibility needs would enable school boards to develop a more systematic, effective and efficient approach to achieving accessibility standards by 2025.

Conclusion

As was stated in the outset of our submission, Catholic school boards are committed to ensuring that people with disabilities have equal opportunities to access services, programs and educational experiences currently available to all other students they serve. Ontario’s Catholic school boards have demonstrated a commitment to and leadership for inclusive education for many years. OCSTA welcomes the opportunity to participate in the development of an Education Accessibility Standard.

1. OCSTA believes strongly that local school boards need additional transitional funding allocated to any new regulations related to an Education Accessibility Standard.
2. In terms of addressing multiple student accommodation needs, OCSTA recommends that school boards maintain the autonomy and flexibility to design programs, procedures, processes and facilities that meet their local circumstances.
3. In terms of the implementation of the education accessibility standard, the Ministry of Education, the Accessibility Directorate and other agencies should explore how various tools and training programs can be more effective in supporting school boards. The lessons learned from the implementation of existing regulations could be a starting point for such discussions.
4. In addition, the Ministry should provide funding to OESC as they develop supports for school boards in Ontario.

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