

**To:** Special Education Advisory Committee

**From:** Jennifer Di Francesco

**Subject:** Improved Accommodation Process for Students with Neurodivergent Differences (Disabilities)/Special Education Needs

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**MOVED BY: Jennifer Di Francesco**

**WHEREAS:** The Toronto Catholic District School Board (TCDSB) serves over 20,000 students with neurodivergent differences (disabilities) and special education needs.

**WHEREAS:** The TCDSB has a duty under the Ontario Human Rights Code and the Charter of Rights to accommodate the learning needs of students with neurodivergent differences (disabilities) up to the point of undue hardship.

**WHEREAS:** If a parent/guardian is concerned that TCDSB is not delivering accommodations included in the child's Individual Education Plan (IEP) or is otherwise not effectively accommodating their child's learning needs, they require a swift, user-friendly, independent, and fair avenue equipped with the needed expertise to address their concerns.

**WHEREAS:** The current procedures of TCDSB are insufficient, as they are not tailored to the needs of students with neurodivergent differences (disabilities) and do not ensure that the TCDSB official addressing the issue has the necessary expertise or authority to implement needed accommodations.

**BE IT RESOLVED THAT:** SEAC recommends to the Board of Trustees the TCDSB should establish a prompt, user-friendly, fair, and effective process for parents/guardians of students with neurodivergent differences (disabilities)/special education needs to seek a resolution if they believe that TCDSB is not providing accommodation for their child's learning needs. This includes cases where TCDSB is not delivering on IEP commitments or has refused an accommodation requested by the parent/guardian.

**BE IT RESOLVED THAT:** SEAC recommends to the Board of Trustees the TCDSB official who receives and addresses complaints from parents/guardians of students with neurodivergent differences (disabilities)/special education needs should: a) Have expertise and experience with the education of students with

neurodivergent differences (disabilities)/special education needs; b) Be independent of those TCDSB staff who have dealt with the student's needs in question; c) Have expertise and training in effective mediation/alternate dispute resolution; d) Have the authority to direct any corrective action they deem necessary.

**BE IT RESOLVED THAT:** SEAC recommends to the Board of Trustees that if, after review, the TCDSB decides not to provide the requested accommodation, the TCDSB shall provide **written reasons** for this decision.

**BE IT RESOLVED THAT:** SEAC recommends to the Board of Trustees that every effort should be made to mediate and resolve disagreements between the family and TCDSB. If the matter cannot be resolved, there should be an option for the Parent/Guardian and the TCDSB to appoint an external mediator or review body to consider the issue within a short time frame.

**BE IT RESOLVED THAT:** SEAC recommends to the Board of Trustees that this process should be designed to address the needs of students with neurodivergent differences (disabilities)/special education needs and should not include unrelated student complaints.

**BE IT RESOLVED THAT:** SEAC recommends to the Board of Trustees that this motion outlines the guiding principles for the proposed process while allowing flexibility in its design and implementation to align with Ministry requirements. The new process should become available to parents/caregivers or students after they have first brought their concerns to their teacher and principal.

**BE IT RESOLVED THAT:** SEAC recommends to the Board of Trustees that the process should be available on the TCDSB website, **easily found and accessible**. The information should also be emailed to all parents in the TCDSB, via multiple avenues, which includes, but is not limited to principals, teachers, SEAC, school messenger, etc.

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**Jennifer Di Francesco**  
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