

OUR MISSION

*The Toronto Catholic District School Board is an inclusive learning community uniting home, parish and school and rooted in the love of Christ.
We educate students to grow in grace and knowledge to lead lives of faith, hope and charity.*

OUR VISION

*At Toronto Catholic we transform the world
through witness, faith, innovation and action.*



MINUTES OF THE REGULAR MEETING OF THE SPECIAL EDUCATION ADVISORY COMMITTEE PUBLIC SESSION

HELD WEDNESDAY, SEPTEMBER 15, 2021

PRESENT:

Trustees: N. Crawford
A. Kennedy - Virtual

**Non-Voting
Trustee:** M. de Domenico - Virtual

External Members: George Wedge, Chair
Melanie Battaglia, Vice Chair - Virtual
Geoffrey Feldman - Virtual
Lori Mastrogiuseppe - Virtual
Tyler Munro
D. Nightingale - Virtual
Wendy Layton - Virtual

Staff: N. Adragna
M. Caccamo
V. Cocco
A. Coke
A. Della Mora
C. Fernandes
M. Gendron
R. Macchia
M. Meehan
J. Mirabella
R. Putnam
D. Reid

P. Stachiw

S. Hinds-Barnett, Acting Recording Secretary

3. Roll Call and Apologies

Trustee Di Giorgio, Michelle Da Costa, Mary Pugh and Lisa McMahon were absent.

4. Approval of the Agenda

MOVED by Trustee Crawford, seconded by Tyler Munro, that the Agenda, as amended to include the Addendum and Item 19c) Inquiry from Trustee Crawford regarding the 2022 Calendar of Board Meetings in relation to the SEAC Meetings, be approved.

On the Vote being taken, the Motion was declared

CARRIED

5. Declarations of Interest

There were none.

6. Approval and Signing of the Minutes

MOVED by Geoffrey Feldman, seconded by Lori Mastrogiuseppe, that the Minutes of the Meeting held June 9, 2021 be approved.

On the Vote being taken, the Motion was declared

CARRIED

7. Delegations

MOVED by Tyler Munro, seconded by Trustee Crawford, that Item 7a) be adopted as follows:

- 7a) From Paolo De Buono regarding Making the Safe Schools Report Safer** received.

On the Vote being taken, the Motion was declared

CARRIED

9. Notices of Motion

MOVED by Melanie Battaglia, seconded by Deborah Nightingale, that Item 9a) be adopted as follows:

- 9a) From Melanie Battaglia, representative of Autism Ontario regarding Exclusion Tracking and Reporting** will be considered at the October 20, 2021 SEAC Meeting:

WHEREAS: The mission of the Toronto Catholic District School Board (TCDSB) is to be an inclusive learning community uniting home, parish and school and rooted in the love of Christ;

WHEREAS: Autism Ontario, Association for Ontarians with Disabilities Act (AODA), Inclusion Action Ontario, Advocacy Resource Center for the Handicapped (ARCH) Disability Law and many other organizations and associations in Ontario supporting students with special education needs and/or disabilities (“special needs students”) and their families have repeatedly raised concerns about the frequency of special needs students being excluded under section 265(1)(m) of the Education Act (a “formal exclusion”) and/or what are frequently referred to as soft exclusions where student hours of attendance are restricted or are requested to stay home for a number of days, including without limitation for off school premises field trips (“soft exclusions”);

WHEREAS: The Ministry of Education’s “Enrolment Register Instructions for Elementary and Secondary Schools” has since the 2018/19 school year required school boards to maintain Exclusion records for “audit purposes” (pages 23 and 24), including the following information:

- Documentation that shows the reason for the exclusion;
- Documentation of successful notification of the exclusion and the response between the School Board and the pupil (if the pupil is an adult) or the pupil’s parent or guardian;
- Documentation of the plan (signed by the principal) to re-integrate the pupil into the education system;
- Documentation of communication with other parties involved with re-engaging the pupil (e.g. social agencies); and
- Data on the number of students who have been excluded during the school year (including the name of student, Ontario Education Number (OEN), length of exclusion, and reason for exclusion).

WHEREAS: SEAC recommended to the Board and the Board affirmed the request for a report that would include summary information of Exclusions on March 27, 2019 and to date no report has been presented to SEAC, over 2.5 years later (“reporting delay”);

WHEREAS: The Ministry of Education has placed new limits on the suspension and expulsion of students in grade 3 and below effective this school year

(2021/2022) and Exclusions may be used as a method to circumvent these Ministry limits on administrator authority; and

WHEREAS: It is clear from the extensive reporting delay that the TCDSB does not have the ability to systematically monitor Exclusions to ensure appropriate use, meet the Ministry's audit expectation as outlined in the "Enrolment Register Instructions for Elementary and Secondary Schools" document or collect data to compile any reliable reports surrounding the use of Exclusions for SEAC or the board in a timely manner.

BE IT RESOLVED THAT:

- SEAC recommend to the Board that the attendance system be updated to track all Exclusions, including formal and soft exclusions as previously defined;
- SEAC further recommend to the Board that the Progressive Discipline Application be updated to keep records associated with both types of Exclusions as required for a Ministry audit and those records should also be kept in a Student's Ontario Student Record (OSR);
- SEAC further recommend to the Board that a policy be created that will instruct staff on the appropriate use of Exclusions, record keeping and appeal provisions; and
- SEAC further recommend reporting of both types of Exclusions in the Annual Safe Schools report and it indicate the numbers of special needs students affected along with total students.

MOVED by Tyler Munro, seconded by Melanie Battaglia, that Item 9b) be adopted as follows:

- 9b) From Tyler Munro, representative of Inclusion Action in Ontario (IAO) regarding Promotion of Inclusive Practices in the Multi-Year Strategic Plan** will be considered at the October 20, 2021 SEAC Meeting:

WHEREAS: The mission of the TCDSB is to be an Inclusive learning community, uniting home, parish and school and rooted in the love of Christ;

WHEREAS: An “Inclusive” school board is one that focuses on educating all students in regular classrooms and delivering necessary services and accommodations to special needs students in a regular classroom at their students’ local school and in their local community. Those boards operate few or no special segregated classrooms (ISP classes);

WHEREAS: Pope Francis and Catholic Social Teachings strongly support the establishment and operations of Catholic Schools following the “Inclusive” model:

- ‘An inclusive education finds a place for all and does not select in an elitist way the beneficiaries of its efforts.’ – Pope Francis;
- “An education in the fullness of humanity should be the defining feature of Catholic schools” – Pope Francis;
- “Putting the entire person at the centre of education” - Pope Francis;
- “Orienting educational work towards the margins, social margins and existential margins through service, encounter and welcome.” – Pope Francis;
- "Education is an inclusive movement. An inclusion that goes towards all the excluded: those for poverty, for vulnerability due to wars, famines and natural disasters, for social selectivity, for family and existential difficulties," – Pope Francis;
- Vatican City, Feb 20, 2020 / 10:08 am (CNA)- Pope Francis called for an educational revolution Thursday, telling the Congregation for Catholic Education that more effort needs to be made to accelerate the inclusiveness of education;
- FRATELLI TUTTI Encyclical Letter Pope Francis writes: [98]I would like to mention some of those “hidden exiles” who are treated as foreign bodies in society. Many persons with disabilities “feel that they exist without belonging and without participating”. Much still prevents them from being fully enfranchised. Our concern should be not only to care for them but to ensure their “active participation in the civil and ecclesial community. That is a demanding and even tiring process, yet one that will gradually contribute to the formation of consciences capable of acknowledging each individual as a

unique and unrepeatable person”. I think, too, of “the elderly who, also due to their disability, are sometimes considered a burden”. Yet each of them is able to offer “a unique contribution to the common good through their remarkable life stories”. Let me repeat: we need to have “the courage to give a voice to those who are discriminated against due to their disability, because sadly, in some countries even today, people find it hard to acknowledge them as persons of equal dignity”; and

- “Defense of the right to life implies the defense of all other rights that enable the individual with the disability to achieve the fullest measure of personal development of which he or she is capable. These include the right to equal opportunity in education, in employment, in housing, and in health care, as well as the right to free access to public accommodations, facilities, and services.” US Catholic Bishops Statement on Disability (2016).

WHEREAS: Thirty (30) years of extensive research supporting accommodating special needs student within regular classrooms has shown, with an Inclusive approach:

- The special needs student does the same or better academically in an Inclusive classroom;
- Academically all students do better in Inclusive classrooms;
- Teachers become more effective educators by broadening their teaching skills which benefit all students in Inclusive settings;
- Students learn to interact socially and accept those who are not like them, those who are different;
- Special needs students learn to interact with their peers in a typical accommodated, class setting and this eases the transition into adult life, making them more productive members of society. An artificial segregated setting can never achieve this and discourage accommodation in accordance with the Ontario Human Rights Code; and
- Monies can be diverted from expensive segregated programs, bussing and underutilized assets to training staff, hiring frontline staff supporting students in regular classrooms and hiring support staff.

WHEREAS: Nineteen (19) of the sixty (60) English language school boards (32%) in Ontario promote the use of Inclusive classrooms and operate no or only a few Intensive Support Program (ISP) classes for a limited number of Identifications;

WHEREAS: Twelve (12) of the twenty-nine (29) English Language Catholic School Boards (41%) in Ontario promote the Inclusive classroom and operate no or only a few ISP classes for a limited number of Identifications;

WHEREAS: New Brunswick, which has similar student enrollment levels as TCDSB, prohibits by law the segregation of any student due to a disability. New Brunswick has been a global leader in Inclusive education for 35 years;

WHEREAS: Most school boards that promote Inclusive classrooms achieve similar or superior results on standardized testing when compared to geographically overlapping boards that segregate special needs students, some by significant amounts. Renfrew Catholic District School Board (DSB) Education Quality and Accountability Office (EQAO) scores are 19% higher than Renfrew DSB. Hamilton-Wentworth Catholic DSB EQAO scores are 16% higher than Hamilton-Wentworth DSB. Of note Hamilton-Wentworth Catholic DSB has been operating without ISP classes as we know them for over 50 years;

WHEREAS: There is a presumption by TCDSB staff at all levels that the current ineffective and expensive parallel model of special education is best suited for a special needs student. This presumption is made without benefit of reviewing research or having experience in Inclusive school boards. Parents and advocates who request an Inclusive placement for a student are dismissed without serious consideration of the request and they are often subject to significant pressure from staff to consent to a segregated placement recommendation;

WHEREAS: There are few, if any, accommodations provided to students in ISP classes that could not be provided in a regular class if staff were trained and supported to provide those accommodations; and

WHEREAS: Promoting Inclusive Education is consistent with our Catholic values, modern pedagogy research and practices, the Canadian Charter of Rights and Freedoms, The Ontario Human Rights Code, the laws and court rulings of

Canada and Ontario. It is more cost effective than a segregated approach and helps all students reach their potential.

THEREFORE BE IT RESOLVED: That SEAC recommend to the Board that a senior team be put together to develop a pilot project or plan that identifies key deliverable and goals for each year in order to promote Inclusive placements for special needs students that are currently or likely to be placed in ISP classes to be included in the Multi-Year Strategic Plan (MYSP) being prepared. As part of the MYSP SEAC suggests the senior team:

- Provide a modern definition of Inclusion in an education setting that will be posted prominently on the board's website, on related documents and shared with staff;
- Consult with experts in Inclusive Education, Inclusive school boards, SEAC, review research and review available plans for transitioning a board to an Inclusive model;
- Develop a general strategy for preparing staff, departments and the board to support a transition to an Inclusive model;
- Identify and prioritize policies and procedure documents than need to be updated to reflect a change to an Inclusive model of education, including the Special Education Plan; and
- Identify groups of students that will be transitioned to the Inclusive model each year, the staff groups that will educate and support them and the training they will need.

MOVED by Geoffrey Feldman, seconded by Tyler Munro, that Item 9c) be adopted as follows:

- 9c) From Geoffrey Feldman, representative of Ontario Disability Coalition regarding Recommendation that Multiple Exceptionalities (ME) Staff use Clear Mouth Shields** will be considered at the October 20, 2021 SEAC Meeting:

WHEREAS: The mission of the TCDSB is to be an Inclusive learning community uniting home, parish and school and rooted in the love of Christ;

WHEREAS: An “Inclusive” school board is one that focuses on educating Special Needs Students who have difficulty with hearing or communication unless they see the complete face and lips of the Staff Member;

WHEREAS: The TCDSB is expected to deliver the necessary services and accommodations to all students;

WHEREAS: The Holland Bloorview Kids Rehabilitation Staff have had approved the use of a Clear Mouth Shield made by ClearMask™ it is a transparent Face Mask used by the hospital teaching staff with multiple exceptionality children and youth who need to view the complete face for full communication and learning;

WHEREAS: Students who are Deaf or Hard of Hearing or lack communication ability will benefit and become more intently involved when being instructed etc. by ME Staff who communicate through facial expressions and mouth movement; and

WHEREAS: TCDSB should accommodate all students by using all supports needed to communicate and instruct students.

THEREFORE BE IT RESOLVED: That SEAC recommend to the Board that the responsible staff member research the fully transparent, anti-fog masks available to help healthcare providers and essential workers to protect themselves, communicate better, and ease confusion manufactured by ClearMask and make them available to all school staff who wish to use this clear mask shield to fully communicate, instruct, etc. with students who rely upon the full facial expressions that include lip movement to enable them to provide full and inclusive education.

10. Consent and Review

The Chair reviewed the Order Page and the following Items were held:

- 11a) Special Education Advisory Committee (SEAC) Annual Calendar (Draft) as of September 15, 2021 – Deborah Nightingale;
- 11b) Develop/Review Special Education Advisory Committee Annual Agenda/Goals for 2021-2022 – Deborah Nightingale;

- 11c) Special Education Plan Review - Action Plan for 2021-2022 – Deborah Nightingale;
- 13a) Safe Schools Annual Report 2020-2021 – Melanie Battaglia;
- 13b) Response to Motion Regarding Individual Education Plan (IEP) Completion – Melanie Battaglia;
- 13c) Special Education Superintendent Update - September 2021 – Deborah Nightingale;
- 19a) Inquiry from Geoffrey Feldman, representative of Ontario Coalition Disability, regarding "Thank you" to the Angel Foundation for Learning for their support to TCDSB families through their Food for Kids Student Home Nutrition Grocery Card Program – Geoffrey Feldman;
- 19b) Otis-Lennon School Ability Test (OLSAT) Testing Update (Verbal) - Maria Meehan, Superintendent of Special Services – Deborah Nightingale; and
- 19c) Inquiry from Trustee Crawford regarding 2022 Calendar of Board Meetings in relation to SEAC Meetings.

MOVED by Trustee Crawford, seconded by Deborah Nightingale, that the Item not held be received.

On the Vote being taken, the Motion was declared

CARRIED

ITEM NOT HELD AS CAPTURED IN ABOVE MOTION

- 20a) Pending List as at September 15, 2021**

11. Annual Calendar

MOVED by Deborah Nightingale, seconded by Tyler Munro, that Item 11a) be adopted as follows:

11a) Special Education Advisory Committee (SEAC) Annual Calendar (Draft) as of September 15, 2021 received.

On the Vote being taken, the Motion was declared

CARRIED

MOVED by Deborah Nightingale, seconded by Tyler Munro, that Item 11b) be adopted as follows:

11b) Develop/Review Special Education Advisory Committee Annual Agenda/Goals for 2021-2022 received

Melanie Battaglia left the virtual room at 8:02 p.m.

On the Vote being taken, the Motion was declared

CARRIED

N.B: The following goals were suggested for the 2021-2022 School Year:

1. Continued work on the Special Education Plan;
2. To increase Committee membership;
3. To “Covid-proof” Testing, Individual Education Plans (IEPs) and Identification Placement Review Committees (IPRCs) processes that are essential to identifying and supporting our special education students;
4. Increased depth of knowledge of Toronto Catholic District School Board (TCDSB) budget processes and advocating for Special Education needs;
5. That SEAC make recommendations to Board regarding goals for the following year that are deemed important for the Director of Education to pursue as they relate to students with special needs and the Special Services Department in the Spring of the school year; and
6. To strengthen political advocacy for special education needs for our Board and other Boards in Ontario.

MOVED by Trustee Crawford, seconded by Deborah Nightingale, that Item 11c) be adopted as follows:

11c) Special Education Plan Review - Action Plan for 2021-2022 received

On the Vote being taken, the Motion was declared

CARRIED

13) Reports of Officials for Information by the Board/Other Committees

MOVED by Tyler Munro, seconded by Deborah Nightingale, that Item 13a) be adopted as follows:

13a) Safe Schools Annual Report 2020-2021 received

Trustee Kennedy joined the virtual meeting at 8:37 p.m.

On the Vote being taken, the Motion was declared

CARRIED

Trustee Crawford left the horseshoe at 8:57 p.m.

Melanie Battaglia returned to the virtual meeting at 8:58 p.m.

The Chair declared a 10-minute recess.

The meeting resumed with George Wedge in the Chair. The attendance list remained unchanged.

MOVED by Tyler Munro, seconded by Nancy Crawford, that the agenda be reopened to add Item 13d) Updated Policy on Safe School Policies S.S.01 and S.S.12.

On the Vote being taken, the Motion was declared

CARRIED

MOVED by Tyler Munro, seconded by Nancy Crawford, that Item 13b) be adopted as follows:

- 13b) Response to Motion Regarding Individual Education Plan (IEP) Completion** received.

On the Vote being taken, the Motion was declared

CARRIED

MOVED by Trustee Crawford, seconded by Tyler Munro, that Item 13c) be adopted as follows:

- 13c) Special Education Superintendent Update - September 2021** received.

On the Vote being taken, the Motion was declared

CARRIED

MOVED by Trustee Kennedy, seconded by Deborah Nightingale, that Item 13d) be adopted as follows:

- 13d) Updated Policy on Safe Schools Policies S.S.01 and S.S.12** that SEAC recommend to Board that the Policy updates to Safe Schools Policies S.S.01 and S.S.12 be approved with the proposed amendment.

MOVED in AMENDMENT by Tyler Munro, seconded by Deborah Nightingale, that SEAC recommend to Board that:

1. The time for the appeal process in Safe Schools Policy S.S.12 (Fresh Start reported in Regulation 4 of the Policy) be changed from three schools days to ten school days; and
2. In Safe Schools Policy S.S.12 (Fresh Start reported in Regulations 4 of the Policy) that Principals be required to notify parents of their rights of appeal in writing similar to the suspension and expulsion legislations.

Deborah Nightingale requested that the Question be split.

On the Vote being taken, Part 1 of the Motion was declared

FAILED

On the Vote being taken, Part 2 of the Motion was declared

CARRIED

On the Vote being taken, the Motion, as amended, was declared

CARRIED

19. Inquiries and Miscellaneous

MOVED by Trustee Kennedy, seconded by Deborah Nightingale, that Item 19a) be adopted as follows:

- 19a) From Geoffrey Feldman, representative of Ontario Coalition Disability regarding "Thank you" to the Angel Foundation for Learning for their support to TCDSB families through their Food for Kids Student Home Nutrition Grocery Card Program** received and that the following excerpt from the Angel Foundation for Learning's email be highlighted:

“COVID has affected everyone. The Angel Foundation is pleased to have been able to pivot our strategies to continue to support TCDSB families and students to ensure no one is left behind. Since the second COVID shutdown this past April, we have been able to direct close to \$2 million in support to TCDSB families through both our Food for Kids Student Home Nutrition Grocery Card Program, and our Safe Return to School initiative”.

MOVED in AMENDMENT by Trustee Crawford, seconded by Deborah Nightingale, that the Item be referred to Staff for a thank you letter to be sent to the Angel Foundation for Learning on behalf of SEAC.

On the Vote being taken, the AMENDMENT was declared

CARRIED

On the Vote being taken, the Motion, as amended, was declared

CARRIED

MOVED by Tyler Munro, seconded by Trustee Kennedy, that Item 19b) be adopted as follows:

- 19b) Otis-Lennon School Ability Test (OLSAT) Testing Update (Verbal) - Maria Meehan, Superintendent of Special Services** received

Time for business expired.

The Chair called for a 15-minute extension, as per article 12.6 of the By-law.

On the Vote being taken, the extension was approved.

On the Vote being taken, the Motion was declared

CARRIED

MOVED by Trustee Crawford, seconded by Deborah Nightingale, that Item 19c) be adopted as follows:

- 19c) From Trustee Crawford regarding 2022 Calendar of Board Meetings in relation to the SEAC Meetings** received and referred to Staff for a review of the monthly SEAC Meetings in relation to the Board meetings and that the recommendation be made for the meetings to be held one week earlier.

MOVED in AMENDMENT by Trustee Kennedy, seconded by Trustee Crawford, that SEAC recommend to Board that Staff review the timing of the monthly SEAC meetings in relation to the Board meetings in order to bring information in a timely manner from SEAC to the Board of Trustees.

On the Vote being taken, the AMENDMENT was declared

CARRIED

On the Vote being taken, the Motion, as amended, was declared

CARRIED

Wendy Layton left the virtual meeting at 11:21 p.m.

Time for business expired.

The Chair called for a 10-minute extension to facilitate further discussions on purposes important to SEAC.

On the Vote being taken, the extension was not approved.

21. Adjournment

MOVED by Tyler Munro, seconded by Trustee Kennedy, that the meeting be adjourned.

On the Vote being taken, the Motion was declared

CARRIED

SECRETARY

CHAIR