



P.O. Box 55570  
Cedar Heights  
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Phone: (866) 925-9969

## **Notice of Motion: Exclusion Tracking and Reporting**

To: SEAC  
October 20, 2021

Moved by: Melanie Battaglia, SEAC representative for Autism Ontario  
Seconded by: Deborah Nightingale, SEAC representative for Association for Bright Children

**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:**



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- 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.