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**Learning Disabilities Association of Ontario
submission on the initial recommendations from the
Postsecondary Education Standards Development Committee**

The Learning Disabilities Association of Ontario (LDAO) and its community-based chapters represent the interests of persons with learning disabilities (LDs) throughout Ontario. In the publicly funded school system, students with LDs make up about 40% of students receiving special education supports and services, and many students with LDs go on to postsecondary studies at colleges or universities. LDAO welcomed the decision to add an Accessibility Standard for Education to the standards already in place under the Accessibility for Persons with Disabilities Act (AODA) and has been following the progress of the K – 12 and Postsecondary Standard Development Committees (SDCs).

LDAO commends the work of the SDCs in their thorough review of the many issues and barriers facing students with disabilities in education. There are many excellent recommendations in their 2021 interim recommendations reports.

The following are comments and suggested changes for the Postsecondary Recommendations report, based on consultation with the LDAO Legislation and Policy Committee.

 **Overall comments**

* Staff in Offices for Students with Disabilities (Accessibility offices) are already implementing many of the recommendations but there needs to be consistency across the province.
* Recommendations need to come with start-up funding, to make sure resources are not taken away from existing services for students with disabilities. Such funding may include covering extra staff time in accessibility offices.
* There should be funding for accessibility leads at colleges and universities.
* Implementation of recommendations needs to be gradual so that colleges and universities are not overwhelmed by many changes at once. Colleges and universities need to be able to demonstrate evidence that they are in the process of implementing recommendations in the designated timeline.
* The successful implementation of the 2003 recommendations of the Learning Opportunities Task Force (LOTF) can be a useful model for implementation of these Postsecondary recommendations.
* The College Committee on Disabilities Issues (CCDI) and the Inter-University Disability Issues Association (IDIA) should be involved in implementation and accountability.
* The establishment of an Accessibility Secretariat, in the model of the Equity Secretariat, could be an important step in ensuring implementation of both the K-12 and Postsecondary Recommendations.

 **Barrier area 1: Attitudes, behaviours, perceptions, assumptions**

 **Theme 1: Transformational leadership**

**Recommendation 7: Change management plan**

LDAO supports the recommendation with the following comments:

* There would need to be funding for leadership.
* The designated timeline may not be realistic for implementation in a meaningful way.

**Recommendation 8: Communication strategy on commitment to accessibility**

LDAO supports the recommendation.

**Recommendation 9: Infrastructure and resources (non-regulatory)**

LDAO strongly supports the recommendation, particularly:

* increasing support to the services for students with disabilities including the Accessibility Fund for Students with Disabilities.
* Training disability-specialized career centre staff and expand programming to support student transition to employment.

Capacity building activities could include providing supports such as formats.

**Recommendations 10 - 11**

LDAO supports these recommendations.

**Theme 2: Accountability: Metrics and performance measures**

**Recommendations 12 -13**

LDAO supports these recommendations with the following comments:

* Developing or updating an existing accessible standardized campus climate instrument should be done in consultation with CCDI and IDIA.
* There should be an opportunity for colleges and universities to adapt the standardized instrument, e.g. adding additional items while maintaining consistency with the basic instrument.
* Efforts should be made to prevent ‘survey fatigue’, e.g. by administering to different representative samples in different years.

**Recommendation 14: Establish a committee**
LDAO supports this recommendation with the following comment:

* Committee membership needs to include representation from faculty, and from students with disabilities specifically.

**Recommendation 15: Representation data collection**

LDAO supports this recommendation with the following comments:

* The list of primary disabilities must include learning disabilities specifically, as they do not fit under the categories given as examples.
* There needs to be clarity on how any data would be gathered on human rights complaints, e.g. at the institution’s Human Rights office or the Human Rights Tribunal of Ontario.

**Recommendation 16: Metrics and performance measures**

LDAO supports this recommendation with the following comments:

* Performance measures should include the number of students with disabilities who dropped courses, at what stage, and the reasons.
* Data collection and analyzing will require funding support.

**Theme 3: Research and scholarship**

**Recommendation 17: Research and scholarship** (non-regulatory)

LDAO supports this recommendation.

**Theme 4: Awareness**

**Recommendation 18: Awareness**

LDAO supports this recommendation.

 **Theme 5: Language**

**Recommendation 19: Language**

LDAO supports this recommendation with the following comments:

* The new definitions in the glossary of terms need to be periodically reviewed and updated.
* Individuals with disabilities must have the right to choose the words that apply to themselves.

 **Barrier area 2: Awareness and training**

 **Theme 1: Government leadership**

**Recommendations 20 - 22**

LDAO supports these recommendations on employee training, with the following comment:

* The training described in 22 should lead to professional development goals involving accessibility, which should be reviewed in annual performance evaluations.

**Theme 2: Training for specific audiences**

**Recommendation 23: Educators**

LDAO supports this recommendation with the following comments:

* The institution’s specific accommodation and appeal processes should be included in training.
* “textbooks” should be replaced by “teaching materials” in point 3, to be more inclusive.
* Educators should be aware of the resources available to students through *Alternate Education Resources Ontario (AERO).*
* Professional development for educators should be ongoing, not just renewed every 3 years.

**Recommendation 24: Postsecondary Education administrators and leadership**

LDAO supports this recommendation with the following comment:

* It is very important that education administrators are accountable for faculty decisions that affect accommodations of students with disabilities.

**Recommendation 25: Disability services staff**
LDAO supports this recommendation with the following comments:

* Professional development should be ongoing, not just renewed every 3 years.
* Training on transition should include transitions into and out of postsecondary studies.

**Recommendation 26: Career counsellors/advisors**

LDAO strongly supports this recommendation.

**Recommendation 27: Media/creative arts staff**

LDAO supports this recommendation.

**Recommendation 28: Information technology/communications**

LDAO supports this recommendation with the following comment:

* Training should include a review of accessibility issues related the employee’s specific area of work.

**Recommendation 30: Event planners and hosts**

LDAO supports this recommendation.

**Barrier area 3: Assessment, curriculum and instruction**

 **Theme 1: Pedagogy/andragogy**

**Recommendations 31 - 32**

LDAO supports these recommendations on accessibility standards for teaching and learning.

**Recommendation 33: Employable skills for students with disabilities in alternate pathway programs**

LDAO supports the importance of employability skills but the intent of this recommendation is not clear, e.g. who would be responsible for completion of a portfolio of employability skills, and how employability skills would be assessed.

**Theme 2: Accessible format educational materials**

**Recommendations 34 - 39**

LDAO strongly supports all these recommendations, which are vital to the success of students with learning disabilities. The following additional comments are offered:

* All educational materials that are in current use, despite publication date, need to be made accessible.
* Support to convert educational materials to accessible formats needs to be available on campus, and all education staff need to be made aware of the service.

**Recommendations 37 - 38**

LDAO supports the role of the Ontario government in developing training resources on accessible documents and multimedia resources and in providing dedicated funding to the universities and colleges to support these standards.

**Theme 3: Institutional responsibility**

**Recommendation 40: Linking assessments to essential academic requirements**

LDAO strongly supports this recommendation with the following additional comment:

* Information on how each assessment connects to the essential academic requirements needs to be included in the student course outline/syllabus.

**Recommendations 41 - 43**

LDAO strongly supports all these recommendations with the following additional comment:

* Ensure that all education staff know about the dedicated experts on accessible and inclusive pedagogy/andragogy.

**Theme 4: Quality Assurance**

**Recommendation 44: Adherence to accessible and inclusive pedagogy/andragogy standards**

LDAO supports this recommendation.

**Recommendation 45: Identification and communication of bona fide and essential academic requirements**

LDAO strongly supports this recommendation.

**Recommendations 46 - 48**

LDAO supports these recommendations.

**Theme 5: Diversity of learning environments**

**Recommendation 49: Specialized discipline hubs (Science, Technology, Engineering and Mathematics, trades, healthcare and the arts)** (non-regulatory)

LDAO supports this recommendation.

**Recommendation 50: Virtual and in-person labs and simulations** (non-regulatory)

LDAO strongly supports this recommendation.

**Recommendation 51: Symposia, seminars, colloquia and conferences**

LDAO supports this recommendation.

**Recommendation 52: Graduate supervision**

LDAO strongly supports this recommendation and the importance of accessibility for graduate students.

**Recommendations 53 - 57**

LDAO supports all these recommendations.

**Recommendation 58 - 63**

LDAO supports all these recommendations.

**Barrier area 4: Digital learning and technology

Theme 1: Accessible technology**

**Recommendations 64 - 67**

LDAO strongly supports all these recommendations on usability of accessible technology and addressing barriers.

**Theme 2: Accessibility plan**

**Recommendations 68 - 69**

LDAO supports these recommendations on digital learning and technology planning.

**Recommendation 70: Equitable access to digital technology**

LDAO strongly supports this recommendation with the following additional comment:

* The institution must take responsibility for navigating funding options rather than leaving it up to the student.

**Recommendation 71: Identify and communicate digital learning and technology intentions**

LDAO strongly supports this recommendation with the following additional comment:

* The instructor should be responsible to address any accessibility issues with new technology introduced in class.

**Recommendations 72 - 75: Accessibility of the technology**

LDAO supports all these recommendations.

**Theme 3: Accessible procurement support** (non-regulatory)

**Recommendations 76 - 77**

LDAO supports these recommendations with the following comment:

* Accessibility design criteria and features for procurement should align with criteria in the Information and Communications Standard, particularly Section 14.

**Theme 4: Accessibility training/practice**

**Recommendation 78: Time to practice and learn digital learning and technology accessibility features**

LDAO supports this recommendation.

**Recommendation 79: Mitigation of technology barriers**

LDAO supports the need for an accessible feedback, tracking and reporting mechanism for students but recommends that feedback go to the accessibility office for follow-up, in addition to the accessible digital technology lead.

**Recommendation 80: Assessment methods**

LDAO strongly supports this recommendation.

**Theme 5: Accessibility and inclusive pedagogy/andragogy**

**Recommendation 81: Accessibility of digital teaching and learning tools**

LDAO offers the following comment:

* In addition to following Universal Design principles digital tools must allow for differentiation of instruction by the instructor.

**Recommendation 82: Digital teaching and learning tools barriers**

LDAO supports this recommendation.

**Recommendation 83: Usability of digital learning and technology environments**

LDAO is unclear how this recommendation relates to students with disabilities specifically.

**Theme 6: Accessible content**

**Recommendations 85 - 87**

LDAO supports all these recommendations.

**Barrier area 5: Organizational barriers**

**Theme 1: Admission and accommodation processes**

**Recommendations 89 - 90**

LDAO supports these recommendations on transition supports and admissions processes.

**Recommendation 91: Access to disability accommodation information**

LDAO strongly supports this recommendation.

**Recommendation 92: Documentation policies for academic accommodations**

LDAO supports the need for consistency in documentation policies and processes for determining access to accommodations. This a complex issue. [Ontario Human Rights Commission’s Policy on Accessible Education for Students with Disabilities (March 2018)](http://www.ohrc.on.ca/en/policy-accessible-education-students-disabilities), section 8.7 outlines a nuanced process rather than a set of strict criteria.

LDAO supports the need for postsecondary institutions to “develop in a collaborative manner, a consistent and clear set of policies and practices about the nature and extent of documentation required to establish eligibility for academic accommodation.” Postsecondary institutions must have the flexibility to evaluate eligibility on a case-by-case basis following these consistent policies and practices.

Attention must be paid to the inequitable financial barriers to documentation for students with learning disabilities, especially those who do not qualify for the BSWD/CSG-PDSE.

**Recommendation 93: Interim academic accommodations**

LDAO strongly supports the provision of interim accommodations as outlined in the institution’s practices. This is particularly important for students with learning disabilities, who may face many barriers in accessing assessment needed for documentation.

**Recommendation 94: Full participation**

LDAO supports this recommendation.

**Recommendation 95: Clear policies and procedures**

LDAO strongly supports these recommendations for the collaborative development of clear policies, procedures and best practice guidelines for accessing accommodations across all academically related learning activities.

**Recommendation 96: Disability accommodation plans**

LDAO supports a student-centred approach to development of accommodation plans, while maintaining the right to have a support person at meetings if the student requests this.

**Recommendation 97 - 98: Disability accommodation caseload**

LDAO strongly supports the need to address the increasing caseloads of Student Accessibility Services (SAS) staff, which is leading to lack of access for students to needed supports.

While a system caseload study may be warranted, this should not delay additional funding to the Accessibility Fund for Students with Disabilities to achieve reasonable client loads.

There is a danger that SAS services would need to deny access to services to eligible students in order to keep caseloads low.

**Recommendation 100: Report on training**

LDAO supports this recommendation.

**Recommendation 101: Rights and needs of students with disabilities**

LDAO strongly supports this recommendation.

**Recommendation 102: Alternate program pathways**

LDAO supports this recommendation in principle with the following comments:

* All programs need to be clear on bona fide program requirements.
* Since the issue of bona fide program requirements is complex, decisions on alternative pathways need to be made on a case-by-case basis, in consultation with the Accessibility office.

**Recommendation 103: Transparent policies and procedures**

LDAO supports this recommendation.

**Recommendation 104: Accessible procurement policies and procedures**

LDAO supports this recommendation but points out that accessible procurement standards for educational resources must align with*R***ecommendation 26: Purchase of accessible teaching/training materials** of the *Review of the Information and Communications Standards: 2020 Final Recommendations Report.*

**Recommendation 105 - 106**

LDAO supports these recommendations for alignment with procurement requirements in the Integrated Accessibility Standards Regulation, O. Reg. 191/11 (IASR) and procurement recommendations of the *Review of the Information and Communications Standards: 2020 Final Recommendations Report.*

**Recommendation 107: Review policies and procedures**

Comment Re: “Postsecondary institutions shall adopt an academic conflict resolution process for accessibility-related disputes that fall outside the classroom learning environment, for example in research labs, fieldwork or work integrated learning settings.”

* Accessibility-related disputes involving placements outside the educational institution are complex and may require negotiation/mediation on the part of the Accessibility office.

**Theme 3: Handling of accommodation requests**

**Recommendation 108: Accessibility and accommodation coordinator/champion**

LDAO agrees with the goals of this set of recommendations but does not believe the specifics are realistic. In order to develop a culture of accessibility, institutions need to create their own structures to promote accessibility compliance in ways that work for them.

**Recommendation 109: Refusal of disability accommodation request**

LDAO supports the principle of transparency but has concerns that requiring written reasons for every accommodation request, as well as the proposed timelines, may be unrealistic. A tiered approach should be developed with written responses being required in stages of a dispute resolution process such as outlined in Recommendation 110.

**Recommendation 110: Resolving disability accommodation refusal disputes**

LDAO agrees in principle with this recommendation with the following comments.

* The tiered review process does not need to be so prescriptive, so we recommend replacing the word ‘should’ with ‘could’ in the sentence “This tiered review process should include the following”.
* In (d) a concern that it is not appropriate to include the Faculties of Education in in the list of possible leaders of initial review and dispute resolution processes.

 **Theme 4: Inclusive teaching and learning environments**

**Recommendation 111: Accessible education training**

LDAO supports this recommendation with the following addition:

* “Universal Design in Learning” needs to be accompanied by ‘Differentiated Instruction’.

LDAO supports the need for clarity on the definition of service animals.

**Recommendation 113: Service and support animals policies and procedures**

LDAO supports policies and procedures that include a tiered approach to decision-making on service and support animals.

**Theme 6: Business continuity plans**

**Recommendation 114: Business continuity plans**

LDAO supports this recommendation.

Respectfully submitted,

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