

**SPECIAL EDUCATION ADVISORY COMMITTEE
PENDING LIST TO FEBRUARY 9, 2022**

#	Date Requested & Committee/Board	Report Due Date	Destination of Report Committee/Board	Subject	Delegated To
1	March 27, 2019 SEAC	TBC	Regular Board	<p>That the Board direct staff to provide a report with respect to the following Items and report back to Board:</p> <p>*Whether the exclusions listed were documented as "safety" exclusions or "disciplinary" exclusions, in light of page 5 of the Report, excerpted below:</p> <p><i>"The Annual Safe School Report is directly linked to Safe School Legislation. However, Safety Exclusions under 265 (1)m of the Education Act are not tracked by the Safe School department as they are not associated with Safe Schools legislation; nor is there any requirement for the Board to report those to the Ministry of Education. Safety exclusions are not considered disciplinary and also include Police exclusions which school Principals are mandated to adhere to until an active police investigation is complete. In any event, there is an expectation that the student will return to a school of the TCDSB. Exclusions are thus not a metric that is linked to the Safe</i></p>	Superintendent of Special Services

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				<p><i>Schools Annual Report. Instead, Safety Exclusions deal with programming alternatives that support a successful academic and social-emotional transition back to a school." (p. 5);</i></p> <p>*Whether the students with the listed exclusions had a history of discipline issues prior to the exclusion, including but not limited to warnings, suspensions and expulsions;</p> <p>*The subcategory of students listed as excluded from December 2013 to and including February 2016 as follows: (i) students not in receipt of Special Education services; (ii) students with an Individualized Education Program (IEP); (iii) by exceptionality (using the Ministry's 14 categories of exceptionalities); and (iv) whether the exclusion was due to police direction/court order or the principal's discretion;</p> <p>*Whether the parents/guardians of the students listed as excluded were provided with a Written Appeal Hearing Policy and/or procedure (the "Policy") regarding the Appeal Hearing Information identified</p>	
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				<p>in the chart, and if so (i) to provide a copy of the Policy to SEAC; and (ii) to advise whether the Policy is publicly available on the school Board's website and, if so, to provide a copy of the web page;</p> <p>*The number of students excluded from March 2016 up to and including December 2018, subcategorized as follows: (i) students not in receipt of Special Education services; (ii) students with an IEP; (iii) by exceptionality (using the Ministry's 14 categories of exceptionalities); (iv) whether the exclusion was due to police direction/court order or the principal's discretion; and (v) whether the excluded students had a history of discipline issues prior to the exclusion, including but not limited to warnings, suspensions and expulsions;</p> <p>*Whether the TCDSB has a written policy and/or procedure on when and for how long the Board and/or principal may exclude a student under Section 265(1)(m) of the Education Act, and, if so, (i) to provide a copy of the Policy to SEAC; and (ii) to advise whether the Policy is publicly available on the school Board's website</p>	
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				<p>and, if so, to provide a copy of the web page;</p> <p>*How a teacher marks a student absent for attendance when the student has been excluded from school for all or part of a school day; and</p> <p>*Where and with what service provider(s) an excluded student continues to receive access to their education and uninterrupted learning during the period of exclusion and for how long, i.e. how many hours of academic instruction per day.</p> <p><i>Motion recommended at March 27, 2019 SEAC meeting; carried at April 24, 2019 Regular Board meeting.</i></p>	
2	October 20, 2021 SEAC	January 2022	Regular Board	<p>The Special Education Advisory Committee recommended to the Board of Trustees that the following be approved:</p> <p>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;</p>	

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			<p>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;</p> <p>WHEREAS: The TCDSB is expected to deliver the necessary services and accommodations to all students;</p> <p>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;</p> <p>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 Multiple Exceptionalities (ME) Staff who communicate through facial expressions and mouth movement; and</p>	
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3				<p>WHEREAS: TCDSB should accommodate all students by using all supports needed to communicate and instruct students. 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 includes lip movement to enable them to provide full and inclusive education</p> <p><i>Motion recommended at October 20, 2021 SEAC meeting; carried at November 18, 2021 Regular Board meeting.</i></p>	
	November 17, 2021 SEAC	February 2022	Regular Board	<p>The Special Education Advisory Committee recommended to the Board of Trustees that the following be approved:</p> <p>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;</p>	Director of Education and Association Director of Education

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			<p>WHEREAS: Autism Ontario, Association for Ontarians with Disabilities Act (AODA) association, 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 at the Principal’s request, including without limitation for off school premises field trips (“soft exclusions”);</p> <p>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:</p>	
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			<ul style="list-style-type: none"> • 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). <p>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");</p>	
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			<p>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</p> <p>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.</p> <p>BE IT RESOLVED THAT:</p> <ul style="list-style-type: none">• SEAC recommend to the Board that the attendance system be updated to track all Exclusions, including formal and soft exclusions as previously defined;<ul style="list-style-type: none">○ A formal exclusion is defined as under Section 265 (1) (m) of the Education Act.	
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			<ul style="list-style-type: none"> ○ A Soft Exclusion is defined as a Principal's request to keep a child home for all or part of a day. ● 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 <p><i>Motion recommended at November 17, 2021 SEAC meeting; carried at December 9, 2021 Regular Board meeting.</i></p>	
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