**SEAC Meeting**

**Date: 6 May, 2019  Location: Board Room, 5050 Yonge St.**

**Time: 7:05 pm**

**Committee Chair:   Richard Carter**

**DRAFT MINUTES**

A meeting of the Special Education Advisory Committee convened on May 6, 2019 from 7:05 pm to 9:14 pm in the TDSB Board Room (5050 Yonge Street, Toronto, ON).

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**Attendance:**

Down Syndrome Association of Toronto Richard Carter

Association for Bright Children (ABC) Melissa Rosen

Autism Society of Ontario – Toronto Lisa Kness

Community Living Toronto Tracey O’Regan (phone)

Integrated Action for Inclusion (IAI) Tania Principe (phone)

VIEWS for the Visually Impaired David Lepofsky

VOICE for Hearing Impaired Children Paul Cross

LC1 Nora Green Aline Chan

LC2 Jean-Paul Ngana

LC3 Olga Ingrahm (phone) Kirsten Doyle

LC4 Diane Montgomery (phone)

TDSB Trustees Trustee Alexander Brown, Trustee Alexandra Lulka

**Also present were:**

Kathy Witherow, Associate Director, Leadership, Learning and School Improvement

Brendan Browne, Executive Superintendent, Leadership, Learning and School Improvement

Vicky Branco, System Superintendent, Leadership, Learning and School Improvement

Susan Moulton, Centrally Assigned Principal, Special Education

Dan McLean, Trustee

Lianne Dixon, TDSB SEAC Liaison

Regrets: Patrick Smith (Learning Disability Association) , Trustee Michelle Aarts, Steven Lynette (Epilepsy Toronto), Paula Boutis, Jordan Glass, Deborah Fletcher (Easter Seals)

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|  | **Item** | **Comments** | **Recommendations/Action** |
| 1. | Call to Order (quorum) - Acknowledgement and Welcome and Introductions, TDSB Staff, Guests and Observers; announce call-in attendees and audio recording of meeting. |  |  |
| 2. | Approval of Agenda (including time allocations) |  | Approved |
| 3. | Declarations of Possible Conflict of Interests |  | None |
| 4. | Approval of SEAC Meeting Minutes for April 1, 2019 (note) | Chair | Approval following passed motion to append David Lepofsky’s email from April 1st, 2019. The approved minutes will be posted on the public website. (Appendix A) |
| 5. | Presentation:  Who, What, Where, When and Why of Mental Health | Annette Grossi, M.S.W., R.S.W.  TDSB Social Worker/Attendance Counsellor   * Annette presented a slide show that outlined Mental Health concerns with youth and what supports are available through TDSB and outside agencies. | Share presentation with SEAC members (permission granted)  Any agencies that might support students with mental health issues will be shared by email to the Liaison and included in the minutes. |
| 6. | Budget  - Special Education Budget Update  - Revised Drivers | * Budget Subcommittee has outlined what priorities SEAC would like to see in the budget. * 54.4 million dollars is the deficit TDSB is working with * In terms of numbers, we know we have a structural deficit along with cuts in government funding * 28.7 due to government cuts * 25.7 million dollars is structural deficit * In the past we have been able to draw on reserves – this year the government has said no – school boards have to use only what is allocated * Extension funding has been stopped – this is no longer available * The Board spends above what is considered “special education budget” – it is still within our purview to do that * In the past, the Board has been able to function at a 1% deficit – this may also change for this year * May 15 and 22 there are deputations taking place – SEAC members are encouraged to participate * Strategic Drivers are “guiding principals” – commitment to the drivers is important to ensure students are at the centre of the decisions that are being made. Supports directly to students remains a focus – we will have to look at how to do things more efficiently without leaving strategic drivers behind | * Budget motion that was passed last SEAC meeting went to FBEC – when PSSC saw the motion, it was deferred because it had already been presented to FBEC * The motion was not put on the floor – it wasn’t moved or seconded * SEAC was asked to allow Trustee Brown to take the motion and present it to the Committee of the Whole at the next meeting * Motion “Trustee Brown will bring the SEAC budget motion passed by SEAC on April 1st forward to the Committee of the Whole” was passed unanimously * Staff should be reporting back to SEAC following the PSSC meetings (standing agenda item moving forward) |
| 7. | Special Education Plan Update  - Review Status and Timeline for updates | Special Education Plan Working Group  A link to the working group’s document was shared.  They have made several suggestions for changes to the document that will be shared with staff.  Nora Green shared a google doc with some of the suggestions that have been made by the working group. | Suggestion was made that next year staff bring sections of the special education plan to each meeting to look over different sections. |
| 8. | Leadership and Learning Department Staff updates and requests for SEAC input   * Standing Items * ONSIS Data | Refusal to Admit (Appendix B)  – principals have received emails outlining what is in the procedure and that they are expected to follow it.  Project Search update – Toronto Catholic Board has withdrawn so TDSB has been able to double the number of students involved – official launch is June 15th  Skills competitions in OYAP – first competition for students with intellectual disabilities was held  ONSIS data has been requested – but it is not available yet. The October data was sent in. | Send out email that went to Principals to SEAC members as well as updated draft policy and procedure now  Suggestion that Duncan Leblanc (principal of Maplewood HS) be asked to be guest speaker at SEAC meeting.  Staff are asking the Research team for a report in June that includes some of the requests from SEAC  Suggestion was made to put ONSIS data as a standing agenda item in October for each year |
| 9. | Trustees’ Report(s) | Trustee Brown encouraged all SEAC members to depute at the May 15 and May 22nd budget meetings. |  |
| 10. | SEAC Member Reports   * Announcements/Upcoming Events | Association/Community Representatives  May is Hearing Awareness month |  |
| 11. | Other business   * CAC - Review of DRAFT Excursion Policy (P033) * SEAC Binder Updates * Correspondence Binder | Chair outlined the correspondence received this month from other SEAC’s and Toronto Family Network. | Share relevant correspondence via electronic format by email.  SEAC correspondence binder will also be brought to each meeting. |
| 12. | Adjournment  Next Meeting: June 3,  2019 @ 7 pm | Chair |  |

Appendix A

To: SEAC and TDSB Staff

From: David Lepofsky SEAC Member

Date: April 1, 2019

Re: TDSB draft refusals to admit procedure

I wish to send to SEAC and TDSB staff my feedback on my first read of the revised draft TDSB procedure on refusals to admit. I ask that this memo be appended as part of the minutes of tonight's meeting, at which I will address these points in a brief fashion.

In general, I commend TDSB for improving this draft procedure on what has been shared with us in the past. While I still have some concerns about it, some of which I share below, I am happy to see such progress. This illustrates how effective SEAC can be when our input is considered and acted upon.

Here are the big points arising out of my preliminary review:

1. I continue to disagree with TDSB treating a modified school day as something different from a refusal to admit. However, TDSB has for practical purposes narrowed the impact of that disagreement, by directing in this procedure that a comparable approach should be taken to each.

2. It is incorrect where the procedure refers to a duty to accommodate students with special education needs. It states:

"For students with special education needs, the TDSB is required to accommodate in the provision of educational services and ensure that all modifications, accommodations and/or alternative programming, whether set out in the IEP or not, have been implemented prior to issuing a refusal to admit."

The duty under the Ontario Human Rights Code is to accommodate students with disabilities, not students with special education needs. Some students with disabilities do not fall within the Education Act's outdated definition of students with special education needs. Moreover, some students with special education needs have no disabilities, and as such, there is no human rights duty to accommodate them under the Ontario Human Rights Code.

That passage should be corrected to refer to students with any kind of disabilities, rather than students with special education needs.

3. It is helpful that the draft procedure spells out certain duties to consult and notify families when there is to be a refusal to admit. However, it is not indicated that the family must be given the reason for the refusal to admit. It merely refers to notifying the family of the decision. We have not yet been shown the template letters. It may be that those letters make it clear that the family must be given the reason. The procedure should in any event be corrected to make it clear that the family must immediately be told the reason. That is a matter of basic fairness. Moreover, how does a family appeal the decision, if they have not been told the reason for the refusal to admit?

4. The procedure needs to make it clear that it applies whenever a student is excluded from school, even informally. Otherwise there will be a clear end-run around this entire procedure (aside from the modified school day issue, addressed earlier)

5. It is good that the procedure appears to aim to engage the family before a decision to exclude, and not just afterwards. However, it spells out detail meeting requirements within TDSB, but only a vague requirement to partner with the family. It should spell out a more clear and specific requirement to meet with the family and discuss the concerns prior to a decision to exclude the student. It is too vague where the procedure states:

"Parent/guardian/caregiver partnership is important to this process and must occur as part of this consultation."

6. I still have been given no reason why a police investigation warrants a refusal to admit. Even if it applied to the student coming into his/her own school, it should be clear that they must be accommodated somewhere else, not shut out of the entire TDSB. However, it is a clear misuse of the Education Act here to refuse to admit a student to school to facilitate a criminal investigation.

I am encouraged with the progress we are gradually making, but remain concerned about the ongoing delays. It is good that we have some possible glimmer of a final decision at TDSB on this. However, in the interim, the risk of unfairness continues.

I therefore propose that we pass the following motion:

Whereas SEAC passed a detailed motion in January 2018, SEAC's Motion #6 (appended below), calling for substantial reforms to TDSB's policies and procedures when it refuses to admit a student to school for all or part of the school day,

And whereas TDSB has had this issue under active consideration for over two years, at SEAC's initiation:

And whereas no new TDSB procedure on refusals to admit have been adopted, though one has been under development for almost two years.

SEAC therefor recommends that if no sufficient TDSB procedure on refusals to admit is adopted by May 1, 2019, that incorporates the principals in SEAC's Motion #6 passed at its January 2018 meeting, SEAC calls on the TDSB trustees to direct TDSB staff to adopt such a procedure by June 3, 2019.

**Appendix B**

**Staff Report May 6, 2019**

Kathy Witherow, Associate Director and Brendan Browne, Executive Superintendent

Leadership, Learning, and School Improvement

SEAC Meeting of May 6th, 2019

**Provincial Funding Announcements and Special Education** – The provincial government has made announcements about class sizes, the ending of existing funding programs, and the release of the annual Grant for Student Needs (GSN) on Friday April 26th through which the bulk of the money we receive in education comes from.

While the GSN announcement indicates a small increase in Special Education funding, as well as specific increase to the Behavioural Support Amount focused on behavioural expertise at the board level to support Applied Behavioural Analysis strategies and expertise, the board as a whole is facing significant shortfalls. The breakdown of these projected shortfalls is:

* Net Structural Deficit in 2019/20 - -$25.7m
* Funding Reductions as Per the EDU Funding Announcement - -$28.7m
* **TDSB’s Net Projected Financial Position - -$54.4m**

The Ministry also announced the ending of funding received through the “Extension Agreement” with the former provincial government. This funding was provided to boards and unions to “extend” existing contracts.

Some quick takeaways from the GSN announcement from April 26th that will impact Special Education include:

* Behaviour Expertise Amount increased by $15.2M provincially;
  + To allow boards to have more professional staff at the board level who have expertise in Applied Behaviour Analysis (ABA) and increase the training opportunities to build board capacity in ABA;
  + **TDSB expected increase in funding will be approximately $1.2M in the Special Education Grant.**
  + This additional funding will be used for staffing as per the funding ($800k) and capacity building ($400k)

We appreciate SEAC’s input into budget considerations. SEAC’s recommendations were presented to the FBEC committee by Paula Boutis on April 15th. We will continue to prioritize professional development and capacity building for staff throughout the system, focusing on job-embedded opportunities, as per SEAC’s recommendations.

**Unleashing Learning Conference** – TDSB hosted this annual professional development conference which brought together 1800 teachers and administrators from across the system together for a day of learning. There were many opportunities for staff to deepen their knowledge of Special Education through workshops such as “Reaching Every Learner”, “Creating a Culture for Student and Staff Well-Being”, “Unpacking the 6 Threads of Inclusive Design”, “Assistive Technology – Transforming Student Learning”, “From Classroom Management to Student Engagement”, and “Moving Inclusion Forward Through Collaborative Leadership”. Such workshops were “standing room only” as they were so popular with attendees. Providing such opportunities for staff to engage in practical strategies to support students with Special Needs continues to be a priority as we look to increase knowledge, competence, and confidence of staff when it comes to serving students with special needs.

**Annual “Barrier Free” Special Olympics Track and Field Event – May 2nd** – This Track and Field event for students with Special Needs has grown from a few local schools to over 450 high school students from across the city participating. Hosted by Maplewood HS at Birchmount Stadium, this event brought together students to participate in a variety of running and field events for the various divisions (Tier 1, Tier 2, Open and ambulatory). Students represent their schools in the spirit of competition and athleticism. There is a particular focus and partnership with Special Olympics as this event is hosting in the days leading up to the Special Olympics World Youth Games hosted here in Toronto from May 14th-17th.

The event is organized by staff and facilitated by staff and student leaders from TDSB secondary schools – many of which participate in leadership/mentorship programs in partnership and support of students with intellectual, physical and developmental disabilities. Staff and student leaders are so supportive and encouraging of all students to participate to the best of their ability. There was a true spirit of community amongst athletes, organizers, and volunteers.

A big “thank you” to Principal Duncan LeBlanc from Maplewood for his on-going leadership and advocacy for this event. We have attached some photos of this event to the email mailout for SEAC members to see some highlights from a foggy but exciting day on the track. The one photo included of two staff members is of Duncan LeBlanc – Principal of Maplewood – with Jennifer Kill – Leadership teacher at William and David Mary HS who started the leadership program focused on students with special needs. The rest are photos of the competition.

**Special Olympics “Unite the World” Youth Games in Toronto** – Toronto is hosting the 50th annual World Youth Games from May 14th – 17th. For more information on these games, please see: <https://youthgames2019.com/>

**Refusal to Admit System Messaging** – The procedure that SEAC have provided input into and was the subject of a motion at the last SEAC meeting has been messaged to the entire system. All principals received a message from Associate Directors Witherow and Russell-Rawlins on Friday April 26th. This message highlighted the importance of this procedure, the expectation for all system leaders, and the oversight of Superintendents of Education. As discussed at several SEAC meetings, particularly in the April meeting, staff are committed to this system messaging and expectations for this procedure.

**Project SEARCH Update** – Project SEARCH is a one-year internship program for students with developmental disabilities in their final year of high school. As SEAC knows from the presentation in the fall, students accepted into the program have the support of a full-time teacher, job coach, rehabilitation counsellor and internship manager. The goal of the program is to have students develop the skills necessary for competitive employment as outlined in our Multi-Year Strategic Plan.

We engaged in this project with the Toronto Catholic DSB but for internal reasons, TCDSB has pulled out of this partnership. The result for TDSB is that we have now doubled our capacity for this pilot program next year from 6 students to 12. There appears to be significant interest in the program and if the pilot is a success, our expectation is to expand in the 2020/21 academic year and beyond.

**Skills Competition for Students with Intellectual Disabilities** – “Skills Competitions” bring together students who are engaged in learning in the skilled professions. Students in Ontario Youth Apprenticeship Programs from across the city compete in their areas of focus as part of their skill development. On April 24th, TDSB hosted our first ever Skills Competition specifically for students with intellectual disabilities. This event was hosted at York Humber Secondary School and was a tremendous success. Our focus on students’ skill development for post-secondary opportunities and employment is supported and encouraged through competitions such as this. Though this competition was our first, more are planned as we continue to consider opportunities to enhance pathways for students with intellectual disabilities.

**Ontario Council of Administrators of Special Education Conference – May 17th** – SEAC members might be interested to know that our Executive Superintendent, Brendan Browne has been asked to participate on an expert panel at this event to share TDSB and provincial perspectives on Special Education in Ontario along with the Minister of Education. Attended by Special Education leaders from boards throughout the province, this event is intended to provide an opportunity for the Ministry to connect, collaborate, and coordinate with boards throughout the province. With so much happening in Ontario at the moment, ensuring TDSB’s voice is part of these provincial conversations is important for our students and families.