

## LEARNING DISABILITIES ASSOCIATION OF ONTARIO

### Response to the Provincial Interest Regulation Consultation Paper

The Learning Disabilities Association of Ontario (LDAO) and its 20 community based chapters represent and advocate for the interests of persons with learning disabilities (LDs) throughout Ontario. LDAO has regularly provided consultation and constructive recommendations on all government initiatives that affect persons with learning disabilities in Ontario. People with LDs, of all ages, represent the largest disability group in Ontario. In the publically funded school system, students with LDs have made up over 40% of students receiving special education.

We were very disappointed to note that the Provincial Interest Regulation Consultation Paper makes very little mention of students with special education needs or their parents. This is despite the fact that the Ministry of Education has made a point of including special education in all educational initiatives, rather than keeping it as a silo.

We do understand that there is work in progress to integrated aspects of the school board Special Education Plans into the Board Improvement Plans, but consideration of issues related to special education must be included up front in the planning and designing of the Provincial Interest Regulation. Therefore we are providing responses to the Discussion Questions that are most relevant to our concerns.

#### Discussion Questions

- A. Should the annual report address any other issues in addition to those proposed in this consultation document?
- B. Are the indicators identified sufficient for a comprehensive assessment of each of goals (i.e. student outcomes, effective stewardship, parent involvement)?
- C. Should boards be required to report on all indicators in each annual report or:
  - a. report on some indicators one year, other indicators in a second year, and the last set of indicators in a third year?
  - b. If 'a' above is preferred, should all boards have to report on the same indicators for the first, second and third years, or should this be at the discretion of the board?

School board responsibility for student achievement includes delivering effective and appropriate education programs to **all** its pupils, **including those with special education needs**. In addition to the duties of school boards outlined in Appendix B, boards have a duty to provide or purchase appropriate special education programs and services for exceptional students (170(7)).

This means that:

- Indicators of **student outcomes** must not be based solely on EQAO results. School boards should show that the number of students who are exempted from EQAO testing is decreasing, and the number of students who are accessing

accommodations for EQAO testing is increasing. In addition, there must be a way of demonstrating improvement of students in meeting their IEP goals.

- Indicators of **student well-being** must track rates of suspension, truancy and bullying for students with special education needs separately, and school boards should demonstrate the ways that they are addressing the over-representation of students with special education needs in these areas.
- Indicators of **effective stewardship** must include tracking of allocation and spending of school board special education budgets and evidence of meaningful consultation with the Special Education Advisory Committee (SEAC) when the budget is being developed.
- Indicators of **effective and appropriate education programs** must include accountability for provision of special education programs, provided in a range of special education placements, according to student need and parental preferences.
- Like other students, students with special education needs must be **encouraged to pursue their educational goals**, but most will require more support than many other students in finding goals that fit with their profile of both strengths and needs. There should be specific indicators of such educational supports to students with special education needs.
- Indicators of **communication** and of **encouragement of parent involvement** must include meaningful consultation with parent association members of SEAC, and encouragement of parent association participation on SEAC.
- If school boards are not required to report on all indicators each year, all boards should be on the same reporting schedule for ease of comparison.

### Discussion Questions

- A. Are the proposed triggers appropriate/reasonable?
  - B. Are there any other triggers that could be used to identify boards that have significant and persistent problems over a period of time?
  - C. How do we balance specific measures of academic achievement with broader indicators of board improvement?
  - D. If we used other "triggers" to for broader indicators such as parent involvement or student well being, what should those triggers be?
- There needs to be clarity about the inclusion of students with special education needs in the criteria for improvement in EQAO scores and attainment of grade 9 and 10 credits. We suggest that school boards should track such criteria separately for students with special education needs, in order to show improvements with these students, while at the same time including their scores in general measures.
  - As mentioned above, EQAO scores are not sufficient to track student success, and there must be a way of demonstrating improvement of students in meeting their IEP goals.

- School boards should demonstrate how they are working to improve student success for students with special education needs.
- Triggers for intervention to help school boards improve should include: inadequate provision of appropriate special education programs, services and accommodations; and failure to comply with the Human Rights Code and relevant sections of the Education Act and Regulations.
- SEACs should be consulted about the progress of their school boards in meeting all requirements.

The Auditor General's Report on Special Education outlines many concerns about accountability issues in school board provision of special education programs and services. The Provincial Interest Regulation provides an excellent opportunity to address some of those issues.

We urge you to include the interests of students with special education needs, as outlined above, in the drafting of the special interest regulation. Thank you for the opportunity to provide our input.